

13.08.01e 1994 (1 of 2)

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Executive Director's Office Reading File

1994

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

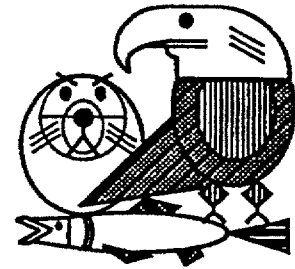
DECEMBER

Exxon Valdez Oil Spill Trustee Council

Restoration Office


645 "G" Street, Anchorage, AK 99501


Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McCammon 
Executive Director

FROM: 
Traci Cramer
Administrative Officer

DATE: December 19, 1994

RE: Financial Report as of November 30, 1994

Enclosed are the financial statements for the Exxon Valdez Oil Spill Trustee Council for the period ending November 30, 1994.

Financial Statements

1. Status of settlement funds as of November 30, 1994.
 - \$7,905,242 has been earned on settlement funds (see attached statement #1).
 - \$410,831,233 has been disbursed from the total settlement (see attached statement #1).
 - Estimated funds available including receivables from Exxon are approximately \$605,512,801 (see attached statement #1).
2. The balance in the Joint Trust Fund as of November 30, 1994 was \$121,876,385 (see attached statement #2).
 - The Joint Trust Fund balance includes the pending court request of \$12,461,091 which had not been submitted as of November 30, 1994.
3. Based on action to date, the Restoration Reserve Fund is currently \$24 million and is reflected in the Joint Trust Fund balance.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

4. Status of the pending court request.

- The court request for \$12,461,091 is currently being reviewed by the Department of Justice. The request combines the action taken at the November 3rd and the December 2nd meetings.

Other Business

1. State of Alaska Projects - The Legislative Budget and Audit Committee approved the request to receive and expend \$9,059,000 on December 2, 1994. The request was approved as submitted.

If you have any questions regarding the information provided please give me a call at 586-7238.

attachments

cc: Restoration Work Force

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Statement 1

DRAFT

**Statement of Exxon Settlement Funds
As of November 30, 1994**

Beginning Balance of Settlement	900,000,000
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Receipts:

Interest Earned on Exxon Escrow Account	831,233
Net Interest Earned on Joint Trust Fund (See Note 1)	6,186,534
Interest Earned on United States and State of Alaska Accounts	887,475
Total Interest	<u>7,905,242</u>

Disbursements:

Reimbursements to United States and State of Alaska	150,382,887
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	220,534,658

Total Disbursements	<u>410,831,233</u>
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Funds Available

Exxon future payments	490,000,000
Balance in Joint Trust Fund (See Statement 2)	121,876,385
Seal Bay acquisition payments due (See Note 3)	(6,363,584)
Other (See Note 2)	TBD
Total Estimated Funds Available	<u>605,512,801</u>

Note 1: Gross interest earned less District Court registry fees.

Note 2: Previously funded projects may have unobligated balances which will be available.

Note 3: Annual payments due in November 1995 and 1996.

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$24 million to date.

2 - The statement does not reflect the pending court request of \$12,461,091.

Cash Flow Statement
Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund
As of November 30, 1994

Receipts:**Exxon payments**

Deposit December 1991	36,837,111	
Deposit December 1992	56,586,312	
Deposit September 1993	68,382,835	
Deposit September 1994	58,728,400	
Total Deposits	<u>220,534,658</u>	<u>220,534,658</u>

Interest Earned	6,864,784	
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Total Interest	<u>6,864,784</u>	<u>6,864,784</u>
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Total Receipts		<u><u>227,399,442</u></u>
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Disbursements:**Court requests**

Withdrawal June 1992	12,879,700	
Withdrawal December 1992	6,567,254	
Withdrawal June 1993	21,067,740	
Withdrawal November 1993	29,950,000	
Withdrawal November 1993	4,743,925	
Withdrawal June 1994	15,860,728	
Withdrawal October 1994	10,664,256	
Withdrawal November 1994	3,111,204	
Total Requests	<u>104,844,807</u>	<u>104,844,807</u>

District Court Fees	<u>678,250</u>	<u>678,250</u>
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Total Disbursements		<u><u>105,523,057</u></u>
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Balance in Joint Trust Fund		<u><u>121,876,385</u></u>
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Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$24 million to date.

2 - The statement does not reflect the pending court request of \$12,461,091.

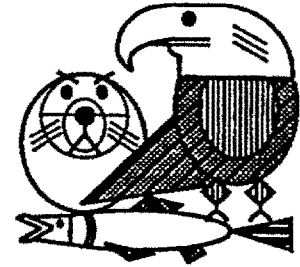
NOVEMBER

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Paul Eade, Regional Management & Budget Officer
National Marine Fisheries Services

FROM:  James R. Ayers
Executive Director

DATE: November 22, 1994

RE: Juneau Federal Building Space Requirements

As we discussed, the EVOS Trustee Council has determined that our office space (located at Room 859A) needs to be reconstructed.

I have attached a drawing (not to scale) of our space requirements and reconstruction needs. The changes are:

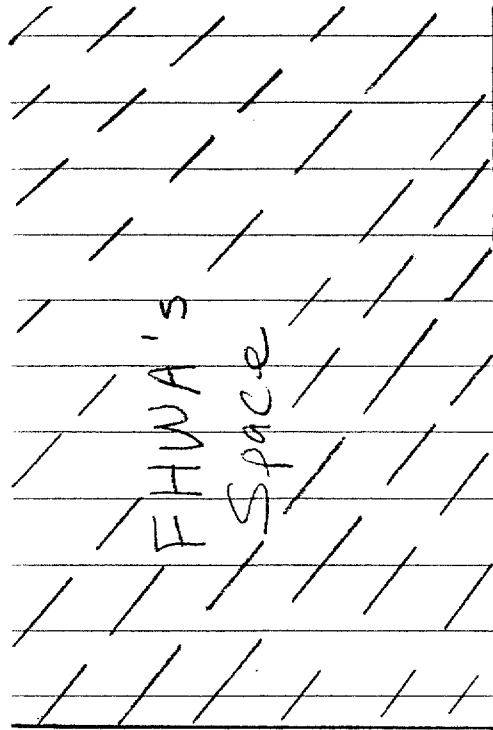
- Expand my office to align with the existing wall enclosing FHWA's office; and add a window.
- Add walls around Traci Cramer's area; and also add a window.
- Add an extra workstation. We would only need another partition added for this space.

If you have any questions, please do not hesitate to call me.

mir

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior



FHWA's
Space

Move Tims office out

Add Window

Toni's
Area

Add window

Laserjet
Printer

Mary's
Computer

Mary's
Desk

Fax
Machine

Copier

Postage
Meter

Extra
Workstation

Reception
Area

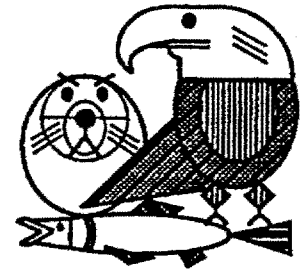


Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: James R. Ayers
Executive Director

FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: November 21, 1994

RE: Financial Report as of October 31, 1994

Enclosed are the financial statements for the Exxon Valdez Oil Spill Trustee Council for the period ending October 31, 1994.

Financial Statements

1. Status of settlement funds as of October 31, 1994.
 - \$7,457,399 has been earned on settlement funds (see attached statement #1).
 - \$410,831,233 has been disbursed from the total settlement (see attached statement #1).
 - Estimated funds available including receivables from Exxon are approximately \$604,628,031 (see attached statement #1).
2. The balance in the Joint Trust Fund as of October 31, 1994 was \$124,603,031 (see attached statement #2).
 - The Joint Trust Fund balance includes the Seal Bay payment of \$3,111,204 which had not been processed as of October 31, 1994.
3. Based on action to date, the Restoration Reserve Fund is currently \$12 million and is reflected in the Joint Trust Fund balance.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

4. Status of the pending court request.

- A new court request totalling \$11,859,691 has been drafted based on action at the November 3, 1994 meeting. This request will be amended to reflect any action at the December 2, 1994 meeting.

Other Business

1. State of Alaska Projects - The Legislative Budget and Audit meeting is scheduled for December 2, 1994 in Anchorage. The location is the Anchorage Legislative Information Office and the time is 1:30 PM.

If you have any questions regarding the information provided please give me a call at 586-7238.

attachments

cc: Molly McCammon
Restoration Work Force

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Statement 1

DRAFT

**Statement of Exxon Settlement Funds
As of October 31, 1994**

Beginning Balance of Settlement	900,000,000
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Receipts:

Interest Earned on Exxon Escrow Account	831,233
Net Interest Earned on Joint Trust Fund (See Note 1)	5,801,976
Interest Earned on United States and State of Alaska Accounts	<u>824,189</u>
Total Interest	<u><u>7,457,398</u></u>

Disbursements:

Reimbursements to United States and State of Alaska	150,382,887
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	220,534,658
Total Disbursements	<u><u>410,831,233</u></u>

Funds Available

Exxon future payments	490,000,000
Balance in Joint Trust Fund (See Statement 2)	124,603,031
Seal Bay acquisition payments due (See Note 3)	(9,975,000)
Other (See Note 2)	TBD
Total Estimated Funds Available	<u><u>604,628,031</u></u>

Note 1: Gross interest earned less District Court registry fees.

Note 2: Previously funded projects may have unobligated balances which will be available.

Note 3: Annual payments due in November 1994, 1995 and 1996.

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$12 million to date.

2 - The Joint Trust Fund Balance includes the Seal Bay payment of \$3,111,204 which had not processed as of October 31, 1994.

3 - The statement does not reflect the pending court request of \$11,859,691 or any other amendments which may be made at the December 2, 1994 meeting.

Cash Flow Statement
Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund
As of October 31, 1994

Receipts:**Exxon payments**

Deposit December 1991	36,837,111	
Deposit December 1992	56,586,312	
Deposit September 1993	68,382,835	
Deposit September 1994	58,728,400	
Total Deposits	<u>220,534,658</u>	<u>220,534,658</u>

Interest Earned	6,437,497	
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Total Interest	<u>6,437,497</u>	<u>6,437,497</u>
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Total Receipts		<u><u>226,972,155</u></u>
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Disbursements:**Court requests**

Withdrawal June 1992	12,879,700	
Withdrawal December 1992	6,567,254	
Withdrawal June 1993	21,067,740	
Withdrawal November 1993	29,950,000	
Withdrawal November 1993	4,743,925	
Withdrawal June 1994	15,860,728	
Withdrawal October 1994	10,664,256	
Total Requests	<u>101,733,603</u>	<u>101,733,603</u>

District Court Fees	<u>635,521</u>	<u>635,521</u>
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Total Disbursements		<u><u>102,369,124</u></u>
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Balance in Joint Trust Fund		<u><u>124,603,031</u></u>
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Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$12 million to date.

2 - The Joint Trust Fund Balance includes the Seal Bay payment of \$3,111,204 which had not processed as of October 31, 1994.

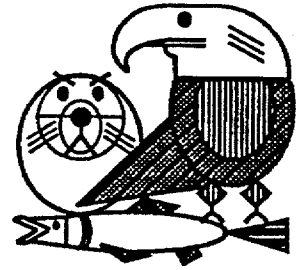
3 - The statement does not reflect the pending court request of \$11,859,691 or any other amendments which may be made at the December 2, 1994 meeting.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: David Bruce
DEC Supply

FROM: 
James R. Ayers
Executive Director

DATE: November 18, 1994

RE: Request for Orthopedic Chair

Dr. Reiswig suggested that I use an orthopedic chair because of a back problem. Please order one of these chairs for me.

If you need a statement from the doctor, let me know and I will provide one. Thank you for your help.

JRA/mir

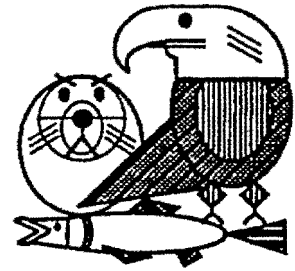
C:\WPDOCS\ORTHCHAI.MEM

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: See Distribution
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: November 17, 1994

RE: Pending Court Request

The attached court request reflects action taken by the Trustee Council at the November 3, 1994 meeting. However, those projects that are on the December 2, 1994 agenda are reflected as open on the project budget summary. The plan is to revise the court request to reflect Trustee action on the open items, with signatures obtained that day.

In the interest of time, it is requested that the Attorney General of the State of Alaska and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice complete any further review of the projects that have been approved to date.

Since the court request will be signed at the December meeting, it is also requested that any comments (this would not include the legal review) be provided to me by close of business Tuesday, November 29, 1994.

Distribution

Bob Baldauf
Regina Belt
Molly McCammon
Alex Swiderski
Agency Liaisons

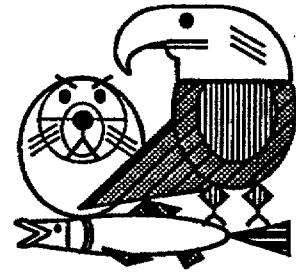
Attachments

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Sandra Schubert
Traci Cramer
FROM: Traci Cramer
Administrative Officer

DATE: November 8, 1994

RE: RPL Package

I have reviewed the BPDs that were submitted at the last LB&A meeting and the projects that were approved at the last meeting of the Trustee Council. You will recall that all of the BPDs that went to LB&A were adjusted to focus only on the intended purpose of the project, and that budgetary information was provided in summary detail.

With that in mind, I would need an electronic copy of the BPDs so I can edit the forms or you can have them done in Anchorage. Let me know which you prefer. The following new/revised BPDs would be required for submittal of the RPL. The comments field is provided to highlight that new BPDs might be required to address the noted changes.

Alaska Department of Environmental Conservation -

I've talked to Mark Boderson and he has the required changes in Juneau. If you also want the BPDs, I understand that Bob has them in Anchorage.

<u>No.</u>	<u>Title</u>	<u>Comment</u>
95026	Hydrocarbon Monitoring Integration of Microbial and Chemical Sediment Data	
95027	Kodiak Shoreline Assessment: Monitoring Surface and Subsurface Oil	
95060	Spruce Bark Beetle Infestation Impacts on Injured Fish and Wildlife Species of the	Lead from ADF&G

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

<u>No.</u>	<u>Title</u>	<u>Comment</u>
	Exxon Valdez Oil Spill	
95115	Sound Waste Management	
95266	Shoreline Restoration	Large Reduction

Alaska Department of Fish and Game -

<u>No.</u>	<u>Title</u>	<u>Comment</u>
95001	Condition and Health of Harbor Seals	
95086C	Herring Bay Monitoring and Experimental Study	* Reduction
95093	PWSAC: Restoration of Pink Salmon Resources and Services	New scope
95106	Subtidal Monitoring: Eelgrass Communities	
95127	Tatilek Coho Salmon Release Program	New scope
95131	Clam Restoration (Nanwalek, Port Graham, Tatitlek)	Reduction
95138	Elders/Youth Conference	
95139	Wild Stock Supplemental Workshop	New project
95165	Carry-forward: PWS Herring Genetic Stock Identification	Reduction Carry-forward
95255	Kenai River Sockeye Salmon Stocks	* Reduction
95258	Sockeye Salmon Overescapement	* Reduction
95259	Restoration of Coghill Lake Sockeye Salmon Stocks	* Reduction
95272	Chenega Chinook Release Program	
95279	Subsistence Food Testing Program	* Reduction
95320B	Prince William Sound Pink Salmon Stock Identification and Monitoring Studies (CWT)	New project ??

<u>No.</u>	<u>Title</u>	<u>Comment</u>
95320I (2)	Isotope Tracers - Food Webs of Fish	* Increase
95320K	Experimental Fry Release	
95320S	Disease Impacts on PWS Herring Populations	
95320T	Juvenile Herring Growth and Habitat Partitioning	
95320U	Somatic and Spawning Energetics of Herring and Pollock	
95320Y	Variation in Local Predation Rates and Hatchery Released Fry	

* I have the previous BPDs, but it is unclear to me if these will have to be rewritten.

Alaska Department of Natural Resources -

<u>No.</u>	<u>Title</u>	<u>Comment</u>
95089	Information Management System	New scope

I understand that there is a discussion scheduled for Friday on project 95163I (Forage Fish: Program Management) and that a Lead Agency has not been identified. If the lead is anticipated to be a state agency a BPD would be required.

I'm not sure when the package is due at OMB, but I assume they want it by Thursday and probably even sooner. Let me know how you want to proceed from here.

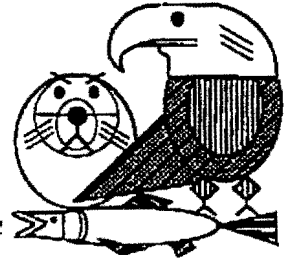
OCTOBER

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



October 26, 1994

Paul Swartzbart
Alpine Charters
POB 233
Cordova Alaska 99574

Dear Mr. Swartzbart:

Thank you for your letter of October 17, 1994. I have been requested to respond to your letter on behalf of the Trustee Council.

As you know, the Trustee Council took action on May 3 to protect lands around Cordova owned by Eyak/Sherstone Corporations. The Trustee Council and representatives of Eyak/Sherstone are now discussing the details of an additional proposal for protection of Eyak lands as part of the Council's comprehensive habitat protection process.

This proposal was discussed with the Trustee Council during the October 5 Trustee Council meeting. The petition you refer to was distributed at that meeting. I can assure you that your comments, as well as those of the Cordova residents who signed the petition, have been and will continue to be considered as these discussions progress.

On October 7 the Trustees did reaffirm their May rejection of the Eyak and Sherstone comprehensive proposal because the proposal does not provide adequate legal assurance of the long-term habitat protection necessary for restoration. We have made Eyak a counter offer because we are just as concerned about providing habitat protection as those who have written in support of reaching an agreement with Eyak. However, it would be irresponsible to invest the public's money in the May 24th proposal without adequate assurance that restoration goals will be achieved or pursued. As you note in your letter, these negotiations can be difficult.

Thank you again for your continued interest in the *Exxon Valdez* Trustee Council actions. I can assure you that the Trustees are very aware of the interest Cordova has in this process.

Sincerely,


James R. Ayers
Executive Director

cc: Trustee Council

jr/ra

Trustee Agencies

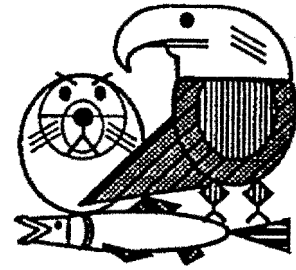
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



October 31, 1994

William D. Brighton, Esq.
Assistant Chief
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
Ben Franklin Station
P.O. Box 7611
Washington, D.C. 20044-7611

Dear Bill:

I appreciate your letter of October 28, 1994, concerning the IMS Infrastructure Improvements Project. Apparently your letter to me crossed with the faxed copy to you and the other federal agencies of an October 28 revised "findings" document which reflected the oral comments received earlier last week from you, Gina Belt and Maria Lisowski. I believe that those verbal requests had already been accommodated in that revised draft or in the proposed resolution of approval that I expect the Council to consider at next week's meeting. I am confident that we have successfully met the legal concerns that you had raised. Further, I believe we have responded to policy questions by thoroughly addressing them in the findings. This completely satisfies all concerns that have been raised again. A copy of the final version of this document is being faxed to you and the other federal officials to whom your letter was addressed.

As to the points discussed in your letter, they have been addressed in the revised documents in the following manner:

Request 1: provide specific examples of the research needed for EVOS restoration which cannot be done at existing Alaska facilities, and could be done at the IMS.

A new Attachment B to the findings has been added providing three such examples.

Request 2: expand discussion of why Seward is the best location and link to the later discussion of prudence and cost-effectiveness.

The discussion of the alternative site evaluation process has been expanded and clarified (beginning at page 8). In addition, new Figure 2 has been added which graphically depicts the evaluation criteria on a comparative basis. This table concisely summarizes the bases by

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

which the State determined that the Seward location was superior relative to the other existing research facilities in Alaska.

Request 3: recommendation that the Trustee Council adopt a policy to maximize the use of the IMS facilities for EVOS related research; include in findings a reasonable indication of scale necessary for EVOS research programs.

In response to your request, language from the prior draft document regarding coordination with activities at other research facilities was deleted. In addition, I have developed the following policy statement to implement your recommendation and will bring it before the Council for decision:

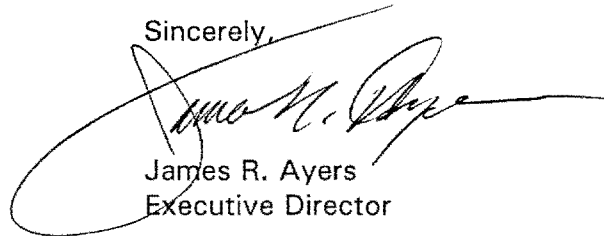
Policy for oil spill related research: Consistent with this facility's unique capabilities for marine mammal, seabird and fish genetics research, it is the policy of the Trustee Council to concentrate its EVOS-funded laboratory research projects and resources at the IMS to the maximum extent practicable. Approval of individual laboratory research projects, including the facilities at which they will be located, will be based on the resources required for that project and its cost-effectiveness, as well as the cost-savings available to the Council at the IMS facility as a result of this capital investment.

As to your comments concerning the proposed project scale, the staff has added the following new language to the findings document:

The size of the research facilities, including the laboratories, tankage, equipment and the number and size of offices, were based on requirements provided to the Project Group by federal and state agency scientists. Based on this agency input and review by the Chief Scientist and the core scientific peer reviewers, the project is of a size and scale necessary to perform anticipated EVOS-related research on a cost-effective basis.

