

PWG
II

RESTORATION TEAM MEETING
January 31, 1992

Attendees:

Dave Gibbons
Ken Rice
Marty Rutherford
Susan MacMullin
Stan Senner
Cordell Roy
Mark Brodersen
Byron Morris
Tim Steele
Jerome Montague
Art Weiner
Ray Thompson
Carol Gorbics
Paul Gertler
Ruth Yender
Joe Sullivan

Agenda

1. Budget/Organization
2. Critical Project ID and Fall Back Position
3. Timeline
4. Public Participation (4:00 p.m.)
5. Habitat Protection/Lands Committee (2:30 p.m.)
6. Release of Joint Funds
7. Draft Operating Procedures
8. Status of Restoration Framework
9. Publication Results/Symposium

The following items were distributed:

Restoration Planning Subgroup - OY 4 Budget Submission
Exxon Valdez Post Settlement Proposed Organizational Budget -
March 1, 1992 - February 28, 1993
Letter from Bob Spies dated January 28, 1992
Restoration Timeline Fast Track Option
Schedule Options Regarding 1992 Workplan Activities
Exxon Valdez Oil Spill Settlement Restoration Team Operating
Procedures
Directive Contained in House Interior Appropriations Report 102-
116 Affirmed by the House-Senate Conference Agreement on HR
2682
Fast Track Time Line Consideration of Timber Moratorium Proposals
Minutes of January 28th meeting with The Nature Conservancy
Agenda for February 5th and 6th

Ken - Ray Thompson was introduced as the Forest Service member to the restoration planning subgroup

Dave - the budget package was reviewed for any revisions

Mark - one more computer person should be discussed; the added communications will more than pay for itself; a systems administrator is needed to help with parts of the restoration plan and to give support to the administrative staff and subgroups; communication among the various members is important

Stan - what can we come up with to make this work better so that we are not operating in a crisis mode?

Byron - there is no question there is a need for this, but the question is what is the best approach

Mark - his budget can be corrected to reflect another body under professional; it would add to our efficiency using several 486's

Dave - the equipment will be moved over and another person will be shown

Cordell - McVee does not want his cost to be listed under the Trustee Council budget

Dave - under the Trustee Council, we should have just one number which is not broken out as to travel, salaries and per diem

Ken - should we put all of the budget numbers in or none? the Trustee Council should make this decision

Byron - we should put five members with a footnote stating McVee requested that his costs not be listed

Tim - we have an obligation to list costs

Cordell - McVee will just have to speak up on this

Ken - salary was taken out; should it be put back in?

Dave - he has a feeling that the whole council will not want it shown

Marty - they have given us directions that the public should receive handouts; we should not have to make last minute changes

Mark - we should try to anticipate what they will want to do

Dave - could we put salaries absorbed by agencies?

Byron - he doesn't think this is quite accurate as some are doing

this on their own time

Dave - he has been told that they already have their budget

Cordell - McVee is appropriated by the Congress

Dave - a salary line with no numbers should be indicated; there are a couple of issues: 1) showing the public what the costs are and 2) Interior wanting to fund McVee's salary after October from this fund

Dave - what is the group consensus?

Byron - we should show salaries as a potential cost with 0 beside it

Mark - he agrees with Byron

Marty - no

Cordell - no

Ken - a salary line with a budget figure is needed; the Trustee Council can take it out

Dave - the vote was three no's and two yes's; it was agreed to leave the budget as before with the salaries

Tim - the blank under peer reviewers is just a place holder for the moment

Dave - Bob Spies' letter should be attached and \$500K used as a place holder

Susan - we should list realistically what is the cost for people to come up and do review

Dave - he doesn't think we need all these people and thought Spies would cut it down to 10 people

Stan - Walcoff's overhead makes the cost higher

Ken - can we get with Bob to relay our concerns so he can give us a revised list?

Byron - we should get him up here Tuesday

Dave - we should indicate the \$500K is high, but we need time to consult with the Senior Scientist

Carol - this number will be based on projects approved by the Trustee Council

Jerome - there is pretty strong support to close out damage assessment and if they delete anything it won't be that

Dave - we should put in a caveat that it depends on the Trustee Council's discussions and further review by the Restoration Team

Cordell - will the council receive the package prior to it going out?

Dave - we can try to get it out tomorrow and say we need their comments by noon on Monday

Marty - this sets up one Trustee member changing the recommendations of the group; she has problems with that; we can't respond in five minutes just because they want us to

Dave - do we want to send the package out with a note saying this is going to the public?

Cordell - we work with people who don't like to be surprised

Jerome - what are we talking about in terms of the package?

Dave - we have not decided what we are sending to the public at this time; it is not identical to the package that goes to the council

Jerome - we need to go in with some pretty strong defenses of what we have done

Marty - they have to begin to trust us as a management team at some point or make some changes

Dave - we need to express that the Trustee Council meetings are being proposed held on the first floor of this building

Marty - it should be noted that if the entire first floor of the Simpson Building is approved as a part of the public outreach program budget, costs could be reduced

Mark - were chairs and teleconferencing equipment included?

Tim - no; do we want a line item?

Dave - the admin director's budget should be increased \$6,000.00 for equipment

Susan - the restoration planning subgroup budget was prepared for discussion with the Restoration Team

Stan - the subgroup's responsibilities can be narrowed down; this could lower their budget from \$440K to \$300K; development of a

restoration plan will include a monitoring component and contractual services

Tim - this budget now adds up to \$435K; why not leave in what is there?

Dave - this should be labeled contractual services; we also need a line item for administrative printing and distribution costs for the 1992 work plan, restoration framework draft, restoration plan draft, 1993 work plan and OY3 plan

Mark - \$100K is not enough for four documents

Dave - \$150K should be reflected

Marty - we should defend the work we have done and not just sit there and let it appear these budgets have been padded

Stan - should he and Susan be available to defend the restoration subgroup budget to the Trustee Council?

Dave - the chairman will lead it with backup as necessary

Byron - he needs \$13K added to meet travel costs; he thought we would do actual travel by agencies

Tim - details will be needed to see what agency gets what

Dave - we will show it by agency somewhere else

Dave - under agency program support, a footnote is needed regarding the matrix; the following note was circulated for inclusion in the agency program support section:

- *includes administrative support costs that are more correctly covered under project specific costs
- **includes project support costs that are reflected in project budgets for some agencies

Dave - a copy of the restoration timeline fast track option was reviewed

Cordell - the strategy is to get time-critical work done

Carol - the schedule options regarding 1992 workplan activities was reviewed

Ken - it should be stated that the Trustee Council makes the decision to proceed instead of using the words "final decision"

Marty - there needs to be enough of a decision made so that commitments can be made; how can this occur if they don't realize

they are making a decision?

