

Resolution of the  
Exxon Valdez Oil Spill Trustee Council

SMALL PARCEL PROTECTION AND ACQUISITION PROGRAM


The Exxon Valdez Oil Spill Trustee Council unanimously agrees that:


1. Small parcel protection and acquisition should be continued as an integral part of the overall Habitat Protection and Acquisition Program.
2. The Executive Director shall provide overall management of the small parcel protection and acquisition program including preliminary negotiations, appraisals (as needed to provide additional information and consistent with the standardized process), and further evaluation of small parcels ranked "high" or "moderate" in the *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III* (February 13, 1995). At the direction of the Trustee Council, the Executive Director shall also authorize preliminary negotiations, appraisals and further evaluation of parcels that meet the threshold criteria and have been identified by the Trustee Council as otherwise having unique or outstanding restoration value for injured natural resources or services.
3. As a second phase of the Small Parcel Protection Process (Phase II), agencies and the public may nominate additional parcels for evaluation and ranking by a multi-agency small parcel review team, consistent with the procedures used in the Phase I analysis. This review shall be coordinated by the Executive Director. Parcels nominated in this supplementary process must receive agency sponsorship. The Executive Director shall promptly notify the public of the Phase II process.
4. As new parcels are nominated and evaluated under the Phase II process, the Executive Director may authorize appropriate agencies to start preliminary negotiations, including appraisals as deemed appropriate, with the landowners of parcels that meet threshold criteria and are ranked "high" or "moderate," or are identified by the Council as otherwise having unique or outstanding restoration value for injured natural resources or services.
5. Negotiations shall be conducted by the federal and/or state agencies for the purpose of providing the Trustee Council with proposed terms and conditions for acquisition of a parcel, or portion of a parcel. Agreement to terms and conditions of a negotiation are reserved to the Trustee Council and no promises or representations to the landowners to the contrary shall be made.
6. The Executive Director shall provide for public review, including review by the Public Advisory Group, of the *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III* as well as other parcels that may be evaluated under Phase II of the small parcel process.

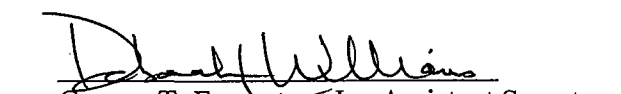
7. By June 15, 1995, the Executive Director is directed to provide the Trustee Council with an initial recommendation regarding those small parcels that should be protected using joint settlement funds. The Executive Director's recommendation regarding these parcels shall:

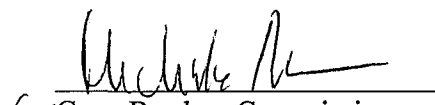
- include analysis of the restoration benefits resulting from protection of the parcels;
- take into account the terms and conditions of the landowner;
- reflect consideration of public comment received regarding the parcels;
- address the management strategy proposed for the parcels; and
- include any additional information that may be pertinent to the Trustee Council's decision to proceed with acquisition of the parcels, including the availability of joint settlement funds for this restoration purpose and the availability of other funding sources.


Adopted this day, February 13, 1995:


  
Phil Janik, Regional Forester  
Alaska Region  
USDA - Forest Service

  
Bruce Botelho, Attorney General  
State of Alaska

  
for George T. Frampton, Jr., Assistant Secretary  
for Fish and Wildlife and Parks  
U.S. Department of the Interior

  
for Gene Burden, Commissioner  
Alaska Department of  
Environmental Conservation

  
Steve Pennoyer, Director  
Alaska Region  
National Marine Fisheries Service

  
Frank Rue, Acting Commissioner  
Alaska Department of Fish & Game