I appreciate your time and assistance that has allowed us to complete these documents. In order to finalize the documents to be presented to the Council, further editing will have to be done before the Council at Wednesday's meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Ayers", is written over a large, loopy circular flourish.

James R. Ayers
Executive Director

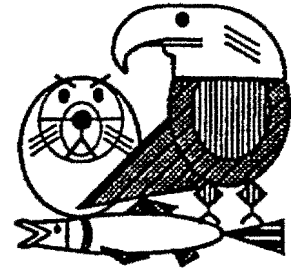
cc: George T. Frampton, Jr., Assistant Secretary, U.S. Department of the Interior
Adela Backiel, Deputy Secretary, U.S. Department of Agriculture
Phil Janik, Regional Forester, U.S. Forest Service
Steven Pennoyer, Regional Director, National Marine Fisheries Service, NOAA

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: James R. Ayers
Executive Director
Traci Cramer

FROM: Traci Cramer
Administrative Officer

DATE: October 21, 1994

RE: Financial Report as of September 30, 1994

Enclosed are the financial statements for the Exxon Valdez Oil Spill Trustee Council for the period ending September 30, 1994.

Financial Statements

1. Status of settlement funds as of September 30, 1994.
 - \$7,060,253 has been earned on settlement funds (see attached statement #1).
 - \$410,831,233 has been disbursed from the total settlement (see attached statement #1).
 - Estimated funds available including receivables from Exxon are approximately \$614,933,483 (see attached statement #1).
2. The balance in the Joint Trust Fund as of September 30, 1994 was \$134,908,483 (see attached statement #2).
3. Based on action to date, the Restoration Reserve Fund is currently \$12 million and is reflected in the Joint Trust Fund balance.
4. Status of the recent court request.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

- The court process was completed October 20, 1994 for actions taken at the July and August Trustee Council meetings. Due to timing, the total disbursement of \$10,664,256 is not reflected on the attached statements.

Other Business

1. State of Alaska Projects - Authorization to receive and expend Exxon Valdez Oil Spill Funds was approved on August 27th.
2. Federal Projects - Currently in the allocation distribution process.

If you have any questions regarding the information provided please give me a call at 586-7152.

attachments

cc: Molly McCammon
Restoration Work Force

C:\WPWIN60\WPDOCS\FR994.WPD

Statement 1

*Statement of Exxon Settlement Funds
As of September 30, 1994*

<i>Beginning Balance of Settlement</i>	900,000,000
--	-------------

Receipts:

Interest Earned on Exxon Escrow Account	831,233
Net Interest Earned on Joint Trust Fund (See Note 1)	5,443,172
Interest Earned on United States and State of Alaska Accounts	<u>785,848</u>
Total Interest	<u>7,060,253</u>

Disbursements:

Reimbursements to United States and State of Alaska	150,382,887
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	<u>220,534,658</u>

<i>Total Disbursements</i>	<u>410,831,233</u>
----------------------------	--------------------

Funds Available

Exxon future payments	490,000,000
Balance in Joint Trust Fund (See Statement 2)	134,908,483
Seal Bay acquisition payments due (See Note 3)	(9,975,000)
Other (See Note 2)	<u>TBD</u>
Total Estimated Funds Available	<u>614,933,483</u>

Note 1: Gross interest earned less District Court registry fees.

Note 2: Previously funded projects may have unobligated balances which will be available.

Note 3: Annual payments due in November 1994, 1995 and 1996.

Footnotes - It should be noted that the Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$12 million to date. In addition, the statement does not reflect the recent court request for \$10,664,256.

Statement 2

*Cash Flow Statement Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund
As of September 30, 1994*

Receipts:

Exxon payments

Deposit December 1991	36,837,111	
Deposit December 1992	56,586,312	
Deposit September 1993	68,382,835	
Deposit September 1994	58,728,400	
Total Deposits	<u>220,534,658</u>	<u>220,534,658</u>

Interest Earned	6,038,826	
Total Interest	<u>6,038,826</u>	<u>6,038,826</u>

Total Receipts		<u><u>226,573,484</u></u>
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Disbursements:

Court requests

Withdrawal June 1992	12,879,700	
Withdrawal December 1992	6,567,254	
Withdrawal June 1993	21,067,740	
Withdrawal November 1993	29,950,000	
Withdrawal November 1993	4,743,925	
Withdrawal June 1994	15,860,728	
Total Requests	<u>91,069,347</u>	<u>91,069,347</u>

District Court Fees	<u>595,654</u>	<u>595,654</u>
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Total Disbursements		<u><u>91,665,001</u></u>
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Balance in Joint Trust Fund		<u><u>134,908,483</u></u>
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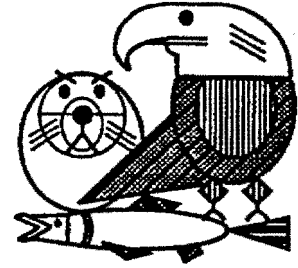
Footnotes - It should be noted that the Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$12 million to date. In addition, the statement does not reflect the recent court request for \$10,664,256.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



October 21, 1994

Mr. James K. Wilkens
Bliss & Wilkens
P.O. Box 201128
Anchorage, AK 99520-1128

Dear Mr. Wilkens:

Thank you for your letter of September 27, 1994, regarding Trustee Council authority. As we discussed, in my rush to provide you with the information, I inadvertently sent a response letter to you yesterday that contained a paragraph arrangement "glitch". This letter is the replacement of that letter and serves as the appropriate response.

The Trustee Council's authority is limited to approval of the expenditure of the joint settlement funds. They have no authority to contract in the Council name, or even to hire personnel. Instead, it must utilize the authority of one or more state or federal agencies to implement decisions. Thus, with respect to its habitat protection and land acquisition activities, the laws pertaining to the appropriate state or federal agency must be followed.

Both the Interior and Agriculture Departments have authority to purchase certain lands related to the EVOS restoration program. Under the statutory Real Property Acquisition Policy and the relevant appropriations acts, both departments are obligated to comply with the appraisal procedures set forth in the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA). The appraisal process and procedures ordinarily used by the State are consistent with those in UASFLA. In the interests of uniformity, the Council therefore agreed to apply UASFLA to determine the approved appraised value that will be used as the basis for subsequent negotiations by the relevant state and federal agencies.

As to your second inquiry, under the statutory Federal Real Property Acquisition Policy, neither the Department of the Interior or Agriculture may offer to purchase at less than its appraised value. While these departments may negotiate to pay more than the approved appraised value, this involves the Committees on Appropriations of the House

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

and Senate which have by report language imposed the following:

Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91-646) except for condemnations and declarations of taking, unless such acquisitions are submitted to the Committees on Appropriations for approval . . .

I understand that neither Department will proceed to acquire lands above the approved appraised value without so advising the Appropriations Committees of its intentions and awaiting their response.

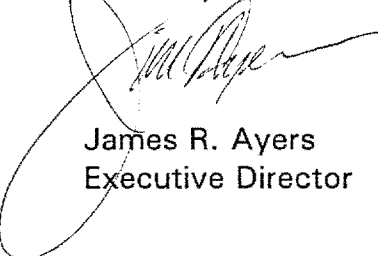
The Trustee Council and its staff have had substantial discussions over the past year which have generally recognized that in spending restoration funds, the Trustee Council must consider the price to be paid relative to the injured natural resource and services being protected or restored. The Trustee Council may in certain situations consider paying more than the appraised value if that is necessary to complete the acquisition and the restoration benefits justify a higher price. On the other hand, the Trustee Council may decide that it is not a wise use of restoration funds to offer to purchase at appraised value where the restoration benefits of a particular acquisition do not justify the price.

As you are no doubt aware, the Trustee Council approved the expenditure of \$7.5 million of joint funds, to be used in combination with other State funding sources, for the State's acquisition of inholdings within Kachemak Bay State Park. The contracted price for that acquisition was for restoration purposes and was based on approval by the Alaska State Legislature of a value for the property that was in excess of a fair market value appraisal procured by the State.

Again, please note that the Trustee Council has followed a prudent course that provides for protection of habitat that is necessary for restoration of injured resources at a fair and reasonable price. I anticipate that practice will continue.

We appreciate your time and effort and look forward to bringing this to a satisfactory closure for all parties.

Sincerely,



James R. Ayers
Executive Director

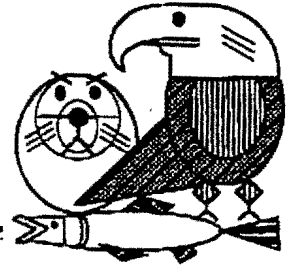
JRA/mir

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



October 20, 1994

Barry Roth
Department of the Interior
Division of Conservation and Wildlife
1849 C Street NW
Washington D.C. 20240

Dear Barry,

The purpose of this letter is to express my continuing appreciation for the help you have provided to identify issues and concerns on behalf of the federal Trustees regarding the Institute of Marine Science Infrastructure Improvements project.

As you know, at the October 5, 1994 meeting, the Trustee Council was presented with a detailed briefing on the project description, design and operational structure. At that time, as part of the briefing, a Draft Executive Director Findings document was distributed that addresses the various issues regarding this project that have been brought to my attention.

It is my understanding that all of the issues identified regarding the project have been addressed in the project description and the companion draft findings document. The Record of Decision for the project EIS will be ready for signature on October 28 and I will be preparing a formal recommendation and resolution for Trustee Council action on the project at the meeting scheduled for November 2 - 3.

If you have any further questions, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "James R. Ayers".

James R. Ayers
Executive Director

cc: Bill Brighton
Trustee Council

Trustee Agencies

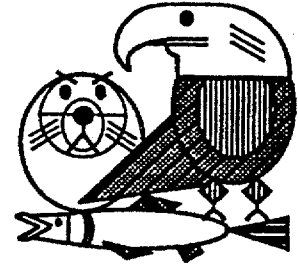
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



October 20, 1994

Mr. James K. Wilkens
Bliss & Wilkens
P.O. Box 201128
Anchorage, AK 99520-1128

Dear Mr. Wilkens:

Thank you for your letter of September 27, 1994, regarding Trustee Council authority. The Trustee Council may consider paying more than the appraised value if that is necessary to complete the acquisition and the restoration benefits are so high as to justify a higher price. On the other hand, the Trustee Council may decide that it is not a wise use of restoration funds to offer purchase at appraised value where the restoration benefits of a particular acquisition do not justify the price. The Trustee Council's authority is limited to approval of the expenditure of the joint settlement funds. It has no authority to contract in its own name, or even to hire personnel. Instead, it must utilize the authority of one or more state or federal agencies to implement its decisions. Thus, with respect to its habitat protection and land acquisition activities, the laws pertaining to the appropriate state or federal agency must be followed.

Both the Interior and Agriculture Departments have authority to purchase certain lands related to the EVOS restoration program. Under the statutory Real Property Acquisition Policy and the relevant appropriations acts, both departments are obligated to comply with the appraisal procedures set forth in the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA). The appraisal process and procedures ordinarily used by the State are consistent with those in UASFLA. In the interests of uniformity, the Council therefore agreed to apply UASFLA to determine the approved appraised value that will be used as the basis for subsequent negotiations by the relevant state and federal agencies.

As to your second inquiry, under the statutory Federal Real Property Acquisition Policy, neither the Department of the Interior or Agriculture may offer to purchase at less than its appraised value. While these departments may negotiate to pay more than the

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

approved appraised value, this involves the Committees on Appropriations of the House and Senate which have by report language imposed the following:

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I understand that neither Department will proceed to acquire lands above the approved appraised value without so advising the Appropriations Committees of its intentions and awaiting their response.

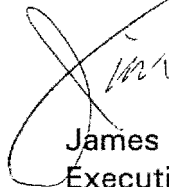
The Trustee Council and its staff have had substantial discussions over the past year which have generally recognized that in spending restoration funds, the Trustee Council must consider the price to be paid relative to the injured natural resource and services being protected or restored.

As you are no doubt aware, the Trustee Council approved the expenditure of \$7.5 million of joint funds, to be used in combination with other State funding sources, for the State's acquisition of inholdings within Kachemak Bay State Park. The contracted price for that acquisition was for restoration purposes and was based on approval by the Alaska State Legislature of a value for the property that was in excess of a fair market value appraisal procured by the State.

Again, please note that the Trustee Council has followed a prudent course that provides for protection of habitat that is necessary for restoration of injured resources at a fair and reasonable price. I anticipate that practice will continue.

We appreciate your time and effort and look forward to bringing this to a satisfactory closure for all parties.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ayers", is written over the printed name and title.

James R. Ayers
Executive Director

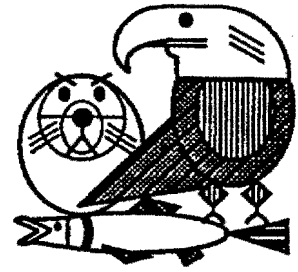
JRA/mir

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Carl L. Rosier
Commissioner
Department of Fish & Game

FROM: James R. Ayers
Executive Director

DATE: October 20, 1994

RE: Trip Report

I travelled to Washington, DC, from October 10 - 14, 1994, for the purpose of meeting with the Federal Trustees to brief them on the current status of habitat acquisition.

In addition, I met with Department of Justice officials about final questions regarding the Research Institute in Seward.

JRA/mir

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Trustee Agencies

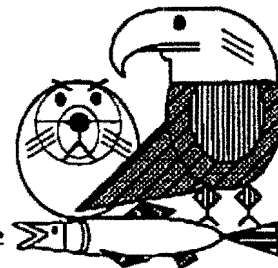
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

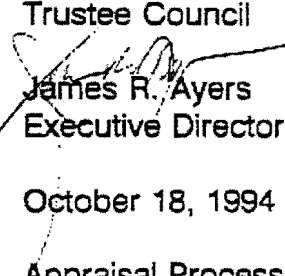
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Trustee Council

From:  James R. Ayers
Executive Director

Date: October 18, 1994

Re: Appraisal Process

During our last Trustee Council meeting we discussed the habitat protection effort and you requested that I report further regarding the standardized appraisal process adopted by the Council. The process, as actually implemented, has proven to contain flaws which must be overcome immediately if the Council's efforts are to be successful.

The first major flaw is the matter of accomplishing appraisal tasks on schedule within a predictable level of costs. The delay and costs associated with completing the appraisals is still being reviewed. I suspect that it is safe to say that we now realize that we have far more work than can be accomplished in a timely manner by one appraiser and one timber cruiser, irrespective of their good faith assurances. It is my understanding that the U.S. Forest Service will have a report to you by the November 2 - 3 meeting on the expenditures the Council has incurred on the appraisal process up to this point and related time lines.

The second and more substantial flaw is that the appraisals contracted for by the Trustee Council contain superfluous, subjective opinions that are inappropriate under all applicable appraisal standards. The inclusion of these superfluous opinions not only reflects poorly on the Trustee Council itself, but jeopardizes the ability to complete transactions with the interested sellers because of a perceived lack of objectivity in the appraisal. There has been insistence that no one be permitted to examine either the draft and interim approved appraisals or the review statements prior to release other than a review appraiser. This "closed" review process shielded these documents from a review that would have identified superfluous, inappropriate and subjective opinions and would have maintained the objectivity of the appraisal process.

During my Assistant Secretary-level meetings last week in Washington, I found strong support for the need for final appraisal reviews by senior appraisal officials to restore credibility to this process. In accordance with Federal regulations governing review

appraisals, the review of the three Kodiak appraisals is now being conducted by the Chief Appraisers of both the Forest Service and the Fish and Wildlife Service. The interim approval of the Kodiak appraisals has been rescinded by the two Federal Chief Appraisers in order to correct the superfluous and inappropriate language that had been included. The State of Alaska's Chief Appraiser will continue to play a material and integral role in this final review. The Chief Appraisers have advised their agencies that this process can be completed within the week. The product of the Chief Appraisers' review will be the appraised value for the property and will then be used as the basis for the negotiation process under our standardized procedures.

The Kodiak appraisal process is slightly more advanced than that for the other parcels under consideration for acquisition. As a result, we will have an opportunity to assess the results of this Kodiak review and determine whether permanent changes in the standardized process must be made. I remain optimistic that we can work with the willing sellers to put these problems behind us in the final negotiations.

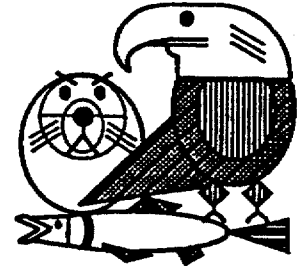
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Marlyn Carrillo, Administrative Assistant
Division of Administrative Services
Department of Fish & Game

FROM: *Mary Rivera*
Mary Rivera, Administrative Assistant
Executive Director's Office, EVOS

DATE: October 10, 1994

RE: Business Travel Account

This is to update the list of traveler's using the *Exxon Valdez* Oil Spill Trustee Council Business Travel Account. The following individuals may use the account:

James R. Ayers, Executive Director
Molly McCammon, Director of Operations
Traci Cramer, Director of Administration
Eric Myers, Project Coordinator
L.J. Evans, Public Information Officer
Ward Lane, Analyst Programmer
Mary Rivera, Administrative Assistant

If you have any questions, please call me at 586-7238.

mir

cc: Alaska Travel Service (via fax)

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Trustee Agencies

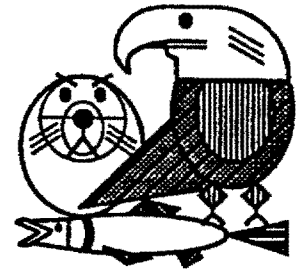
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



October 7, 1994

Ms. Donna Platt
President
The Eyak Corporation
P.O. Box 340
Cordova, AK 99574

Mr. Luke Borer
President
Sherstone, Inc.
P.O. Box 340
Cordova, AK 99574

Donna
Dear Ms. Platt and Mr. Borer:

Thank you for your letter of October 4, 1994, clarifying a number of issues relative to your May 24, 1994, Eyak and Sherstone comprehensive proposal.

The Trustee Council has reviewed your comments and has authorized me to respond and proceed with negotiations on the following basis.

The Trustee Council has a fiduciary responsibility to the public to use restoration funds to cost-effectively restore injured resources and services. The Council has previously determined that your May 24 proposal does not provide adequate assurance of long-term habitat protection necessary for restoration. They cannot in good faith accept your May 24 proposal. Instead, they have requested me to work with you to develop a proposal that meets restoration needs.

I firmly believe that, together, we can develop a proposal which provides the Trustee Council with legal assurance of long-term habitat protection necessary for restoration in areas acquired while providing Eyak and Sherstone the flexibility to meet other corporate and shareholder objectives.

The Trustees are hopeful that a proposal can be developed before the next Trustee Council meeting on November 2 and 3. Given the limited time available, I propose concentrating on the development of a proposal for Trustee Council and Eyak consideration limited to the "revised" Orca Narrows parcel and the Core lands. This approach would substantially reduce both the number and scope of the complexities inherent in your May 24, 1994 proposal. This will allow

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Ms. Platt and Mr. Borer

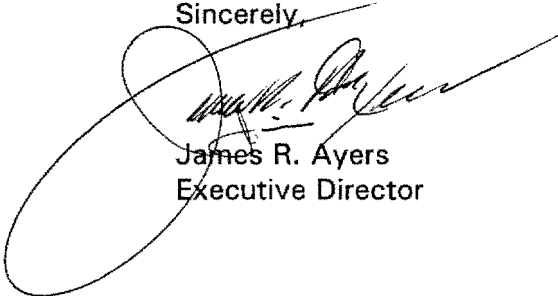
- 2 -

October 7, 1994

us to move forward with habitat protection that will aid restoration of injured resources and services while meeting the objectives of Eyak.

I sincerely hope that you and the Board's of the Eyak and Sherstone Corporations will give these suggestions serious and favorable consideration and that a proposal can be developed prior to the November 2 and 3 meeting.

Sincerely,



James R. Ayers
Executive Director

JRA/mir

cc: Trustee Council Members

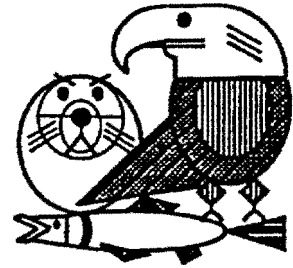
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



October 4, 1994

Mr. Leonard Schwartz
Alaska Department of Fish & Game
P.O. Box 669
Cordova, AK 99574

Dear Mr. Schwartz:

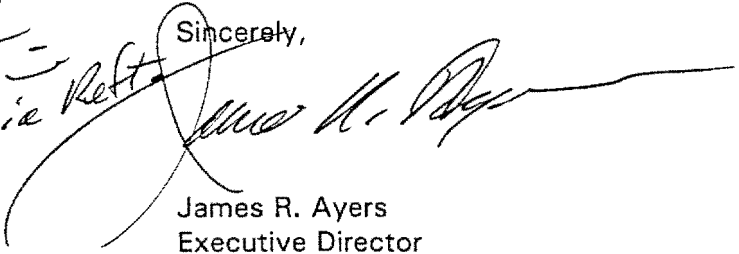
It is my understanding that you contacted the Anchorage Restoration Office late in 1993 regarding Habitat Protection and Karluk IRA Tribal Council. You spoke with Rebecca Williams, who then passed your concerns on to me and Carol Fries of the Alaska Department of Natural Resources.

Carol Fries sent a landowner letter to Alicia Reft, President of Karluk IRA Tribal Council at P.O. Box 22, Karluk, Alaska 99608, on January 10, 1994. There was no response to this letter, so another was sent and signed for by Beverly Charliago on June 16, 1994. Again, there was no response to this second letter. Rebecca Williams tried twice to contact you to inform you that a landowner letter was being sent and was unable to get through to you.