Mark - it has to be shown that this is a decision to proceed; public comment may or may not modify these decisions

Ken - the word "final" should be taken out

Mark - projects may be modified as a result of receipt of public comment on the work plan

Mark - another option is needed to go ahead with the programs on the 5th and 6th

Carol - Option 4 would be:

Trustee Council makes the decision to proceed on damage assessment, closeout, continuation and restoration projects recommended by the Restoration Team on 2/5 and 2/6

Ken - the Trustee Council should be given the options along with the team's recommendation to review in advance

Mark - the issue of limited public comment prior to initial expenditure of funds should be included

Dave - it should be clear which option is recommended; the presentation will be a flip chart of Options 1, 2, and 3 and the recommendation

Dave - Marty had to leave and decided not to vote on the options

Carol - our recommendation is that the Trustee Council makes a decision on everything

Options

Recommendation: Proceed pending public comment; once public comments are received, decisions may be adjusted as necessary

- I. Decision on closeout and time critical (everything else by 3/30)
- II. Decision on closeout (all activities by 3/30)
- III. Marry framework with 1992 workplan by 5/18/92

3/15	RFP for public 1992 restoration projects
4/15	Projects due
4/15 - 5/1	RT prepares recommendation to TC
5/1 - 5/10	TC decides
5/10	Contracts awarded; money comes from fund

Dave - we need to decide how to handle public comment

Ken - we will accept them as part of the framework review

Stan - do we perceive there is an obligation to review public proposals?

Mark - a recommendation should be made to the Trustee Council

Carol - any proposals received could be returned to the submitter with the correct format

Stan - an RFP should be included in the draft restoration plan for 1993; any proposals received now should be sent back with the format stating we will consider it for 1993

Dave - the Trustee Council should be asked how they want to deal with this issue

Mark - we should state to the Trustee Council we are receiving proposals from the public, and our recommendations are that they will be deferred through the process that ends in putting work in the field for 1993

Cordell - we can accept proposals but we can not make recommendations on sole source performance

Mark - a work plan should be published and if things are not in the work plan format, they don't get done

Cordell - Gertler will be here at 2:30 to talk about the Afognak issue

Dave - the timeline was agreed on

Carol - it will be from May 15 - August 15

Meeting adjourned at 1:20

Meeting reconvened at 2:00

Dave - Restoration Team operating procedures were discussed and revised

Marty - another Restoration Team duty, interaction with the public and public officials, was included

Cordell - these procedures do not address the oversight of the public advisory group

Byron - through the administrative director, the Restoration Team shall maintain a basic mailing list

Byron - publication of reports and the symposium were discussed; if an affirmative answer is received, instructions will be given to the PI's; it was proposed to bring this issue to the Trustee Council after the next meeting

Stan - the deadline is today for authors of sections and subsections for the restoration framework document; we are more or less on target and have 9 of 15 sections done; some have not gotten past the detailed outline stage; the format being followed is similar to the 1990 August blue book; CACI staff are plugging in the information; the summary of injuries is done

Paul - a presentation was given regarding a directive contained in House Interior Appropriations Report 102-116 affirmed by the House-Senate conference agreement on HR 2682; this product came about between Afognak Joint Venture and Congressman Don Young; language was put in requesting DOI do a study on certain land, in addition to lands in PWS, once an oil spill settlement had been reached; it is being requested that land exclusively on Afognak be looked at to ensure compatibility and no duplication of efforts; it includes some field effort to look at tract value; coordination with the Restoration Team's efforts is necessary; the study is to be completed in one year; Fish and Wildlife Service's realty office will be in charge of this study; the contact person would be Danielle Jerry

Stan - he doesn't envision this joint exercise is going to be complete within the timeframe Congress wants the Fish and Wildlife report

Paul - there may be some opportunities for a procedures and evaluation system that will benefit the Restoration Team in how they will evaluate lands in general; Fish and Wildlife will have to move quickly on this study and will require a lot of coordination with the Trustees; there is the opportunity for a literature review of available information; this is the first in a series of meetings which will lead to a cooperative effort

Cordell - McVee is Fish and Wildlife's liaison to the council

Paul - the actual study will begin in March

Stan - is Afognak field work envisioned?

Paul - if Congress approves the recommendation, there will be field work; the Restoration Team can help in identifying opportunities; does this overlap with Davidson's proposal?

Stan - it is the same area

Paul - what is the opinion of the strategy of limiting the scope of our efforts?

Ken - it is better to focus on one area

Cordell - the larger issue of refuge value can be evaluated

Paul - the study will begin as soon as the letters go to Congress and will probably gear up in February

Dave - later Ernie will give a brief synopsis of the public participation status; the next topic for discussion is habitat protection; copies of the meeting minutes with The Nature Conservancy were distributed; at the end of that meeting, there was some discussion about what should be presented to the Trustees; discussion is needed on the expertise required; a fast track timeline consideration of timber moratorium proposals was distributed and discussed by Stan

Stan - this timeline sets up a process for the Trustees to announce they are willing to accept these proposals; this goes to the landowners and public and asks what are the proposals they want considered; criteria is developed to screen the proposals as they come in; a list is published that has passed the red face test in terms of criteria to screen inappropriate proposals; if approval is granted from the Trustees, then you go back to landowners for their proposals; the proposals are reviewed and then go back to the Trustees in a short list; last you go to the public with the final list of notice of intent for a specific purchase and then the deal is closed; one key feature is that June 30th is far beyond the deadline of logging; one message given by TNC is that if you can show landowners that you have a process that is moving as quickly as possible and they can reach their goals, they may defer decisions; it is a good faith message

Ken - his fundamental problem is that we could be perceived as going for a land grab before we even know if people are willing sellers

Stan - a list is compiled and then landowners are contacted

Ken - acquisition issues could be dealt with until it is determined if a landowner is a willing negotiator

Stan - one way to deflect criticism is understanding the pot of money we are negotiating with

Art - the public has to be satisfied that they have had a crack at the criteria; unless everyone has had fair notice, you will be subject to legal action

Stan - this presentation took the results of the TNC meeting and put together something that would work; we need some criteria tailored to land acquisition; we have the TNC criteria and the 1990 Federal Register Notice which could be massaged; McVee came

up with his own criteria for land

Art - Stan's idea of releasing the criteria at the same time as the announcement for proposals is good

Ken - there is a perception that large tracts of private land will be bought

Stan - are the Trustees expecting a plan for evaluating proposals on the 5th?

Dave - we would like to inform them of the expertise needed and the objectives; we are working on criteria and a timeline dealing with requests for proposals will be presented

Stan - he will prepare a more streamlined version (1.5 pages) with steps containing the statement of objectives from the Federal Register Notice and a few timelines with draft criteria; these steps will cover the next 30 to 45 days

Dave - this will show we are trying to work through the process

Marty - will there be a presentation of the criteria?

