

17.11.05

Memorandum of Agreement

between the
Alaska Marine Highway System, Department of Transportation
and the
Exxon Valdez Oil Spill Trustee Council
for installing
Oceanographic Instruments on the vessel, *Tustumena*

Background: Monitoring and research of the oceanographic environment along the coasts of Alaska is important to the mission of the Gulf of Alaska Ecosystem Monitoring (GEM) and Research Program, *Exxon Valdez* Oil Spill Trustee Council (EVOSTC). GEM serves state and national interests by providing long-term environmental baseline data for natural resource management and other governmental environmental regulatory purposes through research and monitoring. Cost effective approaches to marine monitoring and research include placing oceanographic instruments on board vessels of opportunity, including those of the Alaska Marine Highway System.

Purpose: To establish terms governing the relationship between AMHS and EVOSTC during design, installation and removal of oceanographic instruments on the vessel *Tustumena*.

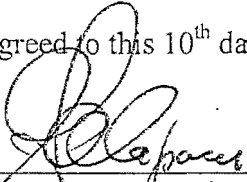
Duration: November 1, 2003 to September 30, 2005, renewable by AMHS for an additional year, October 1, 2005 – September 30, 2006.

Termination: Either party may terminate the agreement under the following terms. EVOSTC may terminate the agreement after September 2004 by notifying AMHS sixty days prior to the date of dry docking of its intention to remove the oceanographic instruments and supporting structures to the satisfaction of AMHS. AMHS may terminate the agreement at any time for cause of risk to public safety, ABS classification, or other serious cause by so stating in writing to the Executive Director, EVOSTC. AMHS may terminate the agreement by giving notice prior to February 15 2005, of its intention to terminate as of September 30, 2005. In any event, AMHS shall notify EVOSTC prior to February 15, 2005, of its intention with respect to sustaining the agreement for the third year of operation (October 1, 2005 – September 30, 2006).

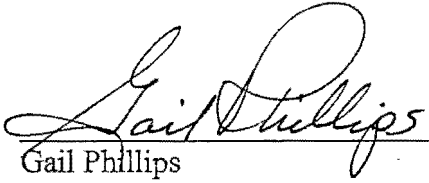
Agreements: (1) GEM assumes all financial obligations for installing, operating and removing the oceanographic instruments. Any oceanographic instruments placed on board the *Tustumena* would need to be completely financially self-sustaining from the design phase to de-commissioning. (2) AMHS will provide space and electrical power for the instruments. (3) Design of plans for installation of instruments must be done under the independent review of a qualified naval architect or marine engineer (PE) to standards of the American Bureau of Shipping (ABS) applicable to the *Tustumena*. (4) All oceanographic instruments will be designed to "maintain class" of the vessel with ABS. (5) Applicable hazardous waste handling and disposal requirements will be observed. (6) Design work and approval from AMHS is to be completed before

installation during dry dock. (7) George Poor is the technical representative for AMHS. (8) Ned Cokelet is the designated technical representative for EVOSTC, however Phil Mundy or his designated representative will be party to all correspondence between AMHS and EVOSTC technical representatives. (9) George Poor will be in charge of all work and funds associated with the installation of instruments during dry dock. (10) Funds will be made available for this purpose from GEM via a reciprocal service agreement between state agencies (ADOT and ADF&G).

Agreed to this 10th day of November, 2003 by:


George A. Capacci
General Manager
Alaska Marine Highway System
Alaska Department of Transportation and Public Facilities
3231 Channel Drive
Juneau 99801-7978

Nov 20, 2003
Date


Gail Phillips
Executive Director
Exxon Valdez Oil Spill Trustee Council
441 West 5th Avenue, Suite 500
Anchorage, AK 99501

11-12-03
Date