If you have any other concerns or questions, please don't hesitate to contact me at the number listed above or at 586-7238.

Sincerely,

*I would appreciate
any assistance you
could provide
contacting Alicia Reft.*



James R. Ayers
Executive Director

jra/raw

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Trustee Agencies

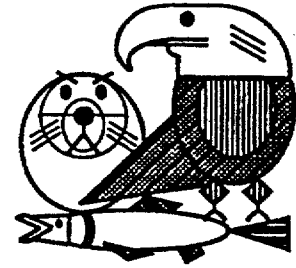
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council Principal Investigators

VIA: Agency Liaisons

FROM: James R. Ayers
Executive Director

DATE: October 4, 1994

RE: Completion of the PICES Survey

Attached you will find a survey form from GLOBEC PICES (North Pacific Marine Science Organization) that I am requesting you to complete and return the form to Brenda Norcross. PICES is an international treaty signed by the United States, Canada, Japan, China, and soon to be joined by Russia. Working Group 3, of which Brenda is a member, focuses on research of coastal pelagic fishes within the PICES region (north of 40° N).

The objective of this survey is to compile and maintain an international list of researchers who are interested in small coastal pelagic fishes. The focus of the working group does not include salmon, as that is covered by a separate group. However, for those of you studying juvenile salmon within the coastal ecosystem, it would be appropriate to have your interests included here too.

Please send your completed forms to Brenda Norcross at the address on the attached form.

JRA/mir

Attachment

cc: Brenda Norcross

C:\WPDOCS\TCPRNINV.MEM

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

SURVEY BY PICES WORKING GROUP 3
of
Researchers Who Study Coastal Pelagic Fishes

Instructions:

Please complete a separate form for each key researcher in your country.

Return all completed forms to:

Dr. Brenda L. Norcross
Institute of Marine Science
University of Alaska Fairbanks
Fairbanks, AK 99775-7220 USA

or send via internet to: NORCROSS@IMS.ALASKA.EDU

Include the following on the reverse side:

NAME of key person engaged in research, include title by which to address this person.

Complete ADDRESS at which to send correspondence.

AFFILIATION of government agency or university with which researcher is associated.

PHONE and FAX at which this researcher can be reached.

EMAIL address at which this researcher can be reached, include system, e.g., Internet, Omnet.

COUNTRY and LOCATION WITHIN COUNTRY where research is focused, e.g., USA, Gulf of Alaska; Japan, Funka Bay.

SPECIES STUDIED (give scientific name and common name) by researcher, i.e., anchovy, sardine, jack mackerel, scomber, herring, pollock, hake.

PRESENT RESEARCH INTERESTS of project in which researcher is currently engaged, e.g., acoustics, age, distribution, energetics, fecundity, food habits, forecasting fish availability, growth, juveniles, larval fish, modelling, nutrition, oceanography, spawning, stock assessment, trophodynamics (including pelagics as forage).

BROAD TOPICS OF INTEREST of researcher even though not presently actively engaged in this aspect of research. See suggested areas listed above.

09/20/94

13:48

907 276 7178

EV Restoration J. AYERS

SURVEY BY PICES WORKING GROUP 3

of

Researchers Who Study Coastal Pelagic Fishes

Title/Name

Mailing Address

Affiliation/Agency

Phone

FAX

Email Address

Country of study

Location of study

Species studied

Present research interests

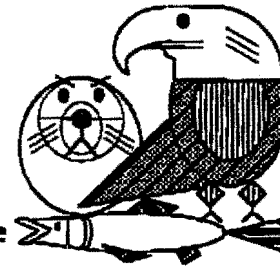
Broad topics of interest

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Agency Liaisons
FROM: Jim Ayers
Executive Director
DATE: October 3, 1994
RE: Comments on Draft Record of Decision

Copies of a draft Record of Decision on the Final Eis for the Restoration Plan were distributed to all agency liaisons last week. Please have your agency's comments back to Rod Kuhn in the Anchorage Restoration Office by the close of business on Wednesday, October 12. Since the text for the R.O.D. is essentially verbatim from the FEIS, the Draft Restoration Plan, and a small amount from the brochure, this is not the time for wordsmithing. However, I would like to ensure that all agencies have reviewed and agree with the major concepts in this draft.

I am also attaching a timeline for action on the R.O.D. and the Final Restoration Plan. The major issue still outstanding is who, representing the Federal Trustees, will actually sign the R.O.D. Each of the federal agencies needs to decide this as soon as possible. I'm assuming that Alex Swiderski in the Department of Law is preparing a brief letter of concurrence for State Trustee signature. By way of this memo I am asking the state liaisons to work with Alex in preparation of that letter.

Let me also remind you that October 12 is also the date for returning your comments on the preliminary Final Restoration Plan draft to Bob Loeffler and Veronica Gilbert.

cc: Rod Kuhn
Alex Swiderski
Molly McCammon

FINAL EIS/RESTORATION PLAN TIMELINE

	From	To
Notice of FEIS availability in Federal Register	9/30	9/30
30 day waiting period on FEIS	9/30	10/30
Agency review of Draft R.O.D.	9/28	10/12
Agency review of preliminary Final Restoration Plan	9/30	10/12
Prepare R.O.D. for transmittal to Washington D.C.	10/13	10/14
Revisions to preliminary Final Restoration Plan	10/13	10/20
Final review & briefings in preparation for R.O.D. signature	10/15	10/30
Final review of Final Restoration Plan	10/21	10/30
R.O.D. signature	10/31	10/31
R.O. D. printed and distributed	11/1	11/14
Final Restoration Plan adopted	11/2	11/2
Final Restoration Plan printed & distributed	11/3	11/31

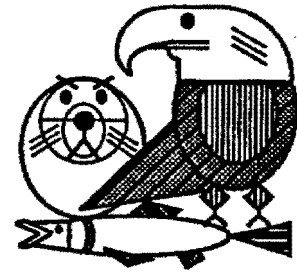
SEPTEMBER

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Jim Ayers
FROM: Traci Cramer
Administrative Officer

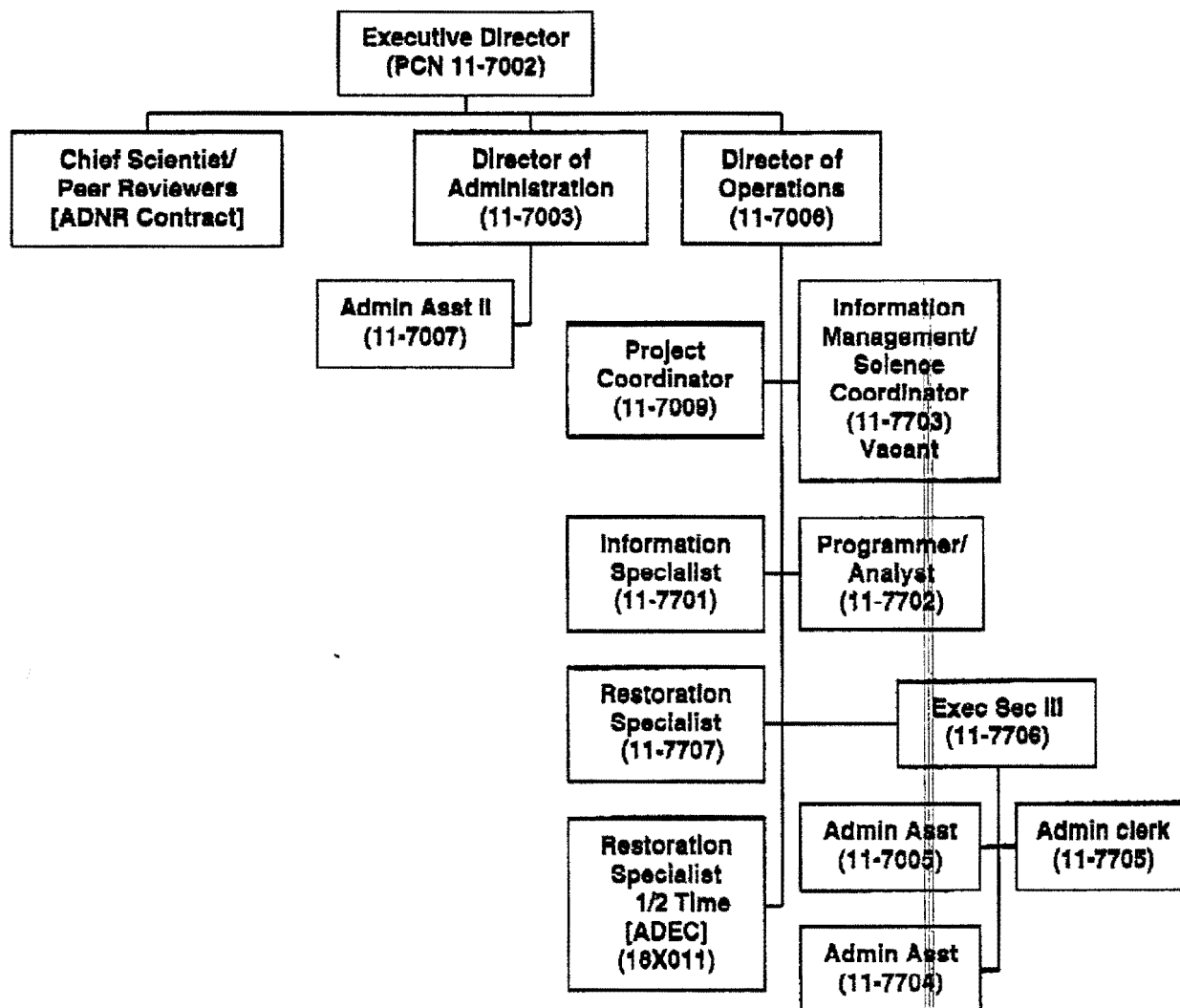
DATE: September 26, 1994

RE: Council Staff

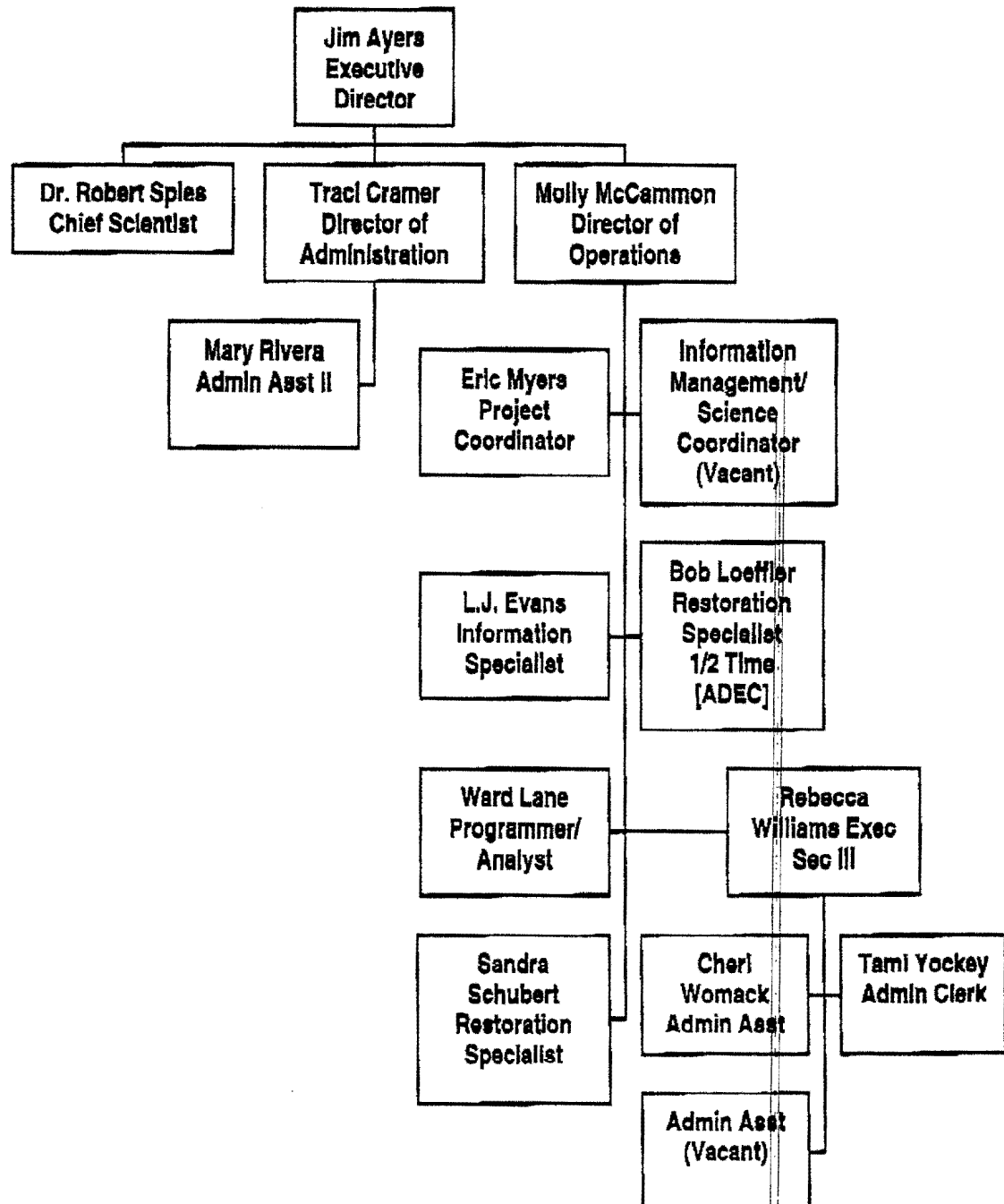
The following represents the state employees that act as staff for the Exxon Valdez Oil Spill Trustee Council.

<u>Title</u>	<u>Name</u>	<u>Range/Step</u>
Executive Director	Jim Ayers	28F
Director of Operations	Molly McCammon	26D
Director of Finance	Traci Cramer	24D
Administrative Assistant	Mary Rivera	14B
Project Coordinator	Eric Myers	23C
Information Specialist	L.J. Evans	18B
Restoration Specialist	Bob Loeffler	23B
Programmer/Analyst	Ward Lane	18B
Executive Secretary	Rebecca Williams	16D
Restoration Specialist	Sandra Schubert	21A
Administrative Assistant	Cherri Womac	14B
Administrative Clerk	Tami Yockey	11E
Librarian III	Carrie Holba	19A
Librarian II	Beverly Hayes	17A
Library Assistant	Jeffery Lawrence	11A
Natural Resource Manager II	Arthur Weiner	20K
Natural Resource Manager I	Carol Fries	18E
Natural Resource Manager II	Veronica Gilbert	20J
Restoration Chief	Jerome Montague	24E
Restoration Specialist	Joe Sullivan	21E
Restoration Chief	Mark Brodersen	24D
Restoration Specialist	David Bruce	21C

Exxon Valdez Oil Spill Trustee Council Staff



Exxon Valdez Oil Spill Trustee Council Staff

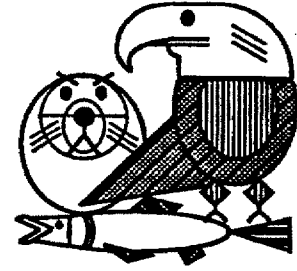


Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: James R. Ayers
Executive Director

FROM: Traci Cramer
Administrative Officer

DATE: September 22, 1994

RE: Financial Report as of August 31, 1994

Enclosed are the financial statements for the Exxon Valdez Oil Spill Trustee Council.

Financial Statements

1. Status of settlement funds as of August 31, 1994.
 - \$6,515,235 has been earned on settlement funds (including United States and State of Alaska accounts).
 - \$340,831,233 has been disbursed from the total settlement.
 - Estimated funds available including receivables from Exxon are approximately \$625,744,040.
2. The balance in the Joint Trust Fund as of August 31, 1994 was \$75,719,040.
3. Status of the pending court request.
 - A new court request totalling \$10,664,256 is awaiting one signature and will be submitted upon completion. This court request reflects actions taken at the July and August Trustee Council meetings.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

4. Status of Exxon payments.

- The September 1994 payment for \$70,000,000 has not been included on the attached statements. New statements will be provided at the October meeting to reflect activity through September 15, 1994.

Other Business

1. State of Alaska Projects - authorizations for the interim budgets, scientific data analysis and report writing, and administration has been submitted to the Legislative Budget and Audit Committee. The meeting is scheduled in Juneau on August 26th.

If you have any questions regarding the information provided please give me a call at 586-7152.

cc: Molly McCammon
Restoration Work Force

C:\WPWIN60\WPDOCS\FR894.WPD

**Statement of Exxon Settlement Funds
As of August 31, 1994**

Beginning Balance of Settlement	900,000,000
--	-------------

Receipts:

Interest Earned on Exxon Escrow Account	831,233
Net Interest Earned on Joint Trust Fund (See Note 1)	4,982,129
Interest Earned on United States and State of Alaska Accounts	<u>701,873</u>
Total Interest	<u><u>6,515,235</u></u>

Disbursements:

Reimbursements to United States and State of Alaska	139,111,287
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	161,806,258
Total Disbursements	<u><u>340,831,233</u></u>

Funds Available

Exxon future payments	560,000,000
Balance in Joint Trust Fund (See Statement 2)	75,719,040
Seal Bay acquisition payments due (See Note 3)	(9,975,000)
Other (See Note 2)	TBD
Total Estimated Funds Available	<u><u>625,744,040</u></u>

Note 1: Gross interest earned less District Court registry fees.

Note 2: Previously funded projects may have unobligated balances which will be available.

Note 3: Annual payments due in November 1994, 1995 and 1996.

Footnotes - The statement does not reflect the following:

1. Pending court request in the amount of \$10,664,256; and
2. September 1994 Exxon payment in the amount of \$70,000,000.

*Cash Flow Statement Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund
As of August 31, 1994*

Receipts:**Exxon payments**

Deposit December 1991	36,837,111	
Deposit December 1992	56,586,312	
Deposit September 1993	68,382,835	
Total Deposits	<u>161,806,258</u>	<u>161,806,258</u>

Interest Earned	5,530,275	
Total Interest	<u>5,530,275</u>	<u>5,530,275</u>

Total Receipts		<u><u>167,336,533</u></u>
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Disbursements:**Court requests**

Withdrawal June 1992	12,879,700	
Withdrawal December 1992	6,567,254	
Withdrawal June 1993	21,067,740	
Withdrawal November 1993	29,950,000	
Withdrawal November 1993	4,743,925	
Withdrawal June 1994	15,860,728	
Total Requests	<u>91,069,347</u>	<u>91,069,347</u>

District Court Fees	<u>548,146</u>	<u>548,146</u>
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Total Disbursements		<u><u>91,617,493</u></u>
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Balance in Joint Trust Fund		<u><u>75,719,040</u></u>
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Footnotes - The statement does not reflect the following:

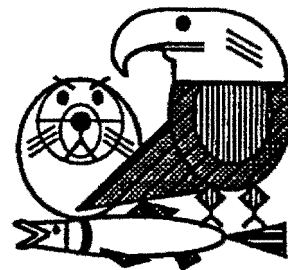
1. Pending court request in the amount of \$10,664,256; and
2. September 1994 deposit in the amount of \$58,728,400

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dr. Robert Spies
Applied Marine Science

FROM: James R. Ayers
Executive Director

DATE: September 22, 1994

RE: Kenai River Sockeye Salmon

I believe all Kenai River sockeye salmon projects should be reviewed in light of the attached memo from Kenneth Tarbox.

JRA/mir

Attachment

C:\WPDOCS\SPIES3.JRA

Trustee Agencies

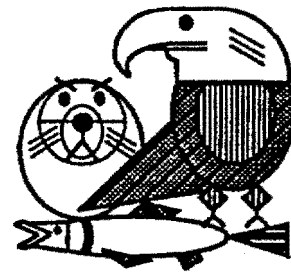
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 22, 1994


Mr. A.W. Palmisano
Director
Alaska Science Center
1011 East Tudor Road
Anchorage, AK 99503-6199

Dear Mr. Palmisano:

Thank you for your letter of August 19, 1994, regarding ecosystem based management.

Please advise me of any scheduled interagency discussions or meetings. I would appreciate an opportunity to attend.

Sincerely,


James R. Ayers
Executive Director

JRA/mir

C:\WPDOCS\PALMISAN.LTR

Trustee Agencies

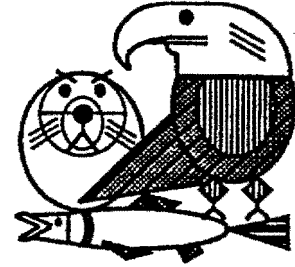
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Rich Goossens, Appraiser
U.S. Forest Service

FROM: James R. Ayers
Executive Director

DATE: September 22, 1994

RE: Appraisal Timeline

It is very important that we receive weekly updates on the expected completion of tasks and appraisal for each respective authorized EVOS appraisal. I am concerned that dates continue to get extended. Please, give me a call if there are problems with providing weekly updates. I realize this takes some assistance from the other agencies. By way of this memo I am requesting their full support in developing and maintaining timelines for our habitat protection/acquisition effort. As you know it is a critical feature of our comprehensive restoration plan.

Let me know if I can be of assistance.