Ernie - people are more upset about not seeing the criteria than the science; there is a sense that we are coming up with restoration proposals with no criteria

Stan - could copies of the implementation, damage assessment and restoration study criteria be made?

Dave - all the criteria will be included in the package to the Trustee Council and the public

Ernie - his presentation will include the five most popular points from the public participation meetings; in Kodiak many prepared statements were made; one interesting point discussed was regionalization

Ken - this could get pretty cumbersome

Marty - recommendations for the lands committee were discussed

Dave - we have a two phase committee including a near-term core group to deal with lands; later the lands habitat committee could be developed including appraisers, attorneys and realtors

Marty - we have identified types but not names

Dave - the Trustee Council has to be notified in executive session of the names for the lands committee; can we identify six people from the Restoration Team to put together the process,

timeframe and criteria?

Marty - we need to discuss presenters

Dave - we need to go through the agenda and add names

Jerome - the budget will come over later in a final form; each Restoration Team member is responsible for checking to see that their budgets are in and quality control has been done

Dave - The following are agenda items and presenters:

- | | | |
|-----|--------------------------|-------------------------------|
| 1. | Name Change | Dave Gibbons |
| 2. | Chief Scientist | Craig O'Connor |
| 3. | Permanent Organization | Dave Gibbons/all RT |
| 4. | Public Participation | Ernie Piper |
| 5. | Permanent Admin Director | Dave Gibbons |
| 6. | Habitat Protection | Ken Rice |
| 7. | Draft Operating Proc. | Dave Gibbons |
| 8. | NEPA Compliance | Legal counsel |
| 9. | Timeline for 1992 | Marty Rutherford |
| 10. | 1992 Damage Assessment | Dave Gibbons/Bob Spies/all RT |
| 11. | Joint Settlement Funds* | Jerome Montague/Craig Tillery |

*Marty will keep track of the amount as it changes

Dave - items 1-9 will be discussed on the 5th; packages should be ready for 1:10

Meeting adjourned at 5:10

RESTORATION PLANNING SUBGROUP
OY 4 BUDGET SUBMISSION

OY 4 Restoration Subgroup Responsibilities .

- o Support Restoration Team (ongoing)
- *o Complete Restoration Framework
- *o Develop Final Restoration Plan
 - Identify and evaluate restoration options, including economic analyses
 - Prepare EIS on restoration plan (if needed)
 - Coordinate and implement public review of plan
- o Assist in the Implement of the Restoration Program for OY4
 - Solicit and review proposals for implementation projects (complete)
 - Track budget of implementation projects
 - Assure compliance with all state and federal laws and regulations
 - Review results (desk and field review) of implementation monitoring and recommend changes
 - Report results of restoration projects
- o Develop OY 5 Restoration Program
 - Solicit and review proposals for implementation projects and forward to Restoration Team
- o Identify and develop restoration alternatives, including economic analysis
- o Solicit and Review Proposals for Monitoring Studies
 - natural recovery (systems recovery)
 - project implementation effectiveness
- o Support Habitat (Marine and Land) Protection Programs
- o Provide maps and documents to Trustee Council and public on the restoration program
- *o Develop annual work plan
- o Assist with public participation
 - review of criteria
 - annual work plan
 - monitoring plan
- o Manage and coordinate technical services needed to support restoration planning e.g. GIS

Restoration Planning Subgroup (RPS)

- 7 FTEs¹ from 6 Trustee agencies and EPA
- 4.25 FTEs for technical and planning support
 - 2.0 staff assistants (natural resource specialists/biologists)
 - 1.0 computer support²
 - 1.0 desktop publishing/graphics³
 - 0.25 economist (contract/agency)
- Travel and per diem
 - \$7K x 7 for RPS
 - \$5K additional for support staff
- Development of Restoration Plan⁴
 - \$80K for Monitoring Plan⁵
 - \$50K for analysis of restoration options⁶

¹The amount of time actually devoted to restoration planning varies widely among these individuals.

²Create and maintain databases, track correspondence, studies, and projects, and prepare working maps

³Develops documents and presentation materials for all facets of program (Adm. Director, RT, RPS, and PIO).

⁴Place-holder numbers; expenditures subject to advance approval on case-by-case basis by RT or TC, as appropriate.

⁵Need consultant familiar with large-scale monitoring systems to work with agencies, academic community, and others to develop conceptual and then detailed monitoring plan and standardized methodologies. The \$80K here is in addition to \$70K already provided by EPA and NOAA as part of the 1991 work plan.

⁶Workshops and consultations to evaluate restoration options and develop specific recommendations for RT and TC. Tentative topics include analysis of current and proposed upland management laws and directions and development of a system-wide analysis of forage fish in relation to injured species.

EXXON VALDEZ POST SETTLEMENT 1-30-92
PROPOSED ORGANIZATIONAL BUDGET
MARCH 1, 1992 - FEBRUARY 28, 1993

TRUSTEE COUNCIL

Six Members

o Per-diem, including vehicle rental, cab fees (\$200 X 12 meetings 1st year X 6 members)	14.4
o Travel (\$500 X 12 meetings 1st year X 6 members)	<u>36</u>
Total	\$50.4K

PUBLIC ADVISORY GROUP

Ten Members

o PAG Coordinator/Liaison	\$75K
o Reproduction, postage, phone etc. (\$2K X 10 members + \$10 general expenses)	30
o Per-diem, includes vehicle rental or cab expense (\$200 X 11 members and staff X 10 meetings 1st year)	22
o Travel (members plus staff = 11 X \$500 X 10 meetings 1st year)	55
o Community Meeting Costs - Teleconference, room rental, recording, etc. (10 meetings X 4.5K) This budget assumes that PAG meetings can be held on the first floor of the Simpson Building at least 50% of the time.	<u>45</u>
Total	\$227K

OFFICE OF THE ADMINISTRATIVE DIRECTOR

Fourth Floor Staff and Support

o Administrative Director	\$95K
o Budget Analyst (CACI price \$47K)	55
o Clerical & Administrative support for RT and RFSG (3 positions)(CACI price \$150K)	120
o Per-diem, Administrative Director, (\$200 per day X 5 days/mo X 9 mo + Interim Director's estimated travel thru May)	16.2
o Travel, Administrative Director, (\$500 X 3 trips/mo X 9 mo + Interim Director's estimated travel thru May)	16.2
o Trustee Council Public Meeting Costs - Teleconference - \$3.2/meeting, Transcripts - \$1.5/meeting, Public Notice - \$1.5/meeting, Room - \$0.5, etc. (\$7K X 12 meetings)	84
o Other Staff travel	15
o Administrative Director Relocation Costs	30
o Space, utilities, phones, security, equipment rental and maintenance agreements, supplies, courier and postage, and other costs (This figure is based upon historic costs and space needs and could change significantly depending upon where business is to be conducted)	<u>189</u>
Subtotal	\$500.4K

Scientific Support

o Senior Scientist includes: Senior Scientist, Junior Scientist, supplies, travel and per-diem and overhead.	\$191K
o Peer Reviewers	<u>---</u>
Subtotal	\$---K

Public Outreach

o Public Resource Coordinators (2 positions) (CACI price \$176K)	130
o Information Specialist (1.5 positions) (CACI price \$88.5K)	97.5
o Public Resource Center - Space, utilities, phones, security, equipment rental and maintenance agreements, supplies, courier, postage, and other costs (These projected costs and space needs could change significantly depending upon how and where business is to be conducted)	172.3
o Travel for Public Meetings (10 communities 3 times/yr X \$25K each round)	<u>75</u>
Total Public Outreach (Less PAG)	\$474.8K
Total Administrative Director	\$-----K

RESTORATION TEAM
(RT)

Six Members

o Six full-time FTE (Actual salaries)	\$488.2K
o Travel and Per-diem	<u>135.4</u>
Total	\$623.6K

RESTORATION PLANNING SUBGROUP

o Six full-time FTE (Actual salaries)	\$454.3K
o Salaries other Tech expertise (GIS, Natural Resource Planning, Economics, Natural Resource Technicians and Technical Writing/Editing) NOTE: These funds are to be used to reimburse agencies or for contracting needs for "significant" assistance.	440
o Travel and per-diem (\$7,000 per year ave. X 6) (It is assumed these people will be are co-located)	<u>42</u>
Total	\$936.3K

<u>TOTAL ORGANIZATIONAL BUDGET</u>	<u>\$-----K</u>
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AGENCY PROGRAM SUPPORT

Personal Services, Professional (100 -p)	\$1,687.0K
Personal Services, Technical (100 -t)	834.6
Travel (200)	340.0
Contractional Services (300)	450.7
Commodities (400)	95.3
Equipment (500)	<u>113.1</u>
Total Agency Support Budget	\$3,520.7K

1992 WORKPLAN

Damage Assessment:	
Closeout	\$-----K
Continuation	-----
Subtotal	-----
Restoration:	
Science	\$-----K
Implementation	-----
Subtotal	-----
Total 1992 Workplan	-----

TOTAL 1992 (MAR 1, 1992 - FEB 28, 1993) RECOVERY BUDGET \$30,000.0K

SIMPSON BUILDING
FACILITIES COST DETAIL

1/30/92

Space and Utilities Comparables:

o Simpson Building (including CACI Multiplier)	\$1.11/sq.ft.
o Federal Building	1.93/sq. ft.
o ADEC Response Center	1.24/sq. ft.
o Frontier Building	3.00/sq. ft.

Simpson Building Detail:

Space and Utilities:

4th Floor 5708 sq ft X \$1.11 =	\$6336 X 12
1st Floor, Library side 2652 sq ft X \$1.11 =	2944 X 12
1st Floor, Display and office side 2638 sq ft	
X \$.86 (Mar 1 - July 1)	= 2269 X 4
1st Floor, Display and office side 2638 sq ft	
X \$1.11 (July 1 rent goes to \$1.11/sq ft) =	2928 X 8

NOTE: This budget does not reflect the added cost of moving the operation, acquiring a phone system, computers, furniture and other costs which would be associated with a decision to relocate the existing and anticipated centralized government operation from the Simpson Building.

PROJECTED COSTS

(Mar 1, 1992 - Feb 28, 1993)

	RESOURCE CENTER	FOURTH FLOOR
Space: Resource Center, Library side 1st Floor	\$35,328	
Resource Center, Display side 1st Floor	32,500	
Fourth Floor		\$76,032
Phones	21,000	45,000
Equipment		
Ektaprint 90 copier	8,488	8,488
Kodak 235AF copier	19,140	19,140
Copier supplies	2,237	2,237
Maintenance Phone System	775	775
Alarm Maintenance and Monitoring	2,340	2,340
Cannon FAX Machine Maintenance	98	98
Equipment Subtotal	\$33,078	\$33,078
Supplies	17,009	17,009
Courier and Postage	6,480	2,397
Western Library Network	8,000	-
Acquisitions	5,000	
Subtotal (Mar 1, 1992 - Feb 28, 1993)	\$158,395	\$173,516
Other Costs (5%)	7,920	8,676
CACI Overhead (6%)(everything but space)	5,909	6,370
Totals	\$172,224	\$188,562

APPLIED MARINE SCIENCES, INC.

PO BOX 824

2155 Las Positas Court, Suite V
LIVERMORE, CA 94550

Telephone No. (510) 373-7142

Facsimile No. (510) 373-7834

January 28, 1992

Dr. David Gibbons
Interim Director
Restoration Team
Simpson Building
645 G Street
Anchorage, Alaska 99501

Dear Dave,

In response to your request, enclosed is a scope of work, tasks and budget for Applied Marine Sciences (AMS) to provide peer reviewers for the completion of the *Exxon Valdez* damage assessment and for restoration studies. This assumes a contract of one year starting approximately March 1, 1992. This is based on my best estimate of what will probably be required over the next year. Special requests or an increased level of activity may require an amended scope of work and budget.

Scope of Work

Applied Marine Sciences will contract with scientific experts to review study plans for restoration projects and for draft and final damage assessment reports. These reviewers will also be available to come to a limited number of meetings in Anchorage, Alaska. They will provide written reviews in a timely manner to the Chief Scientist and Restoration Team for their consideration. The activities of the Chief Scientist will not be covered by this contract.

Tasks

1. Review of damage assessment draft and final reports. Generally two reviewers would be contracted to review each study. Reports would be sent from Anchorage to the reviewers by the support staff of the Restoration Team at the direction of AMS. Administrative personnel at AMS would track the timely completion of reviews and make them available for use by the Chief Scientist, Restoration Team and Principal Investigators.
2. Arrange for attendance of reviewers at review meetings. Most reviewers were projected to have 2 to 3 trips to Alaska for the next year. AMS would handle travel arrangements for those reviewers needing assistance and track all costs associated with travel.
3. AMS will track level of effort and costs for this contract and make monthly reports to the Restoration Team on the progress of the contract.
4. AMS will, at the direction of the legal team, maintain confidentiality of the information on damage assessment until such time as the data is made available to the public.

Manpower

I have estimated that there are about 23 reviewers needed (see attached table). These represent the most productive and useful of the approximately 60 reviewers retained by the State and Federal Governments during the damage assessment phase. Unanticipated requests and needs for additional reviewers will be accommodated if possible within the existing budget. AMS will assign an efficient administrative assistant Barbara Forbes, to track all aspects of this contract. She will bill on an hourly basis. It is estimated that this task will require about 30 h/week of her time. Some time has been allotted to Dr. Andy Gunther to assist Barbara Forbes on any technical aspects of the contract. He too will bill only on an as-needed basis. It is estimated that his time will be only 7 hours a week.

In Table 1 are the list of experts proposed as peer reviewers in 1992, the number of estimated hours, the estimated labor cost for each reviewer, and the cost of travel. We have estimated travel on the basis of standard 4-d trips to Alaska from the Pacific northwest (\$1,430), elsewhere in the west (\$1,930) and from the east coast (\$2,230). These costs are based on full coach fare. We will attempt to obtain a better rates, partly by planning meetings far enough ahead of time to qualify for discounted fares

Table 1. Estimated peer review budget for 1992

Experts	Expertise	Est hours	Estimated cost	Travel	Total
Boesch	ecology	115	\$11,500	\$4,460	\$15,960
Eberhardt	population biology	100	\$10,000	\$1,430	\$11,430
Ford	killer whales	60	\$6,000	\$1,430	\$7,430
Heineman	birds, population models	200	\$20,000	\$3,860	\$23,860
Hunt	sea birds	120	\$12,000	\$3,860	\$15,860
Jarvis	ducks	120	\$12,000	\$3,860	\$15,860
Kocan	herring	120	\$12,000	\$4,290	\$16,290
Mundy	salmon	150	\$15,000	\$4,290	\$19,290
Peterson	intertidal ecology	280	\$28,000	\$8,920	\$36,920
Rebar	veterinarian	100	\$10,000	\$4,460	\$14,460
Robson	statistician	300	\$30,000	\$4,460	\$34,460
Rothschild	fish populations	40	\$4,000	\$2,230	\$6,230
Sharp	birds	400	\$40,000	\$3,860	\$43,860
Siniff	sea otters	100	\$10,000	\$2,230	\$12,230
McAllister	archeology	200	\$20,000	\$4,290	\$24,290
Hilborn	salmon	200	\$20,000	\$7,150	\$27,150
Fry	bird toxicology	150	\$15,000	\$3,860	\$18,860
Green	statistics	150	\$15,000	\$6,690	\$21,690
Bowden	statistics	125	\$12,500	\$4,460	\$16,960
Gardels	Geographic Inf Systems	150	\$15,000	\$5,790	\$20,790
Roby	Bird restoration	120	\$12,000	\$4,460	\$16,460
unnamed	Toxicologist	300	\$30,000	\$4,460	\$34,460
unnamed	Habitat biologist	200	\$20,000	\$5,790	\$25,790
SUM		3800	\$380,000	\$100,590	\$480,590

In Table 2 is the total budget for the work AMS is proposing to do.
We can provide information to substantiate our overhead rate, if necessary.

Table 2. Budget for administration of review for 1992

Personnel	hours/year	hourly wage	wages	overhead (85%)	Total
Barbara Forbes	1216	\$13.00	\$15,808	\$13,436.80	\$29,245
Dr. Andrew Gunther	310	\$23.08	\$7,155	\$6,081.58	\$13,236
Total personnel costs					\$42,481
Subcontracts					\$480,590
General and administrative overhead (4.36%)					\$22,806
Fee (8%)					\$43,670
TOTAL					\$589,547

I will be happy to answer any questions about this proposal. The cost for peer review by NRDA last year was over 2.2 million dollars.

Sincerely yours,

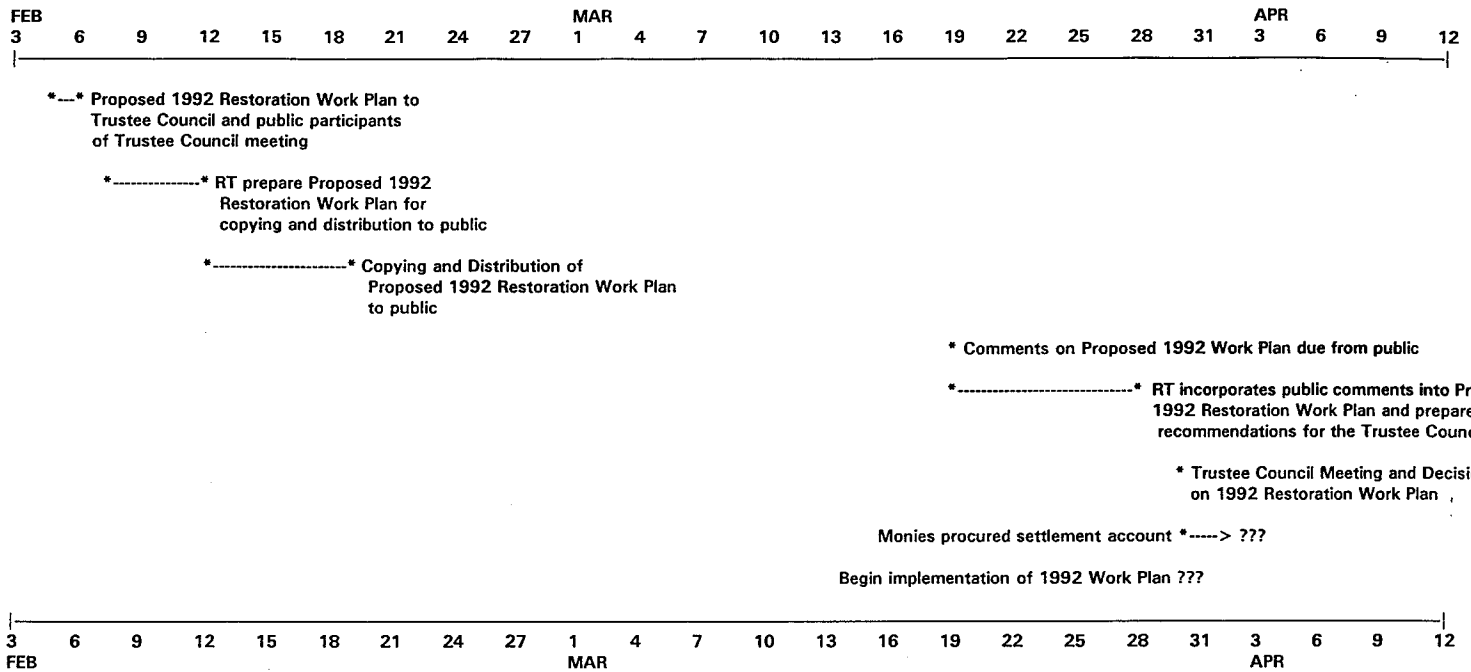


Robert B. Spies
President

CC: Tim Steel

DRAFT

RESTORATION TIMELINE
FAST-TRACK OPTION



TIMELINE #2

[illegible]

Framework Plan to Trustee Council

- **Distribute Framework Plan to public**

- Comments due from public on Draft Framework Plan
- Comments due from public on restoration framework plan

- *-----* Collation of comments, development of RFP
criteria and final restoration framework plan

- * Request for proposals sent out to public and agencies for restoration projects for 1993 field effort

- * Proposals due from agencies and public for 1993 field effort

- Proposals put out on public notice to public and peer reviewers

- * Peer review and public comments due on 1993 field effort proposals

- RT reviews proposals, applies criteria, incorporates public and peer review comments and prepares recommendations to TC

- *----* Multi-day TC and public meetings to review and select restoration activities for 1993 field effort

- * Deadline to finish preparation and publication of 1993 Work Plan

- Transfer of funds from settlement account to agencies
for project implementation and contract administration

- Final reports due on 1992 work activities *

- RT and public meetings presenting "....." results of 1992 field season

RESTART ANNUAL PROCESS WITH IMPLEMENTATION OF 1993 WORK PLAN *

3	14 MAR	28	14 APR	28	14 MAY	28	14 JUN	28	14 JUL	28	14 AUG	28	14 SEP	28	14 OCT	28	14 NOV	28	14 DEC	28	14 JAN	28	14 FEB	28	14 MAR
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January 22, 1992 draft

Schedule Options regarding 1992 workplan activities

OPTION I

1. Trustee Council makes final decision on Close-Out activities and 1992 Time-Critical Restoration Projects
2. Remainder of Restoration Projects are considered:
 - (a) on the same schedule as the Restoration Framework Plan resulting in a decision no earlier than 5/18/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)

OR

- (b) on a fast-track schedule resulting in a Trustee Council decision no earlier than 3/30/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)

Consequences of this option:

1. Allows for minimal public review and comment on 1992 Time-Critical Projects and Close-out Activities and full public review and comment (30 days or more) on the remaining 1992 Restoration Workplan Activities.
2. Minimal delays in project implementation for those projects on the 1992 Restoration Time-Critical List.
3. Minimal cancellations in implementation of 1992 Restoration Activities.
4. Timely close-out of damage assessment studies resulting in report availability to the public as quickly as possible. *delays (probable)*
will still occur in all the projects not implemented until May

OPTION II

1. Trustee Council makes final decision on Close-Out activities on 2/5/92 and 2/6/92.
 2. 1992 Restoration Workplan are considered:
 - (a) on the same schedule as the Restoration Framework Plan resulting in a decision no earlier than 5/18/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)
- OR
- (b) on a fast-track schedule resulting in a Trustee Council decision no earlier than 3/30/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)

Consequences of this option:

1. Timely close-out of damage assessment studies resulting in report availability to the public as quickly as possible.
2. Delay or cancellation of restoration ~~science~~ ^{projects} studies will result in delay in the development and comprehensive restoration options by the Restoration Team and Trustee Council.
3. Under II.2.(a) and (b), certain projects will cancelled in 1992 due to lack of timely decisions.
4. Under II.2.(a) Major delays in project implementation resulting in:
 - compromise of data collection
 - loss of critical data
 - layoff or reassignment of project personnel after 3/1/92
 - major delays due to re-mobilization, retraining, hiring new personnel etc.
5. Under II.2.(b) Fewer delays than above, however, delays will significantly affect data collection and results.
6. Allows for minimal public comment on close-out activities.
7. Allows for 30 days or more public comment on 1992 Restoration Workplan.

OPTION III

1. Trustee Council makes NO ~~final~~ decision on Close-Out activities or 1992 Restoration Workplan on 2/₅6/92 and 2/₆7/92.
2. Close-out and 1992 Restoration Workplan are considered:
 - (a) on the same schedule as the Restoration Framework Plan resulting in a decision no earlier than 5/18/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)OR
 - (b) on a fast-track schedule resulting in a Trustee Council decision no earlier than 3/30/92
(The length of the review process by federal and state entities and the time necessary to receive money from the fund is unknown.)

Consequences of this option:

1. Delay of close-out approval will result in delay of availability and release of reports on injury determination to public to allow public to fully comprehend injury and evaluate potential restoration projects.
2. Delay of close-out approval will result in delay in the development and comprehensive restoration options by the Restoration Team and Trustee Council.
3. Under II.2.(a) and (b), certain projects will ^{b2}cancelled in 1992 due to lack of timely decisions.

4. Under II.2.(a) Major delays in project implementation resulting in:
 - compromise of data collection
 - loss of critical data
 - layoff or reassignment of project personnel after 3/1/92
 - major delays due to re-mobilization, retraining, hiring new personnel etc.
5. Under II.2.(b) Fewer delays than above, however, delays will significantly affect data collection and results.
6. Allows for full (30 day or more) public comment period on Close-out and 1992 Restoration Workplan concurrent with that of the Restoration Framework Plan.

*1992 Time-Critical projects include those activities that would actually be in the field in ~~March~~, April or May of 1992. However, it should be noted that Restoration projects not on the 1992 Time-Critical list may have crucial planning needs that must be undertaken in March, April or May of 1992 in order to go into the field at a later date.

FAST-TRACK OPTION

2/5/92 and 2/6/92	Proposed 1992 Restoration Workplan to Trustee Council and public participants of Trustee Council meeting.
2/7/92 to 2/12/92	RT prepare Proposed 1992 Restoration Workplan for copying and distribution to public
2/12/92 to 2/19/92	Copying and Distribution of Proposed 1992 Restoration Workplan to public
3/19/92	Comments on Proposed 1992 Workplan due from public
3/19/92 to 3/27/92	RT incorporates public comment into Proposed 1992 Restoration Workplan and prepares recommendations for the Trustee Council
3/30/92	Trustee Council Meeting and Decision on 1992 Restoration Workplan
3/30/92 - ?????	Monies procured from OMB and settlement account
?????	Begin implementation of 1992 Work Plan

=====

2/21/92	Draft Framework Plan to Trustee Council
3/16/92	Distribute Framework Plan to public
4/27/92	Comments due from public on Draft Framework Plan
4/27/91	Comments due from public on restoration framework plan
4/15/92 to 5/15/92	Collation of comments, development of RFP criteria and final restoration framework planRequest for proposals sent out to public and agencies for restoration projects for <u>1993</u> field effort
7/15/92	Proposals due from agencies and public for <u>1993</u> field effort
8/1/92	Proposals put out on public notice to public and peer reviewers
9/15/92	Peer review and public comments due on 1993

field effort proposals

7/15/92 to 10/15/92	RT reviews proposals, applies criteria, incorporates public and peer review comments and prepares recommendations to TC
10/14/92 to 10/18/92	Multi-day TC and public meetings to review and select restoration activities for <u>1993</u> field effort
by 1/15/93	Preparation and publication of 1993 workplan
12/4/93 to 2/4/93	Transfer of funds from settlement account to agencies for project implementation and contract administration
1/30/92	Final reports due on 1992 work activities
2/15/93 to 2/28/93	RT and public meetings presenting results of 1992 field season
3/1/93	RESTART ANNUAL PROCESS WITH IMPLEMENTATION OF 1993 WORK PLAN

January 25, 1992

EXXON VALDEZ OIL SPILL SETTLEMENT

RESTORATION TEAM

OPERATING PROCEDURES

DRAFT

1. MEMBERSHIP:

The Restoration Team (RT) will consist of one member to be designated by each of the following agencies: the United States Departments of Interior, Agriculture and Commerce (National Oceanic and Atmospheric Administration) and the Alaska Departments of Fish and Game, Environmental Conservation, and Law. It is the intent of these procedures that the member designated by each agency shall attend RT meetings. Each member shall designate an alternate member to attend meetings and exercise voting privileges on behalf of the agency in the event a vacancy in the designated position, illness, or other reason precludes a member from attending. Such designation shall be made verbally or in writing to the Administrative Director.

2. QUORUM:

A quorum of four-sixths (4/6) of the total RT membership, i.e. five Restoration Team members, shall be required to convene a meeting and conduct business (Provided, that all Team recommendations shall be made by the unanimous attendance of the Restoration Team members or their properly designated alternates who have not abstained at a later date). Presence by teleconference is accepted as attendance.

3. PRESIDING OFFICER:

The presiding officer of Restoration Team meetings shall be the Administrative Director. If the Administrative Director is not available due to a vacancy, illness or other reasons preclude their attendance, the Restoration Team will appoint an acting Presiding Officer from the RT.

4. ACTION/RULES OF VOTING:

All matters coming before the Restoration Team which require a vote of the RT to make a recommendation, shall require a majority approval of all of the RT members or their properly designated alternates who have not abstained pursuant to this paragraph. The RT should strive for consensus recommendations to the Trustee Council. Abstaining from voting shall not be permitted by any RT member unless there is an affirmative vote of all members of the RT and either of the following conditions exists: (a) there is an apparent, or declared, conflict of financial interest on the part of a RT member or (b) voting by the member would constitute a violation of applicable federal or state law. In the

event a RT member believes he or she must abstain from participating in a RT recommendation, the member may request that the decision be deferred until that member has an opportunity to designate an alternate who is eligible to vote. On all tie votes, the Administrative Director shall provide a tie-breaking vote.

5. MEETINGS:

The Administrative Director shall prepare a proposed agenda and circulate it to the members prior to each meeting. The final agenda for the meeting will be determined at the meeting by the members.

6. MINUTES:

Minutes of the meetings shall include all motions presented, the actions taken regarding any motion and all documents distributed.

7. MAILING LIST AND PUBLIC NOTIFICATION:

The RT shall maintain a basic mailing list including each member of the Council, each RT member and alternate member and each member of the Public Advisory Group. In addition, the RT shall develop a listing of other interested government agency officials, Native organizations, private and public interest groups, and individuals. This general mailing list shall be organized and used to facilitate public participation.

8. WORK ASSIGNMENTS:

Each sub-committee under the Restoration Team shall be chaired or co-chaired by member(s) of the RT unless approval is obtained by the Trustee Council to specify non Restoration Team members. The RT shall, at the discretion of the Trustee Council, assign sub-committee members with subsequent notification of the Trustee Council.

9. RESTORATION TEAM:

The specific duties of the group shall include:

- a. Restoration planning, including plan development and evaluation;
- b. Facilitation of public participation in planning and plan implementation;
- c. Oversight of scientific needs and scientific content of restoration, including peer review as needed;
- d. Through agency counsel, identification of legal requirements for project completion;
- e. Implementation, oversight, evaluation and monitoring of restoration activities;
- f. Budgetary assistance to the Council, including tracking internal and project costs and expenditures;
- g. Interaction and coordination with pertinent state and federal financial teams and agencies regarding fiscal matters; and
- h. Preparation of written explanations or briefing papers to the Council covering each agenda item before their meetings.

i. Before documents are distributed to the public or Council, they shall be reviewed and approved by the RT.

j. Such other duties as are assigned by the Council.

14. ADMINISTRATIVE DIRECTOR:

The Council shall appoint an Administrative Director. The specific duties shall include:

a. Coordination of budgetary and contractual matters with financial teams and the Council;

b. Acting as liaison with the Council and the Public Advisory Committee;

c. Supervision of administrative staff;

d. Participation on the RT as a non-voting chair except cases of tie votes;

e. Interaction with the public and public officials;

f. Oversight of a Public Resource Center including, if appropriate, the transfer to an alternate facility;

g. Maintenance of necessary administrative records; and

h. Arranges and provides logistic, document and personnel support to the RT for meetings, etc.

i. Such other duties as are assigned by the Council.

15. AMENDMENT OF PROCEDURES:

These operating procedures may be modified by unanimous agreement of the Council at any time.

Directive contained in House Interior Appropriations Report 102-116 affirmed by the House-Senate conference agreement on HR 2682:

"Within the acquisition management account is \$250,000 to conduct a one year study of approximately 150,000 acres on Afognak Island, Alaska owned by Afognak Joint Venture and to study lands in the Prince William Sound area for possible acquisition once an oil spill settlement is reached.

"The study is to look at possible acquisition of these lands as a conservation system unit and/or for restoration of wildlife habitat and recreational services injured by the Exxon Valdez oil spill. The Secretary shall coordinate the Afognak study with efforts by the Federal and State Natural Resource Trustees designated under CERCLA to restore recreation services and wildlife and fishery resources, including acquisition of equivalent resources. The Secretary should consider the Afognak resources in relation to Interior agency mandates and focus on those resources deemed most injured by the Exxon Valdez spill, including marbled murrelet, bald eagle, murre, salmon and trout species. In cooperation with the State of Alaska, the Natural Resource Trustees and their restoration planning staff, the Afognak Joint Venture and The Nature Conservancy, the Secretary shall provide a plan for acquiring specific parcels of land over time using the Land and Water Conservation Fund and/or state or federal funds which may be available from the resolution of United States vs. Exxon Corporation. The recommendations shall be submitted to Congress and to any trustees of restoration funds resulting from resolution of United States vs. Exxon Corporation."

In addition the Joint Explanatory Statement of the Committee of Conference stated:

"The Forest Service is to be consulted as part of the study to determine possible acquisition at Afognak Island from oil spill settlement funds. Potential acquisitions are not expected to be carried out by the use of condemnation."

DRAFT

Fast Track Time Line
Consideration of Timber Moratorium Proposals

ASAP	State Objectives and Develop Criteria
	Circulate to TC
5-6 Feb	TC announces willingness to accept nominations/proposals; distributes objectives, criteria, and guidelines
	Compile list from agencies (existing files) and public nominations/proposals already submitted
	Apply criteria at "red-faced" level to produce draft master list for public distribution
	Lands Subgroup develops recommendation on moratorium mechanism/approach
	Seek approval of TC
	Contact landowners whose properties are on master list (courtesy call, so there are no surprises)
6 Mar	Publish master list to invite public comment and nominations/proposals
	Screen nominations/proposals as they come in
6 Apr	Close public comment period
	Review nominations/proposals, apply criteria more rigorously, and revise master list
	Seek approval of TC
15 Apr	Invite proposals from affected/interested landowners ("reverse auction")
	Review incoming proposals and determine short, priority list
	Seek approval of TC
1 May	Enter into negotiations with landowners
	Seek approval of TC
1 June	Public notice and comment on intent to deal
	Seek final approval of TC
30 June	Close deals

AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL

Egan Civic & Conference Center
555 W. 5th Avenue
Anchorage, Alaska
February 5-6, 1992
11:00 am on 2/5/92

TRUSTEE COUNCIL MEMBERS:

Charles Cole, Attorney General
State of Alaska

Michael A. Barton, Regional Forester
USDA Forest Service

John Sandor, Commissioner
Department of Environmental
Conservation, State of Alaska

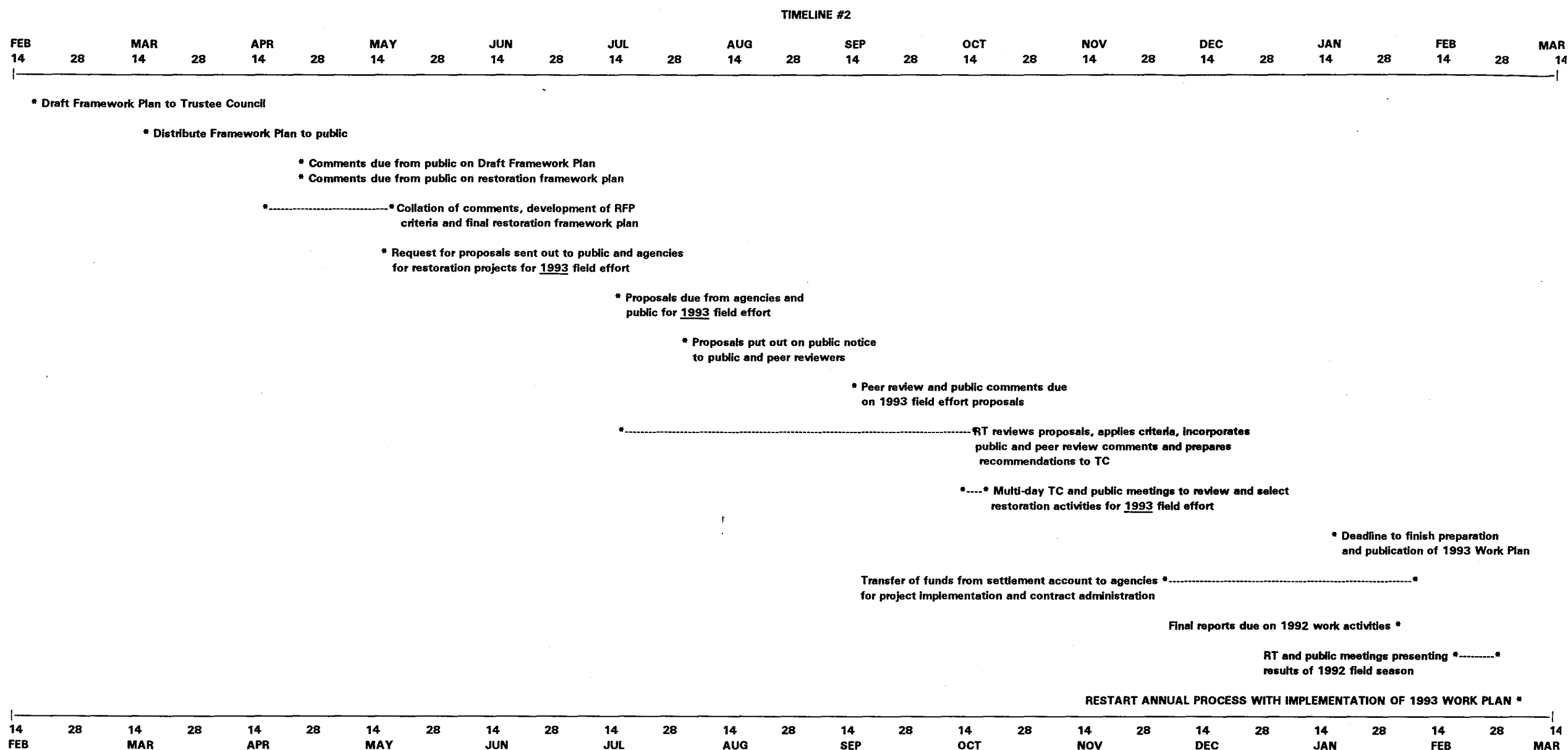
Steven Pennoyer, Regional Director
National Oceanic & Atmospheric
Administration

Carl Rosier, Commissioner
Department of Fish and Game
State of Alaska

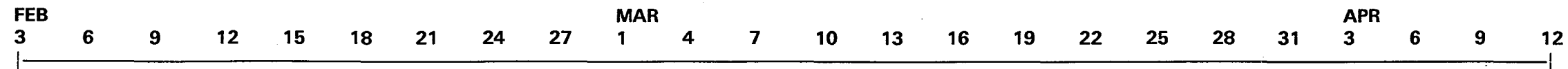
Curtis McVee, Special Assistant
to the Secretary for Alaska
Department of the Interior

Opening Statements

1. Name Change for Resource Restoration Coordination Group - Dave Gibbons
2. Chief Scientist Contract - Craig O'Conner & Craig Tillery
3. Permanent Organization including Personnel & Budgets - Dave Gibbons
 Organization
 Administrative Budget
 Public Information Center
 Resource
4. Public Participation - Ernie Piper
 Summary of Public Meetings
5. Process for Permanent Executive Director - Dave Gibbons
6. Habitat Protection/Lands Committee - Dave Gibbons
7. Draft Operating Procedures for Restoration Team - Dave Gibbons
8. NEPA Compliance - Legal counsels
9. Timeline for 1992 activities -
10. 1992 Damage Assessment & Restoration Activities - ALL
 Policy Questions
 Detailed Study Plans/Budgets
11. Release of Joint Settlement Funds -
 Process
 Amount to be Requested
12. Public Comment



**RESTORATION TIMELINE
FAST-TRACK OPTION**



--- Proposed 1992 Restoration Work Plan to
Trustee Council and public participants
of Trustee Council meeting

----- RT prepare Proposed 1992
Restoration Work Plan for
copying and distribution to public

----- Copying and Distribution of
Proposed 1992 Restoration Work Plan
to public

* Comments on Proposed 1992 Work Plan due from public

----- RT incorporates public comments into Proposed
1992 Restoration Work Plan and prepares
recommendations for the Trustee Council

* Trustee Council Meeting and Decision
on 1992 Restoration Work Plan

Monies procured settlement account *-----> ???

Begin implementation of 1992 Work Plan ???

