

## SENATE BILL NO. 379

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY SENATOR MENARD

Introduced: 1/31/92  
 Referred: Resources, Finance  
 Funding Information: General Fund \$ -0-  
                           Other Funds 50,000,000  
   \$50,000,000

## A BILL

## FOR AN ACT ENTITLED

1 "An Act making appropriations for restoration projects relating to the Exxon Valdez oil  
 2 spill; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. FINDINGS. The Seventeenth Alaska State Legislature finds that:

5       (1) Under the recently approved criminal plea agreement between the United States and Exxon  
 6 Shipping Company and Exxon Corporation (United States of America v. Exxon Corporation and Exxon  
 7 Shipping Company, United States District Court, District of Alaska, case No. A90-015 CR.), the State  
 8 of Alaska received \$50,000,000 as "remedial and compensatory payments." The payments received by  
 9 the state "are to be used by the State of Alaska . . . exclusively for restoration projects, within the State  
 10 of Alaska, relating to the 'Exxon Valdez' oil spill. Restoration includes restoration, replacement and  
 11 enhancement of affected resources, acquisition of equivalent resources and services, and long-term  
 12 environmental monitoring and research programs directed to the prevention, containment, cleanup and  
 13 amelioration of oil spills."

14       (2) The health of damaged coastal and near-shore habitats is substantially related to activities

1 on adjacent uplands. Economically important fish species, including herring and halibut, utilize near-  
2 shore areas and anadromous species, including five species of salmon, rely on continued access to both  
3 clean streams and unpolluted estuaries for spawning and rearing.

4 (3) Populations of aquatic birds, including the tree-nesting marbled murrelet and fresh water  
5 nesting species such as harlequin ducks, were severely damaged by the Exxon Valdez oil spill.

6 (4) The quality of fresh water entering the estuarine environment is critical to satisfactory  
7 restoration and recovery of the physical and biotic environment in the region affected by the Exxon  
8 Valdez oil spill.

9 (5) Restoration of the coastal estuaries affected by the Exxon Valdez oil spill is placed at risk  
10 by further environmental stress resulting from timber harvesting and other industrial activities that  
11 involve substantial environmental disturbance. In order to minimize the potential for further  
12 environmental stress and to encourage and enhance the natural recovery and restoration of the affected  
13 region, acquisition of coastal related uplands in the affected region, including Prince William Sound, the  
14 Kenai Peninsula, the Kodiak Archipelago, the south side of the Alaska Peninsula, and adjacent  
15 biologically related areas, is an important use of "remedial and compensatory payments" received by the  
16 state under the criminal plea agreement.

17 (6) Continued citizen involvement and education are essential in order to identify damage to  
18 material resources caused by the Exxon Valdez oil spill, to restore areas affected by the Exxon Valdez  
19 oil spill, and to prevent future oil spills in the area.

20 \* Sec. 2. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill,  
21 to acquire resources and services equivalent to those affected by the Exxon Valdez oil spill, and to  
22 conduct long-term environmental monitoring and research programs directed to the containment, cleanup,  
23 and amelioration of the Exxon Valdez oil spill, the sum of \$34,000,000 is appropriated from the remedial  
24 and compensatory payments received by the state under the plea agreement in United States of America  
25 v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska,  
26 case No. A90-015 CR., to the Department of Natural Resources for the acquisition of land and  
27 development rights in land, including timber rights, from willing sellers in the Prince William Sound  
28 region including the coastal region between Icy Cape and Gore Point, and the southern Kenai Peninsula.

29 \* Sec. 3. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill,  
30 to acquire resources and services equivalent to those affected by the Exxon Valdez oil spill, and to  
31 conduct long-term environmental monitoring and research programs directed to the containment, cleanup,

1 and amelioration of the Exxon Valdez oil spill, the sum of \$7,000,000 is appropriated from the remedial  
2 and compensatory payments received by the state under the plea agreement in United States of America  
3 v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska,  
4 case No. A90-015 CR., to the Department of Natural Resources for the acquisition from willing sellers  
5 of land surrounding Pauls Lake and Malina Lake on Afognak Island. Not more than one-half of the land  
6 to be acquired through this appropriation shall be from Township 20 South Range 18 West, Township  
7 20 South Range 19 West, and Township 21 South Range 19 West, Seward Meridian; the balance of the  
8 land to be acquired shall be from Township 23 South Range 23 West, Township 23 South Range 24  
9 West, Township 24 South Range 23 West, and Township 24 South Range 24 West, Seward Meridian.

10 \* Sec. 4. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill,  
11 to acquire resources and services equivalent to those affected by the Exxon Valdez oil spill, and to  
12 conduct long-term environmental monitoring and research programs directed to the containment, cleanup,  
13 and amelioration of the Exxon Valdez oil spill, the sum of \$3,000,000 is appropriated from the remedial  
14 and compensatory payments received by the state under the plea agreement in United States of America  
15 v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska,  
16 case No. A90-015 CR., to the Department of Fish and Game for environmental monitoring and research  
17 to determine the long-term effects of the Exxon Valdez oil spill on the biota of Prince William Sound  
18 and the Alaskan coast adjacent to the Gulf of Alaska.

19 \* Sec. 5. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill,  
20 to acquire resources and services equivalent to those affected by the Exxon Valdez oil spill, and to  
21 conduct long-term environmental monitoring and research programs directed to the prevention,  
22 containment, cleanup, and amelioration of the Exxon Valdez oil spill, the sum of \$3,000,000 is  
23 appropriated from the remedial and compensatory payments received by the state under the plea  
24 agreement in United States of America v. Exxon Corporation and Exxon Shipping Company, United  
25 States District Court, District of Alaska, case No. A90-015 CR., to the Department of Environmental  
26 Conservation for long-term research programs directed to the prevention, containment, cleanup, and  
27 amelioration of the Exxon Valdez oil spill.

28 \* Sec. 6. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill,  
29 to acquire resources and services equivalent to those affected by the Exxon Valdez oil spill, and to  
30 conduct long-term environmental monitoring and research programs directed to the containment, cleanup,  
31 and amelioration of the Exxon Valdez oil spill, the sum of \$3,000,000 is appropriated from the remedial

1 and compensatory payments received by the state under the plea agreement in United States of America  
2 v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska,  
3 case No. A90-015 CR., to the Department of Education for grants for environmental education projects  
4 related to the Exxon Valdez oil spill and coastal studies.

5 \* Sec. 7. The appropriations made by this Act are for capital projects and lapse under AS 37.25.020.

6 \* Sec. 8. This Act takes effect immediately under AS 01.10.070(c).