JRA/mir

cc: Glenn Elison, U.S. Fish & Wildlife Service
Alex Swiderski, Department of Law

C:\WPDOCS\GOOSSENS.MEM

Trustee Agencies

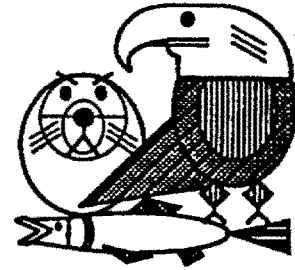
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Howard Valley
Chairman
Afognak Joint Venture
P.O. Box 1277
Kodiak, AK 99615

Dear Mr. Valley:

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

I repeat my previous assurance to you that the appraisal process provides an opportunity for landowners to have their appraisal accepted. Ultimately your appraisal may become the final approved appraisal. It is important to note that under Federal law an offer for acquisition must be based on the final approved appraisal.

If the landowners' initial appraisal fails to conform to the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA) and Uniform Standards of Professional Appraisal Practice (USPAP), the landowner has an opportunity to submit a revised appraisal that conforms to UASFLA and USPAP which will be considered by the lead agency review appraiser in determining which appraisal is to be finally approved. Further, the landowner is afforded an opportunity to submit comments, provide additional information and recommend revisions of any errors or omissions that may be contained in the Trustee Council contract appraisal. Finally, if both appraisals satisfy UASFLA and USPAP, the lead agency review appraiser will determine and justify in writing which appraisal better supports its estimate of value. The landowner will be provided with the written review statement.

As you are no doubt aware, lead agencies are now beginning to receive appraisal reports from the Trustee Council contract appraiser. Those reports are reviewed by the lead agency appraiser in consultation with state and federal review appraisers to ensure compliance with USPAP and UASFLA. The contract appraisal reports will not be released outside the governmental process until this review has been completed and any resulting issues are satisfactorily addressed. Once

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

September 21, 1994

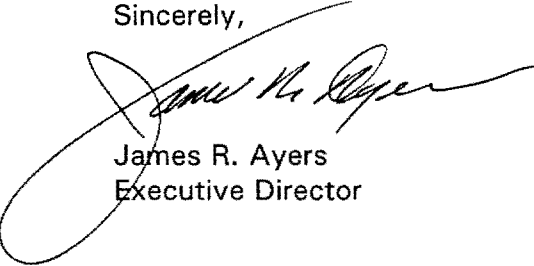
the lead agency review appraiser determines that the Trustee Council's contract appraisal report has been satisfactorily completed, it will receive interim approval and will be provided to the landowner for comment. Comments, additional information or suggestions by the landowner regarding errors or omissions in that report are to be submitted to the lead agency. The lead agency review appraiser will analyze those comments and provide them to the Trustee Council's contract appraiser for consideration. The lead agency review appraiser is responsible for ensuring that all comments are considered by the review appraisers prior to a final approval of an appraisal.

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Under Federal law, this single approved estimate of value is then used by Federal agencies as the basis of a formal offer to purchase. In the interests of uniformity, the Trustee Council has adopted this same process for all acquisitions. Utilizing two appraisals and approving the single appraisal that better supports the estimate of value is a common practice that is solidly grounded on legal and policy bases. I believe this procedure can work for the EVOS habitat protection process.

I hope this helps in our mutual interests of proceeding with habitat protection through land acquisition. Please, do not hesitate to contact me on this or other matters.

Sincerely,



James R. Ayers
Executive Director

JRA/mir

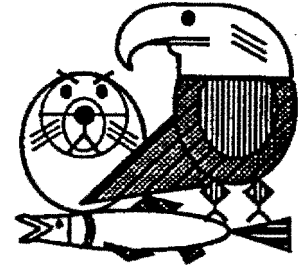
cc: Mr. William H. Timme, Middleton, Timme & Luke
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Ralph Eluska
President
Akhiok-Kaguyak Corporation
5028 Mills Dr.
Anchorage, AK 99508

Dear Mr. Eluska:

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

September 21, 1994

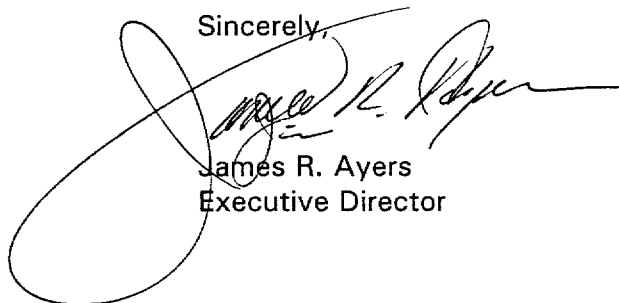
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I hope this helps in our mutual interests of proceeding with habitat protection through land acquisition. Please, do not hesitate to contact me on this or other matters.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'James R. Ayers', is written over the typed name and title.

James R. Ayers
Executive Director

JRA/mir

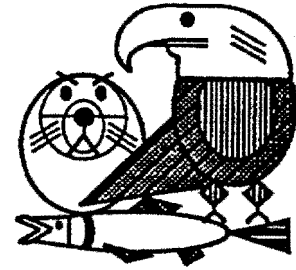
cc: Mr. James K. Wilkens, Bliss & Wilkens
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Charles Totemoff
President
Chenega Corporation
P.O. Box 60
Chenega Bay, AK 99574-9999

Chuck
Dear Mr. Totemoff:

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

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Trustee Agencies

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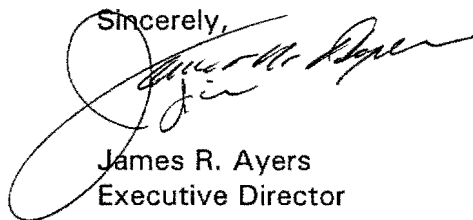
September 21, 1994

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Sincerely,

James R. Ayers
Executive Director

JRA/mir

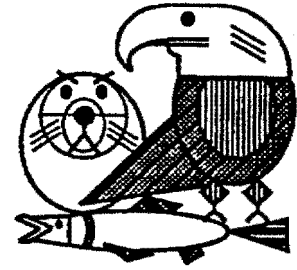
cc: Mr. Sam Fortier, Fortier & Mikko, P.C.
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Michael E. Brown
President
Chugach Alaska Corporation
560 East 34th Avenue, #200
Anchorage, AK 99503

Dear Mr. Brown:

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

September 21, 1994

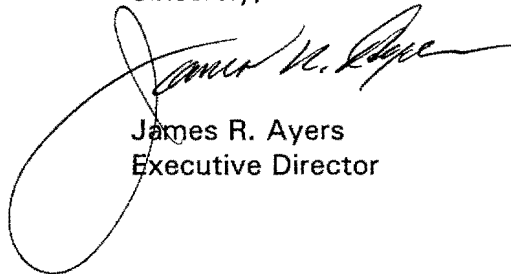
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Sincerely,



James R. Ayers
Executive Director

JRA/mir

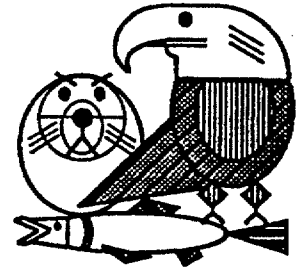
cc: Mr. William H. Bittner, Birch, Horton, Bittner & Cherot
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Donald Emmal
President
English Bay Corporation
1637 Stanton Avenue
Anchorage, AK 99508

Dear Mr. Emmal:

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

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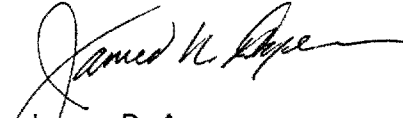
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I hope this helps in our mutual interests of proceeding with habitat protection through land acquisition. Please, do not hesitate to contact me on this or other matters.

Sincerely,



James R. Ayers
Executive Director

JRA/mir

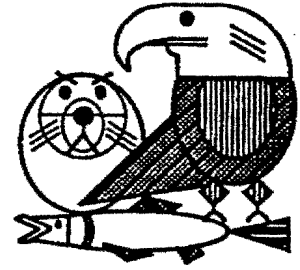
cc: Mr. William H. Timme, Middleton, Timme & Luke
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Alex Swiderski, Attorney, Department of Law

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September 21, 1994

Ms. Donna Platt

President

Eyak Corporation

P.O. Box 340

Cordova, AK 99574

Dear Ms. Platt:

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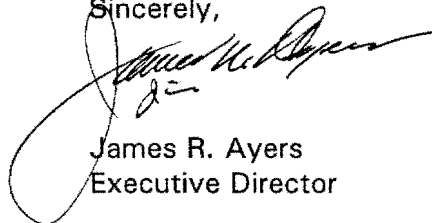
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James R. Ayers
Executive Director

JRA/mir

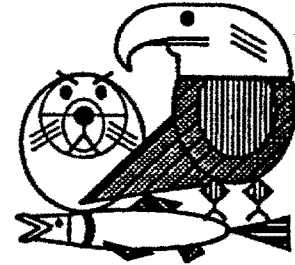
cc: Mr. James D. Linxwiler, Guess & Rudd
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

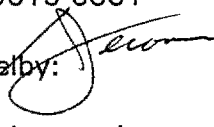
645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

The Honorable Jerome Selby
Mayor
Kodiak Island Borough
710 Mill Bay Road
Kodiak, AK 99615-6331

Dear Mayor Selby: 

I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

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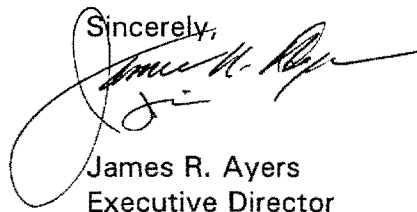
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Sincerely,

James R. Ayers
Executive Director

JRA/mir

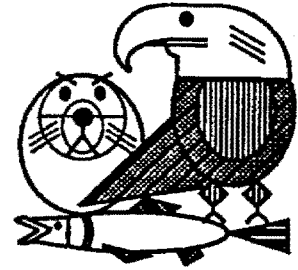
cc: Mr. Joel Bolger, Jamin, Ebell, Bolger & Gentry
Maria Lisowski, Attorney, Forest Service
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Uwe Gross
President
Koniag, Incorporated
4300 B Street, #407
Anchorage, AK 99503

Dear Mr. Gross:

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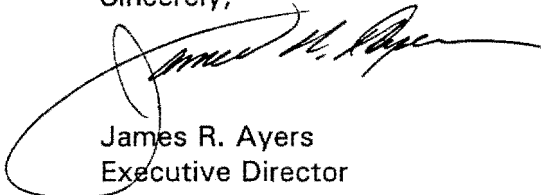
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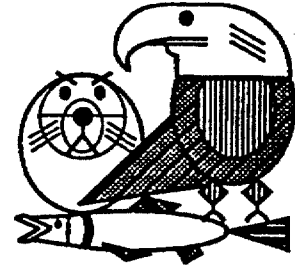
cc: Mr. William H. Timme, Middleton, Timme & Luke
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September 21, 1994

Mr. Emil Christiansen, Sr.
President
Old Harbor Corporation
P.O. Box 71
Old Harbor, AK 99643

Dear Mr. Christiansen:

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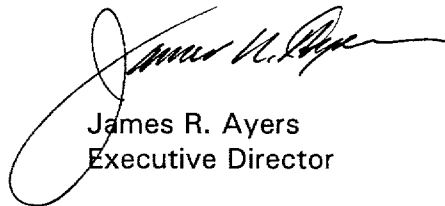
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Sincerely,

A handwritten signature in black ink, appearing to read "James R. Ayers", is written over a large, loopy circular flourish.

James R. Ayers
Executive Director

JRA/mir

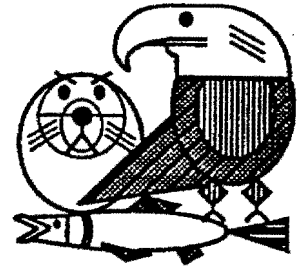
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Pat Norman
President
Port Graham Corporation
P.O. Box 5569
Port Graham, AK 99603-8998

Dear Mr. Norman:

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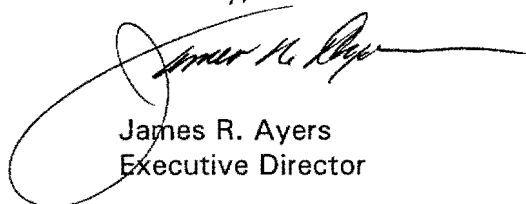
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James R. Ayers
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JRA/mir

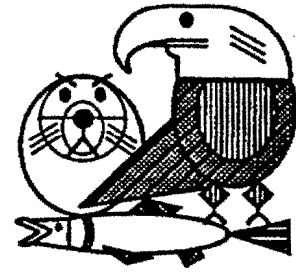
cc: Mr. Sam Fortier, Fortier & Mikko, P.C.
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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Phone: (907) 278-8012 Fax: (907) 276-7178



September 21, 1994

Mr. Carroll Kompkoff
President
Tatitlek Corporation
P.O. Box 650
Cordova, AK 99574

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I have received several recent inquiries about the role of landowners in the appraisal process being utilized by the Trustee Council. This letter clarifies how this process is intended to work. The contract appraisals for the Trustee Council and the landowners' private appraisals are now being submitted for review. It is imperative that we have a mutual understanding of how these procedures are to work in order to have a successful acquisition program. As you know the Trustee Council is having its appraisals conducted by contract through the U.S. Forest Service.

I repeat my previous assurance to you that the appraisal process provides an opportunity for landowners to have their appraisal accepted. Ultimately your appraisal may become the final approved appraisal. It is important to note that under Federal law an offer for acquisition must be based on the final approved appraisal.

If the landowners' initial appraisal fails to conform to the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA) and Uniform Standards of Professional Appraisal Practice (USPAP), the landowner has an opportunity to submit a revised appraisal that conforms to UASFLA and USPAP which will be considered by the lead agency review appraiser in determining which appraisal is to be finally approved. Further, the landowner is afforded an opportunity to submit comments, provide additional information and recommend revisions of any errors or omissions that may be contained in the Trustee Council contract appraisal. Finally, if both appraisals satisfy UASFLA and USPAP, the lead agency review appraiser will determine and justify in writing which appraisal better supports its estimate of value. The landowner will be provided with the written review statement.

As you are no doubt aware, lead agencies are now beginning to receive appraisal reports from the Trustee Council contract appraiser. Those reports are reviewed by the lead agency appraiser in consultation with state and federal review appraisers to ensure compliance with USPAP and UASFLA. The contract appraisal reports will not be released outside the governmental process until this review has been completed and any resulting issues are satisfactorily addressed. Once

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

September 21, 1994

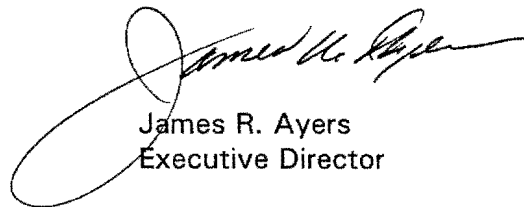
the lead agency review appraiser determines that the Trustee Council's contract appraisal report has been satisfactorily completed, it will receive interim approval and will be provided to the landowner for comment. Comments, additional information or suggestions by the landowner regarding errors or omissions in that report are to be submitted to the lead agency. The lead agency review appraiser will analyze those comments and provide them to the Trustee Council's contract appraiser for consideration. The lead agency review appraiser is responsible for ensuring that all comments are considered by the review appraisers prior to a final approval of an appraisal.

A landowners' appraisal will undergo a similar review process. It is submitted to the lead agency that is responsible for review and coordination with the other review appraisers. If the landowners' appraisal report conforms to UASFLA and USPAP, it will be accepted. If the report is not consistent with UASFLA and USPAP, comments will be submitted by the lead agency review appraiser to the landowner or its representative. If such concerns are satisfied and the lead agency's review appraiser, after consultation with the other review appraisers, determines that the landowners appraisal report conforms to UASFLA and USPAP, it will be accepted. If both the landowners' appraisal report and the Trustee Council's contract appraisal satisfy UASFLA and USPAP, the lead agency's review appraiser, in consultation with other reviewers, will determine and justify in writing which appraisal better supports its estimate of value and approve a final report.

Under Federal law, this single approved estimate of value is then used by Federal agencies as the basis of a formal offer to purchase. In the interests of uniformity, the Trustee Council has adopted this same process for all acquisitions. Utilizing two appraisals and approving the single appraisal that better supports the estimate of value is a common practice that is solidly grounded on legal and policy bases. I believe this procedure can work for the EVOS habitat protection process.

I hope this helps in our mutual interests of proceeding with habitat protection through land acquisition. Please, do not hesitate to contact me on this or other matters.

Sincerely,



James R. Ayers
Executive Director

JRA/mir

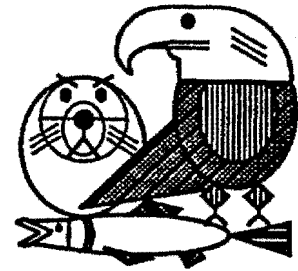
cc: Mr. William H. Bittner, Birch, Horton, Bittner & Cherot
Maria Lisowski, Attorney, Forest Service
Barry Roth, Attorney, Department of the Interior
Alex Swiderski, Attorney, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

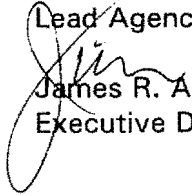
645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Lead Agency/Negotiators

FROM:  James R. Ayers
Executive Director

DATE: September 19, 1994

RE: Preparation of Habitat Acquisition Proposal and Report of Benefits

This is a reminder that we will meet via teleconference tomorrow, September 20, at 10:30 a.m.

As we discussed during our weekly negotiators meeting last week you should be in the process of working out the details and preparing the outline of the habitat acquisition proposal with the respective seller. We obviously do not have all of the cost information and we are not at a final decision stage. However, the Council has provided specific guidance through various directives and the resolution of the January 31 meeting; as well as the policy statements that were recently adopted regarding the "less than fee simple" acquisitions.

The aspects and issues of the purchase proposal need to be identified and many should be resolved now. For example, the actual scaling of the size of the respective package to accommodate the real conditions should be addressed; alternatives developed as appropriate. In addition, certainly, issues like easement and public access should have already been identified and proposal developed as you find prudent.

The "revised" Restoration Benefits Report is attached. I am confident that the majority of this information can be put together now. It is my intent to utilize this format in briefing the Trustee Council on October 5th. Therefore, I would appreciate it if we would all be prepared to review the information for each respective report during our next negotiators meeting on September 20th. Fee simple opportunities appear to be the most opportune and the Trustee Council has indicated more than just passing interest in pursuing those.

We recently reviewed the rationale, the time, millions of dollars and resources that have been invested in habitat analysis. As you know the public has consistently supported habitat acquisition and complained of our confounded delays in progressing with this as well as other restoration efforts. Given the current lengthy delay in completing the appraisal process, I believe it would be irresponsible and a gross injustice to the public to not proceed. If you have any questions at all, please contact me immediately!

JRA/mir

Attachment

C:\WPDOCS\NEGOTIAT.MEM

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Habitat Acquisition
(Seller-Parcel package)
Restoration Benefits Report

Region of Acquisition and locale:

*Prince William Sound, Kenai, Kodiak or Afognak/Shuyak- and the general locale in the Region

Proposed Acquisition Description:

*Brief overview of land to be acquired: (e.g. forested-streams-rolling hills -grass-etc.)

*Acreage

- number of acres appraised and reviewed
- number of acres proposed for this acquisition
- High-moderate-low ranking-combined and separate

*Maps

- specific maps of the proposed acquisition

*Other

- subsurface, etc.

Restoration benefits:

*Specific Injured Resources and Services

*Specific benefits to Restoration: (e.g. Wild Sockeye salmon will benefit from the numerous spawning and feeding areas of the anadromous streams found in the various parcels, including the low and moderate of a, b, and c. Further, commercial fishing services injured by the spill will benefit as a result of the protection of these streams and be restored...)

*Proposed Management Structure: (i.e. Park, Refuge, etc. and how)

Terms and Conditions:

*Acquisition Price:

- down payment:
- term of payments: (years)
- interest rate:

*Sources of Revenue: (source/amount) or (related purchase)

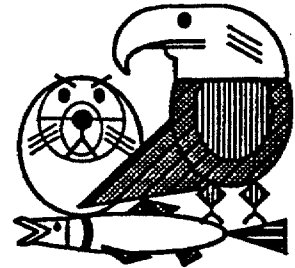
Recommendation: (Clear and definitive with discussion of importance of this package to Regional values for decision purposes)

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 16, 1994

Ms. Donna Platt
President
The Eyak Corporation
P.O. Box 340
Cordova, AK 99574

Mr. Luke Borer
President
Sherstone, Inc.
P.O. Box 340
Cordova, AK 99574

Reference: Eyak and Sherstone Letter of
September 15, 1994

Donna *Luke*
Dear Ms. Nadell and Mr. Borer:

Please consider this a response to your letter of September 15, 1994, in which you reference your letter of August 31, 1994. In your August letter, you state that the timber inventory of the Eyak and Sherstone interests related to the "Trustee Council Larger Deal" may only proceed if it is guaranteed that the U.S. Forest Service will produce all drafts, field notes, plot cards, comments and reports of the timber inventory, check cruise, and any field check analysis of the timber inventory and check cruise. Your September 15 letter states that you assume the response to the issue of releasing such information is in the affirmative since the timber inventory for the Larger Deal is proceeding.

Your assumption is not altogether accurate. With respect to the release of timber inventory information regarding the Orca Narrows Sub-Parcel timber appraisal, the Forest Service is currently processing your request to release such information pursuant to the Freedom of Information Act (FOIA) and expects to issue a response shortly. With respect to the timber appraisal currently being conducted on the "Larger Deal," it is anticipated that factual inventory data, such as field notes and plot cards, will be made available to Eyak and Sherstone when compiled by the timber appraiser and it is in a useable format.

On timeline, you have requested a clarification of the various steps and associated timelines necessary to bring our negotiations to closure on the "Larger Deal." By way of this letter I am asking the U.S. Forest Service representative Walt Sheridan to set up a meeting with you and me to develop a "critical time path" as you requested.

You have also requested clarification of who is authorized to "handle future negotiations." The Trustee Council has directed me to negotiate with landowners of the parcels ranked high in the

Trustee Agencies

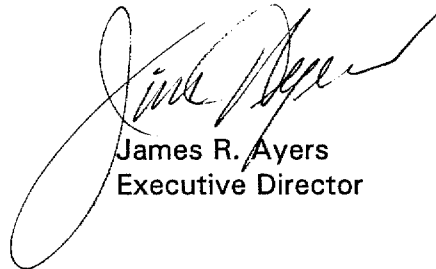
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

September 16, 1994

Comprehensive Large Parcel Evaluation and Ranking. I am doing so with the assistance of the "lead agency." I am authorized to include additional large parcels as necessary . . . These negotiations are conducted for the purpose of providing the Trustee Council with proposed terms and conditions for acquisition. Agreement to the proposed terms and conditions are discretionary with the Trustee Council.

If you have any further questions regarding this matter, I am available to discuss them.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Ayers", written over a large, loopy flourish.

James R. Ayers
Executive Director

JRA/mir

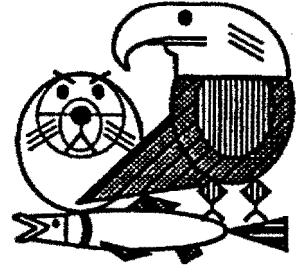
cc: James Linxwiler, Guess & Rudd
Walt Sheridan, U.S. Forest Service
Alex Swiderski, Assistant Attorney General, Department of Law

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dr. Michael S. Stekoll

FROM:  James R. Ayers
Executive Director

DATE: September 12, 1994

RE: Foreign Travel

I received your memo of August 25 requesting authorization for travel to Chile to present a paper at the International Seaweed Symposium. It is my understanding that you will not be using Trustee Council funds for your travel costs. In addition, the Trustee Council has endorsed a policy of requiring investigators presenting papers on projects sponsored by the Trustee Council to include the following statement: "The research described in this paper was supported by the *Exxon Valdez* Oil Spill Trustee Council. However the findings and conclusions presented by the author(s) are their own and do not necessarily reflect the views or positions of the Trustee Council." I have consulted with Dr. Spies and if these understandings are consistent with yours, please, consider this memo my authorization if the need arises.

jra/raw

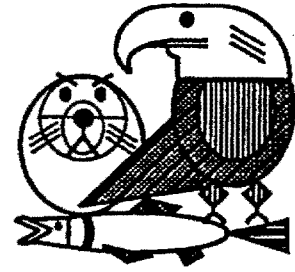
C:\WPDOCS\STEKOLL.MEM

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 12, 1994

Ms. Phyllis Rhodes
Clerk of the Court
U.S. District Court
222 West Seventh
Box 4
Anchorage, AK 99513-7564

Dear Ms. Rhodes:

This is to notify you of a replacement for Administrative Officer June Sinclair. Ms. Traci Cramer has replaced Ms. Sinclair as the Trustee Council Administrative Officer. Ms. Cramer will now be responsible for formally requesting copies of the accounting reports (see sample report attached) generated for the Exxon Valdez Oil Spill United States/State of Alaska Joint Trust Fund. Please, accept this as our request to make any necessary changes or arrangements.

Thank you for your cooperation. If you have any questions, I can be reached in Anchorage at 278-8012 or Juneau at 586-7238.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Ayers". The signature is fluid and cursive, with a large loop at the end.

James R. Ayers
Executive Director

JRA/mir

Enclosure

cc: Traci Cramer, Administrative Officer

rhodes2.jra

Trustee Agencies

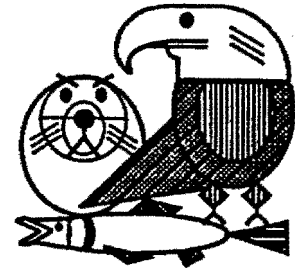
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: See Distribution
FROM: June Arkoulis-Sinclair
Administrative Officer

DATE: September 2, 1994

RE: Revised documents

Attached, for your information, are revised/updated spreadsheets, budgets, etc.

Distribution

Agency Liaisons
Jim Ayers
Molly McCammon

Trustee Agencies

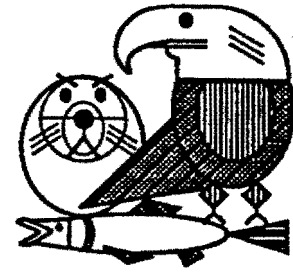
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



September 2, 1994

Mr. Michael Milby
Clerk of Court
United States District Court
P. O. Box 61010
Houston, TX 77208

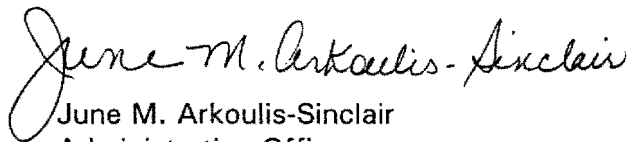
Dear Mr. Milby:

Thank you for sending the long term reserve information package in time for the Trustee Council meeting. The package was distributed at the meeting and the Trustee Council members were very pleased.

We are in the process of reviewing this information and expect to be in contact with you in the near future. Before we proceed with our review, however, we do need to know if CRIS investments are limited to U. S. Treasury securities. Your letter mentions that CRIS invests only in U. S. Treasury securities but it is not clear if that is a requirement. Please let us know if there are any restrictions.

We would still like you to attend a Trustee Council meeting if your schedule will allow. A meeting has been tentatively scheduled for October 31 in Anchorage. Please let us know if you can attend.

Sincerely,


June M. Arkoulis-Sinclair

Administrative Officer

cc: James R. Ayers, Executive Director

milby3.wpd

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

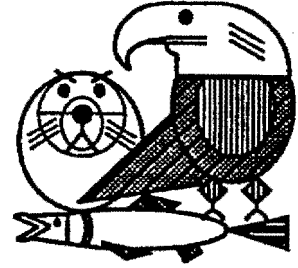
AUGUST

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Bruce Wright, Program Manager
Office of Oil Spill Damage Assessment & Restoration
National Marine Fisheries Service, NOAA

FROM: James R. Ayers
Executive Director

DATE: August 31, 1994

RE: Coordination of Hydroacoustics - Your Memo Dated August 17

Thank you and those working with you for your efforts in moving forward with coordinating hydroacoustic projects. I realize that there is a wide variety of hydroacoustic equipment being used for several different projects at different times. I believe that it is imperative and prudent for us to ensure that these efforts are coordinated so that we are not duplicating energies or purchases in our efforts. Further, it would be irresponsible for us to allow projects to move forward without coordination.

JRA/mir

C:\WPDOCS\WRIGHT.MEM

Trustee Agencies

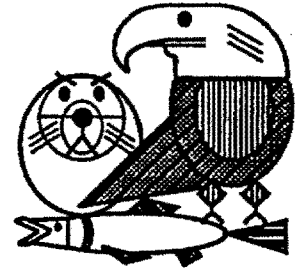
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



August 31, 1994

Mr. Larry Landry
Landry & Associates
Renaissance Square
Two North Central, Suite 1950
Phoenix, AZ 85004

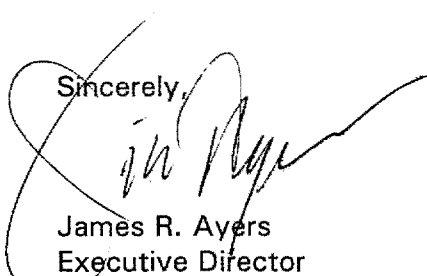
Dear Mr. Landry:

I have received your letter of July 26, 1994, regarding the appraisal process and a related statement by Ms. Maria Lisowski.

I have reviewed the transcript of the referenced meeting and am not able to discern the statement by Ms. Lisowski. However, I have inquired of Ms. Lisowski regarding her opinion of the two appraisal issue.

I am enclosing a copy of Ms. Lisowski's response. If you have further questions or observations please contact me.

Sincerely,


James R. Ayers
Executive Director

JRA/mir

Enclosure

C:\WPDOCS\LANDRY.LTR

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior



United States
Department of
Agriculture

Office of
General
Counsel

RECEIVED

AUG 24 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

P.O.Box 21628
Juneau, Alaska
99802-1628
(907) 586-8826

August 19, 1994

James Ayers
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Re: Response to Landry letter of July 26, 1994

Dear Jim:

Please consider this a response to your request to reply to Mr. Landry's letter of July 26, 1994, regarding remarks I made at the Trustee Council meeting of May 31, 1994. You have also forwarded the transcript of that meeting, which identifies my remarks as being "inaudible."

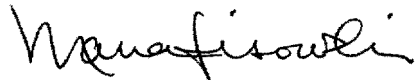
While I do not recall my remarks verbatim, I believe I did state that if two appraisals were received that both met federal and state standards and both methodologies used to conduct the appraisals were correct, that the higher value appraisal could be accepted. I take this opportunity to further expand on those comments, however, because I recognize that I did not adequately articulate my meaning. This became clear to me during informal and off the record discussions following the exchange described in the transcript with Mr. Tillery, who had initially asked the question regarding two appraisals.

Under the appraisal process being used for potential acquisitions authorized by the Trustee Council for purposes of restoration, a landowner may submit an appraisal it conducted for review by the State and Federal Review Appraisers. However, only one appraisal can be considered the final, approved appraisal used to determine fair market value. Although two appraisals may be submitted that meet state and federal standards, upon review by the State and Federal Review Appraisers, the appraisal that best supports its determination of value will be identified as the final, approved appraisal, which may be the higher value appraisal.

I regret any misinterpretation that may have resulted from my

remarks at the Council meeting and I thank you for the opportunity to clarify the record.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Lisowski'.

Maria Lisowski
Attorney

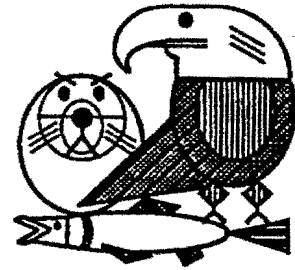
cc: P.Janik, RF
J.Wolfe, EAM
D.Gibbons, EAM
R.Goossens, LMW
A.Swidorski, ADOL
B.Roth, DOI/SOL

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Mark Brodersen
Carol Fries
Molly McCammon
Jerome Montague

FROM: June Artooulis-Sinclair
Administrative Officer

DATE: August 30, 1994

RE: Revised Program

Please find the following attached:

- 1) Copy of RPL submitted to OMB. Jim and Traci Cramer (OMB) have both reviewed. Their comments and revisions are reflected.
- 2) Spreadsheet provided to OMB for accounting purposes only which breaks down information by line item. **This spreadsheet should be used by your accounting people as supporting documentation when they prepare the AKSAS 'AB' for the RPL. Please provide them with a copy of the RPL and this spreadsheet. OMB would like to have the AB online at the time the RPL is approved. Please have your accounting people submit the AB document directly to this office and we will get it to OMB. Please have them submit this as soon as is practical.**

An LB&A meeting date has not been set yet, but we expect it will be the second or third week in September.

Attachments

rplrwf.jas

Trustee Agencies

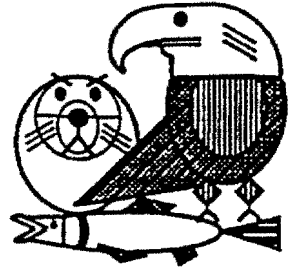
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Mark Brodersen
Carol Fries
Molly McCammon
Jerome Montague

FROM: June Arnoldis-Sinclair
Administrative Officer

DATE: August 30, 1994

RE: Revised Program

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Attachments

rplrwf.jas

Trustee Agencies

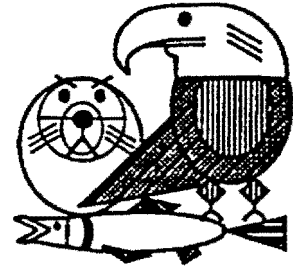
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

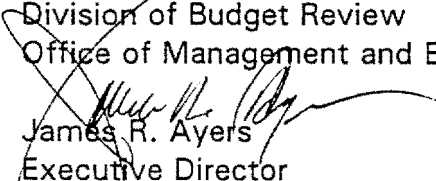
645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Nancy Slagle
Director
Division of Budget Review
Office of Management and Budget

FROM: 
James R. Ayers
Executive Director

DATE: August 29, 1994

RE: *Exxon Valdez* Oil Spill Projects - RPL 11-5-9990

In accordance with Chapter 1, FSSLA 1992, the Departments of Fish and Game, Environmental Conservation, and Natural Resources request authority to receive and expend \$7,141,000 from *Exxon Valdez* oil spill settlement trust funds to implement the approved federal fiscal year 1995 project approved by the Trustee Council at its August 23, 1994 meeting.

The Trustee Council has endorsed a comprehensive, balanced approach to the restoration of injured resources and services in the spill area. This approach recognizes the importance of research to determine why resources are not recovering, or are recovering only slowly, reflects the need for monitoring to track the status of recovery, and provides for cost-effective general restoration activities and habitat protection actions, especially those that help the resources upon which communities and industries depend.

The Trustee Council took action on August 23, 1994 to approve project funding for implementation in 1995. This interim funding is necessary for several major efforts in 1995: 1) sample/data analysis and report writing for 1994 field work; (2) projects needing to do a limited amount of field work in the first federal quarter (October 1 - December 31); 3) a full year's funding for the Administration, Public Information and Scientific Management (this budget amount of \$3.6 million reflects a 30% reduction from the FY 94 budget that was authorized last year) and Oil Spill Public Information Center projects. 4) reauthorization of 1994 projects that were unable to be completed in 1994, but have sufficient lapsed funds to complete the project (the related costs

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

reauthorized by the Trustee Council on August 23 have not been included in the RPL request amount since FY 94 funds were carried forward).

These projects, as well as those which do not require funding at this time, are included in the Draft Fiscal Year 1995 Work Plan document which is currently out for public review. The Trustee Council will take action on a final work plan and related budgets in late October and shortly thereafter additional authority to receive and expend will be requested.

Authorization to receive and expend funds is requested in the amount of \$7,141,000 allocated to the agencies as follows:

Fish and Game	4,945.7
Environmental Conservation	1,136.0
Natural Resources	<u>1,059.3</u>
Total	7,141.0

Attachments

cc: Mark Brodersen, Agency Liaison, Department of Environmental Conservation
Carol Fries, Agency Liaison, Department of Natural Resources
Molly McCammon, Director of Operations, EVOS
Jerome Montague, Agency Liaison, Department of Fish and Game

Exxon Valdez Trustee Council Fiscal Year 1995
State of Alaska Approved Interim Project Budgets
October 1, 1994 - September 30, 1995

DRAFT

<i>Project Number</i>	<i>Project Title</i>	<i>ADFG</i>	<i>ADEC</i>	<i>ADNR</i>	<i>Total Budget</i>
95007A	Archaeological Site Restoration - Index Site Monitoring	0.0	0.0	191.7	191.7
95064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in Prince William Sound	114.7	0.0	0.0	114.7
95086C	Herring Bay Monitoring and Experimental Study	327.3	0.0	0.0	327.3
95089	Information Management System	184.2	120.6	0.0	304.8
95090	Mussel Bed Restoration and Monitoring	0.0	38.9	0.0	38.9
95100	Administration, Public Information and Scientific Management	1,414.1	937.6	692.9	3,044.6
95110-CLO *	Habitat Protection - Data Acquisition Support	22.8	0.0	84.0	106.8
95126	Habitat Protection Acquisition Support	29.3	0.0	174.7	204.0
95137	Prince William Sound Salmon Stock Identification and Monitoring Studies	55.8	0.0	0.0	55.8
95139A *	Salmon Instream Restoration: Little Waterfall Creek Barrier Bypass	90.0	0.0	0.0	90.0
95139C *	Small Instream Restoration: Lowe River	170.1	0.0	0.0	170.1
95163	Abundance Distribution of Forage Fish their Influence on Recovery of Injured Species	102.2	0.0	0.0	102.2
95166	Herring Natal Habitats	238.6	0.0	0.0	238.6
95191A	Investigating and Monitoring Oil Related Egg and Alevin Mortalities	68.4	0.0	0.0	68.4
95199	Institute of Marine Science and Seward Improvement	29.1	0.0	0.0	29.1
95244	Seal and Sea Otter Cooperative Subsistence Harvest Assistance	52.6	0.0	0.0	52.6
95255	Kenai River Sockeye Salmon Stocks	372.4	0.0	0.0	372.4
95258	Sockeye Salmon Overescapement	485.1	0.0	0.0	485.1
95259	Restoration of Coghill Lake Sockeye Salmon Stocks	86.6	0.0	0.0	86.6
95266	Shoreline Restoration	0.0	38.9	0.0	38.9
95279	Subsistence Foods Testing Project	68.6	0.0	0.0	68.6
95320A	Salmon Growth and Mortality	48.7	0.0	0.0	48.7

DRAFT

Exxon Valdez Trustee Council Fiscal Year 1995
State of Alaska Approved Interim Project Budgets
October 1, 1994 - September 30, 1995

<i>Project Number</i>	<i>Project Title</i>	<i>ADFG</i>	<i>ADEC</i>	<i>ADNR</i>	<i>Total Budget</i>
95320B	Coded Wire Tag Recoveries from Pink Salmon Closeout	84.3	0.0	0.0	84.3
95320C	Otolith Thermal Mass Marking of Hatchery Pink Salmon in Prince William Sound	1.9	0.0	0.0	1.9
95320D	Prince William Sound Pink Salmon Genetics	56.5	0.0	0.0	56.5
95320E	Juvenile Salmon and Herring Integration	98.0	0.0	0.0	98.0
95320G	Phytoplankton and Nutrients	88.5	0.0	0.0	88.5
95320H	Role of Zooplankton in the PWS Ecosystem	51.9	0.0	0.0	51.9
95320I(2)	Isotope Tracers - Food Webs of Fish	30.0	0.0	0.0	30.0
95320J	Information Systems and Model Development	185.4	0.0	0.0	185.4
95320M	Observational Physical Oceanography in PWS and the Gulf of Alaska	138.7	0.0	0.0	138.7
95320N	Nearshore Fish	413.1	0.0	0.0	413.1
95417*	Waste Oil Disposal Facilities	0.0	232.2	0.0	232.2
95427	Harlequin Duck Recovery Monitoring	17.3	0.0	0.0	17.3
95428-CLO	Subsistence Restoration Planning and Implementation	79.6	0.0	0.0	79.6
	Total	5,205.8	1,368.2	1,143.3	7,717.3
	*Less carryforward funding	(260.1)	(232.2)	(84.0)	(576.3)
	Total RPL request	4,945.7	1,136.0	1,059.3	7,141.0

FY 95 Project Interim Budget Request
Trustee Council Action
August 23, 1994

DRAFT

PROJECT NUMBER	PROJECT DESCRIPTION	AGENCY	INTERIM FUNDS REQUESTED	ANALYSIS FUNDS REQUESTED	INTERIM FUNDS APPROVED	ANALYSIS FUNDS APPROVED	TOTAL APPROVED
95007A	Archaeological Site Restoration - Index Site Monitoring	ADNR		191.7		191.7	191.7
95064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in Prince William Sound	ADFG		114.7		114.7	114.7
95086C	Herring Bay Monitoring and Experimental Study	ADFG		327.3		327.3	327.3
95089	Information Management System	ADFG,ADEC	304.8		304.8		304.8
95090	Mussel Bed Restoration and Monitoring	ADEC		38.9		38.9	38.9
95100	Administration, Public Information and Scientific Management	ALL	3,044.6		3,044.6		3,044.6
95110-CLO	Habitat Protection - Data Acquisition Support	ADNR,ADFG		106.8		106.8	106.8
95126	Habitat Protection Acquisition Support	ADNR,ADFG	204.0		204.0		204.0
95137	Prince William Sound Salmon Stock Identification and Monitoring Studies	ADFG		55.8		55.8	55.8
95163	Abundance Distribution of Forage Fish their Influence on Recovery of Injured Species	ADFG		102.2		102.2	102.2
95166	Herring Natal Habitats	ADFG	17.8	220.8	17.8	220.8	238.6
95191A	Guillemot Recoveries						
95191A	Investigating and Monitoring Oil Related Egg and Alevin Mortalities	ADFG		68.4		68.4	68.4
95199	Institute of Marine Science and Seward Improvement	ADF&G	29.1		29.1		29.1
95244	Seal and Sea Otter Cooperative Subsistence Harvest Assistance	ADFG	4.0	48.6	4.0	48.6	52.6
95255	Kenai River Sockeye Salmon Stocks	ADFG	29.3	343.1	29.3	343.1	372.4
95258	Sockeye Salmon Overescapement	ADFG	140.2	344.9	140.2	344.9	485.1
95259	Restoration of Coghill Lake Sockeye Salmon Stocks	ADFG	7.8	78.8	7.8	78.8	86.6
95266	Shoreline Restoration	ADEC		38.9		38.9	38.9
95279	Subsistence Foods Testing Project	ADFG	14.2	54.4	14.2	54.4	68.6
95320A	Prince Salmon Growth and Mortality	ADFG		48.7		48.7	48.7
95320B	Coded Wire Tag Recoveries from Pink Salmon Closeout	ADFG		84.3		84.3	84.3
95320C	Otolith Thermal Mass Marking of Hatchery Pink Salmon in PWS	ADFG		1.9		1.9	1.9
95320D	Prince William Sound Pink Salmon Genetics	ADFG		56.5		56.5	56.5
95320E	Juvenile Salmon and Herring Integration	ADFG	16.0	98.0	0.0	98.0	98.0
95320G	Phytoplankton and Nutrients	ADFG	12.8	75.7	12.8	75.7	88.5
95320H	Role of Zooplankton in the PWS Ecosystem	ADFG		51.9		51.9	51.9
95320I(2)	Isotope Tracers - Food Webs of Fish	ADFG	2.0	28.0	2.0	28.0	30.0

FY 95 Project Interim Budget Request
Trustee Council Action
August 23, 1994

DRAFT

<i>PROJECT NUMBER</i>	<i>PROJECT DESCRIPTION</i>	<i>AGENCY</i>	<i>INTERIM FUNDS REQUESTED</i>	<i>ANALYSIS FUNDS REQUESTED</i>	<i>INTERIM FUNDS APPROVED</i>	<i>ANALYSIS FUNDS APPROVED</i>	<i>TOTAL APPROVED</i>
95320J	Information Systems and Model Development	ADFG	94.9	170.8	14.6	170.8	185.4
95320M	Observational Physical Oceanography in PWS and the Gulf of Alaska	ADFG	34.3	104.4	34.3	104.4	138.7
95320N	Nearshore Fish	ADFG	200.0	213.1	200.0	213.1	413.1
95427	Harlequin Duck Recovery Monitoring	ADFG		17.3		17.3	17.3
95428-CLO	Subsistence Restoration Planning and Implementation	ADFG	23.1	56.5	23.1	56.5	79.6
<i>Carry Forward Funding (See Note 2)</i>							
95139A	Salmon Instream Restoration: Little Waterfall Creek Barrier Bypass	ADFG	90.0		90.0		90.0
95139C	Small Instream Restoration: Lowe River	ADFG	170.1		170.1		170.1
95417	Waste Oil Disposal Facilities	ADEC	232.2		232.2		232.2
Total			4,671.2	3,142.4	4,674.9	3,142.4	7,717.3

Note (1): All 95320 projects need policy clarification with respect to travel, travel rates, and tuition.

Note (2): Projects with carryforward funding have not been included in the RPL request. These projects are continuing into FY 95 and FY 94 lapse is anticipated. Project 95110CLO also has \$84.0 of carryforward funding. The amount of receive and expend authority is lower than the total requested to take these previous authorizations into account

Total Approved	7,717.3
Carryforward funding	(576.3)
RPL request amount	<u>7,141.0</u>

Exxon Valdez Trustee Council Fiscal Year 1995
State of Alaska Approved Interim Projects - Line Item Detail
October 1, 1994 - September 30, 1995

DRAFT

<i>Project Number</i>	<i>Agency</i>	<i>Personal Services</i>	<i>Travel</i>	<i>Contractual</i>	<i>Commodities</i>	<i>Equipment</i>	<i>Capital Outlay</i>	<i>General Admin.</i>	<i>FY 95 Total</i>	<i>FTEs</i>
95007A	ADNR	80.7	1.5	90.1	1.0	0.0	0.0	18.4	191.7	1.2
95064	ADFG	76.9	4.0	17.0	2.7	1.4	0.0	12.7	114.7	1.1
95086C	ADFG	0.0	0.0	308.6	0.0	0.0	0.0	18.7	327.3	4.9
95089	ADFG	159.0	1.3	0.0	0.0	0.0	0.0	23.9	184.2	3.0
	ADEC	0.0	0.0	97.8	15.5	0.5	0.0	6.8	120.6	0.0
95090	ADEC	28.8	3.3	1.7	0.7	0.0	0.0	4.4	38.9	0.4
95100	ADFG	1,091.4	181.5	0.0	0.0	0.0	0.0	141.2	1,414.1	14.2
	ADEC	224.5	30.0	539.3	50.6	30.5	0.0	62.7	937.6	2.5
	ADNR	139.3	5.9	494.4	7.8	0.0	0.0	45.5	692.9	1.7
95110-CLO	ADFG	18.7	1.0	0.0	0.3	0.0	0.0	2.8	22.8	0.3
	ADNR	24.5	3.0	48.0	1.5	0.0	0.0	7.0	84.0	0.3
95126	ADNR	28.0	3.0	129.0	1.5	0.0	0.0	13.2	174.7	0.3
	ADFG	18.0	4.0	2.0	2.5	0.0	0.0	2.8	29.3	0.3
95137	ADFG	39.5	6.0	3.2	1.0	0.0	0.0	6.1	55.8	0.7
95139A	ADFG	10.7	0.3	71.8	0.6	0.0	0.0	6.6	90.0	0.2
95139C	ADFG	24.6	2.1	129.8	0.8	0.0	0.0	12.8	170.1	0.6
95163	ADFG	14.6	1.6	78.3	0.0	0.0	0.0	7.7	102.2	0.2
95166	ADFG	83.6	2.0	131.1	0.2	0.0	0.0	21.7	238.6	1.3
95191A	ADFG	51.0	2.3	3.2	0.0	4.0	0.0	7.9	68.4	0.9
95199	ADFG	18.8	4.8	1.9	0.6	0.0	0.0	3.0	29.1	0.2
95244	ADFG	32.2	14.0	1.0	0.5	0.0	0.0	4.9	52.6	5.0
95255	ADFG	260.0	8.8	16.0	33.5	14.0	0.0	40.1	372.4	5.9
95258	ADFG	325.2	11.3	46.1	22.5	28.0	0.0	52.0	485.1	4.5

**Exxon Valdez Trustee Council Fiscal Year 1995
State of Alaska Approved Interim Projects - Line Item Detail
October 1, 1994 - September 30, 1995**

DRAFT

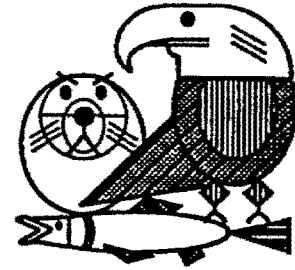
<i>Project Number</i>	<i>Agency</i>	<i>Personal Services</i>	<i>Travel</i>	<i>Contractual</i>	<i>Commodities</i>	<i>Equipment</i>	<i>Capital Outlay</i>	<i>General Admin.</i>	<i>FY 95 Total</i>	<i>FTEs</i>
95259	ADFG	65.6	1.6	6.3	2.8	0.0	0.0	10.3	86.6	1.2
95266	ADEC	28.8	3.3	1.7	0.7	0.0	0.0	4.4	38.9	0.4
95279	ADFG	39.3	16.6	4.8	1.7	0.0	0.0	6.2	68.6	0.7
95320A	ADFG	39.5	0.0	0.0	3.3	0.0	0.0	5.9	48.7	0.8
95320B	ADFG	68.1	2.6	3.2	0.0	0.0	0.0	10.4	84.3	1.2
95320C	ADFG	0.0	1.6	0.3	0.0	0.0	0.0	0.0	1.9	0.0
95320D	ADFG	33.5	3.0	0.0	15.0	0.0	0.0	5.0	56.5	0.8
95320E	ADFG	76.9	0.0	0.0	7.8	1.8	0.0	11.5	98.0	1.6
95320G	ADFG	3.0	0.0	83.5	0.0	0.0	0.0	2.0	88.5	0.0
95320H	ADFG	0.0	0.0	50.6	0.0	0.0	0.0	1.3	51.9	0.0
95320I(2)	ADFG	0.0	0.0	29.4	0.0	0.0	0.0	0.6	30.0	0.0
95320J	ADFG	0.0	0.0	181.2	0.0	0.0	0.0	4.2	185.4	0.0
95320M	ADFG	0.0	0.0	134.2	0.0	0.0	0.0	4.5	138.7	0.0
95320N	ADFG	3.0	0.0	399.3	0.0	0.0	0.0	10.8	413.1	3.8
95417	ADEC	49.6	19.9	142.9	2.4	0.0	0.0	17.4	232.2	0.7
95427	ADFG	15.0	0.0	0.0	0.0	0.0	0.0	2.3	17.3	0.2
95428-CLO	ADFG	57.6	10.2	2.0	1.0	0.0	0.0	8.8	79.6	1.1
Total		3,229.9	350.5	3,249.7	178.5	80.2	0.0	628.5	7,717.3	62.2

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: See Distribution
FROM: James R. Ayers
Executive Director
RE: Appraisal & Negotiations

DATE: August 26, 1994

It is imperative that we immediately develop a specific critical path analysis (timeline) for each respective appraisal and negotiation. I am hereby requesting that lead agency negotiators contact the Forest Service through Mr. Rich Goossens (phone #: 586-7874) and develop a clear understanding of the process and timeline remaining to complete the appraisal. The appraisal timeline information should be incorporated into your negotiations plan and final date objective.

Please, provide me with this detailed timeline including the specific dates you expect to provide a draft proposal for acquisition of the respective parcels. I would appreciate it if you provide this detailed timeline to me no later than September 6. If for any reason you do not have a plan and a timeline, please provide an explanation by the same date, September 6.

Thank you for your cooperation and continued hard work.

JRA/mir

<u>Distribution:</u>	<u>State Negotiator(s)</u>	<u>Federal Negotiator(s)</u>
Afognak Joint Ventures	Alex Swiderski/ Craig Tillery, ADOL Fax #: 278-7022	Bob Rice, USFWS Fax #: 786-3635
Akhiok-Kaguyak Corporation	Alex Swiderski, ADOL Fax #: 278-7022	Robert Putz, USFWS Fax #: 304-876-0739
		Glenn Elison, USFWS Fax #: 786-3640

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

	<u>State Negotiator(s)</u>	<u>Federal Negotiator(s)</u>
Chenega Corporation	Alex Swiderski, ADOL Fax #: 278-7022	John Harmening, USFS Fax #: 586-7843
Chugach Alaska Corporation	Alex Swiderski, ADOL Fax #: 278-7022	John Harmening, USFS Fax #: 586-7843
English Bay Corporation	Alex Swiderski, ADOL Fax #: 278-7022	Charles Gilbert, NPS Fax #: 257-2510 Cordell Roy, NPS Fax #: 257-2510 Sandy Rabinowitch, NPS Fax #: 257-2510
Eyak Corporation	Alex Swiderski/ Craig Tillery, ADOL Fax #: 278-7022	Walt Sheridan, USFS Fax #: 586-7840 Bruce Van Zee, USFS Fax #: 271-3992
Kodiak Island Borough	Alex Swiderski/ Craig Tillery, ADOL Fax #: 278-7022	Charles Gilbert, NPS Fax #: 257-2510
Koniag, Incorporated	Alex Swiderski, ADOL Fax #: 278-7022	Robert Putz, USFWS Fax #: 304-876-0739 Glenn Elison, USFWS Fax #: 786-3640
Old Harbor Corporation	Alex Swiderski, ADOL Fax #: 278-7022	Robert Putz, USFWS Fax #: 304-876-0739 Glenn Elison, USFWS Fax #: 786-3640

See Distribution

- 3 -

August 26, 1994

	<u>State Negotiator(s)</u>	<u>Federal Negotiator(s)</u>
Port Graham Corporation	Alex Swiderski, ADOL Fax #: 278-7022	Charles Gilbert, NPS Fax #: 257-2510 Cordell Roy, NPS Fax #: 257-2510 Sandy Rabinowitch, NPS Fax #: 257-2510
Tatitlek Corporation	Alex Swiderski, ADOL Fax #: 278-7022	John Harmening, USFS Fax #: 586-7843

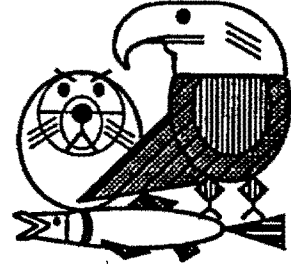
cc: Dave Gibbons, Agency Liaison, USFS

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dave Gibbons
U.S. Forest Service

FROM: James R. Ayers
Executive Director

DATE: August 16, 1994

RE: Appraisal Authorization

Upon receipt of a letter from Tatitlek Corporation (attached) requesting an appraisal of certain of their lands, you are hereby authorized to undertake such an appraisal. The parcels to be appraised are listed in the July 25, 1994 letter from Alex Swiderski and John Harmening (attached). The parcels include Fee title interest to lands on Heather Island - Columbia Bay and Sawmill Bay, and Commercial Timber Rights and Development Rights on all of Bligh Island, Busby Island and Reef Island.

JRA/mir

Attachments

cc: Alex Swiderski, Assistant Attorney, Department of Law
John Harmening, U.S. Forest Service

C:\WPDOCS\ASJH816.MEM

08/15/94 13:44

907 276 7178

EV Restoration

→→ J. AYERS

006/009

AUG 05 '94 01:30PM BIRCHMOUNTAIN & BILTMER 711 N ST.

TAT. CORP.

TEL: 907-424-3773

Aug 05 94

10:05 No.001 P.01



P.O. Box 650, Cordova, Alaska 99574 • Phone (907) 424-3777 • Fax (907) 424-3773



August 5, 1994

VIA FACSIMILE

Alex Swiderski, Assistant Attorney General
State of Alaska
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501

VIA FACSIMILE

John Harmoning, Realty Specialist, Alaska Region
United States Department of Agriculture
Forest Service, Federal Building
P.O. Box 21628
Juneau, Alaska 99802

RE: THE TATITLEK CORPORATION

Dear Sirs:

Further to the discussions between representatives of The Tatitlek Corporation and the Exxon Valdez Oil Spill Trustee Council, this is authorization to appraise the corporation's land holdings at Sawmill Bay and Heather Island/Emerald Cove, as well as the corporation's timber interests on Bligh Island in connection with negotiating a possible acquisition of interest in the corporation's land.

Very truly yours,

THE TATITLEK CORPORATION

By:

Carroll Kompkoff
Carroll Kompkoff

Its: President

REF 94-105

CK/pkm



United States
Department of
Agriculture

Forest
Service

Alaska Region

P.O. Box 21628
Juneau, AK 99802-1628

RECEIVED
JUL 28 1994

Reply to: 5420

Date: JUL 25 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Mr. James R. Ayers
Executive Director
Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 "G" Street
Anchorage, AK 99501

Dear Mr. Ayers:

Negotiations have progressed with Tatitlek Corporation to the point where specific interests have been identified that require an appraisal. We request that the following interests be scheduled for appraisal as soon as practical:

Fee title interest

Heather Island - Columbia Bay

T. 10 S., R. 10 W., Copper River Meridian (CRM)
Sec. 15, lots 1 to 6, inclusive;
Sec. 16, lots 1 to 10, inclusive;
Secs. 20 and 21 (Fractional), all;
Sec. 22, lots 1 to 5, inclusive;
Sec. 23, lots 1 to 5, inclusive;
Sec. 27, lots 1, 2, and 3;
Sec. 28 to 32 (Fractional), inclusive, all;
Sec. 33.

Sawmill Bay

T. 9 S., R. 9 W., CRM
Sec. 26, lot 5;
Sec. 27, lots 1 to 7, inclusive;
SW1/4NE1/4, NW1/4, NE1/4, SW1/4, W1/2, SW1/4;
Sec. 33, E1/2, E1/2W1/2, SW1/4SW1/4;
Sec. 34, lots 1 to 8, inclusive;
W1/2NW1/4, SE1/4NW1/4, SW1/4;
Sec. 35, lot 2.

Commercial Timber Rights and Development Rights

All of Bligh Island, Busby Island, and Reef Island

The land described is for surface estate only. The subsurface is owned by the Regional Corporation, Chugach Inc. As with other EVOS appraisals for acquisition, we request a subsurface Mineral report.



Mr. James R. Ayers

2

It is anticipated that additional interests for acquisition, both fee title interest and partial interests, will be identified on the remaining Tatitlek land. Identifications of these parcels are pending recommendations from the Habitat Protection work group following their field trip to the area. After identification of the Highest valued lands, further refining of the remaining lands selection, will be completed. Negotiations along with the Habitat Protection work groups data will provide the identification of parcels requiring additional appraisal requests. This is scheduled for mid August.

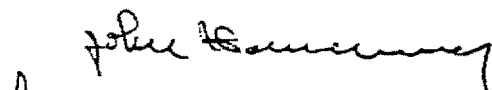
In the meantime, we feel it is important to schedule the lands agreed upon to date to insure a completed package will be available in a timely basis. Available timber data and information on Tatitlek Lands have been forwarded to Tim Manley, Timber appraiser/cruiser contractor for his use.

Additional data as requested will be forwarded to Rich Goossens.

Sincerely,



JOHN HARMENING
Realty Specialist



for ALEX SWIDERSKI
Assistant Attorney General

cc:

A.Swiderski

J.Wolfe

D.Gibbons

R.Goossens

Habitat Protection Work Group

B.VanZee

August 4, 1994

To: Molly McCammon, Director of Operations, Anchorage

From: Mary Rivera

The following correspondence has been received in the Juneau Office and is forwarded for your action:

<u>No. of Pages</u>	<u>Description</u>	<u>Action</u>
2	Fax of memo addressed to Jim Ayers dated 8/3/94 from Jerome Montague RE: Project #94165/Herring Genetic Stock Identification in PWS (second page is memo from J. Sullivan to J. Montague)	Requires response by August 5. <i>Molly will take care of this.</i>
1	Fax of memo addressed to Jim Ayers dated 8/3/94 from Jerome Montague RE: Renumbering of Non-Core 95320 Projects.	<i>Put in Jim's In Basket</i>
5	CC of letter (and attachments) to Dr. Gary Thomas, Ph.D. dated 8/1/94 from Jerome Montague RE: Additional Funding for UAF and Science Center	<i>Put in Jim's In Basket</i>

Please indicate what action(s) need to be taken if any (i.e., can be filed, put it in Jim's "In" basket, etc.).

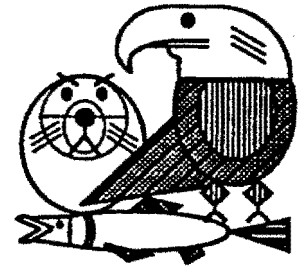
Total Number of Pages Faxed (including this page): 9

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Craig Tillery

FROM: June Aronoff-Sinclair
Administrative Officer

DATE: 8/1/94

RE: Settlement Fund Investments

Jim asked that I give you a call before the PAG meeting tomorrow and update you on the information I have gathered regarding the investment of settlement funds. I was unable to reach you so I thought I would provide you with the following information:

1. I spoke with Michael Milby (Clerk of the Court) again and he will not be able to attend the August 23 meeting but can come to an October meeting. He held a teleconference with the Court System Registry Committee (has general oversight authority) and they agreed that a long term reserve is something that ought to be offered to us.

Michael is pulling an outline together of what they are proposing. He will send that for us to review and offer input. He will then try to fine tune so we have a document for Trustee Council review before the August 23 meeting and give him additional feed back. The next steps would be the mechanics of getting the account set up and us doing a court request.

Regarding the type of investments, the Court Registry is required to have funds on deposit with the Treasury or in a financial institution.

2. I spoke with Bob Storer, Chief Investment Officer for the State of Alaska. I have had several conversations with him. I sent him a memo last week requesting his input and any information he could provide regarding investment strategies, asset allocation, etc. for those funds invested by the State of Alaska and the proposed reserve fund.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

He said he would be unable to attend the meeting on August 23 but would put something together for the meeting and have a senior staff member attend.

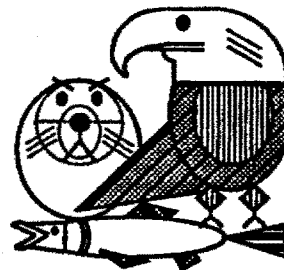
tillery.wpd

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



FAX COVER SHEET

TO: Molly McCammon	FROM: Mary Rivera
OFFICE: Anchorage	OFFICE: Executive Director's Office
FAX NUMBER: 276-7178	FAX NUMBER: 586-7589
PHONE NUMBER: 265-9328	PHONE NUMBER: 586-7238

COMMENTS: The following are timesheets for pay period ending 7/31/94:
June Arkoulis-Sinclair, Marylou Elton, and Mary Rivera.
I have attached copies of leave slips (all on one page) for leave that I used for this pay period. The top leave slip, for 7/18-19, requires your initial in the "Supervisor Approval" box; the other two leave slips below it require your signature and initials.
Please sign the timesheets and leave slips and fax back to me so I can take them over to Fish & Game.
Also attached is a one page letter we received today from Larry Landry. Please let me know if any action is needed.

DATE: August 1, 1994	TOTAL PAGES: 5
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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

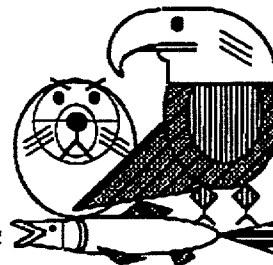
JULY

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Alex Swiderski
Assistant Attorney General

John Harmening
U.S. Forest Service

From: Jim Ayers *by M. J. [Signature]*
Executive Director

Date: July 29, 1994

Subj: Appraisal Authorization

You are hereby authorized to undertake an appraisal of certain lands owned by Tatitlek Corporation. The parcels to be appraised are listed in your July 25, 1994 letter (see attached). The parcels include Fee title interest to lands on Heather Island - Columbia Bay and Sawmill Bay, and Commercial Timber Rights and Development Rights on all of Bligh Island, Busby Island and Reef Island.

cc: Dave Gibbons

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Department of Agriculture and Interior

July 27, 1994

To: Molly McCammon, Director of Operations, Anchorage

From: Mary Rivera

The following correspondence has been received in the Juneau Office and is forwarded for your action:

<u>No. of Pages</u>	<u>Description</u>	<u>Action</u>
3	Fax addressed to Jim Ayers dated 7/26/94 from Jim Giattina: "Prospectus for an 'Ecosystem Practitioners' Workshop"	<i>Put in Jim's In Basket</i>

Please indicate what action needs to be taken (if any), if it can be filed, or if I should put it in Jim's "In" basket.

Total Number of Pages Faxed (including this page): 4

July 26, 1994

To: Molly McCammon, Director of Operations, Anchorage

From: Mary Rivera

The following correspondence has been received in the Juneau Office and is forwarded for your action:

No. of Pages	Description	Action
10	Memo dated 7/20/94 (and attachments) to Jim Ayers from Jerome Montague regarding " Details of Science Center Boat Purchase "	Put in Jim's In Basket
5	Fax dated 7-13-94/7-25-94 to Jim Ayers from Alex Swiderski: " Discussion Draft Prepared for the Public Advisory Group Subcommittee "	" "
6	FYI dated 6/13/94 to Jim Ayers from Dan Sakura: " Interior Secretary Bruce Babbitt's Remarks at OWAA "	" "
2	CC to Jim Ayers of memo dated 7/18/94 from Joe Sullivan regarding " Review of Herring Disease Expressions of Interest "	" "
11	CC to Jim Ayers of letter dated 7/18/94 to Alex Swiderski from Eyak/Sherstone regarding " EVOS Trustee Council Discussion Draft of Policy Statement. " This copy was sent from the Law Offices of Guess & Rudd.	" "
3	Fax addressed to Jim Ayers and HWG dated 7/25/94 from John Harmening: Letter to Jim Ayers dated 7/25/94 from John Harmening and Alex Swiderski requesting that specific interests be scheduled for appraisal (Tatitlek Corporation).	Molly will check with Alex Swiderski to see if he needs a reply memo.
3	Fax addressed to Tim Manley, John Harmening, Ken Holbrook and Jim Ayers dated 7/20/94 from Alex Swiderski: CC to Jim Ayers of letter to Richard Goossens dated 7/20/94 regarding " AJV and Tatitlek Data "	Put in Jim's In Basket

Please indicate whether any of these need action, can be filed, or if I should put it in Jim's "In" basket.

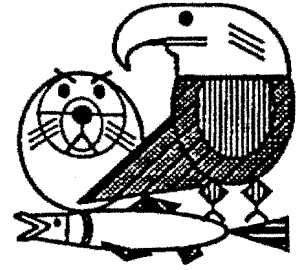
Total Number of Pages Faxed (including this page): 41

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Bob Storer
Chief Investment Officer

FROM: June Arredondo-Sinclair
Administrative Officer

DATE: July 26, 1994

RE: Exxon Valdez Oil Spill Long Term Reserve Account

As we discussed, on the telephone, there is a Trustee Council meeting scheduled on August 23 and we would like for you to attend. The Trustee Council has asked that we pull together information regarding options available to maximize earnings on settlement funds held by the Court Registry, State of Alaska and Federal government, and explore a long term reserve fund. We would like to receive your input and any information you can provide regarding investment strategies, asset allocation, etc. for those funds invested by the State of Alaska and the proposed reserve fund.

The long term reserve account would provide funding for future research, monitoring and associated restoration projects in the years following the last payment into the trust fund by Exxon in the year 2001. An annual deposit of \$12 million would be made into the fund beginning in FY94 for the next five to eight years.

If you are unable to attend but can provide us with the information that would be helpful. We generally send the Trustee Council members a package of material to review a week or two before a meeting to give them an opportunity to develop any questions they may have.

Thank you for your assistance. If you have any questions, please give me a call at 586-7238.

storer.wpd

Trustee Agencies

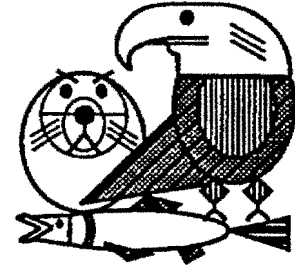
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Bob Storer
Chief Investment Officer

FROM: June Annodis-Sinclair
Administrative Officer

DATE: July 26, 1994

RE: Exxon Valdez Oil Spill Long Term Reserve Account

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Thank you for your assistance. If you have any questions, please give me a call at 586-7238.

storer.wpd

Trustee Agencies

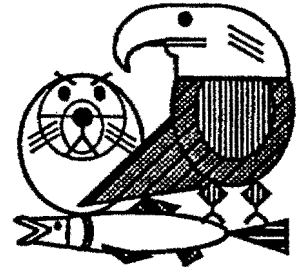
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dave Gibbons

FROM: James B. Ayers
Executive Director

DATE: July 22, 1994

RE: Authorization for Additional Timber Cruise Expenses

The Trustee Council during its July 18 meeting authorized an additional \$1.5 million dollars for increase in timber cruise cost.

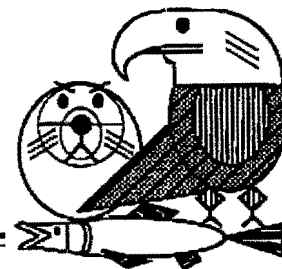
However, this is to confirm that the authorization for the additional \$350,000 for Eyak land timber cruise should not proceed until we have received a detailed cost sheet and a commitment that all work including appraisal will be completed by October. Once we have the information and the commitment we will review it and give written authorization to proceed.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Dave Gibbons
USDA, Forest Service

From: Jim Ayers
Executive Director

Date: July 13, 1994

Subj: Appraisal Requests

Per our previous discussion, this is to clarify the appraisals requested to date:

<u>Landowner</u>	<u>Date of Authorization</u>
Afognak Joint Venture	6/23/94 memo to Gibbons from Ayers
Akhiok-Kaguyak Corporation	5/6/94 memo from Gibbons to Ayers
Chenega Corporation	(underway via Forest Service authorization)
Chugach Alaska Corporation	(preliminary negotiations underway, no appraisal requested)
English Bay Corporation	(awaiting further communication from landowner)
Eyak Corporation	6/17/94 memo to Gibbons from Ayers
Kodiak Island Borough	4/29/94 memo to Gibbons from Ayers authorizing appraisals
Koniag Incorporated	5/6/94 memo to Gibbons from Ayers authorizing appraisals
Old Harbor Corporation	5/6/94 memo to Gibbons from Ayers
Port Graham Corporation	5/6/94 memo to Gibbons from Ayers
Tatitlek Corporation	(preliminary negotiations underway, no appraisals requested)

The Trustee Council will have a teleconference on July 18 at 3:00 p.m. The purpose of the teleconference is to discuss the schedule and "critical path analysis" for completion of appraisals including any additional funds required (e.g., additional cruise costs).

If we can be of any help, please contact Molly or me. The agenda for the July 18, 1994 meeting will be developed at the direction of the Forest Service.

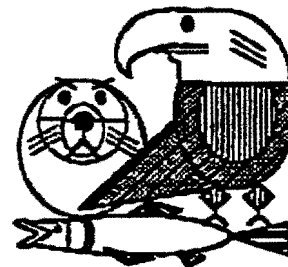
cc: Jim Wolfe

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dave Gibbons, USFS
FROM: James R. Ayers
Executive Director
RE: Appraisal Authorization

DATE: July 11, 1994

You are hereby authorized to undertake an appraisal of certain lands owned by Koniag, Inc.. The parcels for sale are identified in Exhibit A to a June 7, 1994 letter to Glenn Elison, which is attached to this memo.

Please refer to the Memorandum of Understanding signed by the respective agencies and utilize the existing contract. An individual work order should be prepared for each ownership explicitly outlining the appraisal assignment. Before issuing the work order, a definition of rights to be appraised, a legal description, and a date for submission of the report should be prepared for the appraiser and Contracting Officer's Representative. This should be accomplished in cooperation with Negotiators. The landowner should be advised in writing that the appraisal is, with their permission, proceeding.

The appraisal should establish the base line (fee) value of each parcel, recognizing that the sellers are offering substantially less than fee interest for most parcels. Actual interests to be acquired, if any, have not yet been agreed upon. However, it is anticipated that parcel by parcel interests will be available for incorporation into the final appraisal.

JRA/mir

cc: Alex Swiderski, DOL
Walt Sheridan, USDA, FS
Rich Goosens, USFS

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

KONIAG, INC.

JUN -8 1984

Dee

• 4300 B Street, Suite 407, Anchorage, AK 99503

(907) 561-2668 • FAX (907) 562-5258 •

June 7, 1984

Mr. Glen Ellison
U. S. Fish and Wildlife Service
Region Seven
1011 East Tudor Road
Anchorage, Alaska 99503

Re: Koniag Inholdings in
Kodiak National Wildlife Refuge

Dear Mr. Ellison:

This will serve to confirm your conversation with Koniag's counsel, Bill Timme, regarding the proposed appraisal of Koniag's inholdings in the Kodiak National Wildlife Refuge to be performed on behalf of the Exxon Valdez Trustee Council. Koniag consents to the appraisers going on to its lands for the purpose of conducting a physical inspection in conjunction with such appraisal.

It is Koniag's understanding that all of the lands described in Exhibit A, attached to this letter, will be appraised. While Koniag has other lands in the Refuge, it is willing to consider the sale only of those listed in Exhibit A. Koniag also reserves the right to withdraw from consideration all or part of the lands in Exhibit A. Should you be unwilling to appraise all of the lands described in Exhibit A, then Koniag will withdraw its consent.

As you are aware, Koniag is deeply skeptical that the proposed appraisal will determine the fair market value of Koniag's lands. Thus the consent of Koniag should in no way be perceived to be its endorsement of either the process or the result.

You have also requested that Koniag consent to the proposed parcel designation. As you are aware, Koniag has on numerous occasions proposed various configurations of its lands which would be acceptable to it as the boundaries of parcels it is willing to sell. These apparently have all been rejected. For the record, Koniag is not willing to sell its lands based on the proposed parcel configuration unless all of the lands are purchased. While Koniag is willing to explore how the boundaries may be modified to arrive at a satisfactory configuration, until the parties determine that they are sufficiently close in price to warrant further negotiations, such discussions would be an unnecessary expense to both sides.

Mr. Glen Ellison
June 7, 1994
Page 2

I repeat Koniag's concern about the unilateral nature in which this process is being pursued. The agencies have approached these acquisitions with a condemnation mentality but they have no condemnation authority. As the result, they have lost touch with the sellers and are producing an adversarial process that unfortunately has increased the likelihood of polarization and failure.

If you have any questions regarding Koniag's position, please feel free to contact our counsel.

Yours truly,

KONIAG, INC.



Uwe L. Gross
Chief Executive Officer

Enclosure

cc: William H. Timme, Esq.
Tim Mahoney
Art Kennedy

KONIAG, INC.
EXHIBIT A -- LEGAL DESCRIPTIONS

The following described lands located in the Kodiak Recording District, Third Judicial District, State of Alaska, EXCEPTING THEREFROM the subsurface estate, and all rights, privileges, immunities and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 794; 43 U.S.C. 1601, 1613 (f) (1976)):

Seward Meridian, Alaska

T. 30 S., R. 28 W.

Sec. 19, (fractional), $SE\frac{1}{4}$;
 Sec. 28, (fractional), $S\frac{1}{2}S\frac{1}{2}$, $NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$;
 Sec. 29, (fractional), $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$,
 $N\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$;
 Sec. 30, (fractional), $N\frac{1}{2}$;
 Sec. 32, (fractional), $E\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{4}$.

Containing approximately 1,570 acres.

T. 31 S., R. 28 W.

Sec. 5, (fractional), $N\frac{1}{2}N\frac{1}{2}$, $SE\frac{1}{4}NE\frac{1}{4}$, excluding USS 10562;
 Sec. 8, (fractional);
 Secs. 9, 14, 15 and 16;
 Sec. 17, (fractional), $E\frac{1}{2}$, $NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$;
 Sec. 20, (fractional), $E\frac{1}{2}$, $SW\frac{1}{4}$, excluding USS 3971;
 Secs. 22, 23 and 24;
 Sec. 29, (fractional), $E\frac{1}{2}$;
 Sec. 32, (fractional), $E\frac{1}{2}$.

Containing approximately 6,500 acres.

T. 32 S., R. 28 W.

Sec. 21, (fractional), $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$;
 Sec. 28, (fractional);
 Sec. 29, (fractional), $W\frac{1}{2}W\frac{1}{2}$;
 Sec. 30, (fractional);
 Sec. 32, (fractional), $SW\frac{1}{4}NE\frac{1}{4}$, $SE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$;
 Sec. 33, (fractional), $NE\frac{1}{4}$;
 Sec. 34, (fractional), $E\frac{1}{2}$, $N\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NW\frac{1}{4}$,
 $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$.

Containing approximately 2,000 acres.

T. 29 S. R. 29 W.

Sec. 24, (fractional);

Sec. 25, (fractional), excluding the 14(c)(1) claim of Robert
Griggs (approximately $1\frac{1}{2}$ acres);

Sec. 26, (fractional);

Sec. 36, (fractional), excluding the 14(c)(1) claim of Laurel Peterson
(approximately $1\frac{1}{2}$ acres).

Containing approximately 1,126 acres.

T. 30 S. R. 29 W.

Sec. 5, (fractional), excluding USS 2586;

Sec. 6;

Sec. 7, $W\frac{1}{2}$, excluding USS 9410;Sec. 18, $W\frac{1}{2}$;Sec. 19, $W\frac{1}{2}$.

Containing approximately 1,478 acres.

T. 31 S. R. 29 W.Secs. 5 to 8, inclusive, excepting approximately 24 acres in
Secs. 5, 6 and 7 for the City of Larsen Bay's power project
(approved survey pending), Book 97, Page 858;Sec. 27, $W\frac{1}{2}$;Sec. 34, $W\frac{1}{2}$.

Containing approximately 3,143 acres.

T. 32 S. R. 29 W.Sec. 3, $W\frac{1}{2}$;

Secs. 30, 31 and 32.

Containing approximately 2,237 acres.

T. 30 S. R. 30 W.

Secs. 1, 2, 3 and 4;

Secs. 9, 10 and 11;

Sec. 12, excluding USS 9410;

Sec. 13;

Secs. 15 to 19, inclusive;

Secs. 24, 29, 30, 31 and 32, excluding USS 9458;

Sec. 33, $W\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}$.

Containing approximately 12,116 acres.

T. 31 S., R. 30 W.

Sec. 2, S¹/₂, excluding USS 6782;

Sec. 3, S¹/₂;

Sec. 4, S¹/₂;

Secs. 5 to 9, inclusive;

Secs. 16 to 21, inclusive;

Secs. 27 to 34, inclusive.

Containing approximately 13,000 acres.

T. 32 S., R. 30 W.

Secs. 2, 3, and 4;

Secs. 9, 10 and 11;

Secs. 13 to 16 inclusive;

Secs. 22, 23 and 24;

Sec. 25, excluding the area within I.C. 1106, and USS 10689;

Secs. 26 and 27;

Secs. 34 and 35;

Sec. 36, excluding the area within I.C. 1106, and USS 10689.

Containing approximately 12,112 acres.

T. 29 S., R. 31 W.

Sec. 13, (fractional), excluding USS 2584 and USS 2588;

Sec. 14, (fractional), that portion within KNWR (PL 96-487);

Sec. 23, that portion within KNWR;

Secs. 24 and 25;

Secs. 26 and 35, those portions within KNWR;

Sec. 36.

Containing approximately 2,725 acres.

T. 30 S., R. 31 W.

Sec. 1;

Secs. 2 and 11, those portions within KNWR (PL 96-487);

Secs. 12 and 13;

Secs. 14 and 23, those portions within KNWR;

Secs. 24 and 25;

Sec. 29, that portion within KNWR;

Sec. 36.

Containing approximately 4,835 acres.

T. 31 S. R. 31 W.

Sec. 1.

Containing approximately 640 acres.

T. 30 S. R. 32 W.

Secs. 25 to 30, inclusive, those portions within KNWR (PL 96-487);

Sec. 31, E $\frac{1}{2}$ E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$,SW $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{2}$, excluding USS 9386;

Secs. 32 to 36, inclusive.

Containing approximately 3,750 acres.

T. 31 S. R. 32 W.

Secs. 1, 2 and 3;

Secs. 6, 7 and 18;

Secs. 19, 30, 31.

Containing approximately 5,679 acres.

T. 32 S. R. 32 W.

Secs. 5 to 9, inclusive;

Sec. 11;

Secs. 14 to 17, inclusive.

Containing approximately 6,385 acres.

T. 30 S. R. 33 W.Sec. 25, (fractional), S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$, only portions within KNWR (PL 96-487)
and excluding USS 9386;Sec. 26, (fractional), SW $\frac{1}{2}$ SE $\frac{1}{4}$, that portion within KNWR (if any);Sec. 34, (fractional), SW $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$;

Sec. 35, (fractional), excluding USS 1951 and USS 10570.

Containing approximately 120 acres.

T. 31 S. R. 33 W.

Secs. 1 and 2, (fractional), excluding USS 10570, USS 10688 and USS 9386;

Sec. 11, excluding USS 10688;

Sec. 12, (fractional), excluding USS 6724 and USS 10688;

Secs. 13 to 17, inclusive;

Sec. 18, (fractional), excluding USS 1971;

Sec. 19, (fractional), N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{4}$,N $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$;

Secs. 20 to 25, inclusive;

Secs. 27, 28 and 29;

Sec. 30, (fractional), $E\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$;

excluding USS 9453;

Sec. 31, (fractional), $NE\frac{1}{4}NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$,

$S\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}NW\frac{1}{4}$;

Secs. 32, 33, 34 and 36.

Containing approximately 15,157 acres.

T. 32 S., R. 33 W.

Sec. 1;

Secs. 4 to 8, inclusive;

Secs. 17 to 20, inclusive.

Containing approximately 6,375 acres.

T. 31 S., R. 34 W.

Sec. 24, (fractional);

Sec. 25, (fractional), excluding USS 1970 and USS 9453.

Containing approximately 50 acres.

T. 32 S., R. 34 W.

Secs. 10 and 11, (fractional);

Secs. 12 and 13;

Secs. 14 and 23, (fractional), excluding USS 9376;

Secs. 24, 25, 26;

Sec. 27, (fractional), $E\frac{1}{2}NE\frac{1}{4}$, $S\frac{1}{2}$, excluding the portion east of the tidal slough and excluding USS 9377;

Secs. 29 and 31, (fractional);

Sec. 32, (fractional), excluding USS 2311 and USS 6723;

Sec. 33, (fractional), $SE\frac{1}{4}$, but only the spit portion of approximately 35 acres and excluding USS 2304;

Sec. 34, (fractional), excluding USS 9377;

Sec. 35, (fractional), $N\frac{1}{2}$, $SE\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$.

Containing approximately 5,505 acres.

Aggregating approximately 106,503 acres.

PRIORITIZED SECTIONS **Prioritization of AA-6677 Larsen Bay Selections**

<u>Description</u>	<u>Tract Acres</u>
All Seward Meridian	
* <u>T. 30 S., R. 30 W.</u> Sec. 31, USS 9458	140.0
* <u>T. 30 S., R. 28 W.</u> Sec. 17 (fractional)	34
<u>T. 32 S., R. 30 W.</u> Secs. 5, 6 & 7	1908
<u>T. 31 S., R. 31 W.</u> Secs. 24, 25, 26	1920
<u>T. 32 S., R. 28 W.</u> Sec. 5	370
Secs. 16 & 17	740
Sec. 8	310
<u>T. 29 S., R. 30 W.</u> Sec. 24, excluding USS 4658 containing	265
Secs. 23, 22, 21	1355
<u>T. 30 S., R. 31 W.</u> Secs. 2 & 11	1320
Secs. 14 & 13	1320
Secs. 23 & 26	1320
Secs. 35 & 12	1320
<u>T. 32 S., R. 31 W.</u> Secs. 1, 2	1320
Secs. 11, 12, 13, 14	2560
<u>T. 31 S., R. 31 W.</u> Secs. 10, 15	1320
Secs. 22, 27	1320

- * Koniag hereby requests an actual IC and patent to these at an early date.

PRIORITIZED SECTIONS
Prioritization of AA-6674 Karluk Selections

<u>Description</u>	<u>Tract Acres</u>
All Seward Meridian	
<u>T. 30 S. R. 31 W.</u> Secs. 28 & 30	1320
Approx. 1250 ac. outside refuge - 70 within	
<u>T. 29 S. R. 30 W.</u> Secs. 19 & 20 (fractional)	1054
<u>T. 31 S. R. 33 W.</u> Secs. 26 & 35	1280
<u>T. 32 S. R. 33 W.</u> Secs. 9, 16, 21 & 28	2560
<u>T. 32 S. R. 33 W.</u> Secs. 3, 10, 15, 22	2560
<u>T. 31 S. R. 32 W.</u> Secs. 29, 20, 32, 17	2560
<u>T. 30 S. R. 31 W.</u> Secs. 26 & 27	1280
Approx. 985 ac. outside refuge - 295 within refuge	
<u>T. 31 S. R. 32 W.</u> Secs. 11, 14, 23, 13	2560

15,70 -

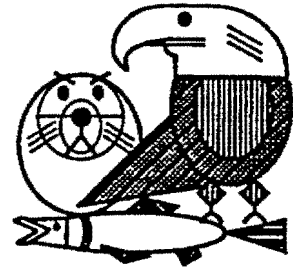
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207-10000

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Jim Ayers

FROM: June Arredis-Sinclair
Administrative Officer

DATE: July 8, 1994

RE: Financial Report

Status of Funds

1. Statement of Exxon Settlement Funds As of June 30, 1994 is attached. I cannot provide the statement for the Joint Trust Fund until next week.
2. Status of settlement funds - as of June 30, 1994 \$5,440,472 has been earned on settlement funds (including United States and State of Alaska accounts), \$340,831,233 has been disbursed, and the total estimated funds available including receivables from Exxon are approximately \$625,190,275.
3. Status of United States and State of Alaska Joint Trust Fund - as of June 30, 1994, the balance in the Joint Trust fund was approximately \$75,165,275.
4. Average earnings percentages -

Court registry - 3.84%
State of Alaska - 4.78%
NRDA&R - not available until Monday but expect to be same or close to Court rate because of the type of investments.
5. Court requests - all outstanding requests have been processed and funds transferred.
6. Quarterly Financial Summaries - will be available for the August 8 meeting.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Investment of Funds

1. Court Registry -

*Funds are invested through the Court Registry Investment System (CRIS) and pooled with other District Court funds in a liquidity fund.

*Funds are only invested in Treasury securities.

*Fund provides weekly liquidity similar to a money market fund. At no time are funds ever held at a bank.

*The Registry is in the process of creating a longer term fund. It would be a 3-4 year fund with staggered maturity dates and quarterly liquidity. This would also be a pooled fund.

*The Clerk of Court, Michael Milby was interested in the establishment of a long term reserve account and I will continue to pursue that with him. In this situation, funds may or may not be pooled depending on what our needs and requirements are.

*Mr. Milby has been invited to attend the late August Trustee Council meeting but confirmation of his attendance has not been received.

2. State of Alaska account -

*Settlement funds are pooled with State general funds and invested primarily in U. S. Treasury securities, corporate notes and commercial paper.

*Bob Storer, Chief Investment Officer, Department of Revenue, is pulling information together regarding possible investment strategies for state funds and a reserve account.

3. NRDA&R account -

*Settlement funds are pooled in the NRDA&R account. Investments are restricted to U. S. Treasury securities, bills and bonds.

*Funds are transferred out of this account to individual agency (NOAA, DOI, USFS) accounts when needed. The individual agency accounts do not earn interest, so there is a potential for lost interest if funds are not spent immediately. Funds not transferred are invested. To date funds have been needed immediately after a court request has processed and so they have not remained in the NRDA&R where interest can be earned.

Other Business

1. Audit of Funds - anticipate preparing an RFP for external audit services to be performed in the fall/winter of 94. Scope of audit would include financial activity in FY 92, 93, 94, internal controls, financial procedures, inventory review and related recommendations.

Attachment

694fr.wpd

Statement 1

DRAFT

Statement of Exxon Settlement Funds As of June 30, 1994

Beginning Balance of Settlement 900,000,000

Receipts:

Interest Earned on Exxon Escrow Account	831,233
Net Interest Earned on Joint Trust Fund (See Note 1)	4,038,655
Interest Earned on United States and State of Alaska Accounts	570,584

Total Interest	5,440,472
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Disbursements:

Reimbursements to United States and State of Alaska	139,111,287
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	161,806,258

Total Disbursements	340,831,233
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Funds Available

Exxon future payments	560,000,000
Balance in Joint Trust Fund (See Statement 2)	75,165,275
Seal Bay acquisition payments due (See Note 3)	(9,975,000)
Other (See Note 2)	TBD
Total Estimated Funds Available	625,190,275

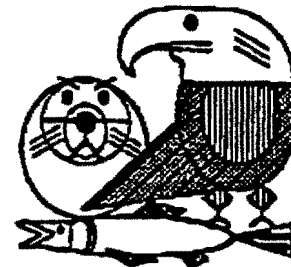
Note 1: Gross interest earned less District Court registry fees.

Note 2: Previously funded projects may have unobligated balances which will be available.

Note 3: Annual payments due in November 1994, 1995 and 1996.

Footnote: Figures as of June 24, 1994, will update through June 30 when additional information received.

Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 "G" Street, Anchorage, AK 99501
Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Alex Swiderski, Department of Law
Dave Gibbons, USDA Forest Service

FROM: James R. Ayers
Executive Director

DATE: July 8, 1994

RE: Appraisals and Timber Cruise

Per our discussion today, I am asking that you meet with the contract appraiser and timber cruise personnel as soon as possible. It is imperative that we establish dates of completion for appraisals.

In the event that you determine that appraisals or timber cruises are being delayed for any reason, please bring it to my attention.

If funding is an issue, we will take that to the Trustee Council immediately. As you know, it is our expectation that the appraisals and negotiations are proceeding in a timely fashion and will be completed by Fall.

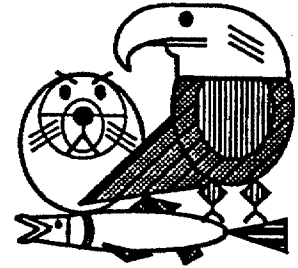
Please advise.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

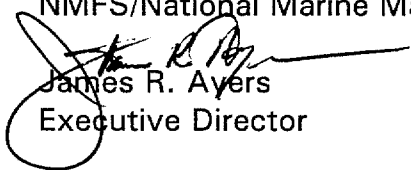
645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Dr. Thomas Loughlin
NMFS/National Marine Mammal Laboratory

FROM: 
James R. Avers
Executive Director

DATE: July 7, 1994

RE: Disclaimer for Marine Mammal Book

As you know from our previous discussions, a question of scientific interpretation has arisen regarding one of the papers to be included in the marine mammal book that will be published with funding support from the Trustee Council.

While recognizing that there is nearly always room for disagreement among scientists regarding the interpretation of the same data, and without making any further attempt to resolve the professional disagreement that has been identified, it is important to clearly note that the papers included within the book reflect the views of the respective author(s) and not necessarily those of the Trustee Council.

Accordingly, I request that the following language be included within the book:

Funding support for the publication of *Effects of the Exxon Valdez on Marine Mammals* was provided by the Exxon Valdez Oil Spill Trustee Council. The findings and conclusions presented in the papers included within this book are those of the individual investigators or authors and do not necessarily reflect the views of the Trustee Council.

I appreciate your consideration of this request.

Trustee Agencies

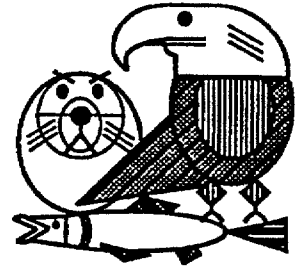
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Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Susan White
Accounts Payable
Department of Fish & Game

FROM: Marylou Elton

DATE: July 6, 1994

RE: STR Accountability

As of June 30, 1994 the EVOS Trustee Council had the following TR's in their possession:

TRs VOIDED

#1025629	From a book checked out to Jim Ayers - 1025621 to 1025630
#1045963	From a book checked out to June Sinclair - 1045961 to 1045970
#1045964	"
#1045965	"
#1045966	"
#1045967	"
#1045968	"
#1045969	"
#1045970	"
#1045953	From a book checked out to Jim Ayers - 1045951 to 1045960 (The TRs listed above are returned with this memo.)

ACTIVE TRs

#1045958	From a book checked out to Jim Ayers - 1045951 to 1045960
#1045959	"
#1045960	"

Trustee Agencies

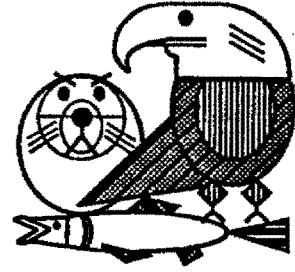
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Carol Fries
Department of Natural Resources

FROM: 
James R. Ayers
Executive Director

DATE: July 5, 1994

RE: Scientific Review: Core Reviewers

I have reviewed the Federal Advisory Committee Act (41 CFR 101-6.10) and the comments submitted by Maria Lisowski. It is clear that the intent of the Federal Advisory Committee Act (FACA) is to establish guidelines regarding committees or other groups advising federal officials. In order to comply with FACA, we will take both interim and long term action.

First, by way of this memo I am asking you and Dr. Spies to ensure that we maintain independent, individual recommendations from the scientific peer reviewers for our review of the proposed FY95 projects.

Secondly, by way of this memo I am requesting that, once the concept of core reviewers or Science Review Board is approved by the Trustee Council, you and Maria Lisowski explore the requisite process to determine if our proposed Science Review Board needs to be recognized as a federal Advisory Committee.

If you have any questions or require further guidance, please contact me or Molly McCammon.

cc: Maria Lisowski
Dr. Spies

Trustee Agencies

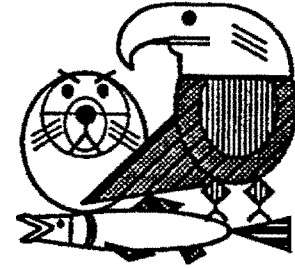
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Exxon Valdez Oil Spill Trustee Council

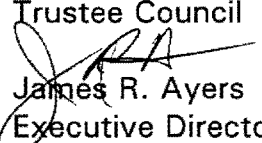
Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council
FROM:  James R. Ayers
Executive Director

DATE: July 5, 1994

RE: Recognition Award for Charles R. Peterson

The purpose of this memorandum is to bring to your attention the fact that Dr. Charles H. Peterson, one of the Trustee Council's most highly regarded and long-standing scientific peer reviewers, recently received a prestigious scholarship recognition award from the Pew Scholars Program in Conservation and the Environment. The Pew Conservation Scholars Program, established in 1988 by the Pew Charitable Trusts, is designed to encourage conservation scientists who are applying themselves to the conservation of biological diversity and related environmental issues. A recent press release announcing the 1994 Pew Conservation Scholars Award is attached for your reference.

As you know, Dr. Peterson, a professor at the Institute of Marine Science of the University of North Carolina at Chapel Hill, is a marine ecologist with particular expertise in intertidal ecosystems who has been actively involved in the review of research and monitoring projects sponsored by the Trustee Council for the past several years. Dr. Peterson is one of the "core" technical reviewers who has been playing a key role in helping to develop the Trustee Council's ecosystem approach to restoration. As indicated by the receipt of this prestigious award, the Trustee Council is fortunate to have the talent and expertise of Dr. Peterson to assist in accomplishing the restoration mission. At the same time, the fact that one of our "core" peer reviewers is so highly regarded reflects well on the Trustee Council.

I would suggest that a brief resolution of recognition by the Trustee Council regarding this award might be in order. A draft is attached for your consideration.

RESOLUTION

WHEREAS, Dr. Charles H. Peterson has served as one of the Trustee Council's most highly regarded scientific peer reviewers; and

WHEREAS, Dr. Peterson has been extremely diligent in his efforts to provide the Trustee Council and the public with sound information and advise; and

WHEREAS, Dr. Peterson has made an important contribution to the Trustee Council's effort to develop an ecosystem approach to the restoration of resources and services injured by the *Exxon Valdez* oil spill; and

WHEREAS, the Pew Scholars Program in Conservation and the Environment recently recognized Dr. Peterson's exceptional professional contribution to the conservation of biological diversity and related environmental issues,

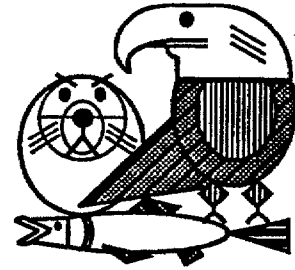
THEREFORE BE IT RESOLVED, that the *Exxon Valdez* Oil Spill Trustee Council commends Dr. Peterson for the receipt of this prestigious award from the Pew Charitable Trusts.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Carol Fries
Commissioner's Office
Department of Natural Resources

FROM: James R. Ayers
Executive Director

DATE: July 5, 1994

RE: Project 94320 J: Dr. Mooers

I am concerned about the Applied Marine Sciences letter dated June 15 from Andrew Gunther to Carol Fries. It appears to me that there is at least the appearance of impropriety.

There is no situation I can think of that would provide tolerance for an independent reviewer participating as a collaborator in a project. Under no circumstances should the review of a collaborator on a project be the determinant recommendation for the funding of a project. This situation needs immediate and clear direction to Dr. Mooers.

Trustee Agencies

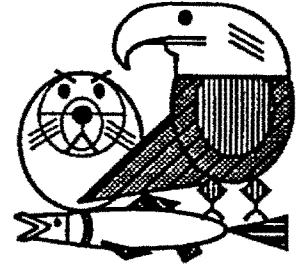
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council
FROM: James R. Ayers
Executive Director

DATE: July 5, 1994

RE: Trustee Council Briefing Materials for July 11 Meeting

Thank you for your recent comments regarding issues before the Trustee Council. I have received oral comments from each of you and a June 14, 1994 memo from Commissioner Sandor. Attached is the July 11th meeting agenda (see attached #1). The issues on that agenda are addressed below. You should consider this memo and attachments as your briefing packet for the July 11 meeting. In addition, we have completed a review of the various other issues and timelines in light of your comments.

Meeting Schedules: We have revised the meeting dates to accommodate the Public Advisory Group and your respective schedules. That revised schedule was sent on June 20 (see attached #2). The best dates for the August meetings are August 8 and 29. A mid-August teleconference may be necessary for selection of the final alternative for the EIS. The actual dates for the September and October meetings will be established depending on completion of tasks and your schedules.

Science Review Board: The establishment of a small group of core scientists, what we have been calling the Science Review Board (SRB), to provide guidance on our science program has been supported by the Council as a means to develop and strengthen an Adaptive Management Process. This science review group, chaired by the Chief Scientist, would build on our foundation of the peer review process and improve continuity and consistency. The substantive questions in establishing the SRB remain the size of the group, the selection of its members, and its place in our organizational structure. In addition, we have recently been advised that creation of a group like a formal Science Review Board may fall under the Federal Advisory Committee Act, 41 CFR 101-6.10.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

Therefore, based on your comments and the information above, I propose that we develop our core science review group through the Chief Scientist. As we discussed, the Chief Scientist will be selected by Request for Proposal (RFP) as we discussed and be responsible for identifying core reviewers for their independent perspectives. The core reviewers will be selected, as are other senior staff per the Memorandum of Understanding on the hiring of the Executive Director, by the Executive Director with the explicit concurrence of the Trustee Council.

The Chief Scientist will select the core reviewers with the express permission of the Executive Director and concurrence of the Trustee Council. A member of the core reviewers can be removed by the Chief Scientist with the express consent of the Executive Director in consultation with the Trustee Council (see attached #3).

Further, I recommend that we explore the process required under FACA to determine if the SRB should be recognized so as to avoid any challenges of their work.

Organization Diagrams Changes to previous drafts have been made based on your comments and a new draft is attached (see attached #4).

FY'95 Administration: Some Trustee Council members have commented that each agency has unique situations regarding the EVOS process. Specifically, some agencies have a large number of restoration projects while others are involved in the process but have fewer projects. Therefore, agencies may have different funding needs. We have requested Liaisons to develop budgets with a target of \$150,000, with the understanding that some agencies may require additional funds. Justification must be submitted with the FY'95 budget requests. This will ensure that everyone has opportunities for good, quick information transfer and participation. I remain hopeful we can attain our goal of 5% for FY'95 and am confident we will for FY'96.

FY'95 Projects: We have received over \$65 million in project proposals including the restoration reserve (see attached #5). It appears that an \$18-25 million work plan, not including the reserve, is consistent with Trustee Council direction, and would address the necessary restoration. This would also provide for our long term balanced approach.

We plan to provide an overview of the projects during the meeting on July 11th, identifying those that have legal questions. Trustee Council guidance on the issue of a funding range for priorities would be appreciated. Immediately following, the scientists and the work force will perform a review and compile a restoration package of projects in the range of \$18-25 million, or whatever the Council determines, for review and subsequent release to the public on August 8.

Restoration Plan and EIS: The Draft Restoration Plan and the EIS are moving along. The final plan and the final EIS with a preferred alternative will be a decision before you in August. As discussed earlier and as reflected in the timeline, the Final EIS will be printed and released by September 28. The PAG and some Council members have requested further discussion on the allocations described in the proposed alternative #5.

Finances: We are pursuing the establishment of the long term reserve account which will provide funding for future research, monitoring and associated restoration projects in the years following the last payment into the trust fund by Exxon in the year 2001. If \$12 million per year (FY94 through FY2002), is deposited into the reserve with interest averaging 6%, the Trustee Council could have a reserve balance of approximately \$120 to \$150 million in 2002. Disbursement of the monies shall be made to the United States and the State of Alaska upon resolution of the Trustee Council. It is our assumption that the conditions of the Court decree would apply. Attached you will find a draft resolution that is being circulated to attorneys for their comments (see attached #6).

As proposed, the reserve account would be established within the Court Registry and will be a part of the Court Registry Investment System. We have discussed the reserve with Mr. Michael Milby, the Clerk of Court of the United States District Court in Houston, and he informed us that the establishment of a reserve is possible. This type of account has been done before and could be handled in one of two ways, either unique or pooled with other funds. We will continue to work with Mr. Milby and have invited him to attend the August 29 Trustee Council meeting to provide you with a briefing and advice.

Institute of Marine Science Improvements: At the July 11 meeting you will also receive an update on this project. Attached for your review is a revised draft project description including purpose and need (see attached #7).

Habitat Acquisition: "Less than fee simple" policies: The PAG discussed the issue of "less than fee simple" acquisitions, including public access, and took public testimony about this issue. The PAG recommended we take the time to work with a PAG subcommittee to develop a draft policy that would reflect the various interests. We have asked the Alaska Department of Law (Alex Swiderski) and the U.S. Forest Service (Walt Sheridan) to work with the PAG to make an effort to develop recommendations for the Trustee Council's consideration. It is likely that this will come before the council during the August meeting, which is still timely and will not cause any delays in protection efforts.

I hope this is helpful and look forward to seeing you on the 11th of July.

List of attachments:

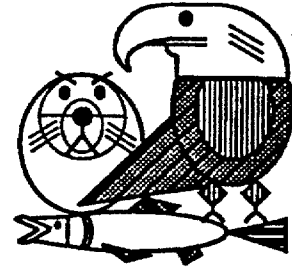
- #1. Agenda
- #2. Proposed meeting schedule
- #3. SRB
- #4. Organizational diagram
- #5. List of projects
- #6. Draft reserve resolution
- #7. Institute of Marine Science project description

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



July 5, 1994

Mr. Charles W. Totemoff, President
Chenega Corporation
3333 Denali Street, Suite 220-H
Anchorage, Alaska 99503

Dear Mr. Totemoff:

Thank you for expressing your concerns regarding the Trustee Council's Twelve Step Process for appraising, reviewing, and approving appraisals. I have talked with those staff mentioned. This response is meant to clarify the process and hopefully answer any additional questions you may have.

First, It should be understood that the appraisal process is specifically designed to be fair and reasonable and include landowner participation. The landowner, or your representative, is encouraged to share information about the property and anything that may contribute to its value. It is the intent of the Twelve Step Process and flow chart to be inclusive regarding when and how this information is made available.

Chuck, please understand that while this information is welcomed, the appraiser still is required and must be allowed to make an objective analysis without undue influence by either the governments or the landowner. In the review of these appraisals, there are legal and professional standards regarding the scope and nature of the review, the confidentiality of the work, and the fiduciary responsibility the appraisers have to their clients and the landowners. Therefore, in the latter steps of the process, after the landowner has submitted comments on the approved Appraisal Report, it is less likely that additional participation by the landowner will be helpful, although you will, obviously, continue to have interaction with the negotiation team.

You suggest that it may be late in the Twelve Step Process when a landowner may choose to conduct their own appraisal because they become unhappy with the government's approved appraisal. While it is possible that this may occur, it is hoped that the early and frequent participation by the landowner throughout the appraisal

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

process will allow the landowner and the governments to be satisfied equally with the appraisal and the conclusions of value.

We are working together on a very challenging effort. It is not easy, but I believe we can do this responsibly. Please let me know if I can provide further clarification regarding this matter.

Sincerely,



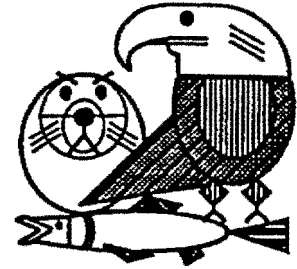
James R. Ayers
Executive Director

Exxon Valdez Oil Spill Trustee Council

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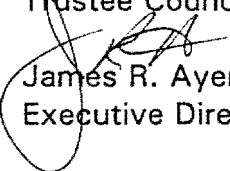
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MEMORANDUM

TO: Trustee Council

FROM:  James R. Ayers
Executive Director

RE: Proposed Meeting Schedule

DATE: July 5, 1994

Trustee Council Meeting Schedule

July 11, 1994

- * Policy review of Acquisitions "less than fee"
- * Overview of proposals for FY95 Work Plan
- * Science Review Board policy review
- * Restoration Plan update

August 8th, 1994

- * Review of FY95 draft Work Plan for release to the public
- * Update on issues
- * Restoration Plan EIS update and discussion of final alternative
- * Fee Simple Acquisition progress
- * Restoration Plan final structure

August 29, 1994

- * EIS and Final Restoration Plan update
- * Fee Simple Acquisition approval as appropriate
- * Interim budget approval
- * IMS EIS Update: public comment

Late September 1994

- * Restoration Plan FEIS Update
- * IMS FEIS Update
- * Habitat Acquisition Approval as appropriate

October 31, 1994

- * Adoption of final Restoration Plan
- * Final authorization of FY95 Work Plan
- * Authorization for the Institute of Marine Science
- * Authorization for Habitat Acquisition purchase agreements
- * Update on Issues

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior