

HB

468

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT REPORTED OUT OF 4/9/96

DATE: 2/28/96

DATE TURNED INTO OFFICE: 4-9-96

The Finance Committee considered CS FOR HOUSE BILL NO. 468(FIN) am

"An Act making supplemental appropriations for the expenses of state government and making and amending appropriations; ratifying certain state expenditures; and providing for an effective date."

and recommends:

☒ be replaced with 5 CS CS HB 468 (Fin)

☐ adopt previous _____ CS _____

☐ attached amendment(s)

☐ adopt Letter of Intent by _____ Committee

☐ further referral to the _____ Committee

Senate Bill:

☒ same title

☐ new title

House Bill:

☐ same title

☐ technical change

☐ new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Steve Thayer</i>	☒	<i>Rel EC 100</i>	☒		
Co-Chair: <i>Steve Thayer</i>	☒	Co-Chair:			
Co-Chair: <i>Rick Halford</i>	☒	Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

☐ APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

work draft { moved Sen. Holford
adopted 4/9/96

WORK DRAFT

WORK DRAFT

WORK DRAFT

9-GH2058R
Cramer
4/8/96

* moved Sen. Holford
R/O w/ ind. recs.

SENATE CS FOR CS FOR HOUSE BILL NO. 468(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making supplemental appropriations for the expenses of state
2 government and making and amending appropriations; ratifying certain state
3 expenditures; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1. DEPARTMENT OF ADMINISTRATION.** (a) To meet increased caseloads
6 at the public defender agency in Bethel

7 (1) sec. 47, ch. 94, SLA 1995, page 16, lines 5 - 6, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
10 Centralized Administrative	<u>26,146,200</u>	<u>14,765,000</u>	11,381,200
11 Services	[26,195,200]	[14,814,000]	

12 (2) sec. 47, ch. 94, SLA 1995, page 15, line 38, is amended to read:

	APPROPRIATION	GENERAL
	ITEMS	FUND

1	Public Defender Agency	<u>8,153,300</u>	<u>8,153,300</u>
2		[8,104,300]	[8,104,300]

3 (b) The sum of \$195,000 is appropriated from general fund/program receipts to the
4 Department of Administration, public defender agency, for increased operating costs for the fiscal
5 year ending June 30, 1996.

6 (c) The sum of \$356,400 is appropriated from the general fund to the Department of
7 Administration, office of public advocacy, for increased operating costs for the fiscal year ending
8 June 30, 1996.

9 (d) The sum of \$870,000 is appropriated from the general fund to the Department of
10 Administration for the leasing program for the fiscal year ending June 30, 1996.

11 (e) The sum of \$450,000 is appropriated from benefits systems receipts to the
12 Department of Administration, retirement and benefits program, for increased investment
13 management and record keeping fees due to higher than projected growth in retirement system
14 assets for the fiscal year ending June 30, 1996.

15 (f) To meet increased costs of the longevity bonus program for the fiscal year ending
16 June 30, 1995,

17 (1) the sum of \$23,100 is appropriated from the general fund to the Department
18 of Administration to increase the appropriation to the Department of Administration for longevity
19 bonus grants made in sec. 42, ch. 3, FSSLA 1994, page 13, line 34, as amended by sec. 44, ch.
20 4, SLA 1995, and sec. 80(a), ch. 103, SLA 1995;

21 (2) sec. 42, ch. 3, FSSLA 1994, page 13, line 35, is amended to read:

22		APPROPRIATION	GENERAL	OTHER
23		ITEMS	FUND	FUNDS
24	Senior Services	<u>43,905,100</u>	<u>36,983,900</u>	6,921,200
25		[43,928,200]	[37,007,000]	

26 (g) The sum of \$1,600,000 is appropriated from the general fund to the Department
27 of Administration for the longevity bonus program for the fiscal year ending June 30, 1996.

28 * Sec. 2. DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT. The sum
29 of \$61,200 is appropriated from the general fund to the Department of Commerce and Economic
30 Development to lease less expensive office space in Tokyo for the fiscal years ending June 30,
31 1996, and June 30, 1997.

32 * Sec. 3. DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS. The

1 unexpended and unobligated balance of the appropriation made in sec. 47, ch. 94, SLA 1995,
2 page 39, lines 21 - 22, and allocated on line 29 (Department of Community and Regional
3 Affairs, Employment training/rural development, rural development grants) lapses into the funds
4 from which appropriated on June 30, 1997.

5 * Sec. 4. DEPARTMENT OF EDUCATION. The appropriation made in sec. 104(a), ch.
6 103, SLA 1995, page 28, line 6 (general fund K - 12 education support - \$652,235,820) lapses
7 into the general fund June 30, 1997.

8 * Sec. 5. DEPARTMENT OF ENVIRONMENTAL CONSERVATION. (a) The
9 unexpended and unobligated balance of the appropriation made in sec. 47, ch. 94, SLA 1995,
10 page 38, line 18, and allocated on line 22 (Spill prevention and response, underground storage
11 tanks) lapses into the funds from which appropriated on June 30, 1997.

12 (b) The existing encumbered balances, set out below, of prior year storage tank
13 assistance grant appropriations, identified by state accounting system AR numbers, are
14 reappropriated to the Department of Environmental Conservation for the same purposes, for
15 the fiscal year ending June 30, 1997:

16	(1) AR 48340-93	\$ 47,300
17	(2) AR 48700-93	415,800
18	(3) AR 48550-94	691,700
19	(4) AR 48550-95	1,343,500

20 * Sec. 6. DEPARTMENT OF FISH AND GAME. (a) The sum of \$32,700 is
21 appropriated from the fish and game fund (AS 16.05.100) to the Department of Fish and
22 Game for vendor compensation for the increased sale of fish and game licenses for the fiscal
23 year ending June 30, 1996.

24 (b) The sum of \$150,000 is appropriated to the Department of Fish and Game, habitat
25 division, for protection of access to public waters, technical support to navigable waters quiet
26 title actions, conveyances, and easements for the fiscal years ending June 30, 1996, and 1997,
27 from the following sources:

28	Fish and Game funds	\$ 85,900
29	Federal receipts	64,100

30 (c) The sum of \$200,000 is appropriated from the fish and game fund (AS 16.05.100)
31 to the Department of Fish and Game, wildlife conservation division, for ANILCA
32 implementation and protection of state rights related to navigable waters issues for the fiscal

years ending June 30, 1996, and 1997.

* Sec. 7. DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (a) To meet the costs of welfare reform,

(1) sec. 47, ch. 94, SLA 1995, page 21, line 32, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Assistance Payments	<u>171,870,300</u>	<u>97,631,100</u>	<u>74,239,200</u>
	[176,370,300]	[101,631,100]	[74,739,200]

(2) sec. 47, ch. 94, SLA 1995, page 22, line 21, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Public Assistance	<u>40,753,800</u>	<u>19,660,900</u>	<u>21,092,900</u>
Administration	[39,753,800]	[19,160,900]	[20,592,900]

(3) sec. 47, ch. 94, SLA 1995, page 22, line 28, is amended to read:

ALLOCATIONS

Child Care Benefits	<u>6,838,800</u>
	[5,838,800]

(b) To implement changes necessary for welfare reform, the sum of \$3,500,000 is appropriated to the Department of Health and Social Services for capital upgrades to the eligibility information system for public assistance programs from the following sources:

General fund	\$1,900,000
Federal receipts	1,600,000

(c) To meet increased operating costs for youth facilities of the Department of Health and Social Services,

(1) sec. 47, ch. 94, SLA 1995, page 23, line 16, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Family and Youth	<u>24,746,800</u>	<u>20,609,500</u>	4,137,300
Services	[24,996,800]	[20,859,500]	

(2) sec. 47, ch. 94, SLA 1995, page 23, line 24, is amended to read:

	APPROPRIATION	GENERAL	OTHER

	ITEMS	FUND	FUNDS
Youth Facility Services	<u>15,064,900</u>	<u>14,599,900</u>	465,000
	[14,814,900]	[14,349,900]	

(3) sec. 47, ch. 94, SLA 1995, page 22, line 10, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Medical Assistance	<u>339,167,300</u>	<u>146,855,800</u>	192,311,500
	[342,667,300]	[150,355,800]	

(d) The sum of \$425,900 is appropriated from the general fund/mental health to the Department of Health and Social Services to pay a judgment against the state in Helmuth v. Alaska Psychiatric Institute (3AN-93-1046 CI) for the fiscal year ending June 30, 1996.

* Sec. 8. DEPARTMENT OF LAW. (a) The sum of ^{455,814}~~\$441,634~~ is appropriated to the Department of Law to pay judgments and claims against the state for the fiscal year ending June 30, 1996, from the following sources:

General fund	199,096
	~~\$184,836~~
International airports revenue fund	239,201
General fund mental health account	13,585
Public employees retirement fund	4,012

(b) The sum of \$1,285,000 is appropriated from the general fund to the Department of Law to pay for the judgment in City of Toksook Bay, et. al. v. Lower Kuskokwim School District and State of Alaska (4BE-92-426 CI) for the fiscal year ending June 30, 1996.

(c) To meet increased caseloads at the Bethel prosecution office of the Department of Law,

(1) sec. 26(a), ch. 94, SLA 1995, is amended to read:

(a) The sum of \$19,933,400 [\$20,000,000] is appropriated to the Department of Law from the following sources, for costs relating to legal proceedings and audit activity involving oil and gas revenue due or paid to the state or state title to oil and gas land, for the fiscal year ending June 30, 1996:

State corporation receipts	\$ 3,160,000
Budget reserve fund (art. IX, sec. 17,	
Constitution of the State of Alaska)	<u>16,773,400</u>

[16,840,000]

(2) sec. 47, ch. 94, SLA 1995, page 17, line 25, is amended to read:

	APPROPRIATION	GENERAL	OTHER
	ITEMS	FUND	FUNDS
Prosecution	<u>12.116.200</u>	<u>11.658.200</u>	458,000
	[12,049,600]	[11,591,600]	

(3) sec. 47, ch. 94, SLA 1995, page 17, line 29, is amended to read:

ALLOCATIONS

Fourth Judicial District 2,029,700
[1,963,100]

(d) The sum of \$3,605,800 is appropriated from the general fund to the Department of Law to pay the judgment in Roger Berger, d/b/a Frontier Financial Services v. State of Alaska, Department of Revenue (3AN-89-8710 CI) for the fiscal year ending June 30, 1996.

(e) The sum of \$500,000 is appropriated from the general fund to the Department of Law, federal relations component, for litigation related to the protection of the state's jurisdiction and constitutional rights in issues related to accelerated navigable waters quiet title actions, and RS 2477 assertions and litigation for the fiscal years ending June 30, 1996, and 1997, as follows:

PURPOSE

APPROPRIATION

Accelerated navigable waters quiet title actions	\$300,000
RS 2477 assertions and litigation	200,000

* Sec. 9. DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS. (a) The sum of \$8,000,000 is appropriated from the general fund to the Department of Military and Veterans' Affairs for deposit in the military retirement trust fund (AS 26.05.228) for increased costs for national guard retirement for the fiscal year ending June 30, 1996.

(b) The sum of \$1,557,300 is appropriated from the general fund to the disaster relief fund (AS 26.23.300) for costs associated with declared disasters.

* Sec. 10. DEPARTMENT OF NATURAL RESOURCES. (a) The sum of \$5,258,600 is appropriated from the general fund to the Department of Natural Resources for fire suppression activities for the fiscal year ending June 30, 1996.

(b) The sum of \$270,000 is appropriated from the general fund to the Department of

1 Natural Resources for navigable waters assertions, accelerated navigable waters quiet title
2 actions, conveyance monitoring, access protection, and protection of fish and wildlife
3 management jurisdiction on navigable waters for the fiscal years ending June 30, 1996, and
4 1997.

5 (c) The sum of \$50,000 is appropriated from the general fund to the Department of
6 Natural Resources for RS 2477 assertions and RS 2477 litigation support for the fiscal years
7 ending June 30, 1996, and 1997.

8 * Sec. 11. DEPARTMENT OF REVENUE. (a) The sum of \$150,000 is appropriated
9 from the corporate receipts of the Alaska Housing Finance Corporation to the Department of
10 Revenue, Alaska Housing Finance Corporation, to cover unanticipated lease costs for the fiscal
11 year ending June 30, 1996.

12 (b) To change funding sources for the appropriations made to the Department of
13 Revenue, Revenue Operations, and allocated to the Alaska State Pension Investment Board,

14 (1) sec. 49, ch. 94, SLA 1995, page 47, line 15, is amended to read:

15 Benefits Systems Receipts	<u>112,900</u>
	[45,900]

17 (2) sec. 49, ch. 94, SLA 1995, page 47, line 17, is amended to read:

18 Public Employees	<u>12,818,100</u>
19 Retirement Trust Fund	[12,885,100]

20 (c) The sum of \$103,800 is appropriated from the permanent fund dividend fund
21 (AS 43.23.045) to the Department of Revenue to cover increased contractual services for the
22 fiscal year ending June 30, 1996.

23 * Sec. 12. DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES. The
24 sum of \$4,010,000 is appropriated to the Department of Transportation and Public Facilities
25 for highway and bridge repair resulting from the southcentral flood disaster from the following
26 sources:

27 General fund	\$1,010,000
28 Federal receipts	3,000,000

29 * Sec. 13. LEGISLATIVE BUDGET AND AUDIT. The sum of \$500,000 is appropriated
30 from the general fund to the Legislative Budget and Audit Committee for a study that
31 compares the salaries and benefits of state employees to the appropriate public and private

1 markets in Alaska and the Pacific Northwest. The study, including the request for proposals,
 2 bid award, and final work product is to be overseen by a steering committee consisting of
 3 equal members appointed by the legislature and governor.

4 * Sec. 14. MISCELLANEOUS CLAIMS. (a) The following amounts are appropriated
 5 from the general fund to the following departments to pay miscellaneous claims and stale-
 6 dated warrants for the fiscal year ending June 30, 1996:

7	DEPARTMENT	APPROPRIATION
8	Administration	\$ ^{43,513} ~~42,566~~
9	Community and Regional Affairs	468
10	Corrections	11,188
11	Education	526
12	Fish and Game	1,615
13	Health and Social Services	64,260
14	Labor	46
15	Law	160
16	Public Safety	4,930
17	Transportation and Public Facilities	2,909

*include stale
dated warrant*

18 (b) The sum of \$6,336 is appropriated from the following sources to the Department
 19 of Transportation and Public Facilities to pay miscellaneous claims and stale-dated warrants
 20 for the fiscal year ending June 30, 1996:

21	Highway Working Capital Fund	\$4,490
22	Alaska Marine Highway System Fund	1,846

23 (c) The sum of \$277 is appropriated from Exxon Valdez spill settlement funds to the
 24 Department of Environmental Conservation to pay miscellaneous claims and stale-dated
 25 warrants for the fiscal year ending June 30, 1996.

26 * Sec. 15. RATIFICATIONS OF THE ACCOUNTING SYSTEM. The following
 27 departmental expenditures made in fiscal years 1985 to 1994 are ratified to reverse the
 28 negative account balances in the Alaska state accounting system in the amounts listed for each
 29 AR number. The appropriations from which these expenditures were actually paid are
 30 amended by increasing them by the amount listed as follows:

31 (1) Department of Administration

	WORK DRAFT	WORK DRAFT	WORK DRAFT
1		(A) AR 78496-86 University of Alaska	\$ 914.25
2		(B) AR 07647-94 RSA - Department of Law	1,211.25
3		(C) AR 03589-91 Telecommunications Services	263,805.82
4		(2) Department of Commerce and Economic Development	
5		(A) AR 29583-89 Division of Occupational Licensing/	
6		Real Estate	27,351.48
7		(B) AR 3007-89 Division of Measurement Standards -	
8		Weigh. Station Upgrade Receipts	237.47
9		(C) AR 29568-91 AIDEA/Operations	29.06
10		(D) AR 29636-93 AEA/Operations	7,017.91
11		(E) AR 30056-93 Office of International Trade/coal study	434.90
12		(F) AR 29567-85 AIDEA/Operations	16,513.00
13		(G) AR 30511-85 Economic Development/Mining RSA	427.10
14		(H) AR 31517-86 AEA/Solar Panel RSA	.61
15		(I) AR 32111-86 AEA/Kodiak Electric	.14
16		(3) Department of Community and Regional Affairs - AR 55350-90	
17		WX/Energy Conservation	1,306.68
18		(4) Department of Corrections	
19		(A) AR 50901-85 NIC Grant	349.60
20		(B) AR 50955-86 RSA-DHSS-Manilaq	415.20
21		(C) AR 50525-92 Facility Capital improvement unit	4,296.00
22		(D) AR 50545-92 Statewide programs	89,480.53
23		(5) Department of Education	
24		(A) AR 18025-86 PSEC - Federal student aid	25.00
25		(B) AR 18005-86 PSEC - Veteran's Administration	1,126.12
26		(C) AR 19031-88 PSEC - Student loan program	40,000.00
27		(D) AR 18041-90 PSEC - Governor's Council	
28		on Vocational and Career Education	653.56
29		(E) AR 17666-92 School Lunch Admin	44.06
30		(F) AR 17716-94 Special and supplemental services	225.00
31		(6) Department of Environmental Conservation	

	WORK DRAFT	WORK DRAFT	WORK DRAFT
1	(A) AR 48704-87 Water quality 205 J Grant		172.90
2	(B) AR 48617-87 Placer Mining Audit Management		1,653.00
3	(C) AR 48791-90 Alaska Coastal Zone Management		
4	RSA with Office of the Governor		1,533.76
5	(D) AR 49622-92 Health and Human Services Utility		
6	Management Grant		3,282.00
7	(E) AR 49750-92 Superfund Amendment Authorization		
8	Grant Title III training		194.00
9	(F) AR 49632-92 Alaska Coastal Zone Management		
10	RSA with Office of the Governor		1,711.00
11	(7) Department of Fish and Game - AR 42702-85 NOAA/US		
12	Canada		1,655.05
13	(8) Department of Labor		
14	(A) AR 27615-85 Wage and Hour		1,059.50
15	(B) AR 27540-86 Workers' Incentive		12,811.71
16	(C) AR 27570-86 Management Services		10,175.80
17	(D) AR 27655-86 Alaska Hire		39.08
18	(9) Department of Law		
19	(A) AR 13806-85 Dept. of Revenue		1,239.94
20	(B) AR 13809-85 Alaska Railroad Corp		39,574.88
21	(C) AR 13604-86 Civil Div - Operations		215,234.62
22	(D) AR 13604-87 Civil Div - Operations		99,028.38
23	(E) AR 13874-87 Perm Fund Invest		7,188.65
24	(F) AR 13892-87 CFEC Adjudicants		424.60
25	(G) AR 13904-87 PERS Class Study		370.00
26	(H) AR 13922-88 Telecom Misc Legl		54,414.93
27	(I) AR 13948-88 Function Sep Opin		1,854.03
28	(J) AR 13604-90 Civil Div - Operations		55,232.61
29	(K) AR 13615-90 Admin & Support		15,111.09
30	(L) AR 13701-90 Oil & Gas Operations		145.00
31	(M) AR 13831-91 Osair Restoration		6,290.00

	WORK DRAFT	WORK DRAFT	WORK DRAFT
1		(N) AR 13821-92 Medical Assistance	1,925.75
2		(O) AR 13826-92 AIDEA Delong Leg	55.69
3		(P) AR 13701-93 Oil & Gas Operations	18.28
4		(Q) AR 13772-93 Agency Coop Agree	958.25
5		(R) AR 13895-93 Agency Coop Agree	487.81
6		(10) Department of Natural Resources	
7		(A) AR 36601-86 Land & Water Public	222.02
8		(B) AR 36860-87 Minerals/Mat Develop	15,630.76
9		(C) AR 36870-87 Land & Public Safety	43,883.85
10		(D) AR 36960-87 Direct Charge/OH CIP	55,930.75
11		(E) AR 37880-89 AG/Direct Charge CIP	51.62
12		(F) AR 36893-90 Law Valdez Oil Spill	117,435.35
13		(G) AR 37733-90 RS1080068 Thunderbir	47.18
14		(11) Department of Public Safety - AR 46562-94	
15		HSPA/Operations	1,099.95
16		(12) Department of Revenue	
17		(A) AR 15545-85 Permanent Fund Corporation	1,822.62
18		(B) AR 15573-86 Petroleum Revenue - Data	
19		and Word Processing	10.98
20		(C) AR 15550-89 Alaska Housing	
21		Finance Corporation	7.00
22		(D) AR 15545-90 Permanent Fund Corporation	9.30
23		(E) AR 15550-90 Alaska Housing	
24		Finance Corporation	8.00
25		(F) AR 15585-90 Treasury Management	15,176.74
26		(G) AR 15585-92 Treasury Management	20,230.42
27		(13) Department of Transportation and Public Facilities	
28		(A) AR 57746-85 Headquarters Planning	
29		Payroll Suspense	109,144.63
30		(B) AR 57701-86 Headquarters Planning	
31		Payroll Suspense	459,354.77

	WORK DRAFT	WORK DRAFT	WORK DRAFT
1	(C) AR 57702-90 Northern Region		
2	Planning Payroll Suspense		354.77
3	(D) AR 57744-85 Internal Review		
4	Payroll Suspense		2,489.08
5	(E) AR 57703-87 Internal Review		
6	Payroll Suspense		36,225.04
7	(F) AR 57704-87 Northern Region Internal Review		
8	Payroll Suspense		20,269.90
9	(G) AR 57704-88 Northern Region Internal Review		
10	Payroll Suspense		28.99
11	(H) AR 57751-85 Central Region		
12	Planning Payroll Suspense		11,404.56
13	(I) AR 57705-86 Central Region		
14	Planning Payroll Suspense		133,660.43
15	(J) AR 57705-91 Central Region		
16	Planning Payroll Suspense		17,255.14
17	(K) AR 57707-91 EEO/Disadvantage		
18	Business Enterprise		5,881.11
19	(L) AR 57711-91 Statewide Aviation		
20	Payroll Suspense		9,519.53
21	(M) AR 58051-91 Statewide Information Systems		
22	Payroll Suspense		4,284.03
23	(N) AR 62095-91 Office of Strategic Management		
24	Payroll Suspense		5,220.88
25	(O) AR 57592-85 Southeast Region CIP Program		783,676.72
26	(P) AR 57532-86 Central Region CIP Program		744,332.17
27	(Q) AR 57561-86 Northern Region CIP Program		1,028,144.55
28	(R) AR 57592-86 Southeast Region CIP Program		932,666.02
29	(S) AR 57532-87 Central Region CIP Program		819,032.47
30	(T) AR 57505-85 Internal Review		3,543.70
31	(U) AR 57549-85 Western District		

	WORK DRAFT	WORK DRAFT	WORK DRAFT
1		Administration Services	94.47
2		(V) AR 57591-85 Data and Word Processing	4,961.28
3		(W) AR 57602-85 Southeast Shore Facilities	443,720.31
4		(X) AR 57512-87 Statewide Information System	26,234.70
5		(Y) AR 63191-86 Fish Creek Rehabilitation	2,000.00
6		(Z) AR 65157-87 Kodiak Armory Roof	489.40
7		(AA) AR 65123-15 MYC Floor/Lavatory Repair	754.84
8		(BB) AR 65214-92 Beaver Creek Hatchery	2,403.13
9		(CC) AR 65229-94 Hatchery Expansion	2,585.81
10		(DD) AR 63679-94 Technical Mainframe FY86	108,020.13
11		(EE) AR 61643-88 Technical Mainframe FY88	169,724.46
12		(FF) AR 63419-86 Juneau Mining Site Property	5.47
13		(GG) AR 65388-87 Fairbanks Armory	.02
14		(HH) AR 58686-15 PJ 56504 Chignik	
15		Road Improvements	827.45
16		(II) AR 58686-15 PJ 56506 Homer	
17		Asphalt Inspection	1,214.10
18		(JJ) AR 58904-15 PJ 56005 Matanuska	
19		Electric Association	1,434.99
20		(KK) AR 58904-15 PJ 56009 City of Kenai	
21		Utility Inspection	137.55
22		(LL) AR 58904-15 PJ 53587 Kodiak Near Island	
23		Bridge Telephone	24,999.89
24		(MM) AR 58904-15 PJ 53991 Dimond Boulevard	
25		Multivision	1,375.82
26		(NN) AR 58904-15 PJ 56049 Municipality	
27		of Anchorage Boniface Interchange	520.00
28		(OO) AR 60278-15 PJ 53828 Wasilla Urban Sewer	244.72
29		(PP) AR 61942-15 PJ 58594 Soldotna Senior Center	209.51
30		(QQ) AR 64790-15 PJ 57930 Anchorage Sewer Utility	143.59
31		(RR) AR 64790-15 PJ 53964 Church Road	

1	Improvements	3,992.00
2	(SS) AR 66209-15 PJ 55996 City of Homer	
3	Utility Permit	806.42
4	(14) Legislature - AR 74350-88 Ombudsman	981.99

5 * Sec. 16. EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL. (a) The appropriations
6 to implement Trustee Council restoration projects for federal fiscal year 1996, which were
7 made under the program review procedures of AS 37.07.080(h) and set out in revised
8 programs 11-6-9990 and 11-6-9992, lapse into the funds from which appropriated on
9 September 30, 1996.

10 (b) The sum of \$6,670,500 is appropriated from the Exxon Valdez oil spill settlement
11 trust recognized in AS 37.14.400 to the Department of Natural Resources to purchase the
12 following parcels in the amounts stated:

13	PARCEL	APPROPRIATION AMOUNT
14	Ellamar Subdivision (PWS 17 and 17A-D)	\$ 655,500
15	Hayward Parcel (PWS 52)	150,000
16	Kobylarz Subdivision (KEN 10)	320,000
17	Coal Creek Moorage (KEN 19)	260,000
18	Tulin Parcel (KEN 29)	1,200,000
19	Cone Parcel (KEN 34)	600,000
20	River Ranch (KEN 148)	1,650,000
21	Girves Parcel (KEN 1006)	1,835,000

22 * Sec. 17. LAPSE PROVISIONS. (a) The appropriations made by secs. 7(b), 12, and
23 16(b) of this Act are for capital projects and lapse under AS 37.25.020.

24 (b) The appropriations made by sec. 9 of this Act are for the capitalization of funds
25 and do not lapse under AS 37.25.010.

26 (c) The appropriation made by sec. 13 of this Act lapses into the general fund
27 June 30, 1997.

28 * Sec. 18. This Act takes effect immediately under AS 01.10.070(c).

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FY 96 SUPPLEMENTAL APPROPRIATIONS

Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
1	(a)	DOA	Admin Services	Reduce Finance to Fund Public Defender	(49.0)				(49.0)	(49.0)				(49.0)	1	(a)
1	(a)	DOA	Public Defender	Public Defender Bethel Caseload	49.0				49.0	49.0				49.0	1	(a)
1	(b)	DOA	Public Defender	Increased operating costs		195.0			195.0		217.0			217.0	1	(b)
1	(c)	DOA	Office of Public Advocacy	Increased Operating costs	356.4				356.4	356.4				356.4	1	(c)
1	(d)	DOA	Leasing	Increased Operating costs	870.0				870.0	870.0				870.0	1	(d)
1	(e)	DOA	Retirement & Benefits	Increased investment management & record keeping fees				450.0	450.0				450.0	450.0	1	(e)
1	(f)	DOA	Longevity Bonus Grants	Ratify FY 95 xfer of auth from Senior Services	Accepted										1	(f)
2		DCED		Tokyo office lease space	61.2				61.2	61.2				61.2	2	
3	(a)	C&RA	Local Government Assist	Revenue sharing for Kluti-Kaah	(8.3)				(8.3)	(8.3)				(8.3)	3	(a)
3	(a)	C&RA	Municipal Revenue Sharing	Revenue sharing for Kluti-Kaah	8.3				8.3	8.3				8.3	3	(a)
3	(b)	C&RA	Employment Training/Rural Development	Extend lapse date for Rural Development grants June 30, 1997	Accepted										3	(b)
		C&RA	Community & Rural Development	RDLIF loans to AIDEA	Not Accepted								650.0	650.0	3	(c)
		C&RA	Community & Rural Development	Recapitalize Rural Dev Initiative Fund	Not Accepted					650.0				650.0	3	(d)
		DCED	AIDEA	Section (c) & (d) contingent on payment to general fund to purchase loans	Not Accepted										3	(e)
3	(c)	C&RA	Commissioner's Office	Grant to Alaska Legal Services Corp.	200.0				200.0	200.0				200.0	3	(f)
3	(d)	C&RA	Commissioner's Office	(f) Contingent on payment of attorney's fees	Accepted										3	(g)
4	(a)	DOC	Admin & Support/ Commissioner's Office	Cleary lines for FY 95 & FY 96	936.6				936.6	936.6				936.6	4	(a)
4	(b)	DOC		(a) Contingent on payment of attorney's fees	Accepted										4	(b)
5	(a)	DOE	Foundation Program	Lapse balance	(1,225.0)				(1,225.0)	(1,225.0)				(1,225.0)	5	(a)
5	(a)	DOE	Foundation Program	Reappropriate lapse to fund disparity	1,225.0				1,225.0	1,225.0				1,225.0	5	(a)

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Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION		CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
						GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
		DOE	K-12	Extend lapse from sec 104(a), ch. 103, SLA 1995, page 28, line 6 to June 30, 1997												5	(b)
				Not Accepted													
6	(a)	DEC	Spill Prevention & Response/Underground Storage Tanks	Sec. 47, ch. 94, SLA 1995 page 38, line 18 and sec 47, ch. 95, SLA 1995, page 38, line 22 extend lapse to June 30, 1998												6	(a)
				Extended Lapse through June 30, 1997													
6	(b)	DEC	Storage Tanks Assistance	Reapp encumbrances through June 30, 1997												6	(b)
				Accepted													
7		DFG	Admin Services	Increased sale of fish & game licenses					32.7	32.7				32.7	32.7	8	(a)
		DFG		Title Change Section 10, ch. 4, FSSLA 1994 Arctic Yukon Kuskokwim Salmon Fisheries Stock Assessment <u>Projects</u> [EQUIPMENT]											0.0	8	(b)
				Not Accepted													
8	(a)	HSS	Assistance Payments	Lapse balance	Match	(4,000.0)			(500.0)	(4,500.0)	(4,000.0)			(500.0)	(4,500.0)	9	(a)
8	(a)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of welfare reform	Match	500.0			500.0	1,000.0	500.0			500.0	1,000.0	9	(a)
8	(b)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of welfare reform		1,900.0			1,600.0	3,500.0	3,500.0				3,500.0	9	(b)
8	(c)	HSS	Family & Youth Services	Lapse balance		(250.0)				(250.0)	(250.0)				(250.0)	9	(c)
8	(c)	HSS	Youth Facility Services	Reappropriate lapse to fund increased operating costs for youth facilities		250.0				250.0	250.0				250.0	9	(c)
8	(c)	HSS	Medical Assistance	Lapse balance	Match	(3,500.0)				(3,500.0)	(3,500.0)				(3,500.0)	9	(c)
				Reappropriate lapse from Medical Assistance to Alaska Family Independence Program													
		HSS															
8	(d)	HSS	API	Judgment - Helmuth v. API				426.9		426.9			426.9		426.9	9	(d)
				Not Accepted							3,500.0				3,500.0	9	(c)
9	(a)	Law	Legal Services Operations	Judgments & Claims		130.4		13.6	225.3	369.3	130.4		13.6	225.3	369.3	10	(a)
9	(b)	Law	Legal Services Operations	Judgment - Toksook Bay		1,285.0				1,285.0	1,285.0				1,285.0	10	(b)
9	(c)	Law	Oil & Gas Litigation	Reduce to fund Bethel D.A.					(66.6)	(66.6)				(66.6)	(66.6)	10	(d)
9	(c)	Law	Prosecution	Increased caseload-Bethel		66.6				66.6	66.6				66.6	10	(d)

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Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
9	(d)	Law	Legal Services Operations	Judgment - Berger v. State	3,605.8				3,605.8	3,605.8				3,605.8	10	(c)
10	(a)	MilVets	Military retirement trust fund	Increased costs National Guard Retirement	6,500.0				6,500.0	1,480.5				1,480.5	11	(a)
10	(b)	MilVets	Disaster Relief Fund	Costs of declared disasters	1,557.3				1,557.3	557.3				557.3	11	(b)
11		DNR	Fire Suppression	FY 96 Fire suppression	5,258.6				5,258.6	5,258.6				5,258.6	12	
				Section 10, ch. 4, FSSLA 94, page 12, line 13 License Plates/Driver Manuals/ <u>Equipment</u>												
		DPS	Capital Appropriation													
12	(a)	REV	AIHFC	Lense costs				198.2	198.2				198.2	198.2	14	(a)
			Rev Ops/Ak State Pension Investment Board - Benefits Systems Receipts	Change fund sources				67.0	67.0				67.0	67.0	14	(b)
12	(b)	REV	Rev Ops/Ak State Pension Investment Board -PERS	Change fund sources				(67.0)	(67.0)				(67.0)	(67.0)	14	(b)
13	(a)	DOTPF	M&O	Hwy & bridge repair southcentral flood disaster	1,010.0			3,000.0	4,010.0	1,010.0			3,000.0	4,010.0	15	(a)
13	(b)	DOTPF	M&O	Copper River Highway Restoration	720.0				720.0	720.0				720.0	15	(b)
		UofA	Statewide	Monetary terms - CEA						455.6			6.7	462.3	16	(a)
		UofA	Statewide	Monetary terms - ACCFT						473.0			33.4	506.4	16	(b)
				Emergency disaster & fires FY 96 & FY 97												
		GOV	OMIB							1,500.0				1,500.0	17	
14	(a)	DOA	Admin Services	Misc claims, state date warrants	12.6				12.6	12.6				12.6	18	(a)
14	(a)	C&RA	Admin Services	Misc claims, state date warrants	0.5				0.5	0.5				0.5	18	(a)
14	(a)	DOC	Admin Services	Misc claims, state date warrants	11.2				11.2	11.2				11.2	18	(a)
14	(a)	DOE	Admin Services	Misc claims, state date warrants	0.5				0.5	0.5				0.5	18	(a)
14	(a)	DFG	Admin Services	Misc claims, state date warrants	1.6				1.6	1.6				1.6	18	(a)
14	(a)	HSS	Admin Services	Misc claims, state date warrants	64.3				64.3	64.3				64.3	18	(a)
14	(a)	LABOR	Admin Services	Misc claims, state date warrants	0.1				0.1	0.1				0.1	18	(a)
14	(a)	LAW	Admin Services	Misc claims, state date warrants	0.1				0.1	0.1				0.1	18	(a)
14	(a)	DPS	Admin Services	Misc claims, state date warrants	1.6				1.6	1.6				1.6	18	(a)
14	(a)	DOTPF	Admin Services	Misc claims, state date warrants	2.9				2.9	2.9				2.9	18	(a)
14	(b)	DOTPF	Admin Services	Misc claims, state date warrants				6.3	6.3				6.3	6.3	18	(b)
14	(c)	DEC	Admin Services	Misc claims, state date warrants				0.3	0.3				0.3	0.3	18	(c)

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Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds	
15		DCED		Ratify overexpenditures:											19
		DOC		35.1											
		C&RA		94.5											
		DOE		1.3											
		DEC		42.1											
		DFG		8.5											
		Law		1.6											
		DNR		499.6											
		REV		233.2											
		DOTPF		37.3											
		UofA		5,923.4											
				0.9											
				6,877.5											
16			Exxon Valdez Oil Spill Trustee Council	Extend lapse re RP 11-6-9990											7
17	(a)			Sections 8(b) & 13 are capital projects											20 (a)
17	(b)			Section 10 capitalizes funds											20 (b)
18				Providing for effective dates											21
				Totals	17,553.3	195.0	440.5	5,446.2	23,635.0	19,712.4	217.0	440.5	4,536.3	24,906.2	
				GF Only	17,553.3	195.0	440.5		18,188.8	19,712.4	217.0	440.5		20,369.9	

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					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds			GF	GF/PR	GF/ Mental Health	Other	Total Funds			
1	(a)	DOA	Finance	Lapse Balance	(49.0)				(49.0)	(49.0)				(49.0)	1	(a)	(49.0)				(49.0)	1	(a)	
1	(a)	DOA	Public Defender	Reappropriate lapse to fund Public Defender Bethel caseload	49.0				49.0	49.0				49.0	1	(a)	49.0				49.0	1	(a)	
1	(b)	DOA	Public Defender	Increased operating costs		195.0			195.0		195.0			195.0	1	(b)		217.0			217.0	1	(b)	
1	(c)	DOA	Office of Public Advocacy	Increased Operating costs	356.4				356.4	356.4				356.4	1	(c)	356.4				356.4	1	(c)	
1	(d)	DOA	Leasing	Increased Operating costs	870.0				870.0	870.0				870.0	1	(d)	870.0				870.0	1	(d)	
1	(c)	DOA	Retirement & Benefits	Increased investment management & record keeping fees				450.0	450.0				450.0	450.0	1	(c)				450.0	450.0	1	(c)	
1	(f)	DOA	Longevity Bonus Grants	Ratify FY 95 transfer of auth from Senior Services			Accepted					Accepted			1	(f)						1	(f)	
1	(g)	DOA	Longevity Bonus Grants	Longevity Bonus Shortfall	1,600.0				1,600.0	Not received in time for consideration							1,600.0				1,600.0	New		
2		DCED		Tokyo office lease space	61.2				61.2	61.2				61.2	2		61.2				61.2	2		
		C&RA	Local Government Assist	Revenue sharing for Kluti-Kaah			Not Accepted			(8.3)				(8.3)	3	(a)	(8.3)				(8.3)	3	(a)	
		C&RA	Municipal Revenue Sharing	Revenue sharing for Kluti-Kaah			Not Accepted			8.3				8.3	3	(a)	8.3				8.3	3	(a)	
3		C&RA	Employment Training/Rural Development	Extend lapse date for Rural Development grants June 30, 1997			Accepted					Accepted			3	(b)						3	(b)	
		C&RA	Community & Rural Development	RDLF loans to AIDEA			Not Accepted					Not Accepted								650.0	650.0	3	(c)	
		C&RA	Community & Rural Development	Recapitalize Rural Dev Initiative Fund			Not Accepted					Not Accepted					650.0				650.0	3	(d)	
		DCED	AIDEA	Section (c) & (d) contingent on payment to general fund to purchase loans			Not Accepted					Not Accepted										3	(c)	
		C&RA	Commissioner's Office	Grant to Alaska Legal Services Corp.			Not Accepted			200.0				200.0	3	(c)	200.0				200.0	3	(f)	
		C&RA	Commissioner's Office	(f) Contingent on payment of attorney's fees			Not Accepted			Accepted						3	(d)						3	(g)
		DOC	Admin & Support/ Commissioner's Office	Clearly fines for FY 95 & FY 96			Not Accepted			936.6				936.6	4	(a)	936.6				936.6	4	(a)	
		DOC		(a) Contingent on payment of attorney's fees			Not Accepted			Accepted						4	(b)						4	(b)
		DOE	Foundation Program	Lapse balance			Not Accepted			(1,225.0)				(1,225.0)	5	(a)	(1,225.0)				(1,225.0)	5	(a)	
		DOE	Foundation Program	Reappropriate lapse to fund disparity			Not Accepted			1,225.0				1,225.0	5	(a)	1,225.0				1,225.0	5	(a)	
4		DOE	K-12	Extend lapse from sec 104(a), ch 103, SLA 1995, page 28, line 6 to June 30, 1997	Accepted					Not Accepted													5	(b)
5	(a)	DEC	Spill Prevention & Response/Underground Storage Tanks	Sec. 47, ch. 94, SLA 1995 page 38, line 18 and sec 47, ch 95, SLA 1995, page 38, line 22 extend lapse to June 30, 1998	Extend Lapse through June 30, 1997					Extend Lapse through June 30, 1997					6	(a)							6	(a)

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Sen	Sec	DEPT.	BRU/ COMPONENT	DESCRIPTION	Draft SCSHB 468 (Fin)					CSHB 468 (Fin) am 2/22/96					Use	Sec	Governor's Request (Am thru 4/1/96)					Gov's Sec #			
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds			GF	GF/PR	GF/ Mental Health	Other	Total Funds				
5	(b)	DEC	Storage Tanks Assistance	Reapp encumbrances through June 30, 1997	Accepted					Accepted					6	(b)						6	(b)		
6	(a)	DFG	Admin Services	Increased sale of fish & game licenses				32.7	32.7	32.7					32.7	7				32.7	32.7	8	(a)		
6	(b)	DFG	Habitat	Navigable Waters Support				150.0	150.0	Not Considered															
6	(c)	DFG	Wildlife Conservation	Navigable Waters Support				200.0	200.0	Not Considered															
		DFG		Title Change Sec 10, ch. 4. FSSLA 1994 Arctic Yukon Kuskokwim Salmon Fisheries Stock Assessment Projects (EQUIPMENT)	Not Accepted					Not Accepted											0.0	8	(b)		
7	(a)	HSS	Assistance Payments	Lapse balance	Match	(4,000.0)		(500.0)	(4,500.0)	(4,000.0)			(500.0)	(4,500.0)	8	(a)	(4,000.0)			(500.0)	(4,500.0)	9	(a)		
7	(a)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of Jobs Program	Match	500.0		500.0	1,000.0	500.0			500.0	1,000.0	8	(a)	500.0			500.0	1,000.0	9	(a)		
7	(b)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of welfare reform (EIS)	Match	1,900.0		1,600.0	3,500.0	1,900.0			1,600.0	3,500.0	8	(b)	3,500.0				3,500.0	9	(b)		
7	(c)	HSS	Family & Youth Services	Lapse balance		(250.0)			(250.0)	(250.0)				(250.0)	8	(c)	(250.0)				(250.0)	9	(c)		
7	(c)	HSS	Youth Facility Services	Reappropriate lapse to fund increased operating costs for youth facilities		250.0			250.0	250.0				250.0	8	(c)	250.0				250.0	9	(c)		
7	(c)	HSS	Medical Assistance	Lapse balance	Match	(3,500.0)			(3,500.0)	(3,500.0)				(3,500.0)	8	(c)	(3,500.0)				(3,500.0)	9	(c)		
		HSS		Reappropriate lapse from Medical Assistance to Alaska Family Independence Program						Not Accepted							3,500.0				3,500.0	9	(d)		
7	(d)	HSS	API	Judgment - Helmut v. API				426.9	426.9				426.9	426.9	8	(d)			426.9		426.9	9	(c)		
8	(a)	Law	Legal Services Operations	Judgments & Claims		130.4		13.6	225.3	369.3			130.4	13.6	225.3	369.3	9	(a)	130.4		13.6	225.3	369.3	10	(a)
8	(a)	Law	Legal Services Operations	Judgments & Claims		54.4			17.9	72.3	Not received in time for consideration							54.4			17.9	72.3	New		
8	(b)	Law	Legal Services Operations	Settlement - Toksook Bay		1,285.0			1,285.0	1,285.0				1,285.0	9	(b)	1,285.0				1,285.0	10	(b)		
8	(c)	Law	Oil & Gas Litigation	Reduce to fund Bethel D.A.				(66.6)	(66.6)				(66.6)	(66.6)	9	(c)				(66.6)	(66.6)	10	(d)		
8	(c)	Law	Prosecution	Increased caseload-Bethel		66.6			66.6	66.6				66.6	9	(c)	66.6				66.6	10	(d)		
8	(d)	Law	Legal Services Operations	Judgment - Berger v. State		3,605.8			3,605.8	3,605.8				3,605.8	9	(d)	3,605.8				3,605.8	10	(c)		
8	(c)	Law	Civil	Legal Support for Navigable Waters & RS 2477 Assertions		500.0			500.0	Not Considered															
9	(a)	MilVets	Military retirement trust fund	Increased costs National Guard Retirement		8,000.0			8,000.0	6,500.0				6,500.0	10	(a)	1,480.5				1,480.5	11	(a)		
9	(b)	MilVets	Disaster Relief Fund	Costs of declared disasters		1,557.3			1,557.3	1,557.3				1,557.3	10	(b)	557.3				557.3	11	(b)		
10	(a)	DNR	Fire Suppression	FY 96 Fire suppression		5,258.6			5,258.6	5,258.6				5,258.6	11		5,258.6				5,258.6	12			
10	(b)	DNR	Resource Dev.	Accelerated Navigable Waters Proj.		270.0			270.0	Not Considered															

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					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		GF	GF/PR	GF/ Mental Health	Other	Total Funds		
10	(c)	DNR	Resource Dev.	RS2477 Assertions & Litigation Support		50.0			50.0	Not Considered												
				Section 10, ch -4, FSSLA 94, page 12, line 13 License Plates/Driver Manuals/Equipment																		
		DPS	Capital Appropriation				Not Accepted					Not Accepted								0.0	13	
11	(a)	REV	AJFC	Lease costs				150.0	150.0				198.2	198.2	12	(a)			198.2	198.2	14	(a)
			Rev Ops/Ak State Pension Investment Board - Benefits																			
11	(b)	REV	Systems Receipts	Change fund sources				67.0	67.0				67.0	67.0	12	(b)			67.0	67.0	14	(b)
			Rev Ops/Ak State Pension Investment Board -PERS																			
11	(b)	REV	Permanent Fund	Change fund sources				(67.0)	(67.0)				(67.0)	(67.0)	12	(b)			(67.0)	(67.0)	14	(b)
11	(c)	REV	Dividend Division	Use garnishment fees to pay computer mainframe chargeback				103.8	103.8	Not received in time for consideration									150.0	150.0	New	
12		DOTPF	M&O	Hwy & bridge repair southcentral flood disaster	Match	1,010.0		3,000.0	4,010.0	1,010.0			3,000.0	4,010.0	13	(a)	1,010.0		3,000.0	4,010.0	15	(a)
		DOTPF	M&O	Copper River Highway Restoration			Not Accepted			720.0				720.0	13	(b)	720.0			720.0	15	(b)
		UofA	Statewide	Monetary terms - CEA			Not Accepted					Not Accepted					455.6		6.7	462.3	16	(a)
		UofA	Statewide	Monetary terms - ACCFT			Not Accepted					Not Accepted					473.0		33.4	506.4	16	(b)
		GOV	OMB	Emergency disaster & fires FY 96 & FY 97			Not Accepted					Not Accepted					1,500.0			1,500.0	17	
13		LEG	LB&A Committee	Salary & Benefit study		500.0			500.0	Not Considered												
14	(a)	DOA	Admin Services	State dated warrants		30.0			30.0	Not received in time for consideration							30.0			30.0	New	
14	(a)	DOA	Admin Services	Misc claims, state date warrants			12.6		12.6			12.6		12.6	14	(a)	12.6			12.6	18	(a)
14	(a)	C&RA	Admin Services	Misc claims, state date warrants			0.5		0.5			0.5		0.5	14	(a)	0.5			0.5	18	(a)
14	(a)	DOC	Admin Services	Misc claims, state date warrants			11.2		11.2			11.2		11.2	14	(a)	11.2			11.2	18	(a)
14	(a)	DOE	Admin Services	Misc claims, state date warrants			0.5		0.5			0.5		0.5	14	(a)	0.5			0.5	18	(a)
14	(a)	DFO	Admin Services	Misc claims, state date warrants			1.6		1.6			1.6		1.6	14	(a)	1.6			1.6	18	(a)
14	(a)	HSS	Admin Services	Misc claims, state date warrants			64.3		64.3			64.3		64.3	14	(a)	64.3			64.3	18	(a)
14	(a)	LABOR	Admin Services	Misc claims, state date warrants			0.1		0.1			0.1		0.1	14	(a)	0.1			0.1	18	(a)
14	(a)	LAW	Admin Services	Misc claims, state date warrants			0.1		0.1			0.1		0.1	14	(a)	0.1			0.1	18	(a)
14	(a)	DPS	Admin Services	Misc claims, state date warrants			1.6		1.6			1.6		1.6	14	(a)	1.6			1.6	18	(a)
14	(a)	DPS	Admin Services	State dated warrants		3.0			3.0	Not received in time for consideration							3.0			3.0	New	
14	(a)	DOTPF	Admin Services	Misc claims, state date warrants			2.9		2.9			2.9		2.9	14	(a)	2.9			2.9	18	(a)
14	(c)	DOTPF	Admin Services	Misc claims, state date warrants				6.3	6.3				6.3	6.3	14	(b)			6.3	6.3	18	(b)
14	(c)	DEC	Admin Services	Misc claims, state date warrants				0.3	0.3				0.3	0.3	14	(c)			0.3	0.3	18	(c)
				Ratify overexpenditures:																		
15		DOA		265.0			Accepted			Not received in time for consideration												New
15		DCED		35.1			Accepted			Accepted					15							19
15		DCED		16.9			Accepted			Not received in time for consideration												New
15		DOC		94.5			Accepted			Accepted					15							19
15		C&RA		1.7			Accepted			Accepted					15							19
15		DOE		42.1			Accepted			Accepted					15							19
15		DEC		8.5			Accepted			Accepted					15							19
15		DFO		1.6			Accepted			Accepted					15							19
15		Labor		24.1			Accepted			Not received in time for consideration												New

CSHB 468
FY 96 SUPPLEMENTAL APPROPRIATIONS
(In Thousands)

Sen	Sec #	DEPT.	BRU/ COMPONENT	DESCRIPTION	Draft SCSHB 468 (Fin)					CSHB 468 (Fin) am 2/22/96					Iloc Sec #	Governor's Request (Am thru 4/1/96)					Gov's Sec #
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		GF	GF/PR	GF/ Mental Health	Other	Total Funds	
15		Law		499.6	Accepted					Accepted					15						19
15		DNR		233.2	Accepted					Accepted					15						19
15		DPS		1.1	Accepted					Not received in time for consideration											New
15		REV		37.3	Accepted					Accepted					15						19
15		DOTPF		5,923.4	Accepted					Accepted					15						19
15		UofA		0.9	Accepted					Accepted					15						19
15		Legis		1.0	Accepted					Not received in time for consideration											New
				7,185.6																	
16	(a)	DEC/ DFO/ DNR	Exxon Valdez Oil Spill Trustee Council Projects	Extend lapse for RP 11-6-9990 & 11- 6-9992 to 6/30/97	Extend through 9/30/96					Extend through 9/30/96					16						7
16	(b)	DNR	Trustee Council Projects	Purchase parcels with EVOSS funds				6,670.5	6,670.5	Not received in time for consideration									6,670.5	6,670.5	New
17	(a)			Sections 7(b) & 12 are capital projects											17 (a)						20 (a)
17	(b)			Section 9 capitalizes funds											17 (b)						20 (b)
18				Providing for effective dates											18						21
				Totals	20,204.1	195.0	440.5	12,540.2	33,379.8	17,553.3	195.0	440.5	5,446.2	23,635.0		21,392.8	217.0	440.5	11,274.7	33,432.0	
				GF & CBR Only	20,204.1	195.0	440.5	(66.6)	20,773.0	17,553.3	195.0	440.5	(66.6)	18,122.2		21,392.8	217.0	440.5	(66.6)	21,990.7	

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEW

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-2178
FAX: (907) 465-2090

April 9, 1996

The Honorable Steve Frank
The Honorable Rick Halford
Co-Chairs, Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Co-Chairs Frank and Halford:

As you continue your review of HB 468, the Governor's supplemental legislation, please consider the following amendments.

Section 8 (a) should be amended to reflect a total request of \$615,418 and identify the following fund source changes for additional judgments:

General fund

199 096
358,620
[184,836]

Sen. Halford
moved & adopted
4/9/96

Section 14 (a) of the bill should be amended to reflect an additional stale dated warrant:

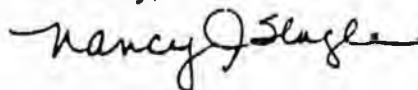
Administration

43,563
[42,566]]

Sen. Halford
moved & adopted
4/9/96

Thank you for your consideration of these amendments.

Sincerely,



Nancy J. Slagle
Director

cc: Representative Mark Hanley
Representative Richard Foster

MEMORANDUM

State of Alaska

*Department of Administration
Division of Administrative Services*

To: Nancy Slagle
Director
Division of Budget Review

Date: April 5, 1996

Phone: 465-5655

From: Sharon Bunker
Director

Subject: Stale Dated Warrants

Please find attached a sixth stale-dated warrant request amounting to \$997.16. As you recall, we have previously submitted five requests amounting to \$42,565.45 for a six request total of \$43,562.61.

If you need additional information, please call.

**OFFICE OF
MANAGEMENT & BUDGET**
APR 05 1996

BUDGET REVIEW

cc: Mark Boyer
Alison Elgee
Don Wanie
Dan Spencer
Eric Swanson

NAME	WARRANT	ADDRESS
Catalino B. Barril	53472562 \$ 873.16 01/09/91	The Estate of C.B. Barril c/o George Barril 5203 N.E. 188th St. Seattle, WA 98155
Mike Tauriainen	23043964 \$ 124.00 04/27/92	Mike Tauriainen POB 937 Soldotna, AK 99669
TOTAL	\$ 997.16	

FILED
STATE OF ALASKA
FIRST DISTRICT

93 MAR 18 PM 3:38

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

JUNEAU TRIAL COURTS
BY Dr
DEPUTY CLERK

In the matter of the
Estate of:

CATALINO B. BARRIL, SR.,
DOB: April 7, 1893

Deceased.

Case No. 1JU-93-47 PR

LETTERS TESTAMENTARY AND ACCEPTANCE

The will of Catalino B. Barril, Sr. having been admitted to informal probate, George Barril is hereby appointed personal representative of the estate.

DATED THIS 19th day of MARCH, 1993.

[Signature]
Registrar

I hereby accept the duties and responsibilities of the office of personal representative of the estate of Catalino B. Barril which I will perform as required by law: (a) take possession and control of the decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365; (b) provide notice to heirs and devisees as are required by AS 13.16.360, except as provided by AS 13.136.690; (c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455 - 13.16.515; (d) advise the court in writing of the personal

This warrant will be deemed paid unless redeemed within
one year after the date of issue per AS 37.05.180

**STATE OF ALASKA
TREASURY WARRANT**

DATE OF ISSUE

04 27 92

MO DAY YR

89-52/1252 NO. 23043964

\$124.00

PAY

COLLARS		CENTS
\$		*****124.00

TO THE ORDER OF

06013

23043964

23139713

MIKE TAURIAINEN, P.E.
----BOX 937

SOLDCTNA AK 99669-0000



⑈ 23043964⑈ ⑆ 125200523⑆ 230439645⑈

REMITTANCE ADVICE - STATE OF ALASKA TREASURY WARRANT - NOT NEGOTIABLE

STOCK CONTROL NO. 23139713

WARRANT NO.	MO	DAY	YR	VENDOR
23043964	04	27	92	MIKE TAURIAINEN, P.E.
STATE OFFICE				PHONE
CCN BLACK				907 465-2527
TYPE	REFERENCE NUMBER	DATE		DOCUMENT
TA TAURIAINEN		00 00 00		A06087800028
IND N/A		88 88 88		COMMENTS
				SOLDCTNA/ANC 5/20-22/92

VENDOR ID
MIT88252
AMOUNT PAID
\$124.00
AMOUNT
0.00
0.00

MAKE INQUIRIES ABOUT PAYMENT TO OFFICE LISTED ABOVE

CONSULTING ENGINEERS, INC.

Mike Tauriainen, P.E.

October 20, 1995

Carol Whelan
Division of Occupational Licensing
Box 110806
Juneau, AK 99811-0806

Carol:

This is in response to your fax concerning the old check dated 4/27/92 that I found about August, 1995. This check was a travel advance for travel 5/20-22, 1992, that was inadvertently misplaced. I request that a new check be issued.

Sincerely,



Mike Tauriainen

STATE OF ALASKA
DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT
OCT 26 1995
DIVISION OF
OCCUPATIONAL LICENSING

96 APR - 1 P11 2:42

MEMORANDUM

State of Alaska

Department of Law

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

DATE: April 4, 1996

FILE NO.:

TEL. NO.: 465-3600

SUBJECT: Amendment No. 2
FY96 Judgments
Supplemental Appropriation

FROM: Bruce M. Botelho
Attorney General



This is to amend the Department of Law's request of March 28, 1996, for a supplemental appropriation to pay judgments awarded against the state, to include four new judgments that have been awarded since our original request was made. These judgments total \$173,784, which should be paid from the general fund. All of the judgments thus far total \$358,620 for the general fund, \$239,200 for the International Airports Revenue Fund, \$13,586 for general fund/Mental Health Lands, and \$4,012 for the Public Employees Retirement Fund.

An amended judgments supplemental list is attached for your review.

Attachment

FY96 Judgment Supplemental Request
Interest through 6/30/96

Description	Date	Amount	Interest	Total	Cumulative Total
1 James W. McGowan CSED v. Chadwick	7/24/95	70.00	0.00	70.00	70.00
2 Larry Bond CSED v. Bond	11/2/95	261.00	0.00	261.00	331.00
3 Robert Shepard v. Kodiak	11/24/95	500.00	31.94	531.94	862.94
4 Ak Legal Services Shepard v. Kodiak	11/24/95	26,000.00	1,660.77	27,660.77	28,523.71
5 Jermain, Dunnagan et. al. State v. Meyer	12/11/95	1,148.25	67.65	1,215.90	29,739.61
6 Disability Law Ctr Durham v. Kincheloe	9/7/95	45,000.00	3,898.17	48,898.17	78,637.78
7 Kenneth Kirk CSED v. Allsop	10/4/95	1,219.00	96.00	1,315.00	79,952.78
8 City of Fairbanks v. SOA, Labor	10/25/95	3,363.79	244.30	3,608.09	83,560.87
9 Trustees fo AK v. SOA, DNR	8/15/95	42,855.00	3,999.85	46,854.85	130,415.72
10 Disability Ctr of AK Weiss v. State	2/7/95	11,829.76	1,755.95	13,585.71	144,001.43
11 Gail Sorensen v. DMV	9/30/95	2,749.85	219.76	2,969.61	146,971.04
12 Ronald K. Melvin Carpenter v. SOA DMVA	1/19/96	4,374.28	207.96	4,582.24	151,553.28
13 Richard Brandon v. Dept of Corr	7/12/95	242.15	17.94	260.09	151,813.37
14 Eric Smith (Supreme Ct.) Tulkisarmute v. Heinze	10/25/95	2,198.53	159.67	2,358.20	154,171.57
15 Eric Smith (Superior Ct.) Tulkisarmute v. Heinze	8/31/95	4,286.93	380.11	4,667.04	158,838.61
16 Wevley Shea, Esq. Dansereau v. Ulmer	4/3/95	2,560.00	338.99	2,898.99	161,737.60
17 Trustees for Alaska Cordova Fisherman v. State	3/15/96	35,574.28	1,110.23	36,684.51	198,422.11
18 Andrew Hemenway Keane v. LBC-Supreme Ct.	4/26/95	5,402.67	648.51	6,051.18	204,473.29
19 Andrew Hemenway Keane v. LBC-Superior Ct.	5/17/95	7,332.20	876.72	8,208.92	212,682.21
20 Rice, Volland, Taylor et. al. Cleary v. State	4/1/96	116,466.97	3,057.29	119,524.26	332,206.47
21 Trustees for Alaska v. Walter Hickel	5/28/96	40,000.00	0.00	40,000.00	372,206.47

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

P.O. BOX 110300
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-2075

April 8, 1996

The Honorable Steve Frank, Co-Chair
Senate Finance Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99811

The Honorable Rick Halford, Co-Chair
Senate Finance Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99811

Re: FY 96 Supplemental Budget Bill - Copper
River Highway litigation

Dear Senators Frank and Halford:

The Senate Finance Committee is currently considering CS HB 468 (FIN) am, the FY 96 supplemental appropriations bill. Two sections of that bill relate to the Copper River Highway litigation Consent Decree. The first, section 13 (b), provides for the appropriation of \$720,000 to the Department of Transportation and Public Facilities ("ADOT/PF") for training for ADOT/PF personnel, public service announcements, and restoration of natural resources and historical and cultural artifacts damaged by the 1991 road work. This section contains no provision for payment of costs and attorney fees for any party, including the Department of Law.

The second provision, a proposed amendment to section 10, provides for an appropriation of \$40,000 to the Department of Law to pay Trustees for Alaska for costs and attorneys fees arising from the Copper River Highway litigation. As part of the settlement agreement which calls for this payment, Trustees for Alaska agreed that this money will be used to support legal actions directed against the United States concerning contamination on federal facilities. Section 9 of the agreement specifically forbids use of the money in any lawsuits against the State of Alaska. A copy of the agreement is enclosed for your information.

There will be other expenses that arise out of the Consent Decree, but they do not require funding at this time. In order to be sure that you have the entire settlement available for

Senators Frank and Halford

April 8, 1996

page 2

your consideration, we previously provided a copy of the Consent Decree to you. I am enclosing with this letter a summary of the requirements of the decree and the time frames in which they must be completed.

The Consent Decree provides specific times by which the various requirements must be completed. The money sought through this supplemental appropriation is for requirements that, under the Consent Decree, are to be completed before money could be made available from the Fiscal Year 1998 appropriations. Section 17 of the Consent Decree provides that, if by September 1, 1998 the legislature fails to provide funding to fulfill the settlement requirements, the settlement is null and void and the court will be asked to vacate the Consent Decree and allow the litigation to continue.

Thank you for your consideration of these requests.

Sincerely,

BRUCE M. BOTELHO
ATTORNEY GENERAL

A handwritten signature in black ink, appearing to read "Craig Tillery", is written over a horizontal line.

By: Craig Tillery
Assistant Attorney General

Enclosures

cc: Members, Senate Finance Committee
Representative Sean Parnell
Commissioner Joseph Perkins, ADOT/PF
Office of Management and Budget
Legislative Finance

SUMMARY OF COPPER RIVER HIGHWAY LITIGATION SETTLEMENT

1. **Scope** – Full settlement of all claims by all parties.
2. **Injunction** – State enjoined from the unpermitted discharge of dredged or fill material into waters of the United States during construction or maintenance work on the Copper River Highway ("CRH") until construction of such projects is completed.
3. **Annual Meetings** – ADOT/PF and the Corps will meet annually to review all anticipated transportation construction and maintenance plans for the year and resolve potential CWA problems.
4. **Wetlands Coordinator** – ADOT/PF will have a wetlands coordinator to review all transportation construction and maintenance projects and ensure CWA compliance. [already in place]
5. **Education** – ADOT/PF will provide biennial training to its employees on CWA requirements and applicable laws intended to protect historical and cultural resources. [already in place]
6. **Public Service Announcements** – ADOT/PF will make a series of public service announcements on the importance of complying with the requirements of the CWA. [June 26, 1996]
7. **Restoration** – ADOT/PF will undertake environmental restoration at specific sites on the northern section of the CRH and specific historical and cultural resource restoration projects, including, at a cost of approximately \$200,000, rehabilitation or stabilization of five historic structures on the northern section of the CRH. [fall of 1997]
8. **Mitigation** – Because restoration of some resources is not feasible, the State will perform one or more sockeye salmon habitat enhancement projects in the Copper River watershed at a cost of not less than \$50,000. [December 31, 1999]
9. **Penalties and Costs** – Civil penalties and litigation expenses will be assumed to be \$200,000. This amount will be offset by the agreement of the United States to pay the State \$200,000 in settlement of potential claims relating to the Toksook Bay site.
10. **Environmental Projects** – ADOT/PF will perform one or more of the following environmental projects at a cost of not less than \$400,000: (1) implementation of a solid waste management plan for the Copper River watershed area, (2) habitat protection in the Copper River watershed, (3) replacement of the Hatchery Creek culverts near Cordova with a bridge, (4) sockeye or coho salmon habitat enhancement projects, or (5) other projects approved by the United States. [December 31, 2003]
11. **Attorney's fees for private plaintiffs** – The State will pay \$40,000 to Trustees for Alaska for attorney's fees, to be used by Trustees for investigation or litigation over contaminated federal facilities. [September 1, 1996]

1 BRUCE M. BOTELHO
2 ATTORNEY GENERAL

3 CRAIG J. TILLERY
4 JAMES E. CANTOR
5 NANCY B. MEADE
6 ASSISTANT ATTORNEYS GENERAL
7 STATE OF ALASKA
8 DEPARTMENT OF LAW
9 ENVIRONMENTAL SECTION
10 1031 West Fourth Avenue, Suite 200
11 Anchorage, Alaska 99501
12 (907) 269-5274

13 Attorneys for Defendants

14 IN THE UNITED STATES DISTRICT COURT

15 FOR THE DISTRICT OF ALASKA

16 TRUSTEES FOR ALASKA, ALTERNATIVES)
17 FOR CORDOVA, ALASKA CENTER FOR THE)
18 ENVIRONMENT, NORTHERN ALASKA)
19 ENVIRONMENTAL CENTER, NATIONAL PARKS)
20 AND CONSERVATION ASSOCIATION, and)
21 THE WILDERNESS SOCIETY,)

22 Plaintiffs,)

23 v.)

24 WALTER J. HICKEL, individually and)
25 as Governor of the State of Alaska;)
26 FRANK G. TURPIN, individually and)
as Commissioner of the Alaska)
Department of Transportation and)
Public Facilities; and JOHN D. HORN,)
individually and as Director of the)
Northern Region of the Alaska)
Department of Transportation and)
Public Facilities,)

Defendants.)

No. A92-245 CIV

SETTLEMENT AGREEMENT

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

1 This Settlement Agreement is made and entered into by
2 all defendants ("State of Alaska" or "State") and all private
3 plaintiffs ("Trustees for Alaska" or "Trustees") in full
4 settlement of all claims, as described in paragraph 10 below,
5 arising out of the State Department of Transportation and Public
6 Facilities' activities on or in the vicinity of the Copper River
7 Highway during the summer of 1991 through the date this
8 Settlement Agreement is signed by the parties.
9

10 INTRODUCTION

11
12 1. On February 19, 1992, Trustees for Alaska filed
13 this action alleging that the State Department of Transportation
14 and Public Facilities ("ADOT/PF") violated the Clean Water Act in
15 the course of its work on the Copper River Highway during the
16 summer of 1991. One week later, on February 26, 1992, the United
17 States of America filed a lawsuit against the State based on the
18 same activities, and seeking similar relief. The two actions
19 were consolidated for pretrial purposes on May 19, 1992, and on
20 July 16, 1993, the State filed a counterclaim against the United
21 States only.
22
23

24 2. The State, Trustees, and the United States have
25 signed a consent decree that resolves all issues relating to the
26

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 263-5100

1 claims in the consolidated actions that are common for all
2 parties. See Consent Decree, in Trustees for Alaska, et al. v.
3 Hickel et al., and United States v. State of Alaska, et al., Case
4 No. A92-245 Civ. (consolidated). This Settlement Agreement
5 supplements that global Consent Decree, and is entered between
6 the State and Trustees to resolve all issues in that lawsuit that
7 concern only the State and Trustees, and not the United States.

8 DEFINITIONS

10 3. Unless otherwise noted, "State of Alaska" means the
11 State of Alaska, in all its capacities, including all
12 departments, divisions, independent boards, administrations,
13 employees, contractors, agencies of the state government, Walter
14 J. Hickel, individually and as former Governor of the State of
15 Alaska, Frank G. Turpin, individually and as former Commissioner
16 of the Alaska Department of Transportation and Public Facilities,
17 and John D. Horn, individually and as former Director of the
18 Northern Region of the Alaska Department of Transportation and
19 Public Facilities.

22 4. "Trustees for Alaska" and "Trustees" includes
23 Trustees for Alaska, Alternatives for Cordova, Alaska Center for
24 the Environment, Northern Alaska Environmental Center, National
25

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1001 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE (907) 286-5100

1 Parks and Conservation Association, and The Wilderness Society.

2 5. "ADOT/PF" means the State of Alaska Department of
3 Transportation and Public Facilities.

4 6. "Consent Decree" means the document lodged with the
5 Federal District Court for the District of Alaska in Case No.
6 A92-245 Civ. (consolidated with Case No. A92-260 Civ.) which is
7 signed by representatives from the State, Trustees, and the
8 United States, and which resolves all issues in the consolidated
9 action that are common between the Trustees' and the United
10 States' claims.
11
12

13 7. "Final Approval" means the earliest date on which
14 all of the following have occurred: (1) the Court has approved
15 the Consent Decree, without modification and without interpreting
16 a material term of that Consent Decree, prior to the time of
17 approval, in a manner inconsistent with the intentions of the
18 signatories to that Consent Decree; and (2) the time for any appeal
19 from the approval has expired without the filing of an appeal, or
20 the approval has been upheld on appeal and the time for further
21 appeal has expired without the filing of a further appeal or no
22 further appeal is allowed.
23
24
25
26

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1001 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

PAYMENT

8. Subject to the provisions of paragraph 14 below, within 90 days after Final Approval of the Consent Decree or by September 1, 1996, whichever date occurs later, the State, not including individual defendants, will make a payment of \$40,000 to Trustees by certified check made payable to "Trustees for Alaska" and delivered to "Trustees for Alaska, 725 Christensen Drive No. 4, Anchorage, Alaska 99501-2101," representing litigation expenses incurred by Trustees.

9. The State and Trustees agree that the funds described in paragraph 8 above will be used to support Trustees' legal actions, including investigations and administrative and court actions, that are directed against the United States, including any of its departments or agencies, and that concern matters relating to contamination on federal facilities. In the event that Trustees is unable to expend the funds on matters relating to contamination on federal facilities, the State and Trustees agree that the payment made pursuant to paragraph 8 above will be administered to the extent possible to support Trustees' legal actions, including investigations and administrative and court actions that concern matters relating to

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1028 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 266-6100

1 contamination by hazardous or toxic substances in Alaska. In no
2 event, however, may the payments made pursuant to paragraph 8
3 above be used to fund any lawsuits against the State of Alaska.

4 RELEASES AND COVENANTS NOT TO SUE

5
6 10. Effective upon Final Approval of the Consent
7 Decree, the State and Trustees release and covenant not to sue or
8 file any administrative or judicial claim against each other with
9 respect to any and all civil claims arising under any federal or
10 state environmental law or common law, whether or not those
11 claims were asserted by any party in this lawsuit, including
12 without limitation any and all civil claims under all federal and
13 state environmental statutes and implementing regulations and
14 common law that arise from, relate to, or are based on, or could
15 in the future arise from, relate to, or be based on: (1) any of
16 the civil claims alleged in the pending action of Trustees
17 against the State in federal court, or (2) any other civil claims
18 that could be asserted by Trustees against the State relating to
19 or arising out of the work performed on the Copper River Highway
20 between 1991 and the date this Settlement Agreement is signed by
21 the parties.
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DEPARTMENT OF LAW
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ANCHORAGE BRANCH
1431 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

RESERVATION OF RIGHTS

11. This Settlement Agreement does not constitute an admission of fact or law, or of any liability, by either the State or by Trustees. Except as expressly stated in this Settlement Agreement and in the Consent Decree, the State and Trustees reserve against all persons or entities all rights, claims, or defenses available to them relating to or arising from the work performed by the State on the Copper River Highway between 1991 and the present.

12. Nothing in this Settlement Agreement creates, nor shall it be construed as creating, any claim, admission, or enforcement right in favor of a person not a signatory to this Settlement Agreement.

MISCELLANEOUS

13. Within a reasonable time following Final Approval of the Consent Decree, the parties shall submit a stipulation for Final Judgment to the Court.

14. In the event the Alaska State Legislature fails to provide funding to carry out the provisions of paragraphs 9 through 12 of the Consent Decree, and the State is unable to otherwise provide funding for those provisions, the State will

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1601 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 263-3100

1 notify the parties and the Court and this Settlement Agreement
2 shall be null and void. In the event the Alaska State
3 Legislature does provide funding to carry out the provisions of
4 paragraphs 9 through 12 of the Consent Decree but fails to
5 provide funding to carry out the provisions of paragraph 8 of
6 this Settlement Agreement, and the State is unable to otherwise
7 provide funding for that provision, the State will promptly
8 notify Trustees. In this event, the provisions of paragraphs 10
9 through 13 of this Settlement Agreement shall remain in effect;
10 Trustees may file a motion for attorneys' fees and costs with the
11 Court within 90 days of that notification, and the State may
12 oppose that motion just as in the normal course of litigation.

13 15. Each undersigned representative of the State and
14 of Trustees for Alaska certifies that he or she is fully
15 authorized to enter into the terms and conditions of this
16 Settlement Agreement and to execute and legally bind all entities
17 that he or she represents in this action to this Settlement
18 Agreement.
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DEPARTMENT OF LAW
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ANCHORAGE BRANCH
1001 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-4100

FOR THE STATE OF ALASKA

BRUCE M. BOTELHO
ATTORNEY GENERAL

12/19/95
DATE

Craig J. Tilley
By: Craig J. Tilley
James E. Cantor
Assistant Attorneys General

FOR TRUSTEES FOR ALASKA, ET AL.

12/19/95
DATE

Peter Van Tuyn
PETER VAN TUYN
ATTORNEY FOR Trustees for Alaska,
Alternatives for Cordova, Alaska
Center for the Environment,
Northern Alaska Environmental
Center, National Parks and
Conservation Association, and The
Wilderness Society

X:\LEWIS\COOPER\SETTLEMENT

DEPARTMENT OF LAW
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1001 W. FOURTH AVENUE, SUITE 200
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PHONE: (907) 268-6100

SETTLEMENT AGREEMENT

Page 9

ALASKA DEPARTMENT OF REVENUE
PERMANENT FUND DIVIDEND DIVISION
FY 1995 - 1996 PFD MAINFRAME CHARGEBACK EXPENSES

As of March 6, 1996

① 4 2 6 3 0 0 • +
② 3 2 2 5 0 0 • -
\$ 11 0 1 0 3 8 0 0 • *

		BATCH TEST	BATCH PROD	CIGS	ROSCOE	TERM	PRINT	TAPE	DISK	MONTHLY TOTAL
FY95	JUL	1,085.69	4,488.29	1,166.77	698.07	2,866.50	1,149.57	1,196.01	3,038.76	15,689.65
	AUG	4,584.31	8,986.23	1,020.92	906.09	2,802.80	4,375.74	1,239.25	4,029.02	27,844.36
	SEP	2,815.05	8,080.43	1,324.28	1,431.86	2,802.80	13,749.10	1,330.99	4,202.63	35,816.94
	OCT	1,050.16	6,152.91	1,864.56	872.51	2,898.35	23,849.00	1,550.26	4,621.20	42,858.95
	NOV	1,333.82	5,682.16	1,203.31	893.18	2,898.35	2,218.58	1,621.36	3,162.10	18,892.84
	DEC	2,789.52	9,969.27	1,271.40	1,373.16	2,993.90	1,405.88	1,741.26	3,369.34	24,913.53
	JAN	1,979.47	5,141.44	1,188.50	1,332.80	2,993.90	897.06	1,704.29	4,949.95	20,187.41
	FEB	2,329.12	5,246.33	1,335.63	1,561.43	2,993.90	5,966.43	1,873.49	5,141.80	26,270.13
	MAR	3,486.23	3,530.28	2,231.28	1,759.64	3,662.75	5,971.53	2,108.85	6,172.31	28,922.67
	APR	2,954.95	2,495.81	1,600.06	1,140.36	4,966.60	2,713.67	2,143.45	6,079.28	24,096.18
	MAY	4,972.53	1,785.21	1,626.21	1,499.83	5,287.10	5,345.45	2,269.01	7,396.82	30,182.16
	JUN	4,531.36	1,253.23	2,320.16	1,189.12	4,236.05	3,781.17	2,242.92	7,199.88	26,753.89
	FY TOTAL	34,012.21	62,773.59	18,153.08	14,677.85	41,405.00	71,422.96	20,720.94	59,363.08	322,528.71
	% OF TOTAL	10.55	19.46	5.63	4.55	12.84	22.14	6.42	18.41	100.00
FY96	JUL	9,277.35	6,511.70	2,586.02	1,520.53	3,153.15	3,634.32	2,393.65	7,539.81	36,616.53
	AUG	13,873.94	4,831.51	2,195.15	1,603.34	3,248.70	3,023.02	2,732.35	7,467.89	38,965.90
	SEP	10,560.11	8,373.23	2,254.27	2,244.12	3,216.85	14,416.68	3,011.30	8,042.73	50,128.29
	OCT	6,793.77	6,543.28	2,764.67	2,043.88	3,216.85	10,860.16	3,433.87	7,228.08	61,884.56
	NOV	3,414.75	5,805.09	1,941.64	1,174.38	4,204.20	3,442.21	3,839.64	6,766.80	30,388.71
	DEC	4,258.46	6,299.29	1,791.81	1,071.35	4,459.00	1,586.56	4,088.16	5,829.83	29,384.46
	JAN	5,431.85	6,707.63	1,617.74	1,804.79	4,459.00	3,307.28	4,077.81	5,335.59	32,741.49
	FEB	5,742.46	7,291.62	1,776.44	1,933.12	4,459.00	4,154.25	3,870.44	4,611.25	33,838.58
	MAR	5,500.00	7,300.00	1,800.00	1,950.00	4,459.00	4,000.00	3,500.00	3,074.00	31,583.00
	APR	5,500.00	6,900.00	2,200.00	1,950.00	4,459.00	4,000.00	3,500.00	3,000.00	30,609.00
	MAY	5,500.00	6,800.00	1,800.00	1,950.00	4,459.00	4,000.00	3,200.00	3,000.00	30,409.00
	JUN	5,500.00	6,800.00	1,800.00	1,950.00	4,459.00	4,000.00	3,000.00	3,000.00	28,709.00
	FY TOTAL	81,361.69	78,163.35	24,527.64	21,195.51	48,252.75	68,424.48	40,447.02	62,886.08	426,258.62
									Budget =	296,500.00
	% OF TOTAL	19.09	18.34	5.75	4.97	11.32	16.29	9.49	14.75	100.00
	AVERAGE	6,780.14	6,513.61	2,043.97	1,766.29	4,021.06	5,785.37	3,370.59	5,240.51	35,521.54
		Bold figures are projected amounts							Short Fall =	(129,758.52)

Alaska State Legislature

Mark Hanley
Co-Chair
(907) 465-4939

INTERIM ADDRESS
716 W. 4th Ave., Suite 300
Anchorage, Alaska 99501-2133
(907) 258-0192



Richard Foster
Co-Chair
(907) 465-3789

INTERIM ADDRESS
P.O. Box 1630
Nome, Alaska 99702-1630
(907) 443-5036

House of Representatives

Committee on Finance
State Capitol, Juneau, Alaska 99801-1182

MEMORANDUM

DATE: March 30, 1996

TO: Senator Steve Frank, Co-Chair
Senate Finance Committee

FROM: Representative Mark Hanley, Co-Chair *MH*
House Finance Committee

SUBJECT: FY96 Supplemental - Salary and Benefit Study

Before the Senate Finance Committee completes work on the FY96 supplemental request, HB468, I ask that you consider the addition of funding to pay for a salary and benefit study. The need for such a study was initially pointed out by the Long Range Fiscal Planning Commission which recommended a study be done to:

"Compare salaries and benefits of public employees to appropriate private markets in Alaska and the Pacific Northwest. Use that comparison to move Alaska's pay system for State Employees, local government employees, and school districts to market".

During the House Finance Committee hearings on the new collective bargaining agreements, the Administration argued that state employee salaries have not kept up with inflation and that the new three year agreements will bring state salary in line with the private sector. While the information available does not support these arguments, it is less than perfect. For instance, while the Department of Administration's 1994 Salary Study shows that state worker salaries are 8% above the private sector, the report did not fully compare the cost of benefits.

Senator Steve Frank

(2)

March 30, 1996

The attached sheet provides a rough outline of what I feel the study should address, the oversight of the study, and the approximate costs. The actual appropriation should be crafted by Legal Services to specify the appointment of a group to oversee the study composed of both Legislative and Governor appointees as well as a detailed purpose of the study.

Thank you for your consideration.

attachment

cc: House Leadership
Senate Leadership

SALARY AND BENEFIT STUDY

- Funded in supplemental so RFP can be "on street" as early as possible.
- Results ready by beginning of session next year
- Work to be done by an independent company - big 10 accounting firm or similar with expertise in exactly this sort of study
- RFP, bid award and work product to be developed and overseen by a steering committee consisting of equal members from Legislature and the Administration.
- Members to be appointed by the Presiding Officers and the Governor.
- Approximate costs \$250 to \$500 thousand.
- Put to rest myths/rumors about over/under compensation
- Must cover both salary & benefits
- Compare to Government entities (Feds, Local) in Alaska & other states
- Compare to private sector in AK & Outside
- Consider Cost of Living, Merit Pay, Longevity
- Evaluate individual bargaining units & look at equity within units
- Compare averages & job classes
- Point out unusual benefits, or benefits Alaska state employees have that other states do not have
- Look at all aspects; salary, health, PERS, SBS, leave, per diem, hours worked (37.5); job security vs. private sector (how much is it worth)

ALASKA STATE LEGISLATURE
LEGISLATIVE BUDGET AND AUDIT COMMITTEE
Division of Legislative Finance



P.O.Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 463-4885

MEMORANDUM

DATE: March 29, 1996

TO: Senator Steve Frank, Co-Chair
Senate Finance Committee

FROM: Kathryn Daughhetee, Fiscal Analyst *Kathryn*

SUBJECT: Criminal prosecution/defense caseload and budget comparison

You have requested a ten-year comparison of the criminal caseloads between the Department of Law, Criminal Division, and the Department of Administration, Office of Public Advocacy, and Public Defenders Office.

The earliest readily available data for the Department of Law was from FY 89, so all data begins with that year and ends with the projections through the end of FY 96. As noted on the spreadsheet, some cases in the Department of Law's Criminal Division, relevant to probation revocation were excluded due to inavailability of recent data. The exclusion of that data should not materially affect the growth rate, as the number of those cases appears to remain stable from year to year.

We are working on a revised level of supplemental appropriation for the Office of Public Advocacy, and will be advising Senator Phillips of our recommendation.

Criminal Caseload Comparison

	Notes	Statewide Statistic	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
Law	(1)	Cases Referred for Prosecution								
	(3)	Felony/Misdemeanor Cases	19,607	20,514	20,617	23,942	23,476	25,016	24,906	25,646.0
		Caseload Growth - Year to year comparison		4.6%	0.5%	16.1%	-1.9%	6.6%	-0.4%	3.0%
		Caseload growth to base year		4.6%	5.2%	22.1%	19.7%	27.6%	27.0%	30.8%
		Total Funding	10,380.9	10,705.1	10,942.2	11,526.3	11,216.3	11,639.0	12,061.1	12,196.7
		Funding growth to base year		3.1%	5.4%	11.0%	8.0%	12.1%	16.2%	17.5%
Pub Def		Cases Referred for Defense								
		Felony/Misdemeanor/Civil Cases	13,272	14,901	15,030	17,094	16,137	17,582	17,393	18,075
		Caseload Growth - Year to year comparison		12.3%	0.9%	13.7%	-5.6%	9.0%	-1.1%	3.9%
		Caseload growth to base year		12.3%	13.2%	28.8%	21.6%	32.5%	31.1%	36.2%
		Total Funding	6,436.8	6,696.4	7,170.1	7,759.1	7,486.5	7,845.9	8,065.1	8,253.1
		Funding growth to base year		4.0%	11.4%	20.5%	16.3%	21.9%	25.3%	28.2%
OPA	(2)	Cases Referred for Defense								
		Felony/Misdemeanor/Civil Cases	7,164	8,061	9,395	11,170	9,916	10,099	10,038	10,603
		Caseload Growth - Year to year comparison		12.5%	16.5%	18.9%	-11.2%	1.8%	-0.6%	5.6%
		Caseload growth to base year		12.5%	31.1%	55.9%	38.4%	41.0%	40.1%	48.0%
		Total Funding	4,139.5	5,003.4	5,588.0	6,281.3	6,803.5	7,021.9	7,265.2	7,239.6
		Funding growth to base year		20.9%	35.0%	51.7%	64.4%	69.6%	75.5%	74.9%

Notes: (1) Department of Law caseload does not include felony/misdemeanor probation revocation cases as that information was not readily available beyond FY 93. Prior to that the caseload level for probation revocations remained relatively stable so that overall growth rate may not be affected by the exclusion.

(2) Office of Public Advocacy caseload is not severable as to criminal and civil case type. Caseload growth rate is not comparable to the Public Defender or Department of Law. Funding for OPA includes costs for all services, such as guardian ad litem, it provides.

(3) FY 96 Caseload growth is estimated based on the projection of actual caseloads at 12/31/95

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



DATE: April 1, 1996

Senator Steve Frank
Nineteenth Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Frank:

Per the committee's request, you will find attached eight copies of RPL 11-6-9990 and RPL 11-6-9992.

Sincerely,

Molly McCammon
Executive Director

Trustee Agencies

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

SB. 468**OFFICE OF THE GOVERNOR**OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEWP.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-2178
FAX: (907) 465-2090

March 24, 1996

The Honorable Steve Frank
The Honorable Rick Halford
Co-Chairs, Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Co-Chairs Frank and Halford:

As you begin your review of HB 468, the Governor's supplemental legislation, please consider the following amendments.

As stated in my letter to you of March 7, 1996, and Annalee McConnell's letter of March 14, 1996, due to unexpected increases in applicants for the Longevity Bonus Program, we are experiencing a shortage of funds for FY96 and FY97. We anticipate the additional need for FY96 to be as much as \$1.6 million but will not have updated estimates until after warrants are run on March 26. We will provide that updated estimates as soon as they are available.

Section 12 should be amended to add the following subsection to allow the Permanent Fund Dividend Division to use garnishment fees.

(c) The sum of \$150,000 is appropriated from the Permanent Fund dividend fund to the Department of Revenue to cover increased contractual services for the the year ending June 30, 1996.

Section 14 (a) of the bill should be amended to reflect additional stale dated warrants and miscellaneous claims:

Administration	<u>\$41,739</u>
	[12,565]
Public Safety	<u>4,930</u>
	[1,657]

Department staff continue to clean up old appropriations that do not have zero balances in the accounting records. Legislative Audit has directed them to request ratification of overexpenditures or under collection of revenues. OMB is working with the agencies to assure that any problems that can be taken care of administratively are done so and then, if there is no other remedy, a request for ratification is submitted. The following are additional ratifications that should be added to section 15 of the bill:

- (1) Department of Administration
 - (B) AR 07647-94 RSA - Department of Law 1,211.25
 - (C) AR 03589-91 Telecommunications Services 263,805.82
- (2) Department of Commerce and Economic Development
 - (F) AR 29567-85 AIDEA/Operations 16,513.00
 - (G) AR 30511-85 Economic Development/Mining RSA 427.10
 - (H) AR 31517-86 AEA/Solar Panel RSA .61
 - (I) AR 32111-86 AEA/Kodiak Electric .14
- (8) Department of Labor [new subsection - *renumber remaining subsections*]
 - (A) AR 27615-85 Wage and Hour 1,059.50
 - (B) AR 27540-86 Workers' Incentive 12,811.71
 - (C) AR 27570-86 Management Services 10,175.80
 - (D) AR 27655-86 Alaska Hire 39.08
- (10) Department of Public Safety (*new subsection - renumber remaining subsections*)
 - (A) AR 46562-94 HSPA/Operations 1,099.95

The Exxon Valdez Trustee Council has approved the purchase of 691.9 acres of surface estate from the owners of eight small parcels in the Prince William Sound and Kenai Peninsula areas. We request the following subsection be added to Section 16 to provide authority to receive and expend these funds and we request that these funds be capital in nature:

- (b) The sum of \$6,670,500 is appropriated from Exxon Valdez oil spill settlement funds to the Department of Natural Resources to purchase the following parcels in the amounts stated:

PURPOSE	AMOUNT
Ellamar Subdivision (PWS 17 & 17A-D)	\$655,500
Hayward Parcel (PWS 52)	150,000
Kobylarz Subdivision (KEN 10)	320,000
Coal Creek Moorage (KEN 19)	260,000
Tulin Parcel (KEN 29)	1,200,000
Cone Parcel (KEN 34)	600,000
River Ranch (KEN 148)	1,650,000
Girns Parcel (KEN 1006)	1,835,000

Thank you for your consideration of these amendments.

Sincerely,



Nancy J. Slagle
Director

cc: Representative Mark Hanley
Representative Richard Foster

MEMORANDUM

**STATE OF ALASKA
DEPARTMENT OF REVENUE
OFFICE OF THE COMMISSIONER**

TO: Annalee McConnell, Director
Office of Management and Budget
Office of the Governor

DATE: March 21, 1996

FILE:

TELEPHONE: (907) 465-2300

FROM: Wilson L. Condon
Commissioner

SUBJECT: Request for Increased
PFD Program Receipt
Authority

We request an appropriation to the Permanent Fund Dividend (PFD) Division in the amount of \$150.0 (thousand) in program receipts be included in the FY 96 Supplemental Appropriation Bill. AS 43.23.071 and 15 AAC 23.263 (b) authorize the PFD division to collect a \$2 fee for processing requests to garnish permanent fund dividend payments. It is these fees that make up the program receipts we are requesting to supplement our budget. The additional funds will be used to pay for unplanned computer mainframe charge back expenses.

In 1994, the department initiated a project to upgrade the PFD data processing system. This project involved converting data for all dividend years to a common format, rewriting the computer code to improve data storage and retrieval, and adding several new features to the PFD system to enhance productivity and provide improved customer service to applicants. The old computer system included a patchwork of data storage formats, some of which were incompatible with one another. The PFD division staff spent much of their time in the slow process of data retrieval, thus increasing the time required to process applications and decreasing the time available to directly assist applicants.

The PFD program software was designed and written in 1981 and 1982. The division's programs run on the Department of Administration's (DOA) mainframe computer in Juneau. As statutes and regulations changed, the PFD division staff patched on the changes needed to the software to accommodate the changes in the law. After 12 years of changes, the software had come to resemble the proverbial Rube Goldberg contraption. The computer system, as it had evolved by 1994 was burdensome to maintain and operate.

Each year, the PFD division staff must add to the computer databases information on more than 500,000 applicants. For the division to do its job well, it needs both

efficient information storage and easy data retrieval. In addition to storing and accessing the information on all applicants for the current dividend year, it must be able to access application information for 19 years because the governing statutes provide that when individuals reach 18 years of age, they may apply for all permanent fund dividends that their parents or guardians neglected to apply for for them. Because of the patchwork of data formats, the division staff were unable to easily look at a single applicant's dividend history. This meant that applicants were sometimes asked unnecessarily to provide information from many years earlier rather than the division staff retrieving the information electronically.

When the division began its current software re-write project in December, 1994, it had no backup system. This meant that the division had to close down its computer operations each time it worked on any major portion of the re-write of the computer code governing the system. This slowed the processing of 1995 dividend applications. Further, in order to distribute dividends in October, 1995, the division was compelled to re-write the computer code in a sequence that was not optimal from a programming perspective. The division is now in the process of completing the final sections of the project. In sum, we have found that the costs of rewriting the program are substantially higher than the division originally anticipated.

Finally, we have found that the division has not been anticipating the increased costs associated with the increasing data storage requirements. We are now in the sixteenth year of the dividend program. Clearly, our data storage requirements will continue to increase over the next three years, when we will have nineteen years of information stored. Then, our database size should remain relatively constant. As we add another year of data, one should also drop out; the only increase in data storage requirements will be from increases in the number of dividend applicants each year.

We ask your approval of this request to enable us to continue PFD division operations through the 1996 dividend application period. We have implemented a much closer monitoring of the division's monthly expenditures. Nanci Jones, the division director, is now working closely with the Division of Information Services in the Department of Administration to monitor and reduce computer charge back expenses wherever possible. As an additional cost savings effort, the division has curtailed its temporary staff by 437 workdays, resulting in a savings of approximately \$43,000.

I will closely monitor the division's budget, and ensure that all possible cost efficiencies are pursued. Further, I will ensure that our future budget requests accurately reflect our true data processing needs.

WLC:TLD/bl

MEMORANDUM

State of Alaska

RECEIVED

*Department of Administration
Division of Administrative Services*

MAR 19 1996

To: Nancy Slagle
Director

Date: March 15, 1996

Division of Budget Review **BUDGET REVIEW**

Phone: 465-5655

From: Sharon Bartlett
Director

Subject: Stale Dated Warrants

Please find attached a third and fourth stale-dated warrant request amounting to \$6,307.83 and \$556.26. As you recall we have previously submitted two requests amounting to \$12,564.47 and \$22,309.96 for a four request total of \$41,738.52.

If you need additional information, please call.

cc: Mark Boyer
Alison Elgee
Dan Spencer
Eric Swanson

MEMORANDUM

STATE OF ALASKA

Department of Administration

To: Sharon Barton
Director
Division of Admin Services
Department of Administration

Date: March 15, 1996

File No: SDWRT96D.WP6

Phone: 465-2240

From: Don Wanie
[Signature]
Director
Division of Finance
Department of Administration

Subject: Stale Dated Warrants Supplemental Appropriation

Attached is the yearly request for a supplemental appropriation to cover the payment of stale-dated warrants. Total for this fourth memorandum is \$556.26. Please add this amount to the miscellaneous appropriation being prepared by your division. Copies of stale-dated warrants are attached. If you have questions about this request you may contact Corin Whittemore at 465-5593 or 465-2240.

attachments

ALASKA PERMANENT FUND DIVIDEND

No. 50531520

89-52/1252

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE

10 01 86

MO DAY YR

TREASURY WARRANT

DOLLARS

CENTS

*****556.26



PAY TO THE ORDER OF

50531520

HAROLD IN NCYAKUK
4209 GARFIELD ST
ANCH AK 99503

A handwritten signature in dark ink, likely belonging to the Governor, is written over the printed name.

GOVERNOR

***556.26

⑈ 50531520⑈ ⑆ 125200523⑆

March 8, 1996

Please re-issue Harold N. Noyakuk's
Permanent Dividend Fund check to
my mother Elsie Kakaruk. Harold
Noyakuk past away on July 14th 1986,
and my mom kept the check for
the past ten years not knowing
she is the estate.

Elsie Kakaruk's S.S. # is 574-48-1359
and her Birthdate is March 8, 1923.

349-9950 Mary Ellen Baier - Daught

563-4665 Elsie Kakaruk

4209 Garfield St. Anch 99503

enclosed is the Death certificate
and Harold's Permanent Dividend Fund check
for 1986.

Could you please mail back the
Death Certificate to 4209 Garfield St.
Anch AK 99503

RECEIVED

MAR 14 1996

Department of Revenue
PFD Division
Juneau Information Office

CERTIFICATE OF DEATH

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES
BUREAU OF VITAL STATISTICS — JUNEAU, ALASKA 99811

RECORDER'S NO.

86-488-7

DATE RECEIVED

DECEASED — NAME

Harold

N.

Noyakuk

SEX

male

RACE (SPECIFY)

eskimo

DATE OF DEATH

July 14, 1986

AGE — LAST BIRTHDAY

42

UNDER 1 YEAR

UNDER 1 DAY

DATE OF BIRTH

July 5, 1944

PLACE OF DEATH

ALASKA

RECORDING DISTRICT

Anchorage

CITY, VILLAGE OR LOCATION

Anchorage

HOSPITAL OR OTHER INSTITUTION — NAME

Alaska Native Medical Center

STREET AND NUMBER

7d

DECEASED

IF HOSP. OR INST. INDICATE — D.O.A., OUTPATIENT, EMER. RM., INPATIENT

Inpatient

WAS DECEASED EVER IN U.S. ARMED FORCES?

☐ YES☒ NO☐ UNKNOWN

LENGTH OF STAY IN ALASKA

life

STATE OF BIRTH

Alaska

CITIZEN OF WHAT COUNTRY

USA

MARITAL STATUS

☒ NEVER MARRIED☐ MARRIED☐ WIDOWED☐ DIVORCED

SURVIVING SPOUSE

IF WIFE, GIVE MARRIAGE NAME

SOCIAL SECURITY NUMBER

574 16 2313

USUAL OCCUPATION

firefighter

KIND OF BUSINESS OR INDUSTRY

16b

RESIDENCE — STATE

Alaska

RECORDING DISTRICT OR COUNTY

Anchorage

CITY, VILLAGE OR LOCATION

Anchorage

INSIDE CITY LIMITS

☒ YES ☐ NO

STREET AND NUMBER

4209 Garfield

FATHER — NAME

FIRST

MIDDLE

LAST

MOTHER — MAIDEN NAME

FIRST

MIDDLE

LAST

Elsie

Noyakuk

INFORMANT — NAME

Ann Kalerak

MAILING ADDRESS — STREET OR P.O. BOX NO., CITY, VILLAGE, STATE, ZIP CODE

3719 1/2 McCain Anchorage, Alaska

☒ BURIAL☐ REMOVAL☐ CREMATION☐ DONATED

DATE

7/17/86

CEMETERY OR CREMATORY — NAME AND LOCATION

Anchorage Memorial Park Cemetery

DISPOSITION

PERMIT ISSUED BY:

Anchorage

FUNERAL DIRECTOR — SIGNATURE

Dorothy E. Kehl

FUNERAL HOME — NAME AND ADDRESS

Forest Lawn Mortuary

Box 111127 S Station

Anchorage, Alaska 99511

CERTIFICATION

ON THE BASIS OF THE EXAMINATION OF THE BODY AND OF THE INVESTIGATION, IN MY OPINION, DEATH OCCURRED ON THE DATE AND DUE TO THE CAUSE(S) STATED.

HOUR OF DEATH

5:37 PM

DATE PRONOUNCED DEAD

July 14 1986

5:37

CERTIFIED

SIGNATURE

DEGREE OR TITLE

NAME (TYPE OF PRINT)

Michael T. Propst MD

DATE SIGNED

MONTH, DAY, YEAR

7/17/86

MAILING ADDRESS — STREET OR P.O. BOX NO., CITY OR VILLAGE, STATE, ZIP CODE

4335 Laurel Anchorage, Alaska 99508

RECORDER — SIGNATURE

ADDRESS

Anchorage

DATE RECORDED

MONTH, DAY, YEAR

July 18, 1986

PART I

DEATH WAS CAUSED BY

ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)

SEE REVERSE SIDE

APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH

IMMEDIATE CAUSE (PRINT OR TYPE)

CONDITIONS, IF ANY, WHICH GAVE RISE TO IMMEDIATE CAUSE (a), STATING THE UNDERLYING CAUSE LAST.

(a) *Spontaneous*
DUE TO, OR AS A CONSEQUENCE OF.(b)
DUE TO, OR AS A CONSEQUENCE OF.(c)
DUE TO, OR AS A CONSEQUENCE OF.Per Coroner's
Inquest Held
May 5, 1988

PART II. OTHER SIGNIFICANT CONDITIONS:

CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I

AUTOPSY

☒ YES ☐ NO☐ ACCIDENT☐ HOMICIDE

DATE OF INJURY

7-12-86

HOUR

11:30 PM

DESCRIBE HOW INJURY OCCURRED

Self-Inflicted gunshot wound

INJURY AT WORK

PLACE OF INJURY

AT HOME, CANNERY, ETC.

LOCATION — STREET AND NUMBER, CITY, VILLAGE OR LOCATION, STATE, ZIP CODE

☐ YES ☒ NO

31b Sand Pit

31c Sandpit Housing Area Nome, Alaska 99752

CAUSE

MEMORANDUM

Free
STATE OF ALASKA

Department of Administration

To: Sharon Barton
Director
Division of Admin Services
Department of Administration

Date: March 1, 1996

File No: SDWRT96B.WP6

Phone: 465-2240

RECEIVED

MAR 01 1996

Department of Administration
Administrative Services

From: Don Wanie *DW*
Director
Division of Finance
Department of Administration

Subject: Stale Dated Warrants Supplemental Appropriation

Attached is the yearly request for a supplemental appropriation to cover the payment of stale-dated warrants. Total for this third memorandum is \$6,307.83. Please add this amount to the miscellaneous appropriation being prepared by your division. Copies of stale-dated warrants are attached. If you have questions about this request you may contact Corin Whittemore at 465-5593 or 465-2240.

attachments

This warrant will be deemed paid unless redeemed within
five years after the date of issue per AS 37.05.180

**STATE OF ALASKA
TREASURY WARRANT**

DATE OF ISSUE

08 23 93

MO DAY YR

\$6,307.83

TO THE ORDER OF

00000

23655498

23760590

ESTATE OF SALLY MAYO

ATTN: AUDREY FOWLER, PERSONAL REP

C/C PO BOX 73760

FAIRBANKS AK 99707-0000

89-52/1252 NO. 23655498

PAY

DOLLARS	CENTS
\$ *****6,307	83

Walter J. Hickel
GOVERNOR

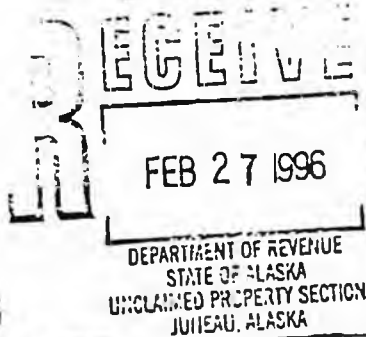
⑈23655498⑈ ⑆125200523⑆ 236554983⑈

REMITTANCE ADVICE - STATE OF ALASKA TREASURY WARRANT - NOT NEGOTIABLE

STOCK CONTROL NO. 23760590

WARRANT NO.	MO	DAY	YR	VENDOR	
23655498	08	23	93	ESTATE OF SALLY MAYO	
STATE OFFICE				PHONE	DOCUMENT
GLENIS COVE-UCP				907 465-4653	A07349050005
TYPE	REFERENCE NUMBER	DATE		COMMENTS	
CSN	3669126108	07 26 93		UNCLAIMED PROPERTY	
REFUND OF MCNIES REMITTED BY KEY BANK OF ALASKA					

VENDOR ID
SCM99999
AMOUNT PAID
\$6,307.83
AMOUNT
6,307.83



RECEIVED
Bliss Riordan
AUG 27 1993
File No. 1764-1 Atty _____
Approved to File _____

MAKE INQUIRIES ABOUT PAYMENT TO OFFICE LISTED ABOVE

MEMORANDUM

State of Alaska

Department of Revenue Unclaimed Property Section

TO: Jim Barnes
Accounting Supervisor
Administration Finance Division

DATE: February 29, 1996

TELEPHONE NO: 465-5885

THRU: Bob Bartholomew, Deputy Director *AB*
Paul Dick, Operations Supervisor *PD*
Income and Excise Audit Division

SUBJECT: Request to reissue
warrant no. 023955498

Rm
FROM: Rachel Marshall
Unclaimed Property Administrator
Unclaimed Property Section

The attached warrant (number 023655498) was issued by the Unclaimed Property Section on August 23, 1993 in the amount of \$6,307.83 and it has never been redeemed. Mr. Ronald Baird is assisting Audrey Fowler, personal representative to the estate of Sally Mayo in replacing this stale-dated warrant.

Attached is the original warrant and documentation verifying the issuance of the original warrant.

We verified that this check has not been reissued through this department. Please reissue a warrant number to:

Estate of Sally Mayo
Audrey Fowler, Personal Representative
P.O. Box 73760
Fairbanks, AK 99707

If you have any questions please contact me at (907)465-5885.

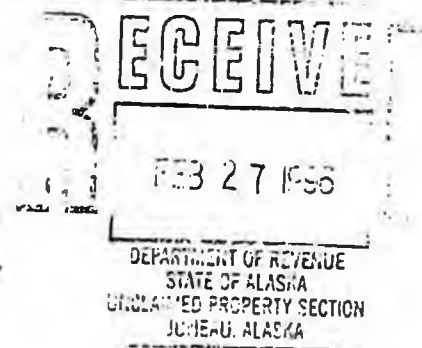
OFFICE OF
RONALD L. BAIRD
ATTORNEY

MAILING ADDRESS:
P.O. Box 100440
ANCHORAGE, ALASKA 99510-0440

OFFICE LOCATION:
406 WEST FIREWEED LANE, SUITE 205
ANCHORAGE, ALASKA

PHONE NO.: 907-258-8818
FAX NO.: 907-258-8819

February 21, 1996



Dagmar Sanchez
Alaska Department of Revenue
Income & Excise Audit Division
Unclaimed Property Section
1111 West 8th Street, Room 101C
Juneau, Alaska 99801

Subject: Estate of Sally Mayo Refund of Moneys Remitted By Key
Bank of Alaska

Dear Mr. Sanchez:

I represent the Estate of Sally Mayo. Please find enclosed State of Alaska Treasury Warrant No. 23655498 dated August 23, 1993 in the amount of \$6,307.83. The enclosed check was issued to the Estate and directed to the attention of the personal representative who misplaced the check and did not negotiate it within the two year period of its validity. Please reissue this check and mail it to this office.

Sincerely

Ronald L. Baird

Enclosure

cc (w/out enclosure): Audrey Fowler
Carol Davis

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

In the Matter of the Estate)

of)

SALLY CHARLOTTE MAYO,)

Deceased.)

No. 4FA-90-177 P

LETTERS OF ADMINISTRATION

Audrey Fowler, having been appointed as Personal Representative of the above named estate in informal proceedings on the 22nd day of April, 1990, and having accepted said appointment and filed any bond required, is hereby authorized to administer said estate according to law in an unsupervised administration.

DATED at Fairbanks, Alaska this 22nd day of April, 1990.

Suzanne Patterson
Registrar

STATE OF ALASKA)
FOURTH JUDICIAL DISTRICT) ss.

I, the undersigned, certify that this is a true and full copy of Letters Testamentary/Letters of Administration issued in the Superior Court, Fourth Judicial District, State of Alaska, and that the Personal Representative was appointed as such on the 22 day of April 1990 at Fairbanks, Alaska in an informal/formal proceeding.

Witness my hand and the seal of this court this 14 day of July 1993 at Fairbanks, Alaska.

SUPERIOR COURT
PROBATE DIVISION

By W. J. Sullivan
Probate Registrar/Clerk

I certify that on 4-23-90
copies of this form were sent to: BB + R

CLERK: 182

BRADBURY, BLISS
& RIORDAN
LAWYERS
100 CUSHMAN STREET
SUITE 313
FAIRBANKS, AK 99701
(907) 456-3518

MEMORANDUM

State of Alaska

*Department of Administration
Division of Administrative Services*

To: Nancy Slagle
Director
Division of Budget Review
Office of Management & Budget

Date: February 27, 1996

Phone: 465-5655

From: Sharon Barton
Director

Subject: Stale Dated
Warrants - Second
Batch

Please find attached our second installment for the stale dated warrant appropriation. This second batch totals \$22,309.96 bringing the total for stale dated warrants to \$34,874.43.

If you need additional information, please call.

cc Mark Boyer
Alison Elgee
David Koivuniemi
Don Wanie
Dan Spencer
Eric Swanson

BUDGET REVIEW
FEB 27 1996
OFFICE OF
MANAGEMENT & BUDGET

MEMORANDUM

STATE OF ALASKA

Department of Administration

To: Sharon Barton
Director
Division of Admin Services
Department of Administration

Date: February 22, 1996

File No: SDWRT96B.WP6

Phone: 465-2240

From: Don Wanie *DW*
Director
Division of Finance
Department of Administration

Subject: Stale Dated Warrants Supplemental Appropriation

Attached is the yearly request for a supplemental appropriation to cover the payment of stale-dated warrants. Total for this second memorandum is \$22,309.96. Please add this amount to the miscellaneous appropriation being prepared by your division. Copies of stale-dated warrants are attached. If you have questions about any of these requests you may contact Corin Whittemore at 465-5593 or 465-2240.

attachments

BUDGET REVIEW
FEB 27 1996
OFFICE OF
MANAGEMENT & BUDGET

RECEIVED

FEB 23 1996

Department of Administration
Administrative Services

NAME	WARRANT	ADDRESS
Byron J. Angashuk	31551448 03/01/92 \$ 250.00	Rhoda Ahmaogak #1 PO Box 1104 Barrow, AK 99723
Byron J. Angashuk	31887080 12/01/92 \$ 250.00	Rhoda Ahmaogak #2
Sheldon E. Clay	22427798 12/27/90 \$ 5,472.16	SeaQuest Partners for Sheldon Clay #1 639 Granite St., Suite #300 Braintree, MA 02184-9684
Sheldon E. Clay	22430858 12/31/90 \$ 5,131.78	SeaQuest Partners for Sheldon Clay #2
Anders C. Dybdahl	50498559 12/13/85 \$ 404.00	Anders C. Dybdahl 7600 Maryland Ave. Anchorage, AK 99504
Arnol Hein	32024735 06/01/93 \$ 250.00	Arnol Hein c/o Palmer Pioneers' Home 250 E. Fireweed Ave. Palmer, AK 99645
Gary A. Holtz	52689625 11/08/89 \$ 863.16	Gary A Holtz 4527 San Roberto Ave. Anchorage, AK 99508
Nelimae J. Johnson	31850351 11/01/92 \$ 250.00	Nelimae J Johnson 5300 E 4th Ave. #301 Anchorage, AK 99508
Leah J. Matz	52865365 12/06/89 \$ 698.52	Leah J Matz 6820 Serenity Circle Anchorage, AK 99502
Harry A. Nahorney	5001387 06/21/82 \$ 1,000.00	The Estate of Harry A Nahorney/c/o Bruce Nahorney #1 710 W 16th Ave. Anchorage, AK 99501
Harry A Nahorney	5764416 10/21/83 \$ 386.15	The Estate of Harry A Nahorney #2
Harry A Nahorney	6148371 10/26/84 \$ 331.29	The Estate of Harry A Nahorney #3
Harry A Nahorney	50148894 10/23/85 \$ 404.00	The Estate of Harry A Nahorney #4
Harry A Nahorney	50684948 10/22/86 \$ 556.26	The Estate of Harry A Nahorney #5

Harry A Nahorney	51220163 10/22/87 \$ 708.19	The Estate of Harry A Nahorney #6
Harry A Nahorney	52142049 11/17/88 \$ 826.93	The Estate of Harry A Nahorney #7
Harry A Nahorney	52492355 10/12/89 \$ 873.16	The Estate of Harry A Nahorney #8
C M Oswald	847551 03/07/73 \$ 54.61	C M Oswald 3934 Petrified Forest Ct. Pleasanton, CA 94588
Robert L Pierson, Jr.	13924514 06/10/93 \$ 1,279.76	Robert L Pierson, Jr PO Box 1993 Valdez, AK 99686
Anita R Ridinger	12576471 08/06/90 \$ 242.38	Anita R Ridinger 160 Palace Circle Fairbanks, AK 99701
Anna R Rozell	6465147 12/04/84 \$ 331.29	Anna Renee Richardson 3188 Chinook Drive Fairbanks, AK 99709
Christine Thorson	52926138 12/21/89 \$ 873.16	The Estate of Christine Thorson/c/o Gloria Thorson PO Box 210 Dillingham, AK 99576
Thomas S Thorson	52878400 12/06/89 \$ 873.16	The Estate of Thomas S Thorson/c/o Gloria Thorson PO Box 210 Dillingham, AK 99576
TOTAL	\$ 22,309.96	

File: F:\Home\Corin\supplmt.962
2/22/96

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180

STATE OF ALASKA
LONGEVITY BONUS WARRANT

No. 31887080
89-52/1252

NOT TO EXCEED \$750.00

DOLLARS	CENTS
\$250.00	

DATE OF ISSUE: 12/01/92

PAY TO THE ORDER OF:



Byron J Angashuk
PO Box 77149
Tanana, AK 99777-0149

W. J. Angashuk

GOVERNOR

⑈31887080⑈ ⑆125200523⑆ 31887080⑈

X
This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180

STATE OF ALASKA
LONGEVITY BONUS WARRANT

No. 31551448
89-52/1252

DATE OF ISSUE: 03/01/92

FOR: JANUARY 1992

NOT TO EXCEED \$750.00

DOLLARS	CENTS
**250.00	

PAY TO THE ORDER OF:
No. 31551448

BYRON J. ANGASHUK
BOX 249
TANANA, AK 99777

W. J. Angashuk

GOVERNOR

\$250.00

⑈31551448⑈ ⑆125200523⑆ 31551448⑈

MEMORANDUM

State of Alaska

Department of Administration
Division of Senior Services
P.O. Box 110211, Juneau, AK 99811-0211

TO: Division of Finance

DATE: February 1, 1996

Department of Administration

FROM: Karin G Epperson *KE*
Administrative Clerk III
Division of Senior Services
Department of Administration

PHONE: 465-5734

SUBJECT: Request replacement for staledated warrants
Byron J Angashuk SS # 574-09-8114

Please see enclosed Longevity Bonus warrants that have been recently returned to us for replacement. Please request replacement for:

Warrant # 31887080 - issued 12/1/92
Warrant # 31551448 - issued 03/01/92

Please reissue the above warrants to:

Rhoda Ahmaogak
PO Box 1104
Barrow, AK 99723

cc: Rhoda Ahmaogak

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY OF DECEDENT

1. RHOOA AHMAOGAK, ^{CS OCT 27 1995} being duly sworn, state the following:

1. I am the successor of Byron James Angashuk who died on September 20, 1995. I am the successor by reason of the fact that It states in his will
(state basis upon which you claim to be successor)
2. The value of the entire estate of the decedent, wherever located, less liens and encumbrances, does not exceed \$15,000.
3. Thirty days have elapsed since the death of the decedent.
4. No application or petition for the appointment of a personal representative of the decedent's estate is pending or has been granted in any jurisdiction.
5. I, as successor of the decedent, am entitled to the payment of any sums of money due and owing the decedent and to the delivery of all tangible personal property belonging to the decedent and to the delivery of all instruments evidencing a debt, obligation, stock or chose in action belonging to the decedent.

Rooa
Signature

P.O. Box 1104
Mailing Address

BARROW Alaska 99723
City State ZIP

907-852-2707(H) (W) 852-5311
Telephone

Subscribed and sworn to or affirmed before me at Barrow,
Alaska on Oct 25 1995
(date)

(SEAL)

Mrs M. Fisher
Clerk of Court, Notary Public or other
person authorized to administer oaths.
My commission expires: 9/21/99

MEMORANDUM

STATE OF ALASKA

TO: Corin Whitemore
Division of Finance

DATE: February 9, 1996

TELEPHONE: 465-5696

FROM: Liz Johnson *LJ*
Benefits Specialist
Division of Retirement and Benefits

SUBJECT: Stated Payment
PERS: 472-98-0365

Corin, we have checked the account of Shelli Clay and the payment to her beneficiary, Sheldon Clay, of her PERS account as outlined in your January 22 memo.

This payment has not been reissued to Sheldon Clay. Therefore, we ask that you request funds for these payments from the Legislature so that they be reissued to him.

Thank you.

FILED
FEB 14 1996
ALBANY, N.Y.

April 14, 1994



**SEAQUEST
PARTNERS**
ASSET INFORMATION SYSTEMS
5 Cabot Place, Stoughton, MA 02072
TEL: (617) 341-1080 FAX: (617) 341-6330

State of Alaska
Division of Finance
333 Willoughby Avenue
Juneau, AK 99801

Attn: James Barnes

Re: Replacement of Unnegotiated Checks

Dear Mr. Barnes:

SeaQuest Partners represents **Sheldon E. Clay** in the matter of obtaining funds held by the State of Alaska in the form of an outstanding warrant or warrants. I enclose a copy of our fully executed power of attorney documenting our authority to act on the creditor's behalf.

The entry in Treasury files is as follows:

SD
RD
540

<u>Warrant #</u>	<u>Date of Issue</u>	<u>Amount</u>
22427798	12/27/90	5,472.16
<u>Payee Name</u>		
Sheldon E. Clay		

Our client's records indicate these funds were never received and we would appreciate your issuing a stop payment on the original check and processing the paperwork necessary to reissue this warrant. Please forward the check, payable to SeaQuest Partners, Clients' Escrow Account, P.O. Box 3845, Boston, MA 02241-3845; all other correspondence should be directed to me at our Stoughton address.

Thank you for your assistance.

Sincerely,

Kim Sherrie Sawyer
General Counsel

PCI:cd

54 APR 25 AM 10:00
DIVISION OF FINANCE

LIMITED POWER OF ATTORNEY
FOR ONE TRANSACTION ONLY

Date: _____

KNOW ALL MEN BY THESE PRESENTS, That I,

Sheldon E. Clay

hereby appoint SeaQuest Partners in the person of one of its principal officers, my sole lawful attorney in fact, with full power and discretion to appoint substitute attorneys to carry out the duties described below such substitute attorneys to be fully responsible to me for all acts hereunder, to obtain information concerning the status of, and to seek recovery of, the undistributed, unclaimed or undelivered tenders of funds of:

Sheldon E. Clay

in the amount of Five Thousand Four Hundred Seventy Two and 16/100 dollars (\$5,472.16)

held by the United States, by a foreign state or by any component, agency or instrumentality of either, hereby revoking all previous powers of attorney in this regard, to whomever granted.

I further grant my attorney, acting in fact or through an attorney-at-law retained on my behalf, authority to do whatever is necessary and proper as fully as I might or could do if personally present, hereby confirming all that my said attorney shall lawfully do or cause to be done. Nevertheless, my attorney shall have no authority to incur any financial obligation on my behalf or to make any expenditure on my behalf, other than an expenditure payable from any sums recovered by virtue of my attorney's actions.

In construing this instrument, where the context so requires, the singular includes the plural.

Signed this 11 day of April, 1994

Sheldon E Clay

Sheldon E Clay
Social Security Number or
Taxpayer Identification Number:

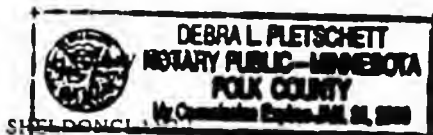
MN Driver Lic No C-400-765-189-886

(For IRS 1099 Misc. Income form.)

STATE OF Minnesota

COUNTY OF Polk

Acknowledged before me on this 11 day of April, 1994 by Sheldon E Clay, to me well known to be the individual described herein and who executed the foregoing instrument and acknowledged the execution thereof to be his/her free act and deed.



Before me: Debra L. Pletschett
Notary Public

My commission expires: 1-31-2000

INQ-WD: WARRANT DETAIL INQUIRY

04/25/94

WARRANT CLASS GN - GENERAL
ROUTING CODE AGENCY
RD CODE 340

WARRANT NUMBER 22427798
STATUS SD
DATE LAST ACTIVITY 01/08/93
SCHED PRINT DATE 12/27/90
WRNT PRINT DATE 12/27/90
REDEEMED DATE
RECONCILED DATE

WRNT PRINT AMOUNT 5,472.16
ACCUM LIAB AMOUNT

ADDRESS NAME: SHELDON E. CLAY
L1: RR#1 BOX 132
L2:
CITY/STATE: LEONARD

MN 56652

BANK DATA:

BANK NUMBER
ACCOUNT NUMBER
CASHED AMOUNT
REDEEMED DATE

MICROFILM NUMBER

ENTER SELECTION==> _____ FOR NEXT WARRANT DETAIL (BLANK TO RETURN)
PF1=MAIN MENU 3=CURR BAL'S 5=BASE 6=FINANCIAL LINES 7=REFS 8=REMIT'S

INQ-WD: WARRANT 22427798 DETAIL INQUIRY - REFERENCE LINES

04/25/94

REF	TYPE	NUMBER	AMOUNT	DATE	COMMENTS
1	PVN	SEC90360			
2	WRK	472 98 0365			PAYMENT TO THE BENEFICIARY OF
3	ACC	71765			SHELLI D. CLAY 472 98 0365
4	WRK	471 40 9664			
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17	SRD	00340 - Hal		12/27/90	
18	OD	A04879340002		12/27/90	

(ENTER TO RETURN)

PF1=MAIN MENU 3=CURR BAL'S 5=BASE 6=FINANCIAL LINES 7=ADD'L REFS 8=REMIT'S

FLW Technician III

11 0000 41 41201
11 0009 241



SEAQUEST
PARTNERS

ASSET INFORMATION SYSTEMS
5 Cabot Place, Stoughton, MA 02072
TEL: (617) 341-1080 FAX: (617) 341-6330

94 MAR 22 AM 9:49

March 17, 1994

State of Alaska
Division of Finance
333 Willoughby Avenue
Juneau, AK 99801

Attn: James Barnes

Re: Replacement of Unnegotiated Checks

Dear Mr. Barnes:

SeaQuest Partners represents Sheldon E. Clay in the matter of obtaining funds held by the State of Alaska in the form of an outstanding warrant or warrants. I enclose a copy of our fully executed power of attorney documenting our authority to act on the creditor's behalf.

The entry in Treasury files is as follows:

<u>Warrant #</u>	<u>Date of Issue</u>	<u>Amount</u>
22430858	12/31/90	5,131.78

SD
PD 340
Payee Name
Sheldon E. Clay

Our client's records indicate these funds were never received and we would appreciate your issuing a stop payment on the original check and processing the paperwork necessary to reissue this warrant. Please forward the check, payable to SeaQuest Partners, Clients' Escrow Account, P.O. Box 3845, Boston, MA 02241-3845; all other correspondence should be directed to me at our Stoughton address.

Thank you for your assistance.

Sincerely,

Kim Sherrie Sawyer

Kim Sherrie Sawyer
General Counsel

PCI:cd

LIMITED POWER OF ATTORNEY
FOR ONE TRANSACTION ONLY

Date: _____

KNOW ALL MEN BY THESE PRESENTS, That I,

Sheldon Clay

hereby appoint SeaQuest Partners in the person of one of its principal officers, my sole lawful attorney in fact, with full power and discretion to appoint substitute attorneys to carry out the duties described below such substitute attorneys to be fully responsible to me for all acts hereunder, to obtain information concerning the status of, and to seek recovery of, the undistributed, unclaimed or undelivered tenders of funds of:

Sheldon E. Clay

in the amount of Five Thousand One Hundred Thirty One and 78/100 dollars (\$5,131.78)

held by the United States, by a foreign state or by any component, agency or instrumentality of either, hereby revoking all previous powers of attorney in this regard, to whomever granted.

I further grant my attorney, acting in fact or through an attorney-at-law retained on my behalf, authority to do whatever is necessary and proper as fully as I might or could do if personally present, hereby confirming all that my said attorney shall lawfully do or cause to be done. Nevertheless, my attorney shall have no authority to incur any financial obligation on my behalf or to make any expenditure on my behalf, other than an expenditure payable from any sums recovered by virtue of my attorney's actions.

In construing this instrument, where the context so requires, the singular includes the plural.

Signed this 1 day of Mar, 1994

Sheldon Clay

Sheldon Clay

Social Security Number or

Taxpayer Identification Number:

(For IRS 1099 Misc. Income form.)

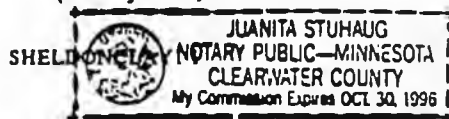
0-460-765-189-886 Ann. Driver/IC

STATE OF MINNESOTA

COUNTY OF CLEARWATER

Acknowledged before me on this 1st day of March, 1994 by Sheldon Clay, to me well known to be the individual described herein and who executed the foregoing instrument and acknowledged the execution thereof to be his/her free act and deed.

(Notary Seal)



Before me Juanita Stuhaut
Notary Public

My commission expires: 10/30/96

INQ-WD: WARRANT DETAIL INQUIRY

03/22/94

WARRANT CLASS GN - GENERAL
ROUTING CODE AGENCY
RD CODE 340

WARRANT NUMBER 22430858
STATUS SD
DATE LAST ACTIVITY 01/08/93
SCHED PRINT DATE 12/31/90
WRNT PRINT DATE 12/31/90
REDEEMED DATE
RECONCILED DATE

WRNT PRINT AMOUNT 5,131.78
ACCUM LIAB AMOUNT

ADDRESS NAME: SHELDON E. CLAY
L1: RR#1 BOX 132
L2:

CITY/STATE: LEONARD

MN 56652

BANK DATA:

BANK NUMBER
ACCOUNT NUMBER
CASHED AMOUNT
REDEEMED DATE

MICROFILM NUMBER

ENTER SELECTION==> _____ FOR NEXT WARRANT DETAIL (BLANK TO RETURN)
PF1=MAIN MENU 3=CURR BAL'S 5=BASE 6=FINANCIAL LINES 7=REFS 8=REMIT'S

INQ-WD: WARRANT 22430858 DETAIL INQUIRY - REFERENCE LINES

03/22/94

REF	TYPE	NUMBER	AMOUNT	DATE	COMMENTS
1	PVN	SEC90360			
2	WRK	472 98 0365			PAYMENT TO THE BENEFICIARY
3	ACC	71765			SHELLI D. CLAY 472-98-0365
4	WRK	471 40 9664			
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17	SRD	00340		12/31/90	
18	OD	A04886150001		12/31/90	

(ENTER TO RETURN)

PF1=MAIN MENU 3=CURR BAL'S 5=BASE 6=FINANCIAL LINES 7=ADD'L REFS 8=REMIT'S

ALASKA PERMANENT FUND DIVIDEND

No. 50498559

89-52/1252

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE

12 13 85

MO DAY YR

TREASURY WARRANT

DOLLARS

CENTS

\$*****404.00



PAY TO THE ORDER OF

50498559

ANDERS

1401 EARLY VIEW DR

ANCH

C DYND HL

AK 99504

404.00

⑈ 50498559⑈ ⑆ 625200523⑆

VOID

VOID

March 16, 1995

RECEIVED

MAR 16 1995

ALASKA DEPT. OF REVENUE
PFD DIVISION
ANCH. INFORMATION OFFICE

Dear Sir/Madame:

I, Claudia Dybdahl (Social Security # 094-36-6794) request a reissuance of Warrant Number 50498559. This warrant was issued 12/13/85 in the name of my son Anders C. Dybdahl who was ten years old at the time and who at that time had no social security number. I was his sponsor in 1985. I understand the record for this warrant is now in archives. Anders current address and my current address are the same:

7600 Maryland Ave
Anchorage, AK 99504

Thank you for your attention. 337-8474
Sincerely,
Claudia S. Dybdahl

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180

STATE OF ALASKA
LONGEVITY BONUS WARRANT

No. 32024735
89-52/1252

State Dated

DATE OF ISSUE: 08/01/93

NOT TO EXCEED \$750.00

DOLLARS	CENTS
\$250.00	

PAY TO THE ORDER OF: Arnol Hein
381 Senior Ct. 108
Kenai, AK 99611-

908490

010050295 0016



Walter J. Hickel

⑈ 3 2 0 2 4 7 3 5 ⑈ ⑈ 2 5 2 0 0 5 2 3 ⑈ 3 2 0 2 4 7 3 5 ⑈

⑈ 0 0 0 0 0 2 5 0 0 0 ⑈

MEMORANDUM

State of Alaska

Department of Administration
Division of Senior Services
P.O. Box 110211, Juneau, AK 99811-0211

TO: Division of Finance

DATE: February 1, 1996

Department of Administration

FROM: Karin G Epperson *KE*
Administrative Clerk III
Division of Senior Services
Department of Administration

PHONE: 465-5734

SUBJECT: Request replacement for staledated warrant
Arnol Hein SS # 440-30-0310.

Please see enclosed Longevity Bonus warrant that has been recently returned to us for replacement. Please request replacement for:

Warrant # 32024735 - Issued 06/01/93.

Please reissue the above warrant to:

Arnol Hein
% Palmer Pioneers' Home
250 E. Fireweed Ave.
Palmer, AK 99645

cc: Arnol Hein

00:00:00
00:00:00

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

STATE OF ALASKA
TREASURY WARRANT
ALASKA PERMANENT FUND DIVIDEND

No. 52689625

89-52/1252

DATE OF ISSUE: 11 08 89

52689625

\$**863.16

PAY TO THE ORDER OF:



GARY A HOLTZ
4527 SAN ROBERTO AVE
ANCH AK 99508

VOID

DOLLARS	CENTS
\$ *****863	16

Signature of Governor
GOVERNOR

⑈52689625⑈ ⑆125200523⑆

Oct. 17, 1995

Alaska Dept. of Revenue
Dividend Information Office
State Office Bldg. 11th Floor
P.O. Box 110461
Juneau, AK 99811

Dear Sir,

In going through some paperwork a few weeks ago, I came across this 1989 uncashed PFD check.

I called the Anchorage PFD Office and they suggested I send the check back to your office, write VOID across the check and that it would be reviewed by a board & ~~then~~ reconsidered for re-issue.

Enclosed is the 1989 Alaska PFD check # 52689625 for \$863.16.

If you have any questions, please call 907-333-4894 during the day.

Thank you
Larry A. Holtz

RECEIVED

OCT 19 1995

Department of Revenue
PFD Division
Juneau Information Office

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180

STATE OF ALASKA
LONGEVITY BONUS WARRANT

No. 31850351
89-52/1252

NOT TO EXCEED \$750.00

DOLLARS	CENTS
\$250.00	

DATE OF ISSUE: 11/01/92

PAY TO THE ORDER OF:



Nellmae J Johnson
6224 Winding Way
Anchorage, AK 99504-1637

State dated



⑈31850351⑈ ⑆125200523⑆ 31850351⑈

Please carefully detach at perforation

000315803-003840

31850351

Nov - Payment (sent to Winding Way)

Please detach and return only the bottom validation form

MEMORANDUM

State of Alaska

Department of Administration
Division of Senior Services
P.O. Box 110211, Juneau, AK 99811-0211

TO: Division of Finance

DATE: February 1, 1996

Department of Administration

FROM: Karin G Epperson *KE*
Administrative Clerk III
Division of Senior Services
Department of Administration

PHONE: 465-5734

SUBJECT: Request replacement for staledated warrant
Nelima J Johnson SS # 542-12-9231

Please see enclosed Longevity Bonus warrant that has been recently returned to us for replacement. Please request replacement for:

Warrant # 31850351 - Issued 11/01/92

Please reissue the above warrant to:

Nelima J Johnson
5300 E 4th Ave. # 301
Anchorage, AK 99508

cc: Nelima J Johnson

5300 E. 7th Ave Apt 301
Anchorage AK. 99508
June 12, 1995

Alaska Longevity Program
P.O. Box CL
Fairbanks, AK 99811

JUN 19 1995

DIVISION OF SENIOR SERVICES

Attn: Tom Erickson

(dated 11-1-92)

You will note that the enclosed check is addressed to 6224
Grinding Way - I received the check and sent in my duly signed
receipt from that address.

I ^{was} moved to my new address on Saturday November 11th by
Lions Club members (with pick-up trucks) as I live alone and
they jokingly took my moving as one of their "civic projects".

They came early and I had not quite finished packing.
When I was gathering up the clutter from the top of my desk,
I must have had the "Please detach at the perforation"
side up, & probably thought it was an old detachment
and put it in with a packet of Medicine Notices which
I still had to file, and stuck them in my "to file" folder -

In any event I was clearing out my file cabinet today
and found the still "rubber banded" medicine reports
- and amongst them was my November 1992 check.

I don't know how I missed it, but in all the furor of getting
moved & settled - I did! I also don't know if your office
authorizes replacement of a 30 month old unexpired check.

If it can't be done, I understand. It probably won't be
the last mistake I make because of my forgetfulness
- one thing for certain, I'll never
misplace another longevity check.

Thank you for any attention you give to my inquiry.

Sincerely

Nelma J. Johnson

542-12-9231

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

STATE OF ALASKA
TREASURY WARRANT

No. 52865365

89-52/1252

ALASKA PERMANENT FUND DIVIDEND

DATE OF ISSUE: 12 06 89

52865365

\$**698.52

PAY TO THE ORDER OF:

DOLLARS	CENTS
\$ *****698	52

NOT NEGOTIABLE
PFD Division

LEAH J MATZ
6820 SERENITY CIRCLE
ANCH AK 99502


GOVERNOR



⑈ 5 2 8 6 5 3 6 5 ⑈ ⑆ 1 2 5 2 0 0 5 2 3 ⑆

8-18-95

I, Leslie E. Matz, father of Leah J. Matz
herby state that AK permanent fund dividends
for the years 1989 & 1990 were not cashed or
deposited and are now past the 2 year limit
of value.

Please re-issue the checks to Leah J. Matz.

Thank you,

Leslie E. Matz

Leslie E. Matz
6520 Serenity Cir
Anchorage, AK 99502
(907) 248-0178

RECEIVED

AUG 21 1995

Department of Revenue
PFD Division
Juneau Information Office

Kath, you'll have to
take care of
this one
I have file 1990
8-23-95
will reissue.

ALASKA PERMANENT FUND DIVIDEND

NO. 5001387

THIS WARRANT WILL BE DEEMED PAID UNLESS REDEEMED
WITHIN TWO YEARS AFTER DATE OF ISSUE PER AS
37.05.180

DATE OF ISSUE

06 21 82
MO DAY YR

89-52
1252

WARRANT



PAY TO THE ORDER OF

5001387
HARRY A. NAHO NEY
140 5TH AVE
ANCHORAGE AK 99511

DOLLARS	CENTS
\$ *****1,000	00

543199858

1,000.00

Commissioner of Administration

Carol J. Burger

⑈ 5001387 ⑈ ⑆ 125200523⑆

ALASKA PERMANENT FUND DIVIDEND

NO. 5764416

THIS WARRANT WILL BE DEEMED PAID UNLESS REDEEMED
WITHIN TWO YEARS AFTER DATE OF ISSUE PER AS
37.05.180

DATE OF ISSUE

MO DAY YR

89-52
1252

WARRANT



PAY TO THE ORDER OF

5764416
HARRY A. NAHO NEY
140 5TH AVE
ANCHORAGE AK 99511

DOLLARS	CENTS
\$ *****300	15

336.15

GOVERNOR

William J. Sheffield

⑈ 5764416 ⑈ ⑆ 125200523⑆

ALASKA PERMANENT FUND DIVIDEND

No. 6148371

89-52/1252

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE

10 28 84

MO DAY YR

TREASURY WARRANT

DOLLARS

CENTS

\$*****331.29



6148371
HARRY
203 E 11TH AVE
ANCH

ANADORNE
AK 99501

William J. Sheffield
GOVERNOR

331.29

⑈ 6148371 ⑈ ⑆ 125200523 ⑆

ALASKA PERMANENT FUND DIVIDEND

No. 50148894

89-52/1252

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE

10 23 85

MO DAY YR

TREASURY WARRANT

DOLLARS

CENTS

\$*****404.00



50148894
HARRY
203 E 11TH AVE
ANCH

ANADORNE
AK 99501

William J. Sheffield
GOVERNOR

404.00

⑈ 50148894 ⑈ ⑆ 125200523 ⑆

ALASKA PERMANENT FUND DIVIDEND

No. 50684948

89-52/1252

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE

10 22 86

MO DAY YR

TREASURY WARRANT

DOLLARS

CENTS

\$*****556.26



50684948

HARRY
203 E 11TH AVE
ANCH

ANADORNE
AK 99501

William J. Sheffield
GOVERNOR

GOVERNOR

\$**556.26

⑈ 50684948 ⑈ ⑆ 125200523 ⑆

No. 51220163

ALASKA PERMANENT FUND DIVIDEND



This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

DATE OF ISSUE

10 22 87

89-52/1252

TREASURY WARRANT

DOLLARS CENTS

\$*****708.19

PAY TO THE ORDER OF

51220163

HARRY 203 E 5TH AVE ANCH AK 99501

Shirley Cooper
GOVERNOR

\$\$\$708.19

⑈51220163⑈ ⑆125200523⑆

No. 52142049

ALASKA PERMANENT FUND DIVIDEND



This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

DATE OF ISSUE

52142049

11 17 88

89-52/1252

TREASURY WARRANT

DOLLARS CENTS

\$*****825.93

PAY TO THE ORDER OF

HARRY 203 E 5TH AVE ANCH AK 99501

Shirley Cooper
GOVERNOR

\$\$\$825.93

⑈52142049⑈ ⑆125200523⑆

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

STATE OF ALASKA
TREASURY WARRANT

No. 52492355

89-52/1252

ALASKA PERMANENT FUND DIVIDEND

DATE OF ISSUE: 10 12 89

52492355

\$\$\$873.16

PAY TO THE ORDER OF:

HARRY 203 E 5TH AVE ANCH AK 99501

DOLLARS	CENTS
\$*****873	16

Shirley Cooper
GOVERNOR

⑈52492355⑈ ⑆125200523⑆

2-22-95

I Bruce Nahorney the personal rep. of the Estate of
my father Henry A Nahorney Request the AK dept of Revenue
Reissue ALL of my fathers Personal Fund dividends.

Bruce Nahorney
Bruce Nahorney

FEB 21, 1995

RECEIVED FEB 20 1995

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT

In the Matter of the Estate of:)

HARRY A. NAHORNEY,)

Deceased.)

FILED IN THE TRIAL COURT
STATE OF ALASKA THIRD DISTRICT

FEB-15 1995

Clerk of the Court

By _____ Clerk

Case No. 3AN- 95-0107P/E p

LETTERS TESTAMENTARY

The will of HARRY A. NAHORNEY having been admitted to probate, Bruce A. Nahorney is appointed personal representative of the estate.

2/13/95
Date

[Signature]
Registrar/Superior Court Judge

ACCEPTANCE

I, Bruce A. Nahorney accept the duties and promise to perform the duties as required by law of the office of personal representative of the estate of HARRY A. NAHORNEY. I acknowledge my duty as personal representative to:

(a) take possession and control of the decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notice to heirs and devisees as required by AS 13.16.360, except as provided by AS 13.136.690;

(c) provide notice to creditors as required by law, public

notice when required, and review and either accept or reject claims as required by AS 13.16.455 -.515;

(d) advise the court in writing of my address and telephone number as required by Probate Rule 8;

(e) file returns for state estate taxes if required by AS 43.31.121 and AS 43.31.250;

(f) pay homestead, exempt property and family allowances as required by AS 13.11.125 -.140, costs of administration and other claims as required by AS 13.16.470, and distribute the assets of the estate; and

(g) close the estate as soon as appropriate as required by AS 13.16.620 -.670.

I will file any required bond.

Date

2-9-95

Bruce A. Nahorney
Bruce A. Nahorney,
Personal Representative

Address: 710 W. 16th Ave.
Anchorage, AK 99501

Telephone: 907-272-7307/279-3793

VERIFICATION

STATE OF ALASKA)
) SS.
THIRD JUDICIAL DISTRICT)

I, Bruce A. Nahorney, being first duly sworn, state as follows:

1. I am the Personal Representative named in the foregoing

LETTERS TESTAMENTARY AND ACCEPTANCE
page 2

This warrant will be deemed paid unless redeemed within
two years after the date of issue per AS 37.05.180

**TREASURY WARRANT
STATE OF ALASKA
JUNEAU, ALASKA**

No. 847551

**INCOME TAX REFUND
574-28-7778**

89-52
1252

DATE OF ISSUE
MO. DAY YR. AGENCY

PAY TO THE ORDER OF

03/07/73

040

C M OSWALD

3015 EMORY ST.

847551

2

ANCHORAGE

AK 99504

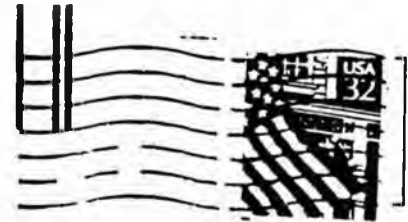
\$54.61

DOLLARS	CENTS
\$	*****54.61

125200521

John D. P.
COMMISSIONER OF ADMINISTRATION

Connie Cox
3934 Petrified Forest Ct.
Pleasanton, CA 94588



State of Alaska
ATTN: JIM BARNES

Box 110204

JUNEAU AK 99811-0204

111

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

DIVISION OF FINANCE

TONY KNOWLES, GOVERNOR

P.O. BOX 110204

JUNEAU, ALASKA 99811-0204

PHONE: (907) 465-2240

January 19, 1996

Connie Oswald Cox
3934 Petrified Forest Ct.
Pleasanton, CA 94588

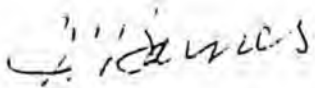
Dear: Ms. Cox,

Thank you for your letter regarding the 3/7/73 check made out to C. M. Oswald for \$54.61. My staff has completed the research on this check and will be applying to our State's Legislature for a reissuance. However, I need a copy of an affidavit verifying you are the legal recipient of your parents' estate.

If you have access to a fax machine, you may send it to (907)-465-2169, attn.: Corin. If not, you may mail it to the address listed above.

If you have any questions regarding this request, you may contact Corin Whittemore at the above phone number or address.

Sincerely,


Jim Barnes
Accounting Supervisor

JB/CW/cw

*Jim,
Thank you for your letter. You are all C.M. Oswald (now C.M. Cox) the check is mine; not my parents.
Connie Cox
formerly Corin
Oswald*

Maurice P. Oswald

Jim

THE MINERAL SURVEYOR

Registered Professional Land Surveyor
U.S. Mineral Surveyor

State of Alaska,

My parents died this winter. While
cleaning out their house, I found this
tax check that was never cashed.

Please Reissue it & send it to me at
my current address

Connie Oswald Cox
3934 Petrified Forest Ct
Pleasanton, CA 94588

Thank you

RECEIVED

JUN 19 1995

COMMISSIONER'S OFFICE

Connelley

-3691
per Paul Dick Dept. of Revenue
Income + Excise Audit
exceeds statute of limitations
24 JUL 19 61 1995

3015 Emory Street • Anchorage, Alaska 99508

Anchorage (907) 279-2648

Sterling (907) 262-3273

This warrant will be deemed paid unless redeemed within
two years after the date of issue per AS 37.05.180

STATE OF ALASKA
TREASURY WARRANT
PAYROLL

No. 13924514
89-52/1252

DATE OF ISSUE: 06/10/93

NOT TO EXCEED \$ 10,000.00

PAY TO THE ORDER OF:
No. 931600009131

ROBERT L PIERSON, JR

BOX 1993
VALDEZ AK

99686

DOLLARS	CENTS
\$ ****1,279.76	


Walter J. Hickel

⑈ 13924514⑈ ⑆ 125200523⑆ 139245147⑈

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF ADMINISTRATIVE SERVICES PERSONNEL AND PAYROLL SERVICES

M E M O R A N D U M

TONY KNOWLES, GOVERNOR

CENTRAL OFFICE
P.O. BOX 110651
JUNEAU, ALASKA 99811-0651
PHONE: (907)465-3024

SOUTHCENTRAL REGIONAL OFFICE
3601 "C" STREET, SUITE 586
P.O. BOX 240249
ANCHORAGE, AK 99524-0249
PHONE: (907) 269-7810

TO: Corin Whittemore
Accounting Tech.
Division of Finance
Department of Administration

FROM: Sandra Ekdall
Personnel Assistant I
Personnel & Payroll Services
Department of Health & Social Services

DATE: February 14, 1996

SUBJECT: Warrant to be reissued for Robert Pierson

I have checked Robert Pierson's payroll file for a reissue of Warrant number 13924514, internal warrant number 931600009131 for the gross amount of \$2233.43 the net amount is 1279.76. I found no evidence of a warrant being reissued, please request funds and reissue this warrant.

Thank you.

DIVISION OF FINANCE
96 FEB 15 AM 7:37

to whom:

I have been asked to issue a memo concerning the stale dated check I sent to the payroll office in Juneau three months ago for reissue.

The check was discovered in papers filed with income tax forms and was never looked for two years.

The check, unsigned or cashed should be in the payroll office at this time.

The check cannot be reissued like been talked with and this "official" memo from me. Here it is and thanks.

Robert Pierson 2/13/96

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180

STATE OF ALASKA
TREASURY WARRANT
PAYROLL

No. 12576471
89-52/1252

DATE OF ISSUE: 08/06/90

NOT TO EXCEED \$ 10,000.00

PAY TO THE ORDER OF:
No. 902160009727

ANITA R RIDINGER
160 PALACE CIRCLE
FAIRBANKS AK

99701

DOLLARS CENTS
\$ *****242.38

12576471 1252005230

STATE OF ALASKA - NOT NEGOTIABLE

902160009727

SOCIAL SECURITY NUMBER	NAME	EMPLOYEE NO.	PAYROLL ROUTE CODE
574-58-7028	ANITA R RIDINGER	220721	25-02-04-01

12576471

YEAR TO DATE TOTALS

Y.T.D. LEAVE USAGE

TOTAL GROSS	RETIREMENT	MAND. SBS	DEFERRED COMP.	VOL. SBS	TAXABLE GROSS	ANNUAL/PERS.	SICK
13,085.75	854.31	802.16		376.13	11,053.15	46.00	50.00
Y.T.D. WITHHOLDING			Y.T.D. POST TAX	Y.T.D. EMPLOYER CONTRIBUTIONS		LEAVE BALANCES	
FED. W/H.	MEDICARE		RETIREMENT	SBS		ANNUAL/PERS.	SICK
1,611.50				802.16		228.18	109.20

CURRENT PERIOD EARNINGS

PRE-TAX DEDUCTIONS & TAXES

MISCELLANEOUS DEDUCTIONS

NUMBER	DESCRIPTION	HOURS	RATE	AMOUNT	DESCRIPTION	AMOUNT	NUM	DESCRIPTION	AMOUNT
101	RETRO PAY			347.78	SBS MAND	21.32			
					PERS TYP A	23.48			
	GROSS PAY			347.78	TAX GROSS	302.98			
					U.S. TAX	60.60			
								NET PAY	242.38

PAY PERIOD DATE INFORMATION

ENDING DATE	ISSUED DATE	PAYDAY
06/30/90	08/06/90	08/06/90

Please direct any questions concerning
this check stub to your department
payroll office.

MEMORANDUM

(Brief Communications)

*Envi***State of Alaska**

TO:	Name <i>Jim Barnes</i>	Dept./Div./Sect. <i>DOA</i>	Mail Stop <i>0204</i>
FROM:	Name <i>Jo Wilson</i>	Dept./Div./Sect. <i>DOT</i>	Phone <i>8995</i>
SUBJ:	State detail check for Anita Ridinger		Mail Stop <i>2500</i>
			Date <i>1-17-96</i>

Anita Ridinger has request a replacement warrant for the state detail warrant you have already received, dated 8-1980. I have checked our files and see that we have not done a cancel release, & I do not have the authority to issue field warrants - Please process as per rule -

Thanks

Stale dated check

January 16, 1996

Please re-issue this payroll check for retro pay. The date August 6, 1990 exceeds the two year time limit placed on the warrant. I lost it and then relocated it recently while sorting through some old pay stubs.

Thank You

Anita Redinger

John -

Here's another check that was misplaced and is stale dated. She's aware of the process and how long it takes to fix.

Thanks!

Bob

ALASKA PERMANENT FUND DIVIDEND

No. 6465147

THIS WARRANT WILL BE DEEMED PAID UNLESS
REDEEMED WITHIN TWO YEARS AFTER DATE OF
ISSUE PER AS 37.05.180

DATE OF ISSUE
12 04 84

RETURNED BY

ALASKA NATIONAL BANK

89-52/1252

TREASURY WARRANT

MO DAY YR

INSUFFICIENT FUNDS

ENDORSEMENT

SIGNATURE

ACCOUNT CLOSED

NO ACCOUNT

OTHER

PAY TO THE ORDER OF

6465147

ANNA

BOX 82028

COLLEGE

08-03-87 02

R ROZELL

AK 99702

GOVERNOR

331.29

⑈6465147⑈ ⑆125200523⑆

⑈0000033129⑈



State Date

4-23-95

To whom it may concern,

Please reissue this Alaska Permanent Dividend check. I have inclosed a notarized copy of my Birth certificate and my Dissolution papers. My name now is Anna Renee Richardson. My Address is 3188 Chinook Drive Fairbanks Alaska 99709.
#479-4332

Thanks,

Anna Renee Richardson

RECEIVED

SEP 29 1995

Department of Revenue
PFD Division
Juneau Information Office



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT FAIRBANKS
FOURTH JUDICIAL DISTRICT

In the Matter of the Dissolution
of the Marriage of

Thomas Hoyt Richardson and

Anna Renee Richardson,

Husband and Wife.

Filed in the Trial Courts
STATE OF ALASKA, FOURTH DISTRICT

JUN 29 1995

Clerk of the Trial Courts
Deputy

CASE NO. 4FA-95-1214 CT

DECREE OF DISSOLUTION OF MARRIAGE
(Without Children)

Upon consideration of the petition filed in this action and the testimony of the petitioner or petitioners at the hearing on June 27, 1995, the court makes the following;

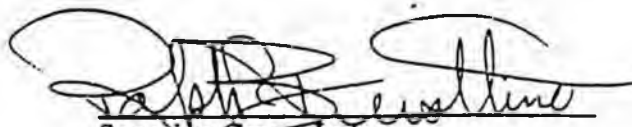
FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The Court has jurisdiction in this action.
2. Petitioners understand fully the nature and consequences of this action.
3. The written agreements as modified at hearing between petitioners concerning maintenance and tax consequences, if any, division of property, including retirement benefits, and allocation of obligations are fair and just and constitute the entire agreement between the parties.
4. The spousal maintenance and division of property fairly allocate the economic effects of dissolution and take into consideration the factors listed in AS 28.24.(a)(2) and (4).
5. The petitioners have made all the agreements required by AS 25.24.200(a) and each spouse entered into the agreements voluntarily and free from the coercion of another person.
6. The agreements of petitioners as outlined in the petition as modified at hearing ~~are~~ are incorporated as part of these findings.
7. An incompatibility of temperament has caused the irremediable breakdown of the marriage.
8. There are no children of the marriage and the wife is not pregnant.

THEREFORE, IT IS ORDERED:

1. A final judgment of dissolution of marriage is hereby granted.
2. Petitioners shall perform their agreements as incorporated in the findings.
3. Petitioner Anna Renee Richardson's name is retained.
4. Other relief: N/A

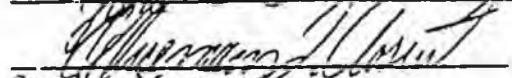
June 29, 1995
Effective date


Superior Court Judge
Ralph R. Beistline

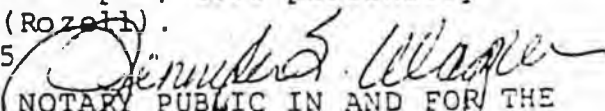
I certify that on 6.30.95
a copy of this decree was
sent to the petitioners.
Clerk RD

bh

Recommended For Approval on
June 28 1995.


Standing Master
Alicemary L. Closuit

This is to certify that on this 19th day of Sept., 1995 personally
appeared before me Anna Renee Richardson (Rozell).
Subscribed before me Sept 21, 1995


NOTARY PUBLIC IN AND FOR THE
STATE OF ALASKA

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

STATE OF ALASKA
TREASURY WARRANT

No. 52926138

89-52/1252

ALASKA PERMANENT FUND DIVIDEND

DATE OF ISSUE: 12 21 89

52926138

\$**873.16

PAY TO THE ORDER OF:



CHRISTINE
BOX 1050
DILLINGHAM

THORSON
AK 99576

DOLLARS	CENTS
\$ *****	73.16

[Signature]
GOVERNOR

⑈ 52926138⑈ ⑆ 125200523⑆

FREDERICK TORRISI
ATTORNEY

November 21, 1995

Department of Revenue
Dividend Information Office
Box 110461
Juneau, Alaska 99811-0461

re: Christine Thorson, deceased
559-24-5571

Thomas S. Thorson, Sr.
574-05-2976

Dear Madam or Sir:

Enclosed please find the following permanent fund checks:

no.	year	payee	amount
52878400	1989	Thomas S. Thorson, Sr.	\$873.16
52926138	1989	Christine Thorson	\$873.16
53447655	1990	Christine Thorson	\$952.63
53447656	1990	Thomas S. Thorson, Sr.	\$952.63
54001247	1991	Thomas S. Thorson, Sr.	\$931.34

State deleted
re-issue -
to Tom Wood
11/29/95

Also enclosed is a death certificate and Letters Testamentary for each of the Thorsons.
Please advise as to the procedure regarding re-issuance.

Thank you.

Sincerely,

F. T. Torisi

Fred Torisi

FT:ilk
enclosures

cc: Gloria Thorson

Copies to
Death Cert
to COA
11/27/95

CERTIFICATE OF DEATH

STATE FILE NUMBER

 ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES
 BUREAU OF VITAL STATISTICS — JUNEAU ALASKA 99811-0675

RECORDER'S NO. 9105		DATE RECEIVED	
1. DECEDENT'S NAME (First, Middle, Last) Christine Thorson		2. SEX Female	3. DATE OF DEATH (Month, Day, Year) April 18, 1991
4. SOCIAL SECURITY NUMBER 559-24-5571	5a. AGE—Last Birthday (Years) 76	5b. UNDER 1 YEAR Months: Days: Hours: Minutes:	6. DATE OF BIRTH (Month, Day, Year) 10-24-14
7. BIRTHPLACE (State or Foreign Country) Alaska		8. PLACE OF DEATH (Check only one; see instructions on other side) ALASKA HOSPITAL: ☒ Inpatient ☐ ER/Outpatient ☐ DOA ☐ OTHER: ☐ Nursing Home ☐ Residence ☐ Other (Specify)	
9a. FACILITY NAME (If not institution, give street and number) Kanakanak Hospital		9b. CITY, TOWN, OR LOCATION OF DEATH Dillingham	
10. MARITAL STATUS ☐ NEVER MARRIED ☒ MARRIED ☐ WIDOWED ☐ DIVORCED		11. SURVIVING SPOUSE (If wife, give maiden name) Thomas Sigurd Thorson, Sr.	
12a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) Fisherman, Housewife		12b. KIND OF BUSINESS/INDUSTRY Self employed	
13. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ YES ☒ NO ☐ UNKNOWN		14. RESIDENCE—STATE Alaska	
14a. CITY, TOWN, OR LOCATION Dillingham		14b. STREET AND NUMBER P.O. Box 10232	
14c. INSIDE CITY LIMITS OR SETTLED COMMUNITY? ☒ YES ☐ NO		14d. ZIP CODE 99576	
15. WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes—If yes, specify Cuban, Mexican, Puerto Rican, etc.) ☒ NO ☐ YES Specify:		16. RACE—Filipino, Black, Native, White, etc. Eskimo Norwegian	
17. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary/Secondary (9-12) ☐ College (1-4 or 5+)		18. DECEDENT'S EDUCATION Unknown	
19. FATHER'S NAME (First, Middle, Last) Otto Christian Christiansen		20. MOTHER'S NAME (First, Middle, Last) Matrona Tobano	
21a. INFORMANT'S NAME (Type Print) Thomas S. Thorson, Sr.		21b. MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) P.O. Box 10232, Dillingham, Alaska 99576	
22a. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Removal from State ☐ Donation ☐ Other (Specify)		22b. PLACE OF DISPOSITION (Name of cemetery, crematory or other place) Thomas S. Thorson, Sr. property	
22c. LOCATION—City or Town, State Dillingham		22d. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH	
22e. NAME AND ADDRESS OF FACILITY		23a. DATE SIGNED (Month, Day, Year)	
23b. To the best of my knowledge, death occurred at the time, date, and place stated. Signature and Title		23c. DATE SIGNED (Month, Day, Year)	
24. TIME OF DEATH 10:45 A.		25. DATE PRONOUNCED DEAD (Month, Day, Year) April 18, 1991	
26. WAS CASE REFERRED TO MEDICAL EXAMINER/CORONER? ☐ Yes ☒ No		27. PART I. Enter the disease, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) LUNG CANCER WITH DUE TO (OR AS A CONSEQUENCE OF): SUSPECTED BRAIN METASTASES. DUE TO (OR AS A CONSEQUENCE OF): DUE TO (OR AS A CONSEQUENCE OF):	
PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.		28a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No	
28b. WERE AUTOPSY FINDINGS CONSIDERED PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No		29a. CERTIFIER (Check only one) ☐ CERTIFYING PHYSICIAN (Physician certifying cause of death when another official has pronounced death and completed item 23) To the best of my knowledge, death occurred due to the cause(s) and manner as stated. ☒ PRONOUNCING AND CERTIFYING PHYSICIAN / HEALTH CARE PROVIDER (Pronouncing both death and certifying cause of death) To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ MEDICAL EXAMINER/CORONER On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.	
29b. SIGNATURE AND TITLE OF CERTIFIER OF CAUSE OF DEATH Thomas M. Bellinger, M.D.		29c. DATE SIGNED (Month, Day, Year) 4-18-91	
30a. NAME AND ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (ITEM 27) (Type Print name of certifier) Thomas M. Bellinger, M.D., P.O. Box 130, Dillingham, Alaska 99576		30b. MANNER OF DEATH ☒ Natural ☐ Pending Investigation ☐ Accident ☐ Suicide ☐ Homicide ☐ Could not be Determined	
30c. DATE OF QUALITY (Month, Day, Year)		30d. TIME OF INJURY ☐ Yes ☒ No	
30e. PLACE OF INJURY—At home, street, cannery, office, etc. (Specify)		30f. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)	
30g. LOCATION (Street and Number or Rural Route Number, City or Town, State)		31. RECORDER'S SIGNATURE A. I. C. f. t.	
32. DATE FILED (Month, Day, Year) 4-25-91		33. DATE SIGNED (Month, Day, Year)	

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

In Re the Estate of:
CHRISTINE THORSON,
Deceased.

FILED IN THE TRIAL COURTS
STATE OF ALASKA THIRD DISTRICT

MAR 26 1992

Clerk of the Trial Courts

By _____ Deputy

No. 3AN-92- 313 P/E

LETTERS TESTAMENTARY AND ACCEPTANCE

3/17/92
The Application for Informal Appointment of and Administrator in Intestacy having been admitted, Thomas S. Thorson is hereby appointed personal representative of the estate.

DATED this 26th day of March, 1991.

[Signature]
Registrar

I hereby accept the duties and responsibilities of the office of personal representative of the estate of Christine Thorson which I will perform as required by law.

I hereby acknowledge that I have the duty to:

(a) take possession and control of the decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notices to heirs and devisees as required by AS 13.16.360, except as provided by AS 13.136.690;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455 -- 13.16.515;

(d) advise the court in writing of my address and telephone number as required by Probate Rule 8;

(e) file returns for state estate taxes if required by AS 43.31.121 and AS 43.31.250;

TORRISI
&
SNYDER
ATTORNEYS AT LAW
P.O. Box 210
DILLINGHAM
ALASKA 99576
(907) 842-5608

This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180.

STATE OF ALASKA
TREASURY WARRANT
ALASKA PERMANENT FUND DIVIDEND

No. 52878400
89-52/1252

DATE OF ISSUE: 12 06 89

52878400

\$**373.16

PAY TO THE ORDER OF:



THOMAS
BOX 1050
DILLINGHAM

S THORSON
AK 99576

DOLLARS	CENTS
*****	873 16

[Signature]
GOVERNOR

⑈52878400⑈ ⑆125200523⑆

FREDERICK TORRISI
ATTORNEY

November 21, 1995

Department of Revenue
Dividend Information Office
Box 110461
Juneau, Alaska 99811-0461

re: Christine Thorson, deceased
559-24-5571

Thomas S. Thorson, Sr.
574-05-2976

Dear Madam or Sir:

Enclosed please find the following permanent fund checks:

no.	year	payee	amount
52878400	1989	Thomas S. Thorson, Sr.	\$873.16
52926138	1989	Christine Thorson	\$873.16
53447655	1990	Christine Thorson	\$952.63
53447656	1990	Thomas S. Thorson, Sr.	\$952.63
54001247	1991	Thomas S. Thorson, Sr.	\$931.34

*State Select
reissue
to Tom W
11/29/95*

Also enclosed is a death certificate and Letters Testamentary for each of the Thorsons.
Please advise as to the procedure regarding re-issuance.

Thank you.

Sincerely,

F. T.

Fred Torrasi

FT:ilk
enclosures

cc: Gloria Thorson

*Copies to
Death Co
to COA
11/27/95*

TYPEPRINT
IN
PERMANENT
BLACK INK

CERTIFICATE OF DEATH

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES
BUREAU OF VITAL STATISTICS—P.O. BOX 110675
JUNEAU, ALASKA 99811-0675

150

STATE FILE NUMBER

DATE RECEIVED

BIRTH CERTIFICATE NUMBER

RECORDER'S NO.

95-581-d

1. DECEDENT'S NAME (First, Middle, Last) **THOMAS SIGURD THORSON, SR.**

14. MAIDEN NAME

2. SEX **MA**

3. DATE OF DEATH (Month, Day, Year) **July 4, 1995**

4. SOCIAL SECURITY NUMBER **574-05-29-76**

5a. AGE—Last Birthday (Years) **86**

5b. UNDER 1 YEAR

5c. UNDER 1 DAY

6. DATE OF BIRTH (Month, Day, Year) **May 17, 1909**

7. BIRTHPLACE (State or Foreign Country) **Washington**

DECEDENT

8. STATE OF DEATH **ALASKA**

9a. PLACE OF DEATH (Check only one; see instructions on other side)

HOSPITAL ☒ Inpatient ☐ Emergency ☐ DCA

OUTSIDE ☐ Nursing Home ☐ Residence ☐ Other (Specify)

9b. FACILITY NAME (If not institution, give street and number) **Providence Alaska Medical Center**

9c. CITY, TOWN, OR LOCATION OF DEATH **Anchorage**

10. MARITAL STATUS

☐ NEVER MARRIED ☐ MARRIED ☒ WIDOWED ☐ DIVORCED ☐ UNKNOWN

11. SURVIVING SPOUSE (If wife, give maiden name)

12a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired) **Janitor Commercial Fisherman/Jail Guard/**

12b. KIND OF BUSINESS/INDUSTRY **Fishing/ State of Alaska**

12c. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ YES ☒ NO ☐ UNKNOWN

13a. RESIDENCE—STATE **Alaska**

13b. CITY, TOWN OR LOCATION **Dillingham**

13c. STREET AND NUMBER

14. INSIDE CITY LIMITS OR SETTLED COMMUNITY? ☒ YES ☐ NO ☐ UNKNOWN

14a. ZIP CODE **99576**

15. WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes—If Yes, specify Cuban, Mexican, Puerto Rican, etc.) ☒ NO ☐ YES Specify:

16. RACE—Filipino, Black, Native, White, etc. Specify: **White**

17. DECEDENT'S EDUCATION (Specify only highest grade completed)

Elementary/Secondary (9-12) **8** College (13 or 14)

SEE INSTRUCTIONS
ON OTHER SIDE

PARENTS

18. FATHER'S NAME (First, Middle, Last) **n/a**

19. MOTHER'S NAME (First, Middle, Maiden Surname) **Kristina n/a**

INFORMANT

20a. INFORMANT'S NAME (Type/print) **Esther Jeffery**

20b. MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, ZIP Code) **P.O. Box 808, Barrow, AK 99723**

20c. RELATIONSHIP TO DECEDENT **Daughter**

DISPOSITION

21a. METHOD OF DISPOSITION

☒ Burial ☐ Cremation ☐ Removal from State

21b. PLACE OF DISPOSITION (Name of cemetery, crematory or other place) **Dillingham Cemetery/ Family Plot**

21c. LOCATION—City or Town, State **Dillingham, AK**

DEFINITION
ON OTHER SIDE

PRONOUNCING
OFFICIAL ONLY

22. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH **Kurt Cease**

23. NAME AND ADDRESS OF FACILITY **Evergreen Mem Chapels, Box 537, Anch., AK 99510**

24. Complete items 22a-g only when certifying physician is not available at time of death to certify cause of death.

25a. To the best of my knowledge, death occurred at the time, date, and place stated.

Signature and Title **[Signature]**

25b. DATE SIGNED (Month, Day, Year) **7/7/95**

ITEMS 24-26 MUST
BE COMPLETED BY
PERSON WHO
PRONOUNCES
DEATH

26. TIME OF DEATH **2020**

27. DATE PRONOUNCED DEAD (Month, Day, Year) **July 4, 1995**

28. WAS CASE REFERRED TO MEDICAL EXAMINER/CORONER? ☐ Yes ☒ No

CAUSE OF
DEATH

29. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.

IMMEDIATE CAUSE (Final disease or condition resulting in death) **Cardiogenic Shock**

DUE TO (OR AS A CONSEQUENCE OF)

Anterior MI

DUE TO (OR AS A CONSEQUENCE OF)

Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (Disease or injury that initiated events resulting in death) LAST

DUE TO (OR AS A CONSEQUENCE OF)

SEE INSTRUCTIONS
ON OTHER SIDE

30. PART II. OTHER SIGNIFICANT CONDITIONS contributing to death but not resulting in the underlying cause given in Part I.

31a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No

31b. WERE AUTOPSY FINDINGS CONSIDERED PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No

SEE DEFINITION
ON OTHER SIDE

PRINTER

32a. CERTIFIER (Check only one)

☒ CERTIFYING PHYSICIAN (Physician certifying cause of death when another official has pronounced death and completed item 22)

To the best of my knowledge, death occurred due to the cause(s) and manner as stated.

☐ PRONOUNCING AND CERTIFYING PHYSICIAN (Physician both pronouncing death and certifying cause of death)

To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.

☐ MEDICAL EXAMINER/CORONER

On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.

32b. SIGNATURE AND TITLE OF CERTIFIER OF CAUSE OF DEATH **[Signature]**

32c. DATE SIGNED (Month, Day, Year) **7/7/95**

33a. NAME AND ADDRESS OF CERTIFIER WHO COMPLETED CAUSE OF DEATH (Item 29) (Type/print name of certifier) **William Mayer, MD, 3300 Providence Dr., Anch., AK 99508**

33b. LICENSE NUMBER **1400**

34. MANNER OF DEATH

☐ Natural ☐ Pending Investigation

☐ Accident ☐ Could not be determined

☐ Suicide ☐ Homicide

35. IF "MANNER OF DEATH" IS OTHER THAN "NATURAL", ITEMS 31a - 31d MUST BE COMPLETED.

31a. DATE OF INJURY (Month, Day, Year)

31b. TIME OF INJURY

31c. INJURY AT WORK? ☐ Yes ☒ No

31d. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)

31e. PLACE OF INJURY—At home, street, cemetery, office, etc. (Specify)

31f. LOCATION (Street and Number or Rural Route Number, City or Town, State)

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT

In Re the Estate of:

THOMAS S. THORSON, SR.,

Deceased.

No. 3AN-95- 0696 P/E

FILED In the Trial Courts
State of Alaska, Third District
in Anchorage
JUL 24 1995
Clerk of the Trial Courts
By _____ Deputy

LETTERS TESTAMENTARY AND ACCEPTANCE

The will of Thomas S. Thorson, Sr. having been admitted to probate, Gloria Thorson is appointed personal representative of the estate.

DATED this 24 day of July, 1995.

Registrar

I Gloria Thorson hereby accept the duties and promise to perform the duties as required by law of the office of personal representative of the estate of Thomas S. Thorson, Sr. I acknowledge my duty as personal representative to:

(a) take possession and control of decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notice to heirs and devisees as required by AS 13.16.360, except as provided by AS 13.16.365;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455-.515;

(d) advise the court in writing of my address and telephone number as required by Probate Rule 8;

(e) file returns for the state estate taxes, if required by AS 43.31.121 and AS 43.31.250;

(f) pay homestead, exempt property and family allowances as required by As 13.11.125-.140, costs of administration and other claims as required by AS 13.16.470, and distribute the assets of the estate; and

FREDERICK TORRISI
c 210
JINGHIAI
SIA 99576
7) 842-5608

(g) close the estate as soon as appropriate as required by AS 13.16.620-.670.

I will file any required bond.

Gloria Thorson

Gloria Thorson
c/o P.O. Box 210
Dillingham, Alaska 99576
(907)842-5608

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

I, Gloria Thorson, being first duly sworn, depose and say:

I am the person above named; I have read the foregoing Letters Testamentary and Acceptance and understand the contents thereof; I have executed it freely and voluntarily for the purpose set forth therein; and I verify that the same is true of my own knowledge.

Gloria Thorson
Gloria Thorson

1995. SUBSCRIBED AND SWORN TO before me this 10 day of July

2-2-91
Notary Public in and for Alaska
My Commission expires: 3-12-91

(Tonnisi

1576
1608

I certify that on 7/25/95
a copy of the above was mailed.

RECEIVED
MEMORANDUM **STATE OF ALASKA**
FEB 28 1995

TO: Nancy Slagle, Director **BUDGET REVIEW** DATE: February 27, 1996
Division of Budget Review
Office of Management and Budget FILENAME: G:\BUDGET/BUDGET1/7

FROM: *KB* Ken Bischoff, Director TELEPHONE NO: 465-4336
Division of Administrative Services SUBJECT: *DPS #12-6-0150* Additional item
Department of Public Safety for FY 96 Misc Claims
Supplemental

The Department of Public Safety requests approval of an additional item for the FY 96 Miscellaneous Claims Supplemental as follows:

name/vendor	dates	amount
Mark M Graham	2/25/91 - 11/3/92	\$885.00
Nancy I. Krenselewski	2/25/91 - 11/3/92	<u>2,388.00</u>
Total this request		3,273.00
Misc Claims previously requested		<u>1,657.00</u>
Total Misc Claims Supplemental requested		4,930.00

Additional information is attached.

Attachments

cc: DPS Finance Section
AST

MEMORANDUM**State of Alaska**

TO: Frank Allan
Supervisor
Fiscal Section

DATE: February 26, 1996

FILE NO: 91-13316

TELEPHONE NO: (907) 243-8916

FROM: First Sergeant William R. Gause *Dec 31*
Commander
Statewide Drug Enforcement

SUBJECT: Evidence Funds Prior
Year Miscellaneous Claim

On February 25, 1991, investigators from the Statewide Drug Enforcement Unit made contact with two subjects identified as MARK M. GRAHAM and NANCY I. KRENSELEWSKI. During the course of the investigative contact and service of a subsequent search warrant at 10261 Jamestown Drive, Apartment 702 in Anchorage, Alaska, three thousand two hundred and seventy-three (\$3,273.00) in U. S. currency was seized from both individuals. GRAHAM later pled guilty and was charged under 18 USC 924(c) for carrying a firearm during a drug trafficking crime and was sentenced to five years incarceration, with three years supervised release. Forfeiture proceedings, either through State or Federal means were apparently never pursued and the money remained in State Trooper custody until 6-9-93. The funds were then removed from Evidence by Jennifer Griggs, the Evidence Custodian and transferred to your office as part of an authorization for release pursuant to a memorandum dated 11-3-92 by the investigating case officer, William McMillon.

On April 11, 1995, GRAHAM's lawyer, a Nancy Shaw from the Federal Public Defender's Office, sent a letter requesting that the funds, along with various other items be returned to GRAHAM. As a result of this request, Jennifer Griggs and myself have conducted research into this and have determined that the funds seized have never been legally forfeited and are not by funds authorized to be returned to the State and therefore the funds will have to be returned. Lili Jankowski from your office has indicated that a request for a prior year miscellaneous claim will have to be initiated which requires legislative approval.

Initially, there was some conflict between GRAHAM and KRENSELEWSKI as two thousand three hundred and eighty-eight dollars (\$2,388.00) of the amount in question was seized from KRENSELEWSKI's purse and immediate possession. The remainder of the funds (eight hundred and eighty-five dollars) was seized either from GRAHAM's person or from his bedroom in his residence.

Memo to Frank Allan
Evidence Funds
February 26, 1996
Page 2

On February 5, 1996, I talked to GRAHAM and he indicated he is not pursuing a claim to the money seized from KRENSELEWSKI's purse and only wanted the eight hundred eighty-five dollars. I also talked to KRENSELEWSKI on February 5, 1996 and she reiterated her interest in the funds seized from her purse and the expectation that it be resolved as soon as possible. The only issue that we need to deal with at this time is the process for getting the funds reimbursed and I am requesting that your office initiate that process.

Thank you for your assistance.

WRG:eed

W
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C
Y

MEMORANDUM

State of Alaska

TO: Frank Allan
Administrative Officer
Anchorage Regional Office

DATE: 06/09/93

FILE NO:

THRU: Lt Dennis Casanovas
Commander
SCTU

TELEPHONE NO: 269-5761

SUBJECT: Money Released
to General Fund

FROM: Jennifer M. Jones
Evidence Custodian
Alaska State Trooper

The monies from the following cases have been authorized for release to the General Fund by the case officers.

Case #	Item #	Amount	Total
91-13316	29	2388.00 ✓	
	31	860.00 ✓	
	38	5.00 ✓	
	40	20.00 ✓	
			3273.00
86-20719	4	28.00 ✓	28.00
88-66450	1	145.05 ✓	145.05
89-59801	14	2610.00 ✓	2610.00
91-64762	91	35.12 ✓	
	101	101.00 ✓	
	114	3.00 ✓	
	139	1.00 ✓	
	142	16.00 ✓	
	150	20.00 ✓	
	152	100.00 ✓	
	161	7.42 ✓	
			278.54
90-9901	8	136.00 ✓	136.00
			6470.59
	Total		

Received by:

FRANCIS C. ALLAN
Printed Name

Francis C. Allan 6/11/93
Signature Date

Witnessed by:

DONNA DEVOUE
Printed Name

Donna DeVoue 6/11/93
Signature Date

cc: Cpl Wayne Von Clasen
Evidence File

To: JENNIFER GRIGGS
From: LILI JANKOWSKI
Subject: Evidence money
Date: 08/10/95 Time: 5:18p

Jennifer,

We have verified the amount of money from case # 91-13316 you asked about today. Our records reflect a total amount of \$3,273.00 as having been turned over to Fiscal on 6/11/93, (other money was turned in as well, this was just one part of it). These funds were all deposited on the same day, which means they were returned to the General Fund of Fiscal Year 93.

If I understood you correctly, those monies should not have been turned in, and you now need them back. However, there is a problem with that.

As a rule, prior fiscal year monies are not available past the re-appropriation period which lasts through Aug 31 of that year. Therefore, this money is not recoverable.

If somebody from outside the agency, who has a legitimate claim, is requesting it, it can be requested in the form of what's called a "prior year miscellaneous claim", but it involves legislative approval.

If I can be of any further assistance, please contact me.

Lili

ASAB1000-03 RRH: 0012645
RSH: 02943 CPD: 01/08/94

DISTRB RD: 12249 D01

STATE OF ALASKA
STATEWIDE ACCOUNTING SYSTEM
1993 SPECIAL PERIOD AUDIT TRAIL REPORT

PAGE: 74
DATE: 01/09/94

DOCUMENT	VND/EMP/DSTRB DESC	TRANS	WRNT	NUM	SY	CC	PGM	LC	ACCT	DATE	ACTUALS	ENCUMBRANCES	BUDGETS
A06716850003	TO CLEAR SUSPENSE ACCO	430-19			93	12621001			66190	12/09	46.25-	0.00	0.00
Q92343230049	12/08/92AG1239140	410-95			93	12621001			66370	12/09	4.01-	0.00	0.00
Q92354030020	12/19/92AG1239150	410-95			93	12621001			66370	12/21	394.01-	0.00	0.00
Q93174200009	06/23/93AG1239305	410-95			93	12621001			66370	06/25	6468.59-	0.00	0.00
A06685880003	TO TRANSFER HOUSING DE	430-11			93	12621001			66370	11/25	250.00-	0.00	0.00
M93063010389	DEPARTMENT OF PUBLIC S	520-50			93	12621001			68515	07/02	0.00	0.00	28363100.00-
* TOTALS FOR CC 12621001											40859.94-	0.00	28384145.00-
A06817570008	JUE84701 JUNEAU ELECTR	310-10	23392273	92	12621021				66190	01/27	50.00-	0.00	0.00
* TOTALS FOR CC 12621021											50.00-	0.00	0.00
Q93030030067	01/30/93AG1239186	410-95			93	12621023			66160	02/01	12.50-	0.00	0.00
Q93074200051	03/15/93AG1239215	410-95			93	12621023			66160	03/16	12.50-	0.00	0.00
Q93176010055	06/25/93AG1239308	410-95			93	12621023			66160	06/26	12.50-	0.00	0.00
Q93142000085	05/22/93AG1239273	410-95			93	12621023			66190	05/24	960.42-	0.00	0.00
* TOTALS FOR CC 12621023											997.92-	0.00	0.00
Q93109210017	04/19/93AG1239236	410-95			93	12621051			66160	04/20	12.50-	0.00	0.00
Q93145220024	05/25/93AG1239270	410-95			93	12621051			66160	05/26	25.00-	0.00	0.00
A06553370005	OFFP88196 THE OFFICE PL	310-10	23248996	92	12621051				66190	09/30	9.36-	0.00	0.00
Q92254000059	09/10/92AG1239083	410-95			93	12621051			66190	09/10	35.00-	0.00	0.00
Q92288000039	10/14/92AG1239111	410-95			93	12621051			66190	10/14	119.00-	0.00	0.00
Q92312070012	11/07/92AG1239118	410-95			93	12621051			66190	11/09	97.00-	0.00	0.00
* TOTALS FOR CC 12621051											297.86-	0.00	0.00
Q92261210045	09/17/92AG1239088	410-95			93	12621059			66160	09/19	15.00-	0.00	0.00
Q93035200064	02/04/93AG1239190	410-95			93	12621059			66160	02/06	25.00-	0.00	0.00
Q93098200014	04/08/93AG1239226	410-95			93	12621059			66160	04/10	12.50-	0.00	0.00
Q92274220138	09/30/92AG1239102	410-95			93	12621059			66190	10/01	74.00-	0.00	0.00
* TOTALS FOR CC 12621059											126.50-	0.00	0.00
Q92258210032	09/14/92AG1239085	410-95			93	12621061			66160	09/15	60.00-	0.00	0.00
* TOTALS FOR CC 12621061											60.00-	0.00	0.00
Q92219080077	08/06/92AG1239048	410-95			93	12621062			66160	08/06	187.50-	0.00	0.00
Q93001030045	01/01/93AG1239160	410-95			93	12621062			66190	01/04	496.70-	0.00	0.00
Q93004220032	01/04/93AG1239164	410-95			93	12621062			66190	01/05	173.91-	0.00	0.00
Q93012220044	01/12/93AG1239168	410-95			93	12621062			66190	01/13	131.12-	0.00	0.00
Q93133200032	05/13/93AG1239264	410-95			93	12621062			66190	05/17	1687.17-	0.00	0.00
* TOTALS FOR CC 12621062											2676.40-	0.00	0.00

Q931420 5 05/22/93AG1239273

* TOTALS FOR CC 12621063

RSN: 03002 CPB: 0078374

SYSTEM NO: 12249 D01

STATE OF ALASKA
STATEWIDE ACCOUNTING SYSTEM
FY93 UNRESTRICTED REVENUES, CC SORT, MONTH END

DATE: 06/05/94

46598-93 DETACHMENTS

LEVEL: 70 - ALLOCATIONS

ORIG: 93 FUND: 11100 BDGTING

SPENDING REV REC

APPROPRIATION UNRESTRICTED REVENUES BY EXTENDED NEXT LOWER LEVEL

ENTITY NUMBER AND DESCRIPTION	TOTAL RECEIPTS	INFO ONLY ENCUMBERED
** 46598-93 DETACHMENTS	55,468.94-	.00
** 46607-93 "A" DETACHMENT	997.92-	.00
** 46610-93 "B" DETACHMENT	8,029.66-	.00
** 46616-93 "C" DETACHMENT	197.34-	.00
** 46619-93 "D" DETACHMENT	2,885.20-	.00
** 46621-93 AST SUPPORT SERVICES	1,906.88-	.00
** 12621001-93 DETACHMENTS	41,451.94-	.00
S** 60000 TOT UNRESTRICTD REVS	41,451.94-	.00
S** 60006 UNREST REVS PRECLOSE	41,451.94-	.00
S** 60012 OPERATING UNREST REV	41,451.94-	.00
S** 64000 CHARGES FOR SERVICES	6,555.08-	.00
S** 64200 GENERAL GOVERNMENT	6,555.88-	.00
S** 64020 SALE PUBLIC DOC CERT	6,555.88-	.00
S** 65000 FINES & FORFEITURES	2,245.74-	.00
S** 65002 FINES & FORFEITURES	2,245.74-	.00
S** 65040 JUDGEMENT SETTLEMENT	2,245.74-	.00
S** 65250 OTHER UNREST REVS	32,650.32-	.00
S** 66150 RECOVERY OF EXPENSES	25,533.71-	.00
S** 66160 JURY & WORK COMP RC	40.00-	.00
S** 66190 PY REIMBURSE RECVRY	25,493.71-	.00
S** 66350 MISCELLANEOUS	7,116.61-	.00
S** 66370 MISC REV	7,116.61-	.00
S** 68500 OMB FUNDING SOURCES	.00	.00
S** 68515 GF/UNRESTRICTED REC	.00	.00

*** END OF DATA FOR 46598-93

SENATE BILL NO. 260

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/2/96

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act making supplemental appropriations for the expenses of state
 2 government and making and amending appropriations; ratifying certain state
 3 expenditures; and providing for an effective date."

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

5 * Section 1. DEPARTMENT OF ADMINISTRATION. (a) To meet increased caseloads
 6 at the public defender agency in Bethel, the following are amended to read:

7 (1) Section 47, ch. 94, SLA 1995, page 16, line 5:

8	APPROPRIATION	GENERAL	OTHER
9	ITEMS	FUND	FUNDS
10	Centralized Administrative <u>26,146,200</u>	<u>14,765,000</u>	11,381,200
11	Services [26,195,200]	[14,814,000]	

12 (2) Section 47, ch. 94, SLA 1995, page 15, line 38:

13	APPROPRIATION	GENERAL
14	ITEMS	FUND

1 U/A student tuition/fees/services 26,688
2 University receipts 4,566

3 * Sec. 16. DISASTER AND FIRE FUNDING. The sum of \$1,500,000 is appropriated
4 from the general fund to the Office of the Governor, office of management and budget, for
5 emergency funding for disasters and fires for the fiscal years ending June 30, 1996 and
6 June 30, 1997.

7 * Sec. 17. MISCELLANEOUS CLAIMS. (a) The following amounts are appropriated
8 from the general fund to the following departments to pay miscellaneous claims and stale-
9 dated warrants for the fiscal year ending June 30, 1996:

10	DEPARTMENT	APPROPRIATION
11	Administration	\$ 12,565
12	Community and Regional Affairs	468
13	Corrections	11,188
14	Education	526
15	Fish and Game	1,615
16	Health and Social Services	64,260
17	Labor	46
18	Law	160
19	→ Public Safety	1,657 ←
20	Transportation and Public Facilities	2,909

21 (b) The sum of \$6,336 is appropriated from the following sources to the Department
22 of Transportation and Public Facilities to pay miscellaneous claims and stale-dated warrants
23 for the fiscal year ending June 30, 1996:

24	Highway Working Capital Fund	\$4,490
25	Alaska Marine Highway System Fund	1,846

26 (c) The sum of \$277 is appropriated from Exxon Valdez spill settlement funds to the
27 Department of Environmental Conservation to pay miscellaneous claims and stale-dated
28 warrants for the fiscal year ending June 30, 1996.

29 * Sec. 18. RATIFICATIONS OF THE ACCOUNTING SYSTEM. The following
30 departmental expenditures made in fiscal years 1985 to 1994 are ratified to reverse the
31 negative account balances in the Alaska state accounting system in the amounts listed for each

MEMORANDUM

State of Alaska

*Department of Administration
Division of Administrative Services*

To: Nancy Slagle
Director
Division of Budget Review
Office of Management & Budget

Date: February 29, 1996

Phone: 465-5655

From: Sharon Barton
Director

Subject: Zero Balance
Ratification

BUDGET REVIEW
FEB 29 1996
OFFICE OF
MANAGEMENT & BUDGET

We have two additional zero balance ratification requests to make.

The first zero balance ratification involves a RSA with the Department of Law that was closed in error on August 29, 1994. The closure was an error because at that time there was a valid encumbrance in place. Subsequent to the closure of the RSA a payment against the encumbrance of \$1,211.25 was made. The system allowed the payment because the change AR that would have normally accompanied the RSA closure was not processed. However, because the RSA was closed we (DOA) were unable to collect the I/A from Law. Therefore, we have a negative balance of \$1,211 in AR 94-07647 and need to have that amount of GF appropriated to it in order to zero balance.

The second zero balance ratification involves the Telecommunications Services appropriation 3589-91. There was an under collection of revenues in the amount of \$330,733.98 in the Telecommunications Services appropriation 3589-91. This resulted in a shortfall balance of \$330,733.98. This shortfall was caused in part by an AB adjustment that moved revenue authority from the Computer Services appropriation 3587-91, without moving the accompanying revenue receipts. We are now preparing a fund only adjusting journal entry to move the \$66,928.16 collected, but not expended, in the Computer Services appropriation 3587-91 to the Telecommunications Services appropriation 3589-91. That leaves a shortfall balance of \$263,805.82.

We are now requesting ratification of expenditure authorization directly from the Information Services Fund for the remaining \$263,805.82. This amount has already been expended from the fund and the ratification will allow the us to clear this under collected appropriation from the books.

If you have additional questions or need additional information, please call.

cc: Mark Boyer
Chris Parce
Dan Spencer
Eric Swanson

Ratification Project

			Ratification Required		
AR #	Agency	AR Description	Actual Shortfalls	AKSAS System Error	Explanation
29567-85	AIDEA	Operating Appropriation	16,513.00		Under collected Revenue
30511-85	Economic Development	Mining RSA	427.10		Over Spent Authorization
31517-86	Ak Energy Authority	Solar Panel RSA	0.61		Over Spent Authorization
32111-86	Ak Energy Authority	Kodiak Electric	0.14		Over Spent Authorization
	Subtotal FY85-FY87		16,940.95	0.00	
29568-91	AIDEA	CIP Positions	29.06		Under Collected Revenue
29583-89	Occupational Licensing	Real Estate Commission	27,351.48		Under Collected Revenue
29636-93	Ak Energy Authority	Operations	7,017.91		Under Collected Revenue
30027-89	Measurement Standards	Weigh Stations	237.47		Under Collected Revenue
30056-93	International Trade	Mongolian Coal Study	434.90		Under Collected Revenue
30573-88	Economic Development	Offshore Mining RSA		2,806.00	Negative Expenditure Authorization
	Subtotal FY88-FY94		35,070.82	2,806.00	
	Total All Years		52,011.67	2,806.00	
	Grand Total To Be Ratified			54,817.67	

INQ-TR: TANAB AND UNOBLIGATED BALANCE CALCULATIONS
CY: 1996 APPN: 29567 (1985) - AK INDUSTRIAL DEV

11 26 96

	AVAILABLE BALANCE	UNOBLIGATED BALANCE
NET CONTINUING EXPENDITURE		
AUTHORIZATION(PF2)	807830.31	807830.31
NET CONTINUING RESTRICTED		
REVENUE ESTIMATE(PF3)	-807830.31	
LESS: ALLOWABLE RECEIPTS (PF4)	-791317.31	
ACTUAL EXPENDED	807830.31	807830.31
ENCUMBRANCES(PF5)	N/A	
NET BALANCE	-16513.00	
TOLERANCE ADJUSTMENT(PF6)	16513.00	=====
TOLERANCE ADJUSTED NET		
AVAILABLE BALANCE	=====	

FOR NEXT APPROPRIATION ENTER==> NUMBER _____ TERM YEAR _____
PF1=MENU 7=LAPSE BALANCE 8=CROSS STRUCTURE CNTRL 9=NEXT LOWER LEVEL

INQ-TR: TANAB AND UNOBLIGATED BALANCE CALCULATIONS
CY: 1996 APPN: 30511 (1985) - 08 MINING LOAN FUND

01 26 96

	AVAILABLE BALANCE	UNOBLIGATED BALANCE
NET CONTINUING EXPENDITURE		
AUTHORIZATION(PF2)	20000.00	20000.00
NET CONTINUING RESTRICTED		
REVENUE ESTIMATE(PF3)	-20000.00	
LESS: ALLOWABLE RECEIPTS (PF4)	-20000.00	
ACTUAL EXPENDED	20427.10	20427.10
ENCUMBRANCES(PF5)	N/A	
	-----	-----
NET BALANCE	-427.10	-427.10
TOLERANCE ADJUSTMENT(PF6)		=====

TOLERANCE ADJUSTED NET		
AVAILABLE BALANCE	-427.10	
	=====	

FOR NEXT APPROPRIATION ENTER==> NUMBER _____ TERM YEAR _____
PF1=MENU 7=LAPSE BALANCE 8=CROSS STRUCTURE CNTRL 9=NEXT LOWER LEVEL

INQ-TR: TANAB AND UNOBLIGATED BALANCE CALCULATIONS
CY: 1996 APPN: 31517 (1986) - 21 SOLAR PANEL DEMO

01 25 96

	AVAILABLE BALANCE	UNOBLIGATED BALANCE
NET CONTINUING EXPENDITURE		
AUTHORIZATION(PF2)	17726.04	17726.04
NET CONTINUING RESTRICTED		
REVENUE ESTIMATE(PF3)		
LESS: ALLOWABLE RECEIPTS (PF4)		
ACTUAL EXPENDED	17726.65	17726.65
ENCUMBRANCES(PF5)	N/A	
	-----	-----
NET BALANCE	-0.61	-0.61
TOLERANCE ADJUSTMENT(PF6)		=====

TOLERANCE ADJUSTED NET		
AVAILABLE BALANCE	-0.61	
	=====	

FOR NEXT APPROPRIATION ENTER==> NUMBER _____ TERM YEAR _____
PF1=MENU 7=LAPSE BALANCE 8=CROSS STRUCTURE CNTRL 9=NEXT LOWER LEVEL

INQ-TR: TANAB AND UNOBLIGATED BALANCE CALCULATIONS
CY: 1996 APPN: 32111 (1986) - KODIAK ELECT PLAN

01 26 96

	AVAILABLE BALANCE	UNOBLIGATED BALANCE
NET CONTINUING EXPENDITURE		
AUTHORIZATION(PF2)	1515.65	1515.65
NET CONTINUING RESTRICTED		
REVENUE ESTIMATE(PF3)		
LESS: ALLOWABLE RECEIPTS (PF4)		
ACTUAL EXPENDED	1515.79	1515.79
ENCUMBRANCES(PF5)	N/A	
	-----	-----
NET BALANCE	-0.14	-0.14
TOLERANCE ADJUSTMENT(PF6)		=====

TOLERANCE ADJUSTED NET		
AVAILABLE BALANCE	-0.14	
	=====	

FOR NEXT APPROPRIATION ENTER==> NUMBER _____ TERM YEAR _____
PF1=MENU 7=LAPSE BALANCE 8=CROSS STRUCTURE CNTRL 9=NEXT LOWER LEVEL

MEMORANDUM

STATE OF ALASKA DEPARTMENT OF LABOR Administrative Services Division

TO: Nancy Slagle, Director
Division of Budget Review
Office of Management & Budget
THRU: *Tom Cashen*
Tom Cashen, Commissioner
Department of Labor
FROM: Arbe Williams, Director *AW*

DATE: February 28, 1996
FILE: PYRATIFY.BUD
PHONE: 465-2720
SUBJECT: FY 85 through FY 87
Ratification Requests

Per your "Zero Balance Report" memo dated January 22, 1996, the Department of Labor has the following items to be included in the ratification section of the supplemental bill. All amounts requested are for terminated appropriations with a non-zero balance in fiscal years FY 85 and FY 86, no amounts are being requested for FY 87. This request represents all needs for these three fiscal years. The following are specifics on the request:

<u>Appn-YR</u>	<u>Title</u>	<u>Amount</u>
27615-85	Wage & Hour	\$1,059.50
27540-86	Workers' Incentive	\$12,811.71
27570-86	Management Srvcs	\$10,175.80
27655-86	Alaska Hire	\$39.08

Attached to this memo is a spreadsheet showing how the amounts were determined.

cc: Royce Weller, OMB
Margene DeSmet, ASD
Denise Olmsted, ASD

OFFICE OF
MANAGEMENT & BUDGET

FEB 28 1996

BUDGET REVIEW

DEPARTMENT OF LABOR
Division of Administrative Services

February 26, 1986
Financial Statement/Analysis/Summary

Notification Request to clean up SFY85 - SFY87

Ratification Request to clean up SFY85 - SFY87																	
Year	AR	Title	Authorized	Revenue Est	GF Authorized	Expenditures	Revenues	GF Expend	GF Lapse	Restriction/Determi					Needs OMB approval		
										Should be	Restricted	RST needed	Deferred	Defer needed	RP	Ratification	
1985	27515	Unemploy Ins	13,307,800.00	13,272,200.00	35,600.00	12,146,900.13	12,120,205.58	26,694.55	8,005.45	(1,151,994.42)	(987,203.55)	(164,790.87)	987,203.55	164,790.87			
1985	27540	WIN	1,258,500.00	940,000.00	318,500.00	983,501.04	704,020.42	279,480.82	39,019.38	(235,979.58)	(150,000.00)	(85,979.58)	139,000.00	96,979.58			
1985	27615	Wage & Hour (PBA-AKSAS conversion problem)	0.00	0.00	0.00	1,059.50	0.00	1,059.50	(1,059.50)							(1,059.50)	
																1985 Total Ratification Request	(1,059.50)
1986	27540	Workers' Incentive	920,900.00	621,900.00	299,000.00	881,661.72	569,850.01	311,811.71	(12,811.71)	(52,049.99)		(39,238.28)		52,049.99		(12,811.71)	
1986	27570	Management Svcs	2,637,800.00	1,885,700.00	752,100.00	2,523,711.80	1,781,436.00	762,275.80	(10,175.80)	(124,264.00)		(114,088.20)		124,264.00		(10,175.80)	
1986	27655	Alaska Hrs	80,000.00	80,000.00	0.00	80,017.04	79,907.06	39.08	(39.08)	(2.04)				2.04		(39.08)	
																1986 Total Ratification Request	(23,026.59)
1987	27540	Workers' Incentive	916,400.00	634,000.00	282,400.00	751,581.95	510,785.20	240,746.66	41,603.34	(123,214.71)	(164,818.00)		122,632.00	582.71			
1987	27575	Special Services	1,756,800.00	1,338,300.00	418,500.00	1,586,619.81	1,172,372.79	414,247.02	4,252.98	(165,927.21)	(170,180.00)		162,000.00	3,837.21			
1987	27585	OSHA	2,717,000.00	1,325,300.00	1,391,700.00	2,638,927.25	1,265,228.40	1,373,648.65	18,001.15	(60,071.60)	(60,335.00)		52,161.00	7,910.60	(54.52)		
1987	27623	UI Investigations	582,300.00	582,300.00	0.00	471,769.20	471,714.60	54.52	(54.52)	(110,585.32)	(100,355.00)	(1,230.32)	109,355.00	1,230.32	54.52		
																1987 Total Ratification Request	0.00
										87,641.60		(405,327.25)		451,647.32	0.00	(24,086.06)	

MEMORANDUM**State of Alaska**

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

DATE: March 6, 1996

FILE NO: G:\96BUDGET\
SUPPLEMT\HSPA

TELEPHONE NO: 465-4336

K/B
FROM: Kenneth E. Bischoff, Director
Division of Administrative Services
Department of Public Safety

SUBJECT: DPS #12-6-0156
Ratification Request
FY 94 HSPA

The Department of Public Safety requests that the appropriation listed below be ratified.

This ratification is necessary to balance the Department of Administration Zero Balancing Report as follows:

FY	AR	COMPONENT	AMOUNT
94	46562	HSPA/Operations	\$1,099.95

We do not need to spend any additional General Funds. This is to post the authorization in the appropriation to allow us to close the books on this prior year account.

Back-up Worksheets and additional information is attached.

Attachments

cc: Mary Moran - HSPA

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

FROM: Molly McCammon
Executive Director

DATE: March 1, 1996

SUBJ: Exxon Valdez Oil Spill Amendment to CSHB 468(FIN)am

This is a request to submit to the Senate Finance Committee an amendment to CSHB 468(FIN)am on behalf of the Exxon Valdez Trustee Council. This amendment would give the Department of Natural Resources the authority to receive and expend \$6,670,500 from the Exxon Valdez oil spill settlement trust funds to purchase 691.9 acres of surface estate from the owners of the eight small parcels listed in Table 1. Two of these parcels are in the Prince William Sound region and six are on the Kenai Peninsula.

Table 1. Summary of Small Parcels to be Purchased

Parcel ID	Description	Location	Acres	Value
PWS 17&17A-D	Ellamar Subdivision	Tatitlek	33.4	\$655,500
PWS 52	Hayward Parcel	Valdez	9.5	\$150,000
KEN 10	Kobylarz Subdivision	Kenai River	20.0	\$320,000
KEN 19	Coal Creek Moorage	Kasilof River Flats	53.0	\$260,000
KEN 29	Tulin Parcel	Homer	220.0	\$1,200,000
KEN 34	Cone Parcel	Kenai River	100.0	\$600,000
KEN 148	River Ranch	Kenai River	146.0	\$1,650,000
KEN 1006	Girves Parcel	Kenai River	110.0	\$1,835,000
			691.9	\$6,670,500

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

We are asking for this authorization to be included in the supplemental appropriations bill rather than the capital budget because of timing. These transactions need to be closed as soon as possible. In most cases, the sellers offered their parcels over a year ago and the Trustee Council had extensive public deliberations before the decision to acquire them. The Council made its decision to acquire these parcels in November 1995. Most of the sellers expected the transactions to close within about 60 days and have made financial commitments on that basis. The Coal Creek Moorage parcel is currently the subject of a bank foreclosure proceeding. If the transaction is not completed soon, the foreclosure will proceed and the owners will lose the proceeds from the sale. One of the Ellamar Subdivision parcel owners has procured options to purchase inholdings within the subdivision. These options will expire unless the sale is completed soon. The Tulins have already purchased certain mineral rights that were needed for the State to acquire their parcel.

If the supplemental bill does not move from the Senate in a timely fashion, we may ask that this request be considered as an RPL by the Legislative Budget and Audit Committee in order to expedite its consideration.

These parcels of land were evaluated as part of the Trustee Council's *Comprehensive Habitat Protection Process: Small Parcel Evaluation and Ranking* (July 15, 1995). Two of the parcels recommended for acquisition rank high, four rank moderate, and two have been designated "Parcels Meriting Special Consideration (PMSC)," that is, parcels that have unique or other outstanding values that transcend the parcels' scores.

Ellamar Subdivision is on Virgin Bay, about two miles north of Tatitlek in Prince William Sound. Public ownership of undeveloped waterfront lots within this subdivision will protect habitat for pink salmon, Pacific herring, intertidal/subtidal organisms, sea otters, and recreation/tourism by preventing further construction on these parcels. Acquisition will also ensure public access to the uplands for camping and preserve the option to enhance public recreational opportunities.

Hayward Parcel is adjacent to the Valdez Duck Flats. The parcel contains three gravel pads that extend out into the Duck Flats. Public ownership of this parcel will protect habitat for intertidal and subtidal organisms, harbor seals, and sea otters by preventing further development of the site. Acquisition will also create an opportunity to return the site to its natural condition by removing the three gravel pads that are on the site.

Kobylarz Subdivision has about 1100 feet of riverbank frontage on Big Eddy at Mile 14 of the Kenai River. The Big Eddy fishing hole is one of the most popular fishing areas on the Kenai River. The Kobylarz Subdivision consists of a large wetland and spring-fed slough bordered by a bluff to the north, partially submerged woods, and the Kenai mainstem. Public ownership of this parcel will protect habitat for pink salmon, Dolly

Varden, and recreation/tourism by preventing the loss of wetlands to development. Acquisition will also create an opportunity for public agencies to manage use of the streambanks to minimize habitat degradation.

Coal Creek Moorage is part of the Kasilof River Flats. Public ownership of this parcel will protect fish habitat and intertidal habitat by preventing the filling of wetlands that would result from construction; enable agencies to better protect cultural resources and to manage use of the streambanks to minimize habitat degradation; and preserve opportunities for the public to continue using the area. Acquisition will also preserve the option to enhance public recreational opportunities. The Cook Inlet Aquaculture Association uses Coal Creek as a release site for sockeye salmon smolts, which contribute to the overall Cook Inlet commercial fishery. Support for acquisition of this parcel was expressed by the Kenai Peninsula Borough (Resolution 93-104) and Cook Inlet Aquaculture Association.

Tulin Parcel lies between the Sterling Highway and Cook Inlet. The adjacent property to the south is a large tract of state-owned land that does not have road access to the Sterling Highway. The parcel is dominated by a mixed spruce and birch forest association. Public ownership of this parcel will protect bald eagle habitat and preserve recreational opportunities by preventing further development of the subdivision on the parcel. Acquisition would also create the opportunity to enhance recreational opportunities through, for example, improving and maintaining the road for access to the beach. Support for acquisition of this parcel was expressed by Kachemak Bay State Park Citizens Advisory Board (Resolution 95-3).

Cone Parcel is near the mouth of the Kenai River in an area known as the Kenai River Flats. Public ownership of this parcel will protect fish habitat, intertidal habitat, and the recreational values associated with the fish and wildlife on this parcel by preventing development on this parcel. Furthermore, at one time the City of Kenai proposed to rezone 500 acres of adjacent city-owned wetlands from a Rural Residential classification to Conservation, if the Exxon Valdez Trustee Council acquired subject property.

River Ranch is near Mile 32 on the Kenai River. It is one of the larger privately owned properties on the river, developed primarily as a horse and cattle ranch. Riparian vegetation along portions of the Kenai River has been manually cleared or trampled by livestock. Public ownership of the parcel will protect habitat for pink salmon, Dolly Varden, and recreation/tourism by foreclosing the possibility that the parcel will be more intensively developed. Removal of livestock will further protect fish habitat by allowing the reestablishment of riparian vegetation. Acquisition will allow public agencies to manage public access, thereby minimizing associated bank damage, and also to enhance recreational opportunities.

Girves Parcel is located near Mile 19 of the Kenai River just outside the city of Soldotna. It is across from Centennial Campground and Slikok Creek State Recreation Area. Public ownership of the parcel will protect fish habitat by allowing public agencies to manage public use of the streambanks. Acquisition will also enhance recreation by providing additional public land for fishing and other recreational uses. Appropriate action would be taken to protect or restore streambank vegetation that is important fish habitat.

The Alaska Department of Natural Resources will manage these parcels with protection of fish and wildlife habitat and populations as the highest management priorities. Under the terms of the purchase agreements, public use of these lands must be allowed and must include sport, personal use, and subsistence hunting, fishing, trapping, and recreational uses, consistent with public safety and permitted under law or regulations of the Board of Fisheries and Board of Game.

I have included Restoration Benefits Reports and maps of each parcel. If you have any questions about this request, please contact me at 278-8012.

Attachments (2)

cc(w/attachments): Senator Rick Halford
Senator Steve Frank

SUGGESTED AMENDMENT LANGUAGE

The sum of \$6,670,500 is appropriated from *Exxon Valdez* oil spill settlement funds to the Department of Natural Resources to purchase the following parcels in the amounts stated:

PURPOSE

Ellamar Subdivision (PWS 17 & 17A-D)	\$655,500
Hayward Parcel (PWS 52)	\$150,000
Kobylarz Subdivision (KEN 10)	\$320,000
Coal Creek Moorage (KEN 19)	\$260,000
Tulin Parcel (KEN 29)	\$1,200,000
Cone Parcel (KEN 34)	\$600,000
River Ranch (KEN 148)	\$1,650,000
Girves Parcel (KEN 1006)	\$1,835,000

Restoration Benefits Reports

This section describes the eight small parcels which the state would like to purchase. Descriptions include a map of the parcel, and text describing the parcel's acreage, rank, agency sponsor, appraised value, owner, general location, restoration benefits, potential threats, proposed management, and public comment. Parcel identification numbers are prefaced with an abbreviation for the region — PWS for Prince William Sound and KEN for Kenai Peninsula.

Acreage. Parcels range from 9.5 to 220 acres in size.

Rank. The Habitat Work Group evaluates, scores, and ranks parcels that comply with threshold criteria. The evaluation process takes into account the resource value of the parcel, adverse impacts from human activity, and potential benefits to management of public lands. Two of the parcels recommended for acquisition rank high, four rank moderate, and two have been designated "Parcels Meriting Special Consideration (PMSC)." A PMSC is a parcel that has unique or other outstanding values that transcend the parcel's score.

Sponsor. Two state agencies sponsored small parcels: the Alaska Department of Fish and Game (ADFG) and the Alaska Department of Natural Resources (ADNR).

Appraised value. The parcel description indicates the appraised fair market value as well as a brief description of the highest and best use of the parcel. The appraised value is based on acquisition of fee simple interest in the parcel.

Owner. Current owner of the surface estate.

Location. General location of the property.

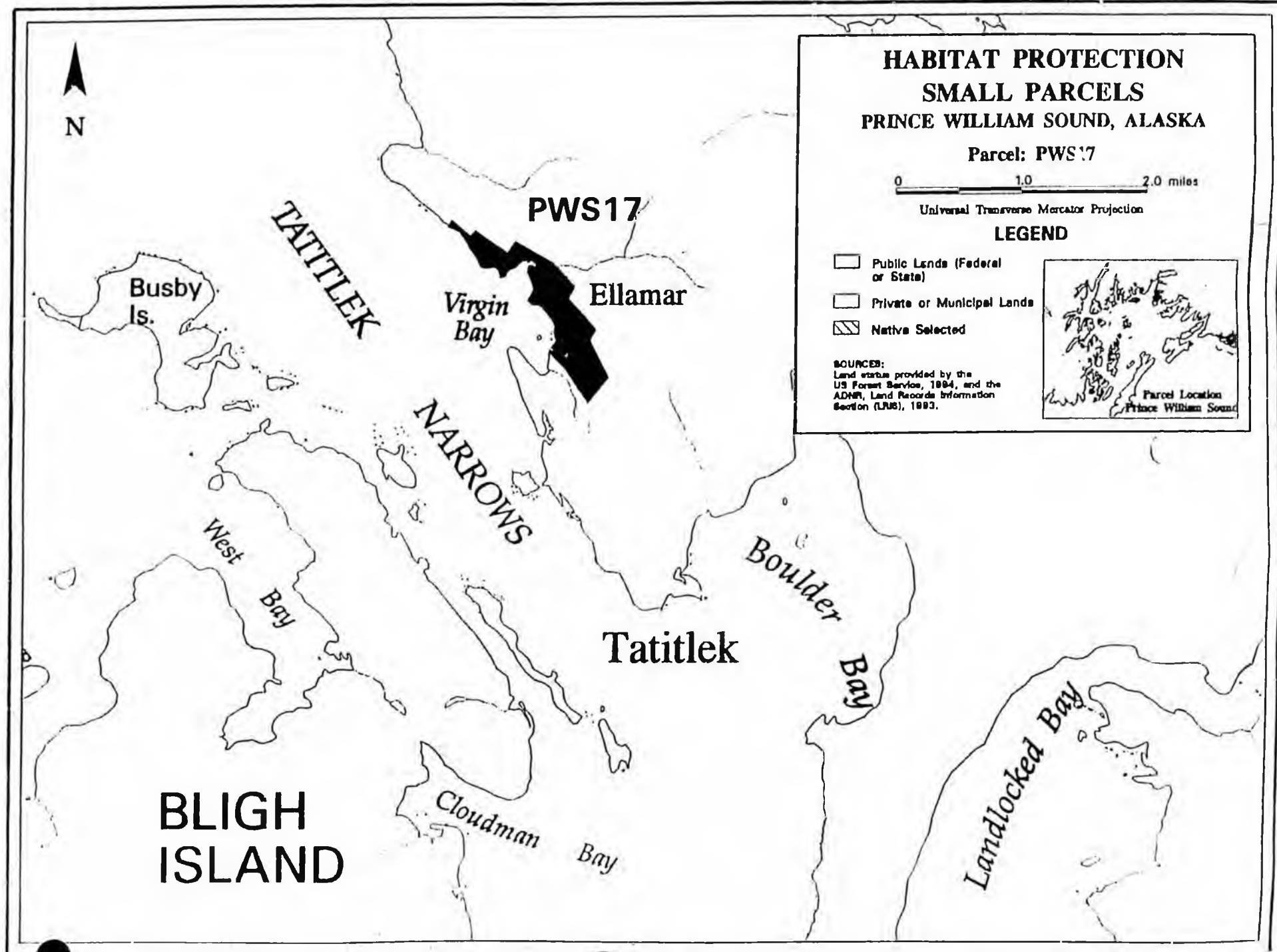
Parcel Description. Description of such factors as the dimensions of the property, road access, land use, ocean or river frontage, and structures that may exist on the parcel.

Restoration Benefits. This section describes how acquisition of the parcel will benefit the restoration of resources and services injured in the spill.

Potential Threats. Potential activities on the parcel that could threaten recovery of injured resources and services.

Proposed Management. A description of how the sponsor agency would manage the parcel.

Public Comment. A brief summary of public comments received on the parcel.



PWS 17 and 17A-D: Ellamar Subdivision

Acreage:	33.4	Rank:	Moderate	Sponsor:	ADNR	Appraised Value:	\$655,500
Owners:	Ellamar Properties, Inc. (Parcels 17 and 17A), Joe Pavsek (Parcel 17B), Kay Haneline (Parcel 17C), and Francis Hunt, Jr. (Parcel 17D)						
Location:	Block 10, Lots 1, 2, 3, 5-11, 12 and 30 and USMS 556A, Ellamar Subdivision, 2 miles north of Tatitlek						

Parcel Description. These five parcels are on Virgin Bay, about two miles north of Tatitlek. The area is mostly flat, well forested, protected by Bligh and Busby Islands to the west and surrounded by mountains to the east. Ellamar Subdivision has 157 lots, 42 of which have been sold. Acquisition efforts have focused on lots surrounding Virgin Bay. These lots have not been impacted by development activities and will provide a viable protection unit encompassing the mouth of Gladhaugh Creek and a large intertidal area.

Restoration Benefits. Public ownership of these parcels will protect habitat for pink salmon, Pacific herring, intertidal/subtidal organisms, sea otters, and recreation/tourism by preventing further construction on these parcels. Acquisition will also ensure public access to the uplands and preserve the option to enhance public recreational opportunities, for example, by installing mooring buoys or similar facilities.

Key habitat and other attributes of this parcel include the following:

- *Pink salmon.* Gladhaugh Creek, a pink salmon stream, bisects part of the parcel.
- *Herring, intertidal/subtidal organisms, and sea otters.* Virgin Bay supports heavy spawning concentrations of Pacific herring and is a documented concentrated sea otter pupping area.
- *Recreation/tourism.* Recreational improvements in the immediate vicinity include subdivision roads, a boathouse and dock. Virgin Bay also provides a protected anchorage.

These parcels have potential for enhancement of recreational opportunities in Prince William Sound. Ellamar is approximately 25 miles from Valdez by boat. The area would make a good destination and rest stop for recreational boaters entering Prince William Sound from Valdez. Virgin Bay provides a protected anchorage, and installation of mooring buoys or a public boat launch could improve safety for small boat operators.

Potential Threats. Ellamar Subdivision is partially developed. Subdivision roads have been constructed. Further construction in the subdivision could threaten injured resources and services. Potential impacts include elevated levels of disturbance, localized pollution, and possible habitat loss from erosion and sedimentation.

Appraised Value. The appraised value of the 22-acre Parcel 17 is \$310,000. The highest and best use of this property is recreational, residential, or commercial lodge type development. The appraised value of Parcels 17A-D are \$26,500, \$40,000, \$29,000 and \$250,000. The highest and best use of these smaller parcels is considered to be single family residential, residential cabins, or small lodge development.

Proposed Management. These parcels will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The land will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Public Advisory Group noted that residents of Tatitlek use Virgin Bay for subsistence, and recommended that negotiators try to protect previously sold parcels to reduce the number of private inholdings that would remain in the lands acquired. One individual expressed support for acquisition of the land because of the area's exceptional scenery, recreational opportunities, wildlife values, and cultural history.



**HABITAT PROTECTION
SMALL PARCELS
PRINCE WILLIAM SOUND, ALASKA**

Parcel: PWS52

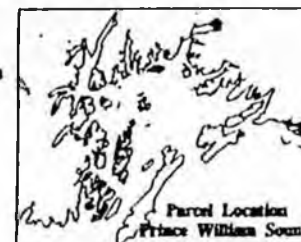
0 1.0 2.0 miles

Universal Transverse Mercator Projection

LEGEND

-  Public Lands (Federal or State)
-  Private or Municipal Lands
-  Native Selected

SOURCES:
Land status provided by the
US Forest Service, 1994, and the
ADNR, Land Records Information
Section (LRIS), 1993.



Parcel Location
Prince William Sound

PORT VALDEZ

Mineral Creek

Valdez

PWS52

Valdez
Airport

Richardson
Highway

PWS 52: Hayward Parcel

Acreage:	9.5	Rank:	Moderate	Sponsor:	ADFG	Appraised Value:	\$150,000
Owner:	Philip L. Hayward						
Location:	Zook Subdivision, near intersection of Richardson Highway and Mineral Loop Road, adjacent to Valdez Duck Flats						

Parcel Description. This parcel is located near the intersection of the Richardson Highway and Mineral Loop Road. It is adjacent to the Valdez Duck Flats. The parcel contains three gravel pads that extend out onto the Duck Flats. The parcel has few additional improvements other than a shed and trailer.

Restoration Benefits. Public ownership of this parcel will protect habitat for intertidal and subtidal organisms, harbor seals, and sea otters by preventing further development of the site. Acquisition will also create an opportunity to return the site to its natural condition by removing the three gravel pads that are on the site. This relatively low-cost improvement would allow periodic flooding of this part of the Duck Flats and the re-establishment of native vegetation.

Key habitats and other attributes of this parcel include the following:

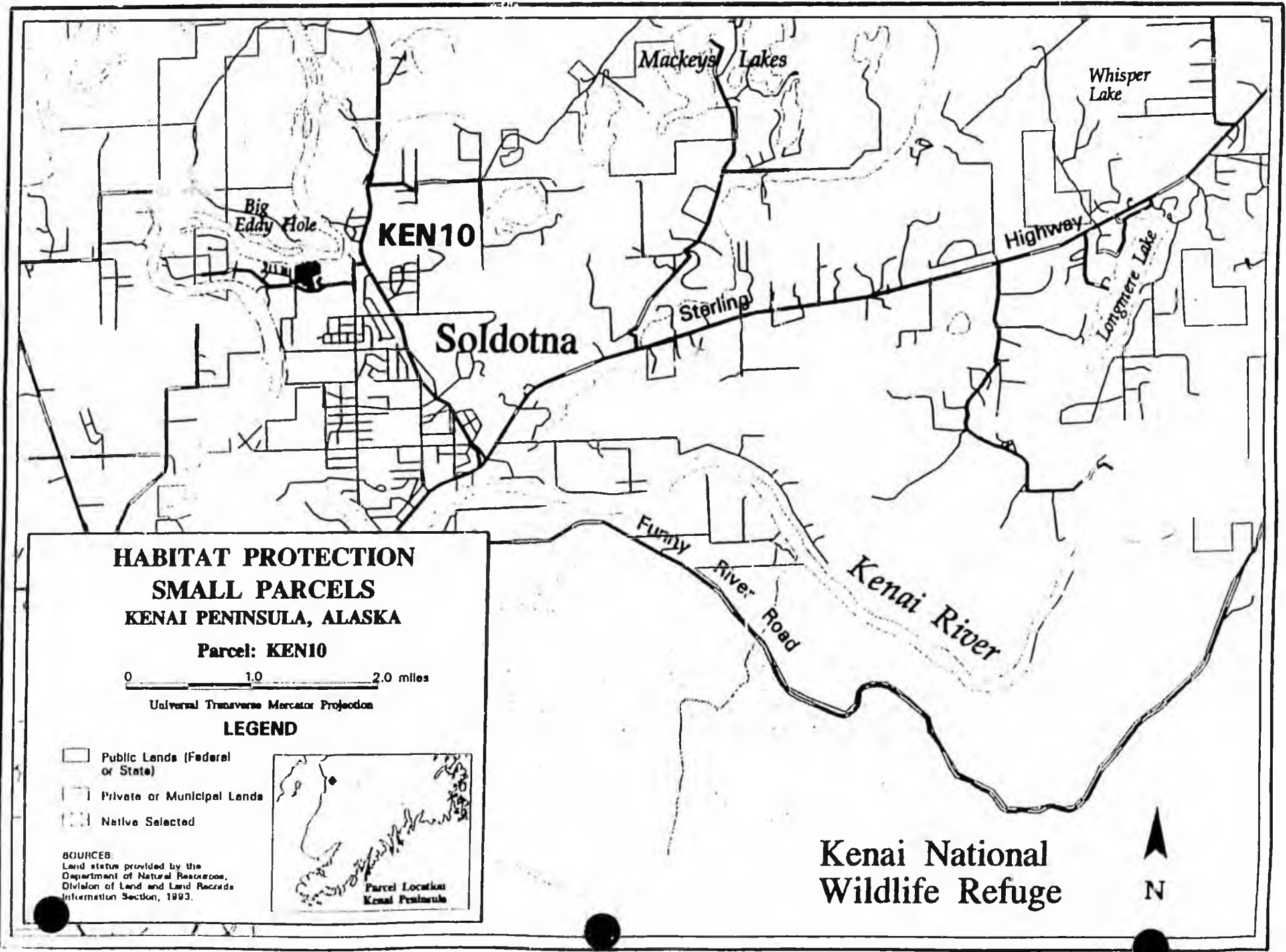
- *Intertidal/subtidal organisms.* The Valdez Duck Flats are a large and unique complex of intertidal mud flats and salt marsh covering approximately 1000 acres. The flats are flooded regularly by incoming tides that mix with seven freshwater streams creating a productive estuary environment. Millions of salmon fry from these streams and the nearby Solomon Gulch hatchery feed and rear throughout the Duck Flats, assisted by the counter-clockwise currents that flow through Port Valdez.
- *Harbor seals and sea otters* also forage throughout the area for mussels and clams.
- The Duck Flats also provide nesting, molting and staging habitat for 52 species of marine birds, eight species of waterfowl, 18 species of shorebirds and numerous other passerines and raptors.

Potential Threats. This parcel has significant development potential. It is on a major road system and has three gravel pads that could easily accommodate trailers or other structures. The gravel pads interfere with the periodic flooding that is essential for maintaining the Duck Flats, and displace native vegetation. Further development of the parcel as, for example, an RV park or a commercial operation, could add to the pollution from development around the perimeter of the flats, which is already affecting the Valdez Duck Flats.

Appraised Value. The appraised value of this parcel is \$150,000. This parcel is zoned Commercial-Residential. Therefore, the highest and best use would be development of an apartment complex, single family home, or commercial/industrial project utilizing the existing gravel pads for access and parking.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat Land."

Public Comment. A member of the Public Advisory Group, who is also a resident of Valdez, supported acquisition of the Hayward parcel because he believed it to be the only piece of private land on the north end of the flats and its acquisition would keep that part of the flats as they are and provide an opportunity to clean up the gravel pads. The owner of a kayaking company in Valdez supported acquisition of this parcel because of the exceptional habitat values of the Valdez Duck Flats and concern about the possibility that an RV park may be constructed on the site.



**HABITAT PROTECTION
SMALL PARCELS
KENAI PENINSULA, ALASKA**

Parcel: KEN10

0 1.0 2.0 miles

Universal Transverse Mercator Projection

LEGEND

- Public Lands (Federal or State)
- Private or Municipal Lands
- Native Selected

SOURCES:
Land status provided by the
Department of Natural Resources,
Division of Land and Land Records
Information Section, 1993.



**Kenai National
Wildlife Refuge**



KEN 10: Kobylarz Subdivision

Acreage:	20	Rank:	Moderate	Sponsor:	ADFG/ADNR	Appraised Value:	\$320,000
Owner:	Elizabeth Kobylarz						
Location:	Mile 14 of the Kenai River						

Parcel Description. This parcel has about 1100 feet of riverbank frontage on Big Eddy at Mile 14 of the Kenai River. The Big Eddy fishing hole is one of the most popular fishing areas on the Kenai River. The Kobylarz Subdivision consists of a large wetland and spring-fed slough bordered by a bluff to the north, partially submerged woods, and the Kenai mainstem.

Restoration Benefits. Public ownership of this parcel will protect habitat for pink salmon, Dolly Varden, and recreation/tourism by preventing the loss of wetlands to development. Acquisition will also create an opportunity for public agencies to manage use of the streambanks to minimize habitat degradation.

Key habitats and other attributes of this parcel include the following:

- *Pink salmon and Dolly Varden* spawn in the river adjacent to the property. The slough provides excellent rearing and overwintering habitat for Dolly Varden, chinook and coho salmon.
- *Sockeye salmon* migrate and rear along the banks of the Kenai River.
- *Recreation/Tourism.* Recreation use of the Kenai River depends on fisheries resources that were injured in the spill, particularly sockeye salmon and Dolly Varden. The parcel receives a high level of trespass use by fishermen to gain access to the Big Eddy fishing hole. Boats also drop people off onshore to fish from the riverbank.

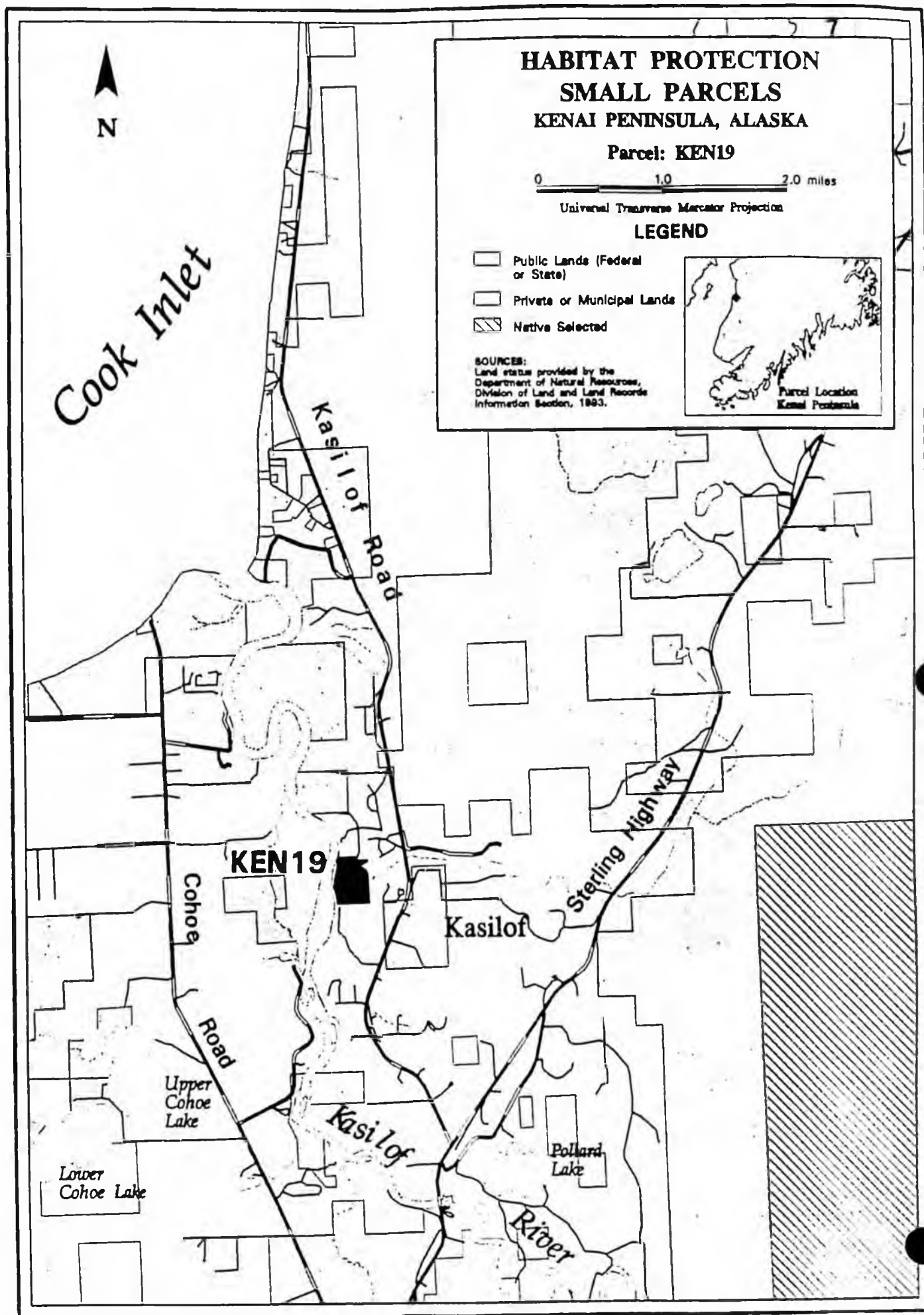
Potential Threats. Fishing activity on the Kenai River, particularly in the area downstream of the Soldotna Bridge, threatens to degrade fish spawning and rearing habitat on this parcel. The large numbers of fishers that use this area tend to trample and denude vegetation along streambanks, increasing erosion and sedimentation.

In 1979, the owners of this parcel applied to the U.S. Army Corps of Engineers for a Section 404 permit to place 9,300 cubic yards of fill in the wetlands adjacent to the Kenai River. This development would have eliminated 4.3 acres of wetlands. In its comments on the application, the U.S. Department of the Interior stated, "We view these wetlands as particularly significant because of their proximity to the river where they serve as a final filtering system for upland runoff and an important source of nutrients and material which are essential to the welfare of the river's fishery resource."

Appraised Value. The appraised value of this parcel is \$320,000. The parcel is located in a predominantly rural residential area and is improved with boardwalk, road, well, septic, and wood frame shelter. The highest and best use is determined to be interim use as an RV park with speculative holding for long-term subdivision development.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Restoration Office has received no written comments from the public regarding this parcel.



KEN 19: Coal Creek Moorage

Acreage: 53	Rank: High	Sponsor: ADFG/ADNR	Appraised Value: \$260,000
Owner: Linda McLane			
Location: Kasilof River Flats at confluence of Coal Creek and Kasilof River			

Parcel Description. This parcel is located at the confluence of Coal Creek and the Kasilof River. It is part of the Kasilof River Flats.

Restoration Benefits. Public ownership of this parcel will protect fish habitat and intertidal habitat by preventing the filling of wetlands that would result from construction; enable agencies to better protect cultural resources and to manage use of the streambanks to minimize habitat degradation; and preserve opportunities for the public to continue using the area. Acquisition will also preserve the option to enhance public recreational opportunities.

Key habitats and other attributes of this parcel include the following:

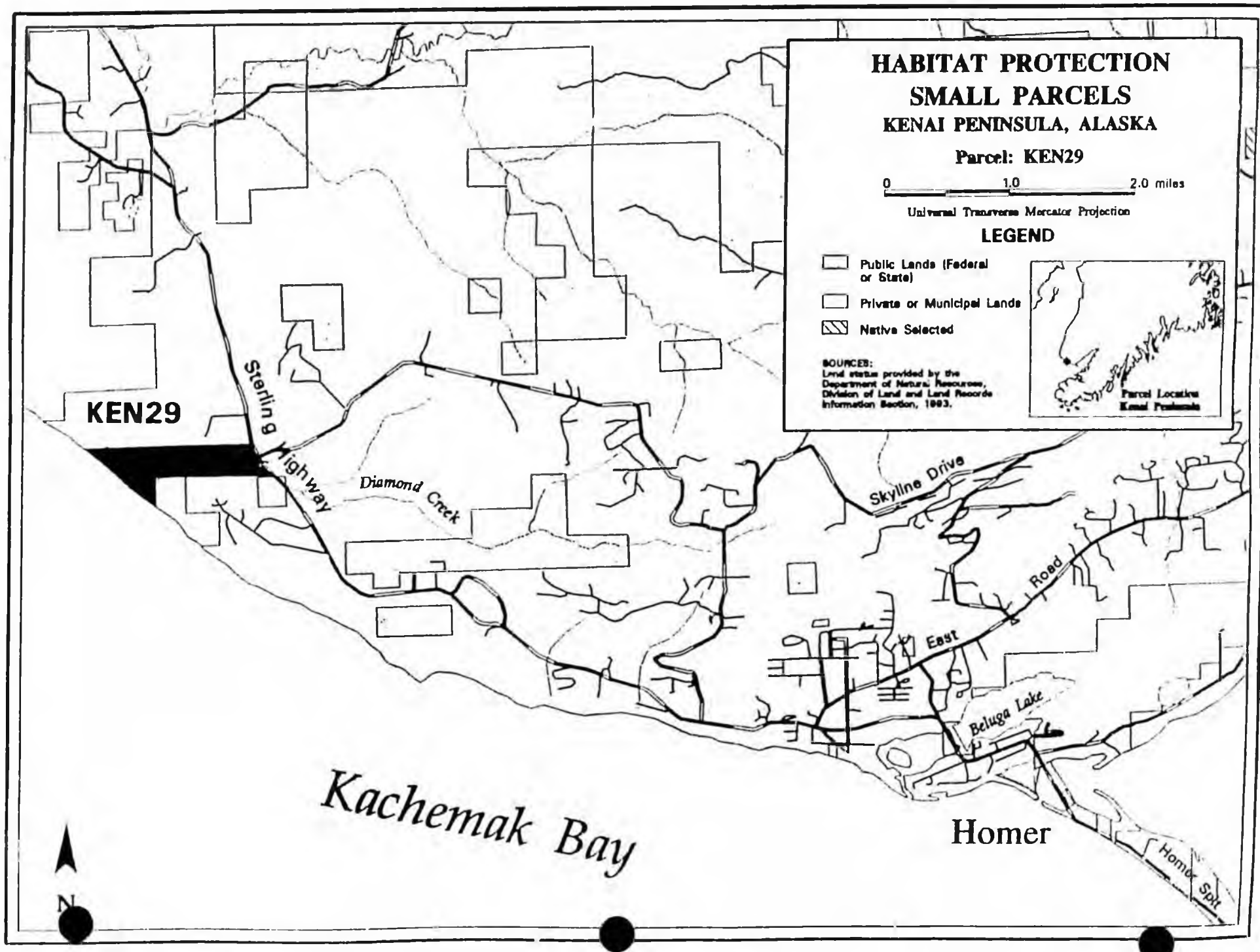
- *Pink salmon and Dolly Varden* spawn in the river adjacent to the property. The Kasilof River Flats provide excellent rearing and overwintering habitat for Dolly Varden.
- *Sockeye salmon.* The Cook Inlet Aquaculture Association (CIAA) uses Coal Creek as a release site for sockeye salmon smolts, which contribute to the overall Cook Inlet commercial fishery.
- *Intertidal/subtidal organisms.* The parcel contains an extensive tidal marsh, which support various fish, birds and mammals.
- *Archaeological resources.* There is evidence of early Russian structures with features indicating this may be the site of the first Russian settlement in southcentral Alaska. There are also numerous barabaras (remnant house pits), fish pits, and two abandoned historic fox farming pens.
- *Recreation/tourism.* The parcel supports recreational use by fishers, birdwatchers and hikers.
- The parcel also supports a variety of other fish and wildlife, such as chinook and coho salmon; steelhead and rainbow trout; Canada, Tule and lesser snow geese; Sandhill cranes; and numerous other waterfowl and shorebirds. Coal Creek is an important wildlife movement corridor for black bear and moose that travel between adjacent upland areas and the Kasilof River Flats.

Potential Threats. The parcel's owners have attempted to develop a subdivision and access road that would entail filling wetlands. The landowners also have proposed installing a culvert on Coal Creek.

Appraised Value. The appraised value of this parcel is \$260,000. The parcel contains four lots which can be marketed independently. The highest and best use is development and sale of individual residential lots.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. Support for acquisition of this parcel was expressed by the Kenai Peninsula Borough (Resolution 93-104) and Cook Inlet Aquaculture Association.



KEN 29: Tulin Parcel

Acreage:	220	Rank:	PMSC	Sponsor:	ADNR	Appraised Value:	\$1,200,000
Owner:	Charles E. and Helen L. Tulin						
Location:	Between the Sterling Highway and Cook Inlet						

Parcel Description. This parcel runs for approximately 1.4 miles from the Sterling Highway west to Cook Inlet where it fronts the shoreline for 3,580 feet. Most of the rest of the parcel averages about ¼ mile in length. This parcel contains and runs parallel to Diamond Creek, which is not an anadromous stream. The adjacent property to the south is a large tract of state-owned land that does not have road access to the Sterling Highway. The parcel is dominated by a mixed spruce and birch forest association

Restoration Benefits. Public ownership of this parcel will protect bald eagle habitat and preserve recreational opportunities by preventing further development of the subdivision on the parcel. Acquisition would also create the opportunity to enhance recreational opportunities through, for example, improving and maintaining the road for access to the beach.

Key habitats and other attributes of this parcel include the following:

- *Bald eagles* nest on the parcel.
- *Recreation/tourism.* This parcel also offers exceptional opportunities to enhance recreation. The large, wooded parcel situated on the bluff overlooking Cook Inlet would make an excellent public campground. The road would provide strategic public access to a large section of beach that is currently inaccessible. The site has spectacular views of Cook Inlet and Kachemak Bay; potable water would probably be available from on-site wells; and a small boat launching facility could probably be built on the beach.

Potential Threats. The parcel is already subdivided and has potential for residential and commercial use. However, the only development on the parcel is an unpaved road that runs from the Sterling Highway down the bluff, and on to the beach.

Appraised Value. The appraised value of this parcel is \$1.2 million. The parcel is developed as a subdivision with 44 lots and 2 tracts. The lots are suitable for residential and commercial use. The highest and best use of this parcel is as developed.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. Support for acquisition of this parcel was expressed by Kachemak Bay State Park Citizens Advisory Board (Resolution 95-3) and a Homer resident whose support was contingent on turning the parcel into a campground. Two individuals opposed acquisition of this parcel. One opponent said that the road along Diamond Creek would be difficult to maintain, making road access to the beach unreliable. A member of the Public Advisory Group suggested that agencies explore a trail easement to connect the two parcels of public land separated by the Tulin parcel and consider, in the negotiations with the landowner, the tax benefits that would accrue from the donation of land.

**HABITAT PROTECTION
SMALL PARCELS
KENAI PENINSULA, ALASKA**

Parcel: KEN34

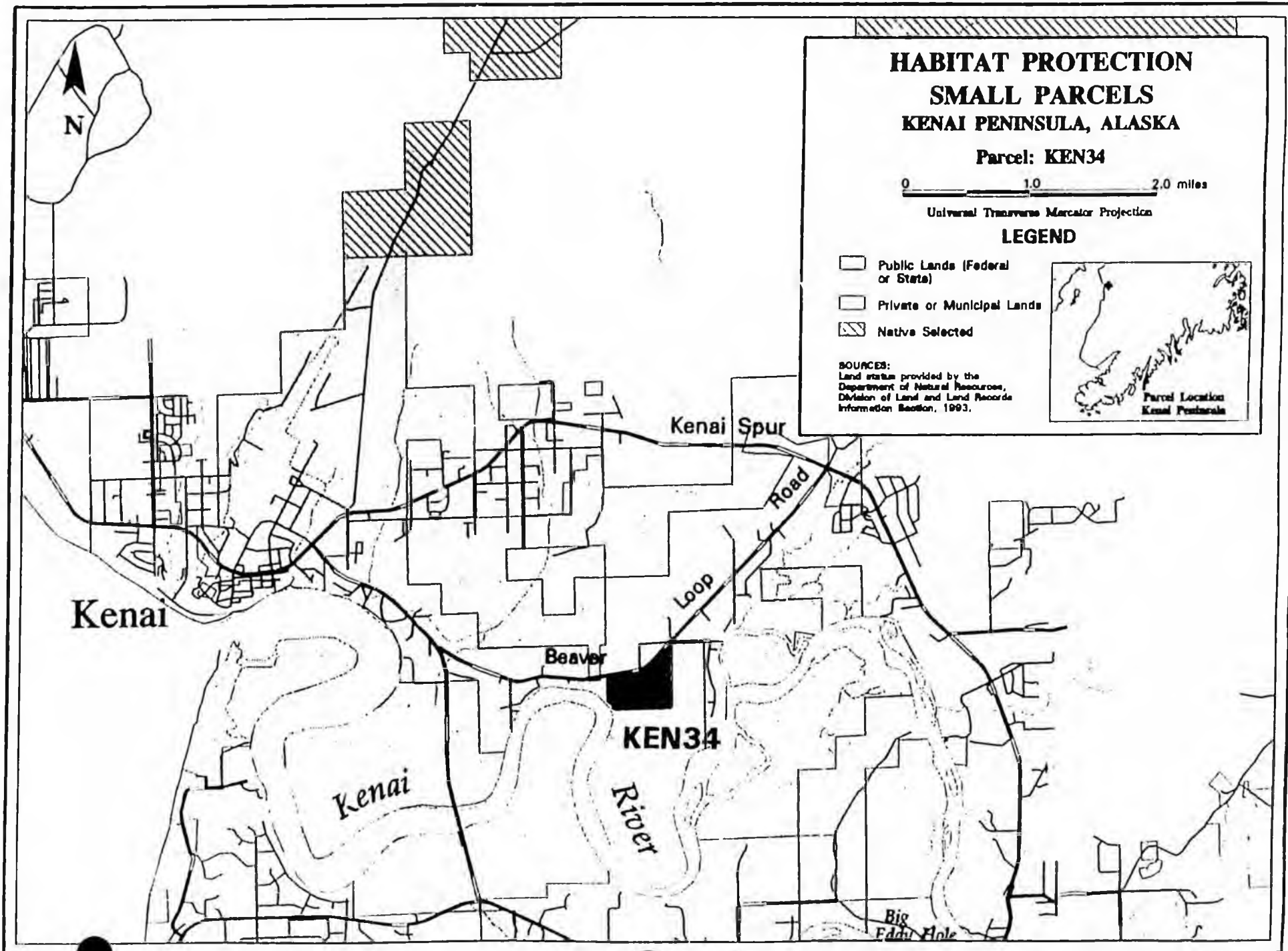
0 1.0 2.0 miles

Universal Transverse Mercator Projection

LEGEND

-  Public Lands (Federal or State)
-  Private or Municipal Lands
-  Native Selected

SOURCES:
Land status provided by the
Department of Natural Resources,
Division of Land and Land Records
Information Section, 1993.



KEN 34: Cone Parcel

Acreage: 100	Rank: High	Sponsor: ADFG/ADNR	Appraised Value: \$600,000
Owner: Chester Cone			
Location: Kenai River Flats south of Beaver Loop Road			

Parcel Description. This parcel is located near the mouth of the Kenai River in an area known as the Kenai River Flats.

Restoration Benefits. Public ownership of this parcel will protect fish habitat, intertidal habitat, and the recreational values associated with the fish and wildlife on this parcel by preventing development on this parcel. Furthermore, at one time the City of Kenai proposed to rezone 500 acres of adjacent city-owned wetlands from a Rural Residential classification to Conservation, if the Exxon Valdez Trustee Council acquired subject property.

Key habitats and other attributes of this parcel include the following:

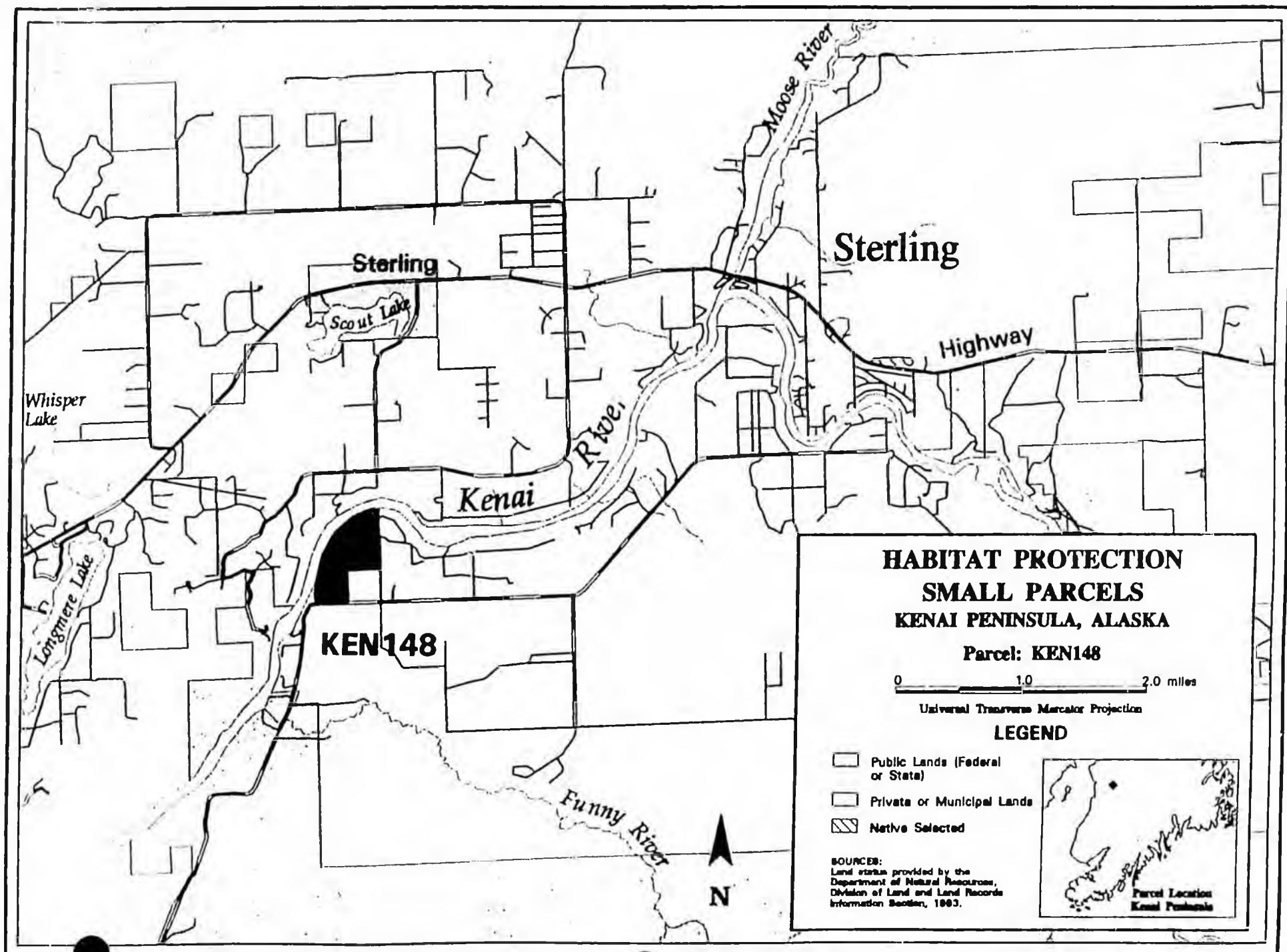
- *Intertidal/subtidal organisms.* The property receives a high intertidal score because of the extensive tidal marsh that exists on-site. The marsh and surrounding uplands are a mixture of bog meadow, grass, sedge, rose shrubs and spruce. Tidal marshes are considered unique in this evaluation because of their limited distribution and high productivity.
- *Pink salmon and Dolly Varden.* Estuarine wetlands such as those on the subject property are used by salmon smolt for cover and feeding prior to their outmigration to Cook Inlet. They also provide cover and rearing habitat for Dolly Varden.
- *Sockeye salmon* migrate and rear along the banks of the Kenai River.
- *Recreation/tourism.* High levels of recreational use are associated with the fish and wildlife values on this parcel.
- The Kenai River Flats also provide important habitat for a variety of other fish and wildlife. Hundreds of thousands of waterfowl, shorebirds and raptors use the area for nesting, feeding and staging; and eighteen species of fish have been documented in this lower reach of the river. The Kenai Lowlands Caribou Herd uses the area for calving and summer range.

Potential Threats. The parcel is situated on a popular drift fishing zone in the lower Kenai River. The landowner has attempted to develop the property for some years, most recently to construct a public boat launching facility, access road and parking area. So far, enabling permits have been denied.

Appraised Value. The appraised value of this parcel is \$600,000. The parcel is vacant land zoned residential for one to four family dwellings. Wetlands on the subject property have hindered development permitting in the past. Indications are that wetlands requirements may be relaxed. Therefore, future phased residential subdivision development is the highest and best use.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The City of Kenai Planning and Zoning Commission supports acquisition of this parcel.



KEN 148: River Ranch

Acreage:	146	Rank:	Moderate	Sponsor:	ADFG/ADNR	Appraised Value:	\$1,650,000
Owner:	Steve Anderson, Walt Hanni, Erv Terry						
Location:	Mile 32 of the Kenai River						

Parcel Description. This parcel is located near Mile 32 on the Kenai River. It is one of the larger privately owned properties on the river, developed primarily as a horse and cattle ranch. Topography is generally flat and native vegetation has been cleared for hay fields. Riparian vegetation along portions of the Kenai River has been manually cleared or trampled by livestock.

Restoration Benefits. Public ownership of the parcel will protect habitat for pink salmon, Dolly Varden, and recreation/tourism by foreclosing the possibility that the parcel will be more intensively developed. Removal of livestock will further protect fish habitat by allowing the reestablishment of riparian vegetation. Acquisition will allow public agencies to manage public access, thereby minimizing associated bank damage, and also to enhance recreational opportunities.

Key habitats and other attributes of this parcel include the following:

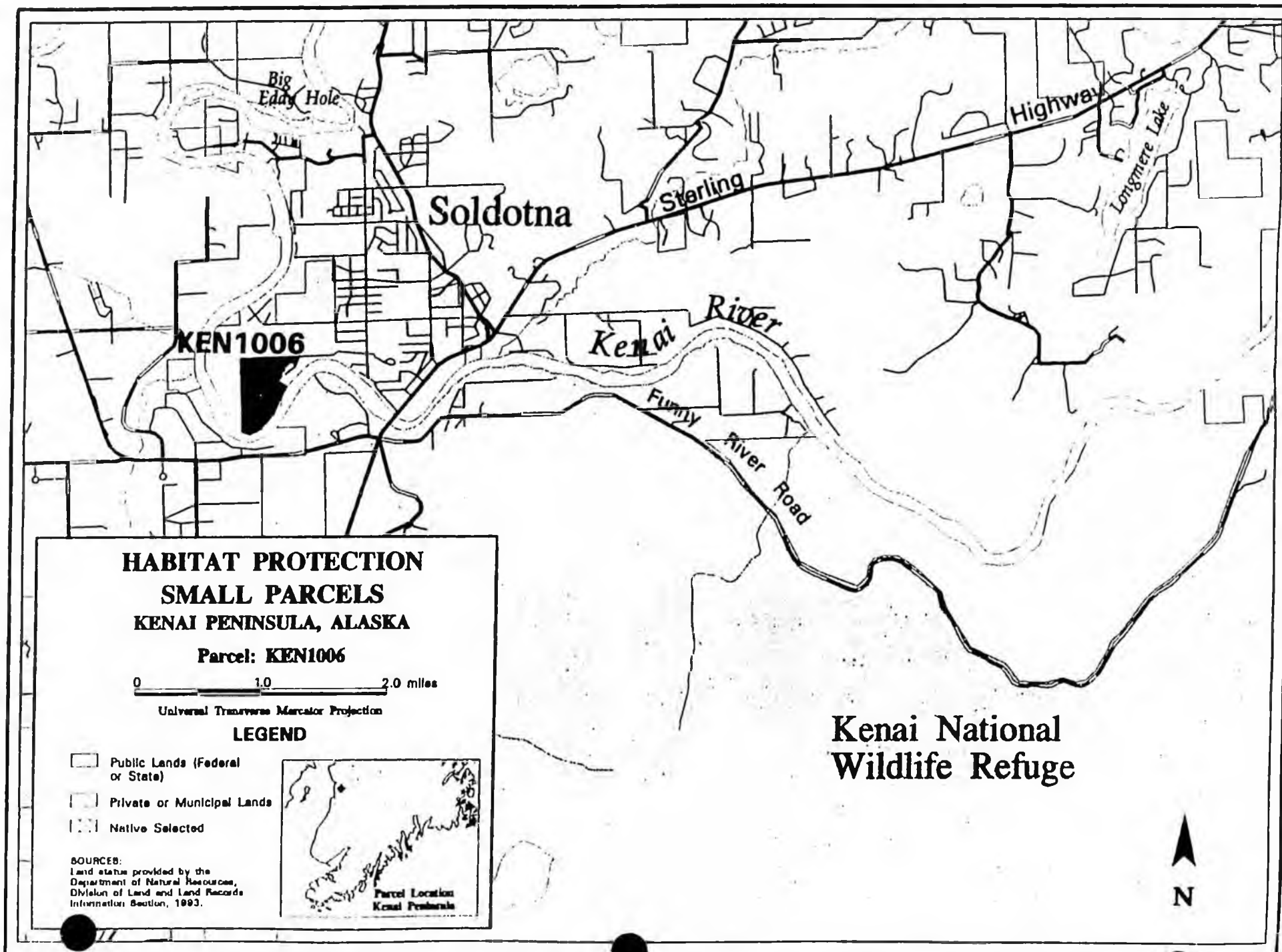
- *Pink salmon and Dolly Varden.* Pink salmon spawning and Dolly Varden spawning and rearing occur adjacent to the parcel.
- *Sockeye salmon* migrate and rear along the banks of the Kenai River.
- *Recreation/tourism.* This parcel has high potential for recreational use. The parcel is located near a proposed bridge crossing of the Kenai River that will connect the town of Sterling to the Funny River road, facilitating increased use of the south side of the river by thousands of anglers. The popular Morgan's Landing State Recreation Area and fishing hole is situated immediately downstream, as is the Alaska State Parks Kenai Area Headquarters. This section of the river receives high public use from boat and shore-based anglers. Recreational use of the subject parcel has been largely restricted by the landowners.

Potential Threats. The landowners are considering a range of development options, including a fishing lodge, single and multi-family housing, and a camper-style recreational vehicle park. The parcel has been extensively cleared and improved, is relatively flat, and has the potential to increase human use pressures on the river significantly if fully developed. Increased development can impact salmon habitat and affect existing recreation as more people compete for limited access sites. Streambanks may become trampled and denuded, increasing erosion and reducing habitat values.

Appraised Value. The appraised value of the parcel is \$1,650,000. The parcel has on-site improvements including a residence, garage, shed, cabin, gravel roads, and fencing. The highest and best use for the remainder of the parcel is residential development.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Public Advisory Group expressed concerns over whether ADNR or ADFG would consider leasing this property to a concessionaire, and agreed that habitat on the site could benefit from boardwalks and other measures to manage use along the river. Members underscored the significant development potential of the site and the threat this posed.



KEN 1006: Girves Parcel

Acreage:	110	Rank:	PMSC	Sponsor:	ADFG	Appraised Value:	\$1,835,000
Owner:	Irene H. Girves						
Location:	Near Mile 19 of the Kenai River						

Parcel Description. This parcel is located near Mile 19 of the Kenai River just outside the city of Soldotna. It is across from Centennial Campground and Slikok Creek State Recreation Area

Restoration Benefits. Public ownership of the parcel will protect fish habitat by allowing public agencies to manage public use of the streambanks. Acquisition will also enhance recreation by providing additional public land for fishing and other recreational uses. Appropriate action would be taken to protect or restore streambank vegetation that is important fish habitat.

Key habitats and other attributes of this parcel include the following:

- *Pink salmon and Dolly Varden.* The parcel provides key habitat for chinook salmon, coho salmon, pink salmon and Dolly Varden.
- *Sockeye salmon* migrate and rear along the banks of the Kenai River.
- *Recreation/tourism.* High levels of recreational use occur by sportfishers who access the property by boat.

Potential Threats. Although the parcel has development potential, the primary threat to habitat results from streambank fishing. The landowner reports that significant erosion of streambanks, as much as five feet in one season, has occurred because of intensive use by river guides and tourists. She attributes the erosion to foot traffic and access by boats.

Appraised Value. The appraised value of the parcel is \$1,835,000. The parcel is zoned residential for one- to two-family dwellings. The site is readily developable, adjacent to public utilities and roads. Thus, the highest and best use is development of a residential subdivision or long-term holding of the parcel for future land value increases prior to subdividing.

Proposed Management. This parcel will be managed to preserve and protect them in order to restore, replace, enhance, and rehabilitate natural resources injured by the spill and the services provided by those natural resources. The parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Restoration Office has received no written comments from the public regarding this parcel.

Updated 3/26/96

FY96 Judgment Supplemental Request
Interest through 6/30/96

Description	Date	Amount	Interest	Total	Cumulative Total
1 James W. McGowan CSED v. Chadwick	7/24/95	70.00	0.00	70.00	70.00
2 Larry Bond CSED v. Bond	11/2/95	261.00	0.00	261.00	331.00
3 Robert Shepard v. Kodiak	11/24/95	500.00	31.94	531.94	862.94
4 Ak Legal Services Shepard v. Kodiak	11/24/95	26,000.00	1,660.77	27,660.77	28,523.71
5 Jermain, Dunnagan et. al. State v. Meyer	12/11/95	1,148.25	67.65	1,215.90	29,739.61
6 Disability Law Ctr Durham v. Kincheloe	9/7/95	45,000.00	3,898.17	48,898.17	78,637.78
7 Kenneth Kirk CSED v. Allsop	10/4/95	1,219.00	96.00	1,315.00	79,952.78
8 City of Fairbanks v. SOA , Labor	10/25/95	3,363.79	244.30	3,608.09	83,560.87
9 Trustees fo AK v. SOA, DNR	8/15/95	42,855.00	3,999.85	46,854.85	130,415.72
10 Disability Ctr of AK Weiss v. State	2/7/95	11,829.76	1,755.95	13,585.71	144,001.43
11 Gail Sorensen v. DMV	9/30/95	2,749.85	219.76	2,969.61	146,971.04
12 Ronald K. Melvin Carpenter v. SOA DMVA	1/19/96	4,374.28	207.96	4,582.24	151,553.28
13 Richard Brandon v. Dept of Corr	7/12/95	242.15	17.94	260.09	151,813.37
14 Eric Smith (Supreme Ct.) Tulkisarmute v. Heinze	10/25/95	2,198.53	159.67	2,358.20	154,171.57
15 Eric Smith (Superior Ct.) Tulkisarmute v. Heinze	8/31/95	4,286.93	380.11	4,667.04	158,838.61
16 Wevley Shea, Esq. Dansereau v. Ulmer	4/3/95	2,560.00	338.99	2,898.99	161,737.60
17 Trustees for Alaska Cordova Fisherman v. State	3/15/96	35,574.28	1,110.23	36,684.51	198,422.11

Updated 1/23/96

International Airport Fund

Description	Date	Amount	Interest	Total	Cumulative
1 Milburn Brantley Brantley v. State	12/1/95	146,470.76	9,056.88	155,527.64	155,527.64
2 Michael Palmer Brantley v. State	12/1/95	78,800.35	4,872.54	83,672.89	239,200.53

Updated 3/4/96

PERS FUND

Description	Date	Amount	Interest	Total
1 Nuggett Hiatt v. State	2/12/96	3,855.98	156.33	4,012.31

Exxon Valdez Oil Spill Trustee Council *Restoration Update*

March 1996

Vol 3 No. 2

SEA takes new approaches to pink salmon & herring



During an intense series of 24-hour surveys, SEA researchers sought to corroborate hydroacoustic data with the contents of fishing nets in specific areas of Prince William Sound. Margaret Powell writes down data as Shawna Karpovich weighs a fish and Jennifer Boldt prepares to take tissue samples.

Photo by L.J. Evans.

The Trustee Council funded the Sound Ecosystem Assessment, or SEA, project to sort out the relationships among recent large declines in pink salmon and Pacific herring, the 1989 oil spill, and natural forces of climate and food availability. After two years of field work and data analysis, researchers are coming up with some of the answers.

In the years after the 1989 oil spill, pink salmon fluctuated dramatically, and in 1993, the Pacific herring population crashed in Prince William Sound. Although considerable variability in the returns of both species is considered normal, these drastic declines were unexpected. Many people wondered if the oil spill was having a lasting negative effect on these valuable commercial resources. It was hard to tell if contamination from the spill had anything to do with the poor fishing, if the low returns were a result of natural

forces in the ecosystem, or if a combination of these factors was the cause. Fishermen and resource managers wanted to know if anything could be done to prevent further declines or to accelerate recovery.

To help find the answers, the Trustee Council turned to the most knowledgeable experts: biologists, local fishermen, and fishery managers. Many of these experts felt strongly that while the oil spill may have contributed to the problems, the actual causes of the declines were much more complicated. Ocean conditions, availability of food, predation by other marine animals, and disease all were important factors controlling the production and recovery of pink salmon and herring. In addition, the experts felt the best aid to restoration was to develop an understanding of these controlling factors in order to improve management of the fisheries. The SEA project was developed in 1994 to answer these questions.

"The SEA project represents cutting-edge science," says Project Leader Dr. Ted Cooney of the University of Alaska

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A fine-mesh net is used to collect the small plants and animals that make up the bottom of the marine food chain. SEA researchers can examine the contents of the jar at the bottom of the net to determine what juvenile herring and pink salmon have available to eat
Photo by Bob Spies.

SEA Cont. from Page 1

Fairbanks Institute of Marine Sciences. "We are developing a much better understanding of the large, underlying forces that drive the whole marine ecosystem in Prince William Sound. This information is going to prove invaluable, not only to restoration and improved management of pink salmon and herring, but to restoration of other injured resources as well."

SEA is a sophisticated, multi-component, interdisciplinary research program, involving specialists from the University of Alaska Fairbanks, Prince William Sound Science Center, Prince William Sound Aquaculture Corporation, the Copper River Delta Institute, and the Alaska Department of Fish and Game. These scientists are collecting data necessary for an ecosystem-level understanding of the two main processes which may control the variability of pink salmon and herring populations: the availability of food for juveniles resulting from physical factors such as tidal currents, salinity and water temperature; and predation on juveniles by other species.

Program progress

Researchers working on the SEA project include physical and biological oceanographers, fishery scientists and experts in computer modeling. A significant amount of field work has taken place in the first two years to develop a clearer picture of the mechanisms and interactions which establish levels of juvenile pink salmon and herring survival each year. This information is being used to develop mathematical models of the ecosystem that will provide improved predictions of the returns of adult fish, and answer questions about the outcomes of proposed restoration or management activities.

Some of the discoveries made by researchers in the SEA project are already generating information useful to the

management of resources in the spill region. For example:

- Salmon fry that grew larger and were released from hatcheries later than normal survived much better than fry released at the usual size and time. Further work will help to determine if it is the size of the fry or the time they are released that is more important to survival.
- It is clear that walleye pollock are an important part of the Prince William Sound ecosystem, both as predators on juvenile salmon and as food for seabirds. The discovery of large schools of spawning pollock in the Port Bainbridge area may lead to development of a new commercial pollock fishery in the region.
- The SEA program has successfully developed and tested a computer model of ocean circulation in the Sound.

Understanding ocean currents, especially the degree to which water from the Gulf of Alaska flows into and out of the Sound, is likely to be critical in predicting the amount of plankton available as food for pink salmon and herring fry and juveniles. Even in its early stages, this work has

Dr. Ted Cooney saves the plankton collected in the net pictured to the left for later examination in the laboratory.

Photo by Bob Spies.



Alaska Specialists Observe Wales Spill Cleanup

The British government recently accepted Governor Tony Knowles' offer to send Alaska oil spill experts to the site of the *Sea Empress* spill in Wales. Dr. Robert Spies, Chief Scientist for the *Exxon Valdez* Oil Spill Trustee Council, and John Bauer of the Alaska Department of Environmental Conservation, the state's shoreline cleanup manager during the *Exxon Valdez* response, spent four days in Wales in mid-March observing the areas affected by the *Sea Empress* oil spill and exchanging information on cleanup and restoration strategies with British environmental officials.

Spies reported that about 108 miles of shoreline had been oiled so far, compared to more than 1,500 miles oiled in Alaska following the *Exxon Valdez* spill.

"Oil did get inside the Milford Haven estuary, an area especially rich in wildlife," Spies said. "Other than that, I didn't see anything that compares with the kind of immediate, major impact on wildlife we saw after the *Exxon Valdez*."

The number of dead birds recovered are on the order of 3,000 so far, Spies said, with scoters, cormorants and murres

among the dead. More than 30,000 oiled bird carcasses were recovered after the Alaska spill.

Bauer noted that there were several key differences between the spills. The *Sea Empress* spill was a different, lighter crude oil, and some of the spill was composed of a partially refined fuel oil. Also, British officials used chemical dispersants on any oil slicks that were at least one mile offshore, which helped to break up the slick before it got onshore.

"That's their strategy," Bauer said. "If the conditions are right, use lots of dispersants right away. They had aircraft with dispersants ready to fly at first light the morning after the wreck." Spies also noted that the weather has at times been extremely rough, helping to further break up and disperse the oil.

The Liberian tanker *Sea Empress* grounded February 15 at the entrance to Milford Haven, Wales. The tanker spilled an estimated 19 million gallons of crude, almost twice the amount spilled by the *Exxon Valdez* in 1989. Travel expenses for Bauer and Spies were paid for by the British Coastguard Agency. Contact: Stan Senner at 907/278-8012.

Audit of Trust Funds Complete

The trust funds overseen by the *Exxon Valdez* Oil Spill Trustee Council were given a clean bill of health in an independent audit released by the Trustee Council in Anchorage March 20.

The Juneau firm of Elgee, Rehfield and Funk conducted the audit as the result of a competitive solicitation authorized by the Trustee Council.

"We're pleased that the audit's findings affirm that our financial statements and accounting system are in good shape," the Council's Executive

Director Molly McCammon said. "As part of its trust responsibilities, the Council wanted to assure the public that the trust funds are being well managed, and that's why having an audit done was a high priority."

The audit of the Trustee Council funds cost \$48,710. A summary of the audit is contained in the 1996 Annual Status Report. Copies of the audit and Status Report are available by calling the Oil Spill Public Information Center at 907/278-8008, toll-free within Alaska at 1-800-478-7745.

Calendar

March 27-30

Community meetings in Kodiak Island villages. Contact Martha Vlasoff at 907/278-8012 for more information.

April 9-10

Traditional Ecological Knowledge protocols workshop. Contact Martha Vlasoff at 907/278-8012 for more information.

April 15

Project deadline for FY97. Contact Sandra Schubert at 907/278-8012 for more information.

June 5

Public Advisory Group meeting. Contact Doug Mutter at 907/271-5011 for more information.

August 7

Public Advisory Group meeting. Contact Doug Mutter at 907/271-5011 for more information.

August 30*

Trustee Council meeting on FY97 Final Work Plan. Contact Rebecca Williams for more information at 907/278-8012.

*Tentative date.

The Restoration Update is published approximately six times a year by the Exxon Valdez Oil Spill Trustee Council. Its purpose is to update interested members of the public about actions, policies and plans of the Trustee Council to restore resources and services injured by the Exxon Valdez oil spill.

For more information, mailing address correction or to request future articles on specific subjects, contact:

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New In Print

These documents and reports are available at the Oil Spill Public Information Center, 645 G St, Anchorage, AK 99501, or by calling 907/278-8008, toll-free within Alaska at 800/478-7745, or toll-free outside Alaska at 800/283-7745.

Documents

1995 Annual Status Report

Abstracts of 1995 Restoration Project Results

FY 1996 Work Plan

Invitation to Submit FY97 Restoration Proposals

Reports • Archaeology

1994 EVOS report, spill area site and collection plan, Restoration Project Final Report, Bittner, J.E. and D.R. Reger.

Archaeological site monitoring and restoration, Restoration Project 1994 Annual Report, Reger, D. et al.

Birds

Experimental harlequin duck breeding survey in Prince William Sound, Restoration Project 1994 Annual Report, Rosenberg, D.H.

Harbor Seals

Habitat use, behavior, and monitoring of harbor seals in Prince William Sound, Restoration Project 1994 Annual Report, Frost, K.F. et al.

Habitat use, behavior and monitoring of harbor seals in Prince William Sound, Restoration Project 1993 Annual Report, Frost, K.F. and L.F. Lowry.

Herring

The impact of adult pre-spawn herring on subsequent progeny, Restoration Project 1994 Annual Report, Carls, M.G. et al.

Forage fish study in Prince William Sound, Restoration Project 1994 Annual Report, UAF School of Fisheries.

Pink Salmon

Injury to pink salmon eggs and preemergent fry incubated in oiled gravel (laboratory study), Restoration Project 1994 Annual Report, Heintz, R.A. et al.

Instream habitat and stock restoration for salmon, Otter Creek Barrier bypass subproject, Restoration Project 1994 Final Report, Wedemeyer, K. and D. Gillikin.

Instream habitat and stock restoration for salmon, Shrode Creek barrier bypass subproject, Restoration Project 1994 Final Report, Wedemeyer, K. and D. Gillikin.

Use of aerial photograph, channel-type interpretations to predict habitat availability in small streams, Restoration Project 1994 Final Report, Olson, R.A.

Injury to salmon eggs and preemergent fry in Prince William Sound, Natural Resource Damage Assessment Final Report, Sharr, S. et al, 1994.

Shellfish

Injury to crabs outside Prince William Sound, Damage Assessment Final Report, Freese, J.L. and C.E. O'Clair.

Recovery monitoring and restoration of oiled mussel beds in Prince William Sound, Restoration Project 1993 Annual Report, Babcock, M. et al.

Recovery monitoring and restoration of oiled mussel beds in Prince William Sound, Restoration Project 1994 Annual Report, Babcock, M. et al.

Sockeye Salmon

Kenai River sockeye salmon restoration, Restoration Project 1994 Annual Report, Tarbox, K.E. et al.

Restoration of Coghill Lakes sockeye salmon: 1994 annual report on nutrient enrichment restoration, Restoration Project 1994 Annual Report, Edmundson, J.A. et al.

Kenai River sockeye salmon restoration, Damage Assessment 1993 Annual Report, Tarbox, K.E. et al.

Subtidal

Petroleum hydrocarbons in near-surface sea water of Prince William Sound, Alaska, following the EVOS, Report number II: Analysis of caged mussels, Damage Assessment Final Report, Short, J.W. and P. Rounds.

Hydrocarbon mineralization potentials and microbial populations in marine sediments following the EVOS, Damage Assessment Final Report, Braddock, J.F. et al.

Nearshore transport of hydrocarbons and sediments following the EVOS, Damage Assessment Final Report, Sale, D.M. et al.

Microbiology of subtidal sediments: monitoring microbial populations, Restoration Project 1993 Final Report, Braddock, J.F. and Z. Richter.

Subtidal monitoring: recovery of sediments in the Northwestern Gulf of Alaska, Restoration Project 1994 Annual Report, O'Clair, C.E. et al.

Assessment of oil spill impacts on fishery resources: measurement of hydrocarbons and their metabolites, and their effects, In important species, Natural Resource Damage Assessment Final Report, Varanasi, U., et al. 1995.

Whales

Assessment of injuries and recovery monitoring of Prince William Sound killer whales using photo-identification techniques, 1994 Restoration Project Final Report, Dahlheim, M.E. and C.O. Matkin.

Assessment of injuries to killer whales in Prince William Sound, Natural Resource Damage Assessment Final Report, Dahlheim, M.E. and C. O. Matkin. 1993.

Effects of the Exxon Valdez oil spill on the abundance and distribution of humpback whales in Prince William Sound, Natural Resource Damage Assessment Final Report, Dahlheim, M.E. and O. von Ziegeler, 1993.

million. The court forgave \$125 million of the fine because of Exxon's cooperation with the governments during the cleanup, the corporation's timely payment of many private claims, and environmental precautions taken since the spill. Of the remaining \$25 million fine, \$12 million was paid into the North American Wetlands Conservation Fund, and \$13 million into the Victims of Crime Act Account.

Exxon also agreed to pay \$100 million as *criminal restitution*, divided evenly between the Federal Government and the State of Alaska. The District Court ordered that these restitution funds must be used "exclusively for restoration projects, within the State of Alaska, relating to the Exxon Valdez oil spill."

What's the difference?

The *civil* funds can be used only for restoration of injuries resulting from the Exxon Valdez oil spill. The *criminal* funds can be used for these purposes as well as for preparation for future spills. For example, criminal funds have been used to fund various spill technology grants, which would not be a permissible use of the civil funds. Both the state and federal government coordinate use of the criminal funds with actions taken by the Trustee Council as they are allocating the civil funds.

See the shaded boxes on these pages for summaries of how these funds have been allocated. Note that the dollar amounts do not include interest earnings. The 1996 *Annual Status Report* includes information on the past and estimated future uses of the civil settlement funds. A brief summary of how the criminal, civil and Alyeska funds are being used is included here.

For more information contact the Oil Spill Public Information Center at 907/278-8008, toll free at 1-800-478-7745 within Alaska, and 1-800-278-7745 from outside Alaska. The Internet address is ospic@muskox.alaska.edu, or you can reach the OSPIC world wide web page at:

<http://www.alaska.net/~ospic>

Federal Criminal Restitution Funds

The federal criminal restitution funds have been allocated so far as follows:

- \$21 million to protect habitat within the Chugach National Forest in Prince William Sound.
- \$20.5 million to protect habitat in the Kodiak National Wildlife Refuge.
- \$7.5 million to the National Oceanic and Atmospheric Administration for shoreline monitoring, establishing an Estuarine Research Reserve in the spill area, and research leading to enhancements in navigational safety in Prince William Sound and Cook Inlet.

State Criminal Restitution Funds

The Alaska Legislature appropriated the state criminal funds as follows:

- \$12.5 million to the City of Seward for the Alaska SeaLife Center.
- \$7 million contribution to the purchase price for inholdings in Kachemak Bay State Park.
- \$5 million for construction of a Kachemak Bay State Park visitors center.
- \$3.25 million for a shellfish hatchery and technical center.
- \$4 million for a water delivery system to the Fort Richardson hatchery for sport fish production.
- \$4.75 million for construction of recreational facilities within Prince William Sound, the Kenai Peninsula and the Kodiak Archipelago.
- \$3 million to the Alaska Department of Fish and Game for habitat enhancement and restoration within the Kenai River watershed.
- \$2 million for a grant to the Prince William Sound Aquaculture Corporation for upgrade of the Main Bay Hatchery.
- \$3 million for additions to the University of Alaska Fairbanks Fishery Industrial Technology Center.
- \$5 million to the Alaska Department of Community and Regional Affairs for grants to restore subsistence resources in small communities in the spill region.
- \$5 million to the Alaska Department of Environmental Conservation for research on prevention and cleanup of future oil spills.

Alyeska Settlement

The Alyeska settlement was approved by both state and federal courts and resolved all spill-related legal claims by the governments against the company. The agreement is separate from private claims against Exxon. As part of the agreement the funds went to specific purposes. These included:

- \$14.5 million to build oil spill response storage facilities and docks at Tatitlek and Chenega.
- \$6 million for work in Cordova to build a road to a proposed oil spill response dock location and construct a response storage facility.
- \$7.5 million towards purchase of inholdings in Kachemak Bay State Park.
- \$200,000 for communications equipment at the Valdez Emergency Operations Center.
- \$1.5 million to various communities through the State of Alaska for lost Fisheries Business Taxes.
- \$2 million for reimbursements to the federal government.

Community Notes

Nine Community Involvement Local Facilitators have been hired in the spill region to aid information exchange with the Trustee Council. The facilitators are listed below.

Community Coordinator Martha Vlasoff is working with ADF&G Subsistence Division staff and Henry Huntington of the Inuit Circumpolar Conference to plan a Traditional Ecological Knowledge Protocol work session April 9 - 10, 1996 in Anchorage. All nine community facilitators will meet at the Restoration Office to discuss guidelines for collection of traditional knowledge and local hire through research projects. A draft protocol document will be produced at the work sessions for the community facilitators to take back to their villages for review.

On the second day of the work session there will be an opportunity for restoration project Principal Investigators to meet Local Facilitators and to

work on creating opportunities for information exchange as part of 1996 field work. During the second day the Facilitators will also receive technical assistance on finalizing FY97 project proposals.

"We are hoping this exchange will provide a better understanding of the ecosystem from both points of view and greater respect for each one's contribution to the process," Vlasoff said.

Vlasoff said that a number of Principal Investigators have already expressed interest in working with communities to coordinate projects with local residents this field season.

Martha Vlasoff, Molly McCammon and Dan Moore from ADF&G will be traveling to the Kodiak Island villages March 27-30, 1996. This will be an opportunity for the villagers to voice their concerns on injured resources and discuss projects, as well as a chance for staff to brief village residents on the progress of the restoration program.

Local Community Facilitators

Gary Kompkoff	Tatitlek	325-2311
Don Kompkoff	Chenega Bay	573-5132
Walter Meganack, Jr.	Port Graham	284-2227
Helmer Olsen	Valdez Native Tribe	835-5589
Charles Moonin	Nanwalek	281-2225
Kenny Blatchford	Qutekcak (Seward)	224-3118
Bob Henrichs	Eyak Tribal Council (Cordova)	424-7739
Hank Eaton	Kodiak Tribal Council	486-4449
Virginia Aleck	Chignik Lake	845-2212

Coastal Currents On The Air



A new radio program about the Trustee Council's research and restoration program will be heard in the spill region beginning the week of March 18. Each two-minute broadcast can be heard at varying times over public radio stations in Chenega Bay, Cordova, Dillingham, Glenallen, Homer, Kodiak, Tatitlek, Valdez and Whittier, as well as in Anchorage and Juneau.

The series of radio programs, called Alaska Coastal Currents, were developed by Jody Seitz of Cordova, working with

Steve Heimel of the Alaska Public Radio Network.

The pilot series of 13 programs cover a variety of subjects such as new methods of studying harbor seals, research showing major shifts in abundance of forage fish species, and information about the status of killer whales in Prince William Sound. The Trustee Council funded this pilot series of programs as part of its overall public information effort.

For more information, call Jody Seitz at 907/424-3719 or L.J. Evans at 907/278-8012.

changed scientists' understanding of ocean current patterns in Prince William Sound. For example, it appears that sometimes the Sound behaves more like a river, with sea water flowing through and returning to the Gulf, and sometimes more like a lake, resulting in less water exchange.

- SEA scientists have determined for the first time the locations where juvenile herring overwinter. Herring biologists think that juvenile survival over the winter is a key factor in determining the number of fish available for commercial harvest at age three or four. It will now be possible to study the survival of juvenile fish, and use this information to improve our predictions of the number of herring available for commercial fishing, subsistence use, and as food for other spill-injured species such as harbor seals and seabirds.

Scientific review and integration

All projects sponsored by the Trustee Council are regularly reviewed in detail by the Chief Scientist and other independent scientists from around North America. At the Restoration Workshop in January 1996, the scientific reviewers commented that the information being collected by SEA researchers will be of immense value for restoration and for the future management of natural resources in the oil spill region.

SEA project researchers are working on increased integration and collaboration, both within the elements of the SEA project and with the other two Trustee Council ecosystem projects, the Nearshore Vertebrate Predator

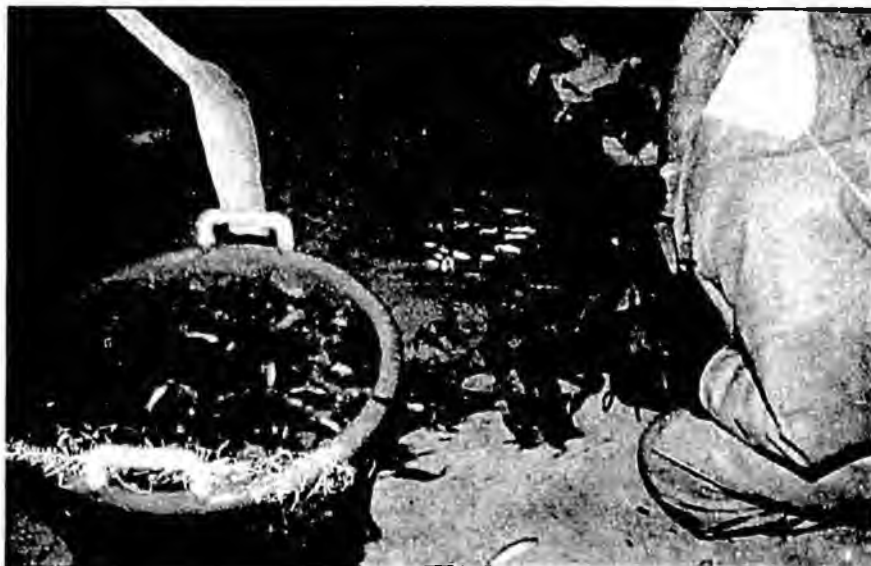


One of the major efforts of the SEA project has been collecting hydroacoustic data in Prince William Sound. Tom McClain on the Alaska Beauty records information from the hydroacoustic equipment as the vessel travels down a transect near Knight Island. Photo by L.J. Evans.

project, or NVP, and the Apex Predator Experiment project, or APEX. Each of these restoration projects is examining different aspects of the marine ecosystem and species injured by the oil spill. More management decisions in the future will be based on known facts about populations of fish, seabirds and marine mammals as a result of these Trustee Council restoration projects. This is likely to result in accelerated recovery of the ecosystem as a whole, as well as recovery of important commercial and subsistence resources.

For more information about the SEA project, contact Joe Sullivan, Alaska Department of Fish and Game at 907/267-2213.

Mark Willette sorts the contents of a net sample into different species for counting. Analyzing data about the species and numbers of juvenile and adult fish is giving SEA researchers more information about who is eating whom. Photo by Jody Seitz.



Civil settlement, criminal funds, Alyeska settlement: What's the difference, anyway?

Keeping track of restoration funds can sometimes be confusing. News stories at the time of the October 1991 civil agreement between Exxon and the state and federal governments touted an "unprecedented \$1 billion settlement." In addition, Alyeska Pipeline Service Co. agreed to pay \$32 million in November 1992 to settle claims by the governments. Allocation of each of these "pots" of money—the Exxon civil and criminal funds, and the Alyeska funds—are guided by different sets of rules.

Government claims

On October 8, 1991 an agreement was approved by the United States District Court in Anchorage that settled the *civil* claims of the United States and the State of Alaska in exchange for the payment of civil damages. On that date, Exxon Corporation and Exxon Shipping Company also pled guilty to various *criminal* violations and agreed to pay restitution for injuries resulting from the oil spill. These are generally called the *civil* funds and the *criminal restitution* funds.

Civil Settlement

As part of the *civil settlement*, Exxon agreed

to pay the United States and the State of Alaska up to \$900 million over a period of 10 years. The guidelines for how the civil funds can be used are in a document called the Memorandum of Agreement and Consent Decree. The United States and the State of Alaska agreed to act as co-trustees, and the six-member *Exxon Valdez Oil Spill Trustee Council* was formed to manage the restoration process. The settlement with Exxon also has a reopener clause that allows the governments to claim up to an additional \$100 million for restoration of populations, habitats or species that could not have been known or anticipated from information available at the time of settlement.

Criminal Judgment

Exxon pled guilty to criminal charges for violating provisions of three Federal laws: the Clean Water Act, the Migratory Bird Treaty Act, and the Refuse Act. The sentences imposed by the court included a *fine* of \$150

Civil Settlement Funds

The settlement agreement specified that certain reimbursements to the governments and to Exxon, which totaled \$213.6 million, came out of the funds at the outset. Since the Trustee Council was formed, additional funds have been allocated as follows:

- Annual work plans dealing with research, monitoring and general restoration for 1992 through 1996 have totaled \$71.7 million. The Trustee Council also contributed \$25.0 million toward construction of the Alaska SeaLife Center in Seward, a marine research facility which is expected to open in 1998 and will provide resources for conducting restoration research on marine mammals, seabirds and fish genetics.
- The Trustee Council has committed \$161.5 million thus far to protect 361,000 acres of habitat important to recovery of resources injured by the spill. Negotiations are underway for a number of other large and small parcels throughout the spill region.
- Recognizing the likelihood that restoration needs will extend beyond the 2001 date when Exxon will end its payments, the Trustee Council in 1994 began depositing \$12 million annually in a Restoration Reserve. This fund currently totals \$36.0 million.
- Providing public information, science management, and administrative support to the restoration process has totaled \$14.3 million through 1996.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

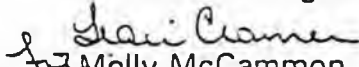
645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

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

FROM: 
Molly McCammon
Executive Director

DATE: September 8, 1995

RE: *Exxon Valdez* Oil Spill Revised Program 11-6-9990

In accordance with Chapter 1, FSSLA 1992, the Departments of Fish and Game, Environmental Conservation, and Natural Resources request authority to receive and expend \$12,653,600 from *Exxon Valdez* oil spill settlement trust funds for the federal fiscal year 1996 Work Plan approved by the Trustee Council at its August 25, 1995 meeting.

The projects included in the 1996 Work Plan were developed based on extensive scientific, budget and policy review, and taking into consideration comments received from the general public and the Trustee Council's 17-member Public Advisory Group. Briefly, the process began in January 1995 at the annual restoration workshop. Over 120 participants, including individuals currently conducting restoration projects, scientists familiar with the spill, and members of the public reviewed previous years' work and analyzed restoration needs for the future. The *Invitation to Submit Restoration Projects for Federal Fiscal Year 1996* was a product of the restoration workshop and was released in March 1995. This document described a long-range projection of research, monitoring and general restoration needs and provided the basis for this year's funding decisions by the Trustee Council.

The Trustee Council's work program is a comprehensive, balanced effort to restore injured resources and services in the spill area. The work plan 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 general restoration activities and habitat protection actions, especially those that help 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

resources upon which communities within the spill area depend.

Authority is being sought in this revised program for that portion of the Federal Fiscal Year 1996 Work Plan which will be implemented by the state agencies. Additional projects will be considered by the Trustee Council in December, after the results of the FY 95 field season are available and further scientific analysis is completed. At that time, another revised program will be submitted to the committee for review.

Since the Trustee Council operates on the federal fiscal year, authority to receive and expend is being requested through state fiscal year 1997 for these projects. Authorization to receive and expend is being requested in the amount of \$12,653,600 allocated to agencies as follows:

Environmental Conservation	242,600
Fish and Game	10,766,900
Natural Resources	1,644,100

In order to provide the context of the restoration projects proposed in this revised program, the following discussion of the annual work program reflects the entire Federal Fiscal Year 1996 restoration program. This includes projects that are proposed for implementation by state agencies, as well as projects that will be implemented by federal agencies. For ease of discussion, the work plan has been organized by restoration cluster. Projects designed to address similar restoration objectives or those that impact the same or related resources are reflected in one cluster. These include:

<u>Restoration Cluster</u>	<u>Page No.</u>
Pink Salmon	3
Pacific Herring	4
Sound Ecosystem Assessment.	5
Sockeye Salmon	6
Cutthroat and Dolly Varden Trout	7
Marine Mammals	7
Nearshore Ecosystem Projects	8
Seabird-Forage Fish and Related Projects	9
Subsistence Services	10
Archeological Resources	11
Habitat Improvements.	12
Reduction of Marine Pollution	12
Public Information, Science Management & Administration.	13
Restoration Reserve.	14
Alaska SeaLife Center.	15
Habitat Protection and Acquisition Support	15

Pink Salmon

The pink salmon restoration program is under extensive on-going review. For that reason, the Trustee Council deferred a number of projects with significant restoration potential but which also raise important technical questions. In essence, these questions arise from the wide spectrum of opinion that exists on what approach to take to answer pink salmon genetics, straying, and stock-separation questions. The Research, Monitoring, and General Restoration elements being addressed in this cluster are as follows.

1. The *toxic effect of oil on pink salmon* was documented after the oil spill. Research showed that pink salmon eggs in oiled streams were dying at higher than rates in unoiled streams. In FY 96, the egg mortality of wild pink salmon will continue to be monitored. Research will be focused on whether mortality is the result of genetic injury; that is, whether the original injury caused genetic damage that is being passed to subsequent generations. The research will also focus on whether the oil caused pink salmon to increase their natural rates of straying or decreased marine survival.

2. *Stock separation and management* provides better information for use by fishery managers to protect injured pink salmon runs that might otherwise be overharvested. Fishery managers use the information to set harvest limits, locations, and timing to concentrate commercial harvest on hatchery or uninjured wild runs in order to protect injured wild stocks.

3. *Supplementation* of pink salmon is being accomplished through the construction and monitoring of structures to enhance wild pink salmon production.

While the majority of the pink salmon projects are included in this cluster, *the Sound Ecosystem Assessment (SEA)* cluster also investigates the pink salmon resource using an ecosystem approach. SEA addresses the ecosystem processes that may be constraining recovery of herring and pink salmon and is discussed separately on page 5.

The pink salmon projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96139A1	Salmon Instream Habitat and Stock Restoration - Little Waterfall Barrier Bypass	55,000
ADF&G	96139A2	Spawning Channel Construction Project - Port Dick, Lower Cook Inlet	230,500
ADF&G	96186	Coded Wire Tag Recoveries from Pink Salmon in Prince William Sound	254,900

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96188	Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon in PWS	93,200
ADF&G	96191A	Oil-Related Embryo Mortalities in PWS Pink Salmon Populations	389,500
ADF&G	96196	Genetic Structure of Prince William Sound Pink Salmon	71,300

Pacific Herring

The herring biomass in Prince William Sound has declined by more than 75 percent from the record level in 1992 of over 100,000 tons. This precipitous decline was first observed in the spring of 1993 and has continued during 1994 and 1995. The herring program focuses on investigating the causes of the crash and prospects for recovery, and on providing management information to help fishery managers protect injured stocks as follows.

1. Research on *reproductive impairment* is being conducted to determine if exposure to oil caused decreased reproduction or genetic damage.
2. *Genetic stock identification* is being conducted to provide information to fisheries managers about the number and distribution of herring stocks to help them focus the harvest on uninjured populations.
3. *Herring disease* is being studied to determine the causes and impact of a virus and a fungus that have become common in Prince William Sound herring populations.
4. *Herring natal habitats* are being studied to develop a model for estimating the biomass of all spawning herring in Prince William Sound. This model will be used by the Department of Fish and Game as a management tool.
5. In order to integrate the herring research, an overall lead scientist with herring expertise is required to provide *program coordination* and scientific leadership.

While the majority of the herring projects are included in this cluster, *the Sound Ecosystem Assessment (SEA)* cluster also investigates the herring resource using an ecosystem approach. SEA addresses the ecosystem processes that may be constraining recovery of herring and pink salmon and is discussed separately on page 5.

The herring projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96162	Investigation of Disease Factors Affecting Declines of Pacific Herring Population in PWS	204,100
ADF&G	96164	Pacific Herring Program Leadership	49,200
ADF&G	96165	Genetic Discrimination of Prince William Sound Herring Populations	103,900
ADF&G	96166	Herring Natal Habitats	229,900

Sound Ecosystem Assessment (SEA Program)

The SEA Program is a multi-year ecological investigation of the factors controlling populations of Prince William Sound pink salmon and herring. It is designed to obtain an understanding of the large-scale oceanographic mechanisms (temperature, salinity, circulation, water structure) that influence levels of adult production of pink salmon and herring in Prince William Sound by investigation of the early life stages of these species and their predator-prey relationships. The research goals for the SEA program follows.

1. *Acquire an ecosystem-level understanding of processes* that interact to maintain the production of pink salmon and herring within natural limits of variability.
2. *Use this information to develop improved predictors* of annual levels of pink salmon and herring production. That is, to be able to forecast pink salmon and herring responses to both natural and human disturbances, including fisheries management, enhancement, and restoration.
3. *Establish a database* describing the status of the ecosystem relative to pink salmon and herring as an information source for improving the effectiveness of management, enhancement, and restoration of these and other resources.

The SEA projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96320E	Salmon and Herring Predation	637,700
ADF&G	96320G	Phytoplankton and Nutrients	162,200
ADF&G	96320H	Zooplankton in the PWS Ecosystem	323,600
ADF&G	96320I	Isotope Tracers - Food Webs of Fish	83,300
ADF&G	96320J	Information Systems and Model Development	180,500
ADF&G	96320K	PWSAC: Experimental Fry Release	61,400
ADF&G	96320M	Physical Oceanography in PWS	191,700

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96320N	Nekton/Plankton Acoustics	209,900
ADF&G	96320R	SEA Trophodynamics Modeling and Validation Through Remote Sensing	202,700
ADF&G	96320T	Juvenile Herring Growth and Habitat Partitioning	1,141,600
ADF&G	96320U	Energetics of Herring and Pollock	189,500
ADF&G	96320Y	Variation in Local Predation Rates on Hatchery - Released Fry	40,000
ADF&G	96320Z1	Synthesis and Integration	68,800

Sockeye Salmon

The elements of the restoration program for sockeye salmon focus on the Kenai/Skilak and the Kodiak commercial fisheries as explained below.

1. Research on the *Kenai/Skilak sockeye*. The commercial fishery was curtailed in Upper Cook Inlet in 1989 due to oil contamination. As a result, there were higher than usual returns (overescapement) of spawning fish to the Kenai/Skilak lake systems. However, there is an imperfect understanding of the mechanism and amount of injury caused by the 1989 overescapement. The five-year-old component of the fish spawned in 1989 will return in 1995 and is being studied to assess the extent of injury.

The Kenai/Skilak sockeye projects include research to determine the mechanism and amount of injury caused by the escapement and support for the development of genetic stock identification and hydroacoustic techniques which are used to identify that portion of the Upper Cook Inlet commercial catch that is returning to the Kenai and other streams. This information allows fishery managers to concentrate the fishery on uninjured sockeye runs.

2. Research on *Kodiak sockeye salmon*. The commercial fishery also experienced overescapement which affected the productivity of the Red, Frazer, Akalura, and Afognak lake systems in the Kodiak Archipelago. The Trustee Council proposes to continue monitoring smolt counts and other limnological parameters in the Kodiak lakes until smolt counts and other parameters appear normal for two consecutive years. This is currently estimated to occur in Red Lake in 1997.

3. In addition to the site specific research and monitoring efforts, *Supplementation* of Coghill Lake is on-going to enhance production of sockeye runs to provide replacement fish for affected commercial fisheries.

The sockeye salmon projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96255	Kenai River Sockeye Salmon Restoration	239,800
ADF&G	96258A	Sockeye Salmon Overescapement Project	460,200
ADF&G	96259	Restoration of Coghill Lake Sockeye Salmon	71,000

Cutthroat and Dolly Varden Trout

Prince William Sound is the northern and western limit of the cutthroat trout's range, and the resource does not exist elsewhere in the spill area. The cutthroat stocks known to exist within the Sound are few, rarely more than 1,000 individuals and are geographically isolated from each other. Studies conducted in 1989, 1990, and 1991 indicated that cutthroat and Dolly Varden trout growth rates and adult sizes were less in oiled than in unoiled areas.

Current restoration projects emphasize supplementation of wild stocks to augment their small populations, and thus their safety, in the face of spill-related or natural stresses. In Federal Fiscal Year 1996, the program will focus on the completion and evaluation of habitat improvements and on research on life history to enhance management of injured populations as described below.

1. *Supplementation* involves in-stream habitat improvements begun in 1994 and monitoring to determine their physical and biological success.
2. *Research and monitoring* provides basic information about the relationship between resident and anadromous forms of cutthroat and Dolly Varden trout. Research is intended to clarify the nature of previously documented injuries.

The cutthroat and Dolly Varden trout cluster is presented for information only. There are no state agency cutthroat and Dolly Varden trout projects under consideration in this revised program.

Marine Mammals

Understanding long-term declines in marine mammals, as well as factors presently limiting recovery, is fundamental to restoration of oil spill injuries. Although there are early indications that the number of harbor seals stabilized, their population in Prince William Sound remains low. Killer whales are considered to be a recovering species, but there continues to be interest in the status of their population in the Sound. To provide more information, the following approaches have been approved by the Trustee Council.

1. *Factors limiting recovery of harbor seals* are being studied, particularly those factors that affect the survival of juvenile harbor seals. Possible factors include food

limitations, predation by killer whales, and mortality caused by humans, including incidental take and subsistence harvest.

2. The *monitoring of killer whales* has occurred in Prince William Sound every year since the spill. The draft monitoring schedule calls for every other year. Thus, Federal Fiscal Year 1996 closes out the 1995 project. Future monitoring needs will be evaluated after review of the 1995 information.

The marine mammal projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96001	Recovery of Harbor Seals: Condition and Health Status	214,100
ADF&G	96064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in PWS	347,300
ADF&G	96170	Isotope Ratio Studies of Marine Mammals	150,400

Nearshore Ecosystem Projects

This cluster of projects addresses sea otters, river otters, harlequin ducks, pigeon guillemots, black oystercatchers, mussels, clams, and other intertidal/subtidal organisms. Also included in this cluster are projects that monitor the fate and persistence of oil. The restoration program has four major approaches to restore nearshore resources.

1. *Monitor recovery of nearshore vertebrate predators* to determine whether or not populations are recovering, isolate processes constraining recovery, and identify potential activities to facilitate recovery. Four nearshore vertebrate predator species and their primary prey are being investigated to assess the health and recovery of the nearshore ecosystem. The predators are sea otter, river otter, harlequin duck, and pigeon guillemot. The prey species are mussels, clams, sea urchins, and crabs for sea otters and harlequin ducks, and nearshore benthic fishes for river otters and pigeon guillemots.

2. Continue to *monitor the recovery of intertidal areas* to determine contamination and recovery of this portion of the ecosystem.

3. *Assess the fate and persistence of oil* and identify means, if any, of removing remaining oil trapped in the sediments of the spill area. These issues are important and have attracted significant interest from the public, especially subsistence users around Chenega, who use beaches on which surface oil remains visible. A special workshop is scheduled for November 1995 to address these questions. Pending the outcome of the workshop, other projects may be recommended for Federal Fiscal

Year 1996 or future years.

4. *Monitoring* additional nearshore species to determine recovery. This includes a pilot study using satellite transmitters to track movements of harlequin ducks within the spill area and monitoring reproductive success in oiled and unoiled areas within Prince William Sound.

The nearshore ecosystem projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96025	Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators	542,400
ADEC	96027	Kodiak Archipelago Shoreline Assessment	10,000
ADF&G	96086	Herring Bay Monitoring and Restoration Studies	173,000
ADF&G	96106	Subtidal Monitoring: Eelgrass Communities	250,000
ADF&G	96427	Harlequin Duck Recovery Monitoring	51,000

Seabird-Forage Fish and Related Projects

This project cluster addresses bald eagles, common murre, marbled murrelets, and pigeon guillemots through the following elements.

1. Research on the dependency of seabirds on forage fish as a prey base. The *seabird-forage fish project (APEX)* is an ecological study that examines populations of several injured fish-eating birds (common murre, marbled murrelets, and pigeon guillemots) that are not recovering in Prince William Sound. This effort examines whether the abundance, composition, and distribution of forage fish are limiting seabird recovery in Prince William Sound. The project envisions intensive study for five years (FY 95-99). A comprehensive review of the project will be undertaken during the fall of 1995 after preliminary results of the 1995 field season are available before a final commitment to the project is made.

2. *Monitoring and research* on other seabirds. This includes projects which gather basic life history information and monitor recovery of populations, specifically for murrelets and common murre.

The effort includes the development of a productivity index to monitor murrelet reproductive success and the development of basic biological information about the Kittlitz's murrelet, a species about which very little is known. Transmitters are being used to track seasonal movement and pelagic habitat use and monitor the major spill-area population of common murre.

Other efforts include a marine bird survey, publishing the results of a seabird workshop, and the close out of a project to remove introduced foxes from islands with seabird colonies.

The seabird forage fish and related projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96163C	Fish Diet Overlap Using Fish Stomach Content Analysis	21,500
ADF&G	96163L	Historical Review of Ecosystem Structure in PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands	4,800
ADF&G	96600	Program Management	53,500

Subsistence Services

This cluster of projects addresses certain biological resources used for subsistence (clams, harbor seals, Pacific herring, pink salmon, sea otters, and sockeye salmon) as well as the subsistence service. While most other projects in the work plan contribute to the recovery of subsistence, the projects in this cluster are designed to restore the subsistence service. The restoration program has several major elements to address subsistence.

1. *Replace or enhance subsistence resources.* Several proposed projects are focused on enhancing or replacing harvestable resources near subsistence communities. Current projects involve providing enhanced or replacement salmon runs and the development of hatchery techniques to produce clam seed and provide replacement clam beds for subsistence use.
2. Increased *participation of, and communication with, subsistence users* about restoration efforts. This includes use of traditional subsistence knowledge about resources captured to assist researchers in achieving restoration objectives as well as helping subsistence users participate in the restoration planning and implementation process.
4. *Food safety testing* began in 1989 under the auspices of the Oil Spill Health Task Force. This and similar work was continued by the Trustee Council in Federal Fiscal Years 93, 94, and 95. Communication of food safety information will continue in Federal Fiscal Year 1996 under the Community Involvement project.

The subsistence projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96052	Community Involvement and Use of Traditional Knowledge	261,000
ADF&G	96127	Tatitlek Coho Salmon Release	26,600
ADF&G	96210	Prince William Sound Youth Area Watch	115,000
ADF&G	96214	Documentary on Subsistence Harbor Seal Hunting in PWS	77,400
ADF&G	96225	Port Graham Pink Salmon Subsistence Project	95,300
ADF&G	96244	Community Based Harbor Seal Management and Biological Sampling	128,500
ADF&G	96272	Chenega Chinook Release Program	52,300

Archaeological Resources

Archaeological resources are non-renewable. They cannot recover in the same sense as biological resources. Thus, the restoration effort has focused on monitoring, site-stabilization and data recovery, and protecting artifacts and sites from further degradation as follows.

1. *Monitoring* on a periodic basis is proposed for a small number of "index sites" to gauge whether there is a resurgence in looting and vandalism, and to continue hydrocarbon testing.
2. *Site-stabilization and data recovery* will complete the curation of artifacts from two vandalized sites.
3. *Protecting artifacts and sites* involves two strategies to prevent further degradation and vandalism. First, the site-stewardship program is designed to provide training and coordination for volunteers to monitor vandalized archaeological sites in the spill area. A pilot program for Kachemak Bay, Uganik Bay, Uyak Bay, and the Chignik Areas. Finally, the cluster includes the planning for efforts to conserve and display artifacts. The proposal would work with communities and museums in the spill area, and with the University of Alaska to evaluate the possible need for additional repositories and develop a regional approach to protection of artifacts. This planning effort could result in the need for additional funding in future years.

The archaeological projects in this revised program are as follows:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADNR	96007A	Archaeological Index Site Monitoring	96,400
ADNR	96149	Archaeological Site Stewardship	54,100
ADNR	96154	Comprehensive Community Planning for Restoration of Archaeological Resources in PWS and Lower Cook Inlet	9,600

Habitat Improvements

While opportunities to directly manipulate damaged habitat as a means of helping injured biological resources recover are limited, restoration along the Kenai River presents a significant opportunity. Adverse impacts to the banks of the Kenai River total about 19 miles of degraded shoreline along public lands. Riparian habitats have been impacted by trampling, vegetation loss and other development impacts. This riparian zone provides important habitat for a variety of injured resources including Dolly Varden, pink salmon, and sockeye salmon. Elements of this restoration effort involve restoration of injured fish habitat, enhancement and direction of recreation to minimize further impacts, and protection of the biological-physical functions of the Kenai River habitat.

The restoration program elements in this revised program is:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADNR	96180	Kenai Habitat Restoration and Recreation Enhancement Project	241,900
ADF&G	96180	Kenai Habitat Restoration and Recreation Enhancement Project	281,000

Reduction of Marine Pollution

Another restoration program element involves reduction of marine pollution, specifically where the pollution is likely to affect the recovery of a part of the injured marine ecosystem, or of injured resources or services. A comprehensive plan to identify and remove the major sources of marine pollution and solid waste in Prince William Sound is being developed. The plan is expected to be finished during Federal Fiscal Year 1996, and it is not yet possible to estimate further Trustee Council funding.

The proposed project in this revised program is:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADEC	96115	Sound Waste Management Plan	28,300

Public Information, Science Management, and Administration

These expenses fund management and administrative functions necessary to implement the restoration program. For administrative purposes, the majority of this cluster is budgeted within the State of Alaska and the Trustee Council reimburses the state for costs incurred. The budget for this component of the restoration program has been reduced by almost 20%, from a total budget of \$4.2 million in FY 95 to \$3.4 million for FY 96. Further reductions are expected through FY 2002. Specific components of the cluster are explained below.

1. *Public Information and Involvement* is a critical component of the restoration effort. To that end, the Trustee Council is assisted by a 17-member Public Advisory Group (PAG) which provides input to the Trustee Council on the annual work plan and other aspects of the restoration program. The Trustee Council regularly holds public meetings to provide information and solicit comment on restoration activities. In addition, the Trustee Council publishes a Restoration Update newsletter, an annual status report, and a variety of other publications to provide information to scientists and the public.

The Oil Spill Public Information Center (OSPIC) was established in 1990. The center serves as the central access point for information and materials generated through the restoration process. In the past four years, staff librarians have responded to over 11,000 information requests, processed over 1,500 interlibrary loans, and distributed over 20,000 documents. Beginning in Federal Fiscal Year 1995, the Trustee Council provided funding to more efficiently synthesize and disseminate information generated through the restoration process including the creation of a comprehensive database of restoration project information. This effort will continue into Federal Fiscal Year 1996.

2. *Scientific management and support* provides the Council independent scientific review of the restoration program and ensures that studies are based on sound scientific principles. Since the oil spill, independent scientific review and support have been a major part of the damage assessment and restoration process. This process includes scientific peer review of project proposals and draft reports. The use of technical workshops is one of the methods used to focus scientific discussion. In 1995, technical workshops were held on seabird restoration, intertidal/subtidal communities, wild salmon stock supplementation, and ecosystem

factors affecting pink salmon and herring in Prince William Sound. Similar workshops will be conducted during Federal Fiscal Year 1996. In addition, an annual restoration symposium is held to provide a forum for principal investigators, project leaders, independent scientists, resource managers, PAG members, and community residents the chance to meet, report on the results of the most recent field season, and discuss efforts to synthesize information and guide the overall program.

3. *Administration* of both the state and federal restoration efforts is important to ensure overall management and implementation of the program. The Trustee Council is staffed by an executive director who oversees a staff that performs the planning, coordination, project oversight, fiscal accountability, and communication functions of the Trustee Council. In addition, each Trustee Council agency has a liaison who assists with work plan development and other Council efforts.

The public information, science management and administration project in this revised program is:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADEC	96100	Administration, Public Information and Scientific Management	204,300
ADF&G	96100	Administration, Public Information and Scientific Management	1,956,400
ADNR	96100	Administration, Public Information and Scientific Management	847,500

Restoration Reserve

Complete recovery from the *Exxon Valdez* oil spill may not occur for decades. For example, some salmon return in cycles of four to six years, and other resources have lives that are much longer. To be effective, restoration activities may have to span more than one generation. Sometimes long-term research is necessary to understand why a resource is not recovering. In many cases, research must precede effective restoration or improved management decisions that will protect a resource or service. For these reasons, some restoration activities may continue for a long time.

Annual payments by the Exxon Corporation to the Restoration Fund end in September, 2001. The *Exxon Valdez* Restoration Reserve was created by the Trustee Council to hold funds to be used for restoration activities after the last annual payment. Allocation of the Reserve to specific activities will be made by the Trustee Council at a later date. Until that time, the funds continue to be held in trust by the U.S. District Court of Texas and authority to receive and expend is not required.

The Trustee Council has approved the transfer of \$12 million in Federal Fiscal Year 1996, the third payment toward the *Exxon Valdez* Restoration Reserve. Additional deposits of \$12 million in each of the remaining six years would provide a reserve of \$108 million plus interest. These funds could be used to carry out long-term restoration activities after the final payment by Exxon in 2001.

Alaska SeaLife Center

In November 1994, the Trustee Council conditionally approved spending up to \$24,956,000 to support construction of marine research infrastructure important to the long-term restoration effort. A separate request to receive and expend has been submitted for approval. Please refer to RPL 11-6-9991 for additional information.

Habitat Protection and Acquisition Support

Over the last three years, the Trustee Council located and evaluated lands owned by willing private owners with the goal of protecting habitat vital to recovery of injured resources and services. Habitat protection will prevent additional injury to resources and services while recovery is taking place, as well as provide a long-term safety net for these resources.

To date, the Trustee Council has protected habitat in the following five areas:

- *Kachemak Bay*. In 1993, the Trustee Council contributed funding to the purchase of 23,800 acres of private inholdings within Kachemak Bay State Park on the Kenai Peninsula.
- *Seal Bay and Tonki Cape (Afognak Island)*. Also in 1993, the state protected 41,549 acres on northern Afognak Island (17,166 acres on Seal Bay and 24,383 acres on Tonki Cape), which were dedicated in 1994 as the Afognak Island State Park.
- *Orca Narrows Subparcel*. In January 1995, the federal government acquired from the Eyak Corporation timber rights on 2,052 acres of land in Orca Narrows near Cordova in Prince William Sound.
- *Akhiok-Kaguyak*. In May 1995, the federal government acquired from Akhiok-Kaguyak, Inc. interest in 119,885 acres of land in Kodiak National Wildlife Refuge.
- *Old Harbor*. Also in May 1995, the federal government acquired from the Old Harbor Native Corporation surface title to about 29,000 acres and conservation easements on 3,000 acres. These lands are also within the Kodiak National Wildlife Refuge. In addition, the Old Harbor Native Corporation agreed to preserve 65,000 acres of land on nearby Sitkalidak Island as a private wildlife refuge.

The Trustee Council is currently in various stages of negotiation with willing private landowners to protect additional habitat. Negotiations are on-going with Eyak, Tatitlek, Chenega, Port Graham, English Bay, and Koniag corporations, and with Afognak Joint Venture and the Kodiak Island Borough. The Council anticipates that agreements will be completed with most landowners during the next year.

In addition, the Trustee Council is proposing to protect a number of small parcels (under 1,000 acres each). 267 parcels were nominated; the Trustee Council has authorized preliminary negotiations for 29.

Authority to receive and expend at this time is limited to acquisition support and management costs only. Funds are not being requested for the purchase of habitat. A separate request will be submitted once agreements are complete.

The habitat protection and acquisition support project in this revised program is:

<u>Agency</u>	<u>Project No.</u>	<u>Title</u>	<u>Request</u>
ADF&G	96126	Habitat Protection Acquisition Support	20,000
ADNR	96126	Habitat Protection Acquisition Support	394,600

Attached to this request is a summary which reflects the individual projects by agency. In addition, an abstract for each project has been attached. Detailed information exists for each project. If you would like additional information on any of the projects or any other aspect of the restoration program, please let me know.

Thank you for consideration of this request. If you have any questions, give me a call.

attachments

cc: Joe Sullivan, ADF&G
Ernie Piper, ADEC
Carol Fries, ADNR

EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990
ADEC	96027	Kodiak Archipelago Shoreline Assessment	\$10.0
	96100	Administration, Public Information and Scientific Management	\$204.3
	96115	Sound Waste Management Plan	\$28.3
		ADEC Total	\$242.6
ADF&G	96001	Recovery of Harbor Seals: Condition and Health Status	\$214.1
	96025	Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators	\$542.4
	96052	Community Involvement and Use of Traditional Knowledge	\$261.0
	96064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in PWS	\$347.3
	96086	Herring Bay Monitoring and Restoration Studies	\$173.0
	96100	Administration, Public Information and Scientific Management	\$1,956.4
	96106	Subtidal Monitoring: Eelgrass Communities	\$250.0
	96126	Habitat Protection Acquisition Support	\$20.0
	96127	Tatitlek Coho Salmon Release	\$26.6
	96139A1	Salmon Instream Habitat and Stock Restoration - Little Waterfall Barrier Bypass	\$55.0
	96139A2	Spawning Channel Construction Project - Port Dick, Lower Cook Inlet	\$230.5
	96162	Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in PWS	\$204.1
	96163C	Fish Diet Overlap Using Fish Stomach Content Analysis	\$21.5
	96163L	Historical Review of Ecosystem Structure in the PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands	\$4.8
	96164	Pacific Herring Program Leadership	\$49.2

EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990
	96165	Genetic Discrimination of Prince William Sound Herring Populations	\$103.9
	96166	Herring Natal Habitats	\$229.9
	96170	Isotope Ratio Studies of Marine Mammals	\$150.4
	96180	Kenai Habitat Restoration and Recreation Enhancement Project	\$281.0
	96186	Coded Wire Tag Recoveries From Pink Salmon in Prince William Sound	\$254.9
	96188	Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon in PWS	\$93.2
	96191A	Oil-Related Embryo Mortalities in PWS Pink Salmon Populations	\$389.5
	96196	Genetic Structure of Prince William Sound Pink Salmon	\$71.3
	96210	Prince William Sound Youth Area Watch	\$115.0
	96214	Documentary on Subsistence Harbor Seal Hunting in PWS	\$77.4
	96225	Port Graham Pink Salmon Subsistence Project	\$95.3
	96244	Community Based Harbor Seal Management and Biological Sampling	\$128.5
	96255	Kenai River Sockeye Salmon Restoration	\$239.8
	96258A	Sockeye Salmon Overescapement Project	\$460.2
	96259	Restoration of Coghill Lake Sockeye Salmon	\$71.0
	96272	Chenega Chinook Release Program	\$52.3
	96320E	Salmon and Herring Predation	\$637.7
	96320G	Phytoplankton and Nutrients	\$162.2
	96320H	Zooplankton in the PWS Ecosystem	\$323.6
	96320I	Isotope Tracers - Food Webs of Fish	\$83.3
	96320J	Information Systems and Model Development	\$180.5
	96320K	PWSAC: Experimental Fry Release	\$61.4
	96320M	Physical Oceanography in PWS	\$191.7
	96320N	Nekton/Plankton Acoustics	\$209.9

EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990
ADNR	96320R	SEA Trophodynamic Modeling and Validation Through Remote Sensing	\$202.7
	96320T	Juvenile Herring Growth and Habitat Partitioning	\$1,141.6
	96320U	Energetics of Herring and Pollock	\$189.5
	96320Y	Variation in Local Predation Rates on Hatchery-Released Fry	\$40.0
	96320Z1	Synthesis and Integration	\$68.8
	96427	Harlequin Duck Recovery Monitoring	\$51.0
	96600	Program Management	\$53.5
	ADF&G Total		\$10,766.9
	96007A	Archaeological Index Site Monitoring	\$96.4
	96100	Administration, Public Information and Scientific Management	\$847.5
	96126	Habitat Protection Acquisition Support	\$394.6
	96149	Archaeological Site Stewardship	\$54.1
	96154	Comprehensive Community Planning for Restoration of Archaeological Resources in PWS and Lower Cook Inlet	\$9.6
	96180	Kenai Habitat Restoration and Recreation Enhancement Project	\$241.9
	ADNR Total		\$1,644.1
	TOTAL		\$12,653.6

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96001

Project Title: Recovery of Harbor Seals from EVOS: Condition and Health Status

Proposer: Castellini, University of Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Marine Mammal Program

RPL Request: ADFG \$214.1

Cooperating Federal

Total FY 96: \$214.1

Agencies: None

Project Summary: This project focuses on the health of harbor seals, a marine mammal species that is not recovering in Prince William Sound. Personnel from the University of Alaska in cooperation with the Alaska Department of Fish and Game will work with harbor seals to assess their health, blood and blubber chemistry and size in relation to their ecological and nutritional requirements. The project addresses potential health and nutritional problems that may be impeding harbor seal recovery.

Chief Scientist's Recommendation:

This is a solid technical proposal that addresses a basic question about recovery of harbor seals in the oil spill area. The investigator is well qualified, and is helping to evaluate the most generally accepted hypothesis for the seals' decline.

Trustee Council Action:

Fund. This project will document the body condition and nutritional status of harbor seals, thus helping to test the "is it food?" hypothesis for declines in the PWS harbor seal population. This information is necessary to eliminate alternative hypotheses (e.g., predation, disease). This project complements 96064 and will enable managers, subsistence hunters, and others to focus their concerns and efforts on the most probable sources of population decline.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96007A

Project Title: Archaeological Index Site Monitoring

Proposer: ADNR

New or Cont'd: Continued

Cluster: Archaeological
Resources

RPL Request: ADNR \$96.4

Cooperating
Federal

Total FY 96: \$141.6

Agencies: DOI, USFS

Project Summary: Monitoring of archaeological sites on public land injured by vandalism and oiling will concentrate on a sample of index sites in the three regions of the spill. Oiled sites will be tested for re-introduced oil. The 10-year project will end at five years if monitoring shows no continued injury.

Chief Scientist's
Recommendation:

This is an excellent proposal that represents the minimum that can be done in archaeological site monitoring. There is a need to continue consultations with Native groups.

Trustee Council
Action:

Fund. Proposer should continue and expand consultation with Native groups. The project provides continued monitoring of archaeological sites injured by vandalism and oiling. The ten year project will end at five years if monitoring shows no continued injury.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96025

Project Title: Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators

Proposer: DOI

New or Cont'd: Continued

Cluster: Nearshore Ecosystem Projects

RPL Request: ADFG \$542.4

Cooperating
Federal

Total FY 96: \$1,728.2

Agencies: DOI, NOAA

Project Summary: The project assesses trophic, health, and demographic factors across a suite of "apex" predators injured by the spill to determine mechanisms constraining recovery and improve knowledge of the status of recovery. Primary hypotheses: 1) recovery of nearshore resources is limited by recruitment processes; 2) initial and/or residual oil in benthic habitats and in or on benthic prey has had a limiting effect on the recovery of predators; and 3) EVOS-induced changes in populations of benthic prey species have influenced the recovery of predators.

Chief Scientist's
Recommendation: This program was peer reviewed in detail in March 1995, and an 18-month workplan was approved by the Trustee Council. A detailed review of the first full field season of this program will be conducted in the fall or winter of 1996 in order to define the program for FY 96.

Trustee Council
Action: Fund. Project will be reviewed in fall of 1995 to see if modifications in 1996 Detailed Project Description are necessary based on 1995 field season. Budget will be reevaluated following review session. In general, the nearshore ecosystem, including intertidal habitat and organisms, was hardest hit by the spill. This project monitors recovery of intertidal organisms and closely linked vertebrate predators and addresses question of whether continuing contamination is slowing recovery of vertebrate predators.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96027

Project Title: Kodiak Archipelago Shoreline Assessment: Monitoring Surface and Subsurface Oil

Proposer: ADEC

New or Cont'd: Continued

Cluster: Nearshore Ecosystem Projects

RPL Request: ADEC \$10.0

Cooperating

Federal

Total FY 96: \$60.0

Agencies: NOAA

Project Summary: This project completes work begun in FY 95 to determine the areal extent, toxicity and origin of oil on selected Kodiak Archipelago shorelines. Most of these shorelines were last surveyed in 1990. The information about the remaining oil is necessary to determine whether recovery is proceeding at an acceptable rate; to help local people assess whether the presence of remaining oil is still affecting shoreline activities; to determine the origin and toxicity of any remaining oil; and to determine if any beaches need additional treatment.

Chief Scientist's Recommendation: This is close-out funding to hold community meetings and complete the final report.

Trustee Council Action: Fund. This project closes out work funded in FY 95.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96052

Project Title: Community Involvement & Use of Traditional Knowledge

Proposer: Chugach Regional
Resources
Commission

New or Cont'd: Continued

Cluster: Subsistence Projects

RPL Request: ADFG \$261.0

Cooperating
Federal

Total FY 96: \$261.0

Agencies: None

Project Summary: This project, submitted by the Chugach Regional Resources Commission (CRRC), will continue a program begun in FY 95. This project will encourage and facilitate communication among the Trustee Council, researchers working on oil spill restoration projects, regional organizations and residents of communities impacted by the oil spill. The goal is to make optimal use of the complementary nature of scientific data and traditional knowledge.

Chief Scientist's
Recommendation: Addresses needed restoration work by furthering interactions between EVOS scientists and community members.

Trustee Council
Action: Fund. This project will continue a program to facilitate communication and interaction among the Trustee Council, scientists, and residents of communities impacted by the oil spill.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96064

Project Title: Monitoring, Habitat Use, and Trophic Interactions of Harbor Seals in Prince William Sound

Proposer: ADFG

New or Cont'd: Continued

Cluster: Marine Mammal Program

RPL Request: ADFG \$347.3

Cooperating
Federal

Total FY 96: \$347.3

Agencies: None

Project Summary: This project will monitor the status of harbor seals in PWS and investigate the possible causes for the ongoing decline. Aerial surveys will be conducted to determine whether the population continues to decline, stabilizes, or increases. Seals will be satellite-tagged to describe their movements, use of haulouts, and hauling out and diving behavior. Samples of blood, blubber, whiskers, and skin will be collected to study diet, health and condition, and genetic relationships to other harbor seal populations.

Chief Scientist's
Recommendation: This is a very good proposal for continuing work on restoration of harbor seals. The investigators are performing well.

Trustee Council
Action: Fund. This basic study explores reasons for the long-term decline in harbor seals. Focus is on "is it food?" hypothesis, but also addresses alternatives, such as predation and disease. This work will enable resource managers, subsistence users, and others to focus their efforts and concern on the most probable causes of population decline.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96086

Project Title: Herring Bay Monitoring and Restoration Studies

Proposer: Highsmith, University
of Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Nearshore Ecosystem
Projects

RPL Request: ADFG \$173.0

Cooperating

Federal

Total FY 96: \$173.0

Agencies: None

Project Summary:

In 1990, intertidal restoration studies were established in Herring Bay in response to the T/V *Exxon Valdez* oil spill. These studies have continued through the 1994 field season and show continued injury to *Fucus gardneri* and the associated invertebrate population, especially in the upper intertidal. Data collected during the 1995 field season will be incorporated into the existing Herring Bay database and the rates and extents of recovery determined for injured resources.

Chief Scientist's
Recommendation:

This is a project that was funded from 1990 through 1995, with close-out scheduled for FY 96. The budget appears to be high for a close-out project.

Trustee Council
Action:

Fund. Project is close-out (data analysis and report writing only) for studies previously funded by the Trustee Council.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 . 6 - 9990

Project Number: 96100

Project Title: Public Information, Science Management and Administration

Proposer: ADNR, ADFG, DEC

New or Cont'd: Continued

Cluster: Public Information,
Science Management,
and Administration

RPL Request: ADNR \$847.5
ADFG \$1,956.4
ADEC \$204.3

Cooperating
Federal

Total FY 96: \$3,439.6

Agencies: NOAA, DOI, USFS

Project Summary: Funding for management and administrative expenses necessary to implement the restoration program, including research, monitoring, general restoration and habitat protection. This budget supports scientific review under an independently contracted Chief Scientist. This peer review is provided for new project proposals as well as final reports. These funds also support technical review workshops. Public information and involvement is also supported with these funds, including operation of the 17 member Public Advisory Group and the Oil Spill Public Information Center that provides information upon request to researchers throughout the country. The budget for this component this year has been reduced by almost 20%, from \$4.2 million in FY 95, to \$3.4 million in FY 96. For administrative purposes, the majority of this cluster is budgeted within the State of Alaska and the Trustee Council reimburses the state for costs incurred.

Chief Scientist's
Recommendation: Not applicable. Note: Funding for the Chief Scientist's competitively bid contract is contained within the overall budget for Project 96100.

Trustee Council
Action: Fund.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96106

Project Title: Subtidal Monitoring: Eelgrass Communities

Proposer: Jewett, University of
Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Nearshore Ecosystem
Projects

RPL Request: ADFG \$250.0

Total FY 96: \$250.0

Cooperating
Federal
Agencies:

None

Project Summary: This project would provide funds to write the final report for Project 95106. The budget reflects projected costs of sample analysis, data analysis, and report preparation. The final report will incorporate and compare all data collected since 1991.

Chief Scientist's
Recommendation:

This is a close-out project for work previously funded by the Trustees. The investigator is doing a very good job on subtidal studies.

Trustee Council
Action:

Fund. Would close out work funded in previous years.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96115

Project Title: Sound Waste Management Plan

Proposer: Prince William Sound
Economic
Development Council

New or Cont'd: Continued

Cluster: Reducing Marine
Pollution

RPL Request: ADEC \$28.3

Cooperating
Federal

Total FY 96: \$28.3

Agencies: None

Project Summary: The Sound Waste Management Plan is a comprehensive plan to identify and remove the major sources of marine pollution and solid waste in PWS that may be affecting recovery of resources and services injured by the Exxon Valdez Oil Spill. This request completes the first phase -- planning begun in FY 95. The following phases of the plan will be to implement these solutions using funds from a variety of sources, possibly including the Trustee Council.

Chief Scientist's
Recommendation:

Prior work won't come to fruition if these final funds are not supplied in 1996. In theory, this project could speed recovery of injured species but those linkages are not clear. Future funding requests need close scrutiny.

Trustee Council
Action:

Fund. Project completes comprehensive planning for PWS communities to determine appropriate strategies for minimizing marine pollution, some of which may be affecting recovery of injured resources and services.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96126

Project Title: Habitat Protection Acquisition Support

Proposer: ADFG, ADNR

New or Cont'd: Continued

Cluster: Habitat Protection
Support

RPL Request: ADFG \$20.0
ADNR \$394.6

Cooperating
Federal

Total FY 96: \$1,193.0

Agencies: USFS, DOI

Project Summary: This project supports activities necessary for the Trustee Council's habitat protection program including negotiations with willing private landowners, parcel appraisals, hazardous materials surveys, title searches, and site visits as needed. The Trustee Council has made purchases or executed protection agreements in five areas to date and discussions with a number of additional Native Corporations, local governments and private landowners are ongoing. Authority to receive and expend at this time is limited to acquisition support and management costs. Separate requests will be submitted for review once agreements involving the state are completed.

Chief Scientist's
Recommendation:

The independent Chief Scientist's recommendation in support of habitat protection was documented as part of the *Report of the Executive Director Concerning Habitat Aquisition* (November 28, 1994).

Trustee Council
Action:

Fund.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96127

Project Title: Tatitlek Coho Salmon Release

Proposer: Tatitlek IRA

New or Cont'd: Continued

Cluster: Subsistence Projects

RPL Request: ADFG \$26.6

Cooperating

Federal

Total FY 96: \$26.6

Agencies: None

Project Summary: Project will create a coho salmon return to Boulder Bay near Tatitlek village. Enough coho eggs to produce 20,000 smolts will be collected from an ADF&G approved stream, incubated and reared to smolt at the Solomon Gulch Hatchery, transported and held for two weeks in net pens in Boulder Bay before release. Release will produce a 2,000 to 3,000 adult return to Boulder Bay for harvest in a subsistence fishery.

Chief Scientist's Recommendation: Excellent project, technically sound, highly feasible. However, Trustee Council funding should be limited to maximum of one life cycle of coho (approximately 4 years).

Trustee Council Action: Fund. However, no funds should be spent on this project until final approval of EA undertaken in FY 95 (approval expected 8/25/95). Fund for 4 years (one coho life cycle). Project will create a coho salmon run near Tatitlek as a replacement resource for subsistence resources injured by the oil spill.

9/11/95

EXXON VALDEZ
Revised

Project Number: 96139A1

Project Title: Salmon Instream
Barrier Bypass

Proposer: ADFG

RPL Request: ADFG \$55.0

Total FY 96: \$55.0

Project Summary: This proposal will provide for the barrier bypass in the EVO project. Whether the improvement project will increase salmon production will increase salmon production.

Chief Scientist's Recommendation: This proposal is technically sound and will provide for pink salmon production.

Trustee Council Action: Fund. Project is intended to provide additional pink salmon production to replace salmon lost in EVO.

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96139A2

Project Title: Spawning Channel Construction Project Port Dick Creek, Lower Cook Inlet

Proposer: ADFG

New or Cont'd: Continued

Cluster: Pink Salmon Projects

RPL Request: ADFG \$230.5

Cooperating

Federal

Total FY 96: \$230.5

Agencies: None

Project Summary: The proposed Port Dick Pink Salmon Spawning Channel would restore wild pink and chum salmon stocks. The proposed project would increase the spawning habitat available in Port Dick Creek by restoring formerly used tributaries by excavating down to stable water sources.

Chief Scientist's
Recommendation:

Implementation of this proposal will likely enhance pink salmon production, and contains plans to monitor performance of the modified channel. It had been previously approved in 1995.

Trustee Council
Action:

Fund. Project is intended to increase available spawning habitat and thus provide additional pink and chum salmon for harvest as a replacement for salmon lost in the oil spill.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96149

Project Title: Archaeological Site Stewardship

Proposer: ADNR

New or Cont'd: NEW

Cluster: Archaeological
Resources

RPL Request: ADNR \$54.1

Total FY 96: \$74.4

Cooperating
Federal
Agencies: DOI

Project Summary: The archaeological site stewardship program will provide training and coordination for a cadre of volunteers to monitor vandalized archaeological sites in the oil spill area beyond the ability of agency monitoring. Volunteer site stewards will protect damaged sites in Kachemak Bay, Uganik Bay, Uyak Bay and the Chignik area of the Alaska Peninsula. Further protection will come from increased local awareness of harm from site vandalism.

Chief Scientist's
Recommendation: The concept was favorably reviewed. This project could serve as a useful model for protection of sites by local residents.

Trustee Council
Action: Fund. The project will provide training and coordination for volunteers to monitor vandalized archaeological sites in the oil spill area. This effort is currently beyond the ability of agency monitoring. After FY 98, expenses will be assumed either by volunteer stewards or agency budgets.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96154

Project Title: Comprehensive Community Plan for Restoration of
Archaeological Resources in PWS and Lower Cook Inlet

Proposer: Chugach Heritage
Foundation

New or Cont'd: NEW

Cluster: Archaeological
Resources

RPL Request: ADNR \$9.6

Cooperating
Federal

Total FY 96: \$206.3

Agencies: USFS, DOI

Project Summary: This project would provide coordinated and cost-effective approach to the provision and delivery of technical assistance planning services to each of the Chugach Oil Spill Impacted Region communities engaged in the development of a cultural center or subsistence restoration facility. The project is designed to facilitate a region-wide effort, coordinate and provide for the various technical service elements associated with and essential to the planning and development of community cultural centers or subsistence restoration facilities and their attendant long-term programs.

Chief Scientist's
Recommendation: A well presented and complete proposal for local restoration of archaeological resources affected by the spill, concentrating on storage and display of artifacts in the spill area. I recommend this planning effort.

Trustee Council
Action: Fund. Project description has been revised to reflect a comprehensive community planning effort.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96162

Project Title: Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in Prince William Sound, AK

<u>Proposer:</u>	University of California, University of Washington, Simon Fraser University	<u>New or Cont'd:</u>	Continued
		<u>Cluster:</u>	Herring Projects

RPL Request: ADFG \$204.1

		<u>Cooperating Federal Agencies:</u>	None
<u>Total FY 96:</u>	\$635.0		

Project Summary: Field and laboratory studies will focus on Viral Hemorrhagic Septicemia (VHS) and *Ichthyophonus hoferi*, a pathogenic fungus, to determine their role in the disease and mortality observed in PWS herring since 1993. Herring in PWS will be monitored three times per year for signs of disease and immune status. Specific pathogen-free herring will be used to determine the degree of mortality, blood chemical changes and pathogenicity produced by these organisms alone and in combination with exposure to stressors such as petroleum hydrocarbons, temperature and crowding. (This project was formerly numbered 95320S.)

Chief Scientist's Recommendation: This is an innovative and thorough approach to investigating the potential relationship between oil exposure and manifestation of disease in herring, although the time between the spill and the population crashes raises questions about cause and effect. Nevertheless, there is a plausible basis for the questions being addressed by this work. By exposing pathogen-free herring to oil and challenge by VHS virus and *Ichthyophonus* in laboratory experiments, the role of these pathogens in the population crashes will be clarified. Also, learning more about the circumstances of disease transmission may benefit herring management.

Trustee Council Action: Defer until FY 95 results are evaluated (fund interim). Project is designed to investigate potential link between oil exposure and disease and between disease and the population decline in PWS. Understanding the lack of recovery is important for restoration and resumption of a herring fishery.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96163C

Project Title: Fish Diet Overlap Using Fish Stomach Content Analysis

Proposer: Duffy, et. al.

New or Cont'd: Continued

Cluster: Seabird/Forage Fish
Ecosystem Project

RPL Request: ADFG \$21.5

Cooperating
Federal

Total FY 96: \$133.1

Agencies: NOAA

Project Summary: Part of Project 96163 (Seabird-Forage Fish/APEX). This study will use seabirds as "probes" of the trophic environment of PWS and compare their reproductive and foraging biologies with similar measurements from the Barren Islands, an area with more suitable or abundant food. Measurements will be compared with hydroacoustic and net samples of fish to calibrate seabird performance with fish distribution and abundance. The project will use fish samples to compare diet, energetics and reproductive parameters of different forage-fish species to determine whether competitive and predatory interactions or different responses to the environment may be favoring the abundance of one fish species over another.

Chief Scientist's
Recommendation:

Project to be subject of detailed review in November 1995, as voted by the Trustee Council in approving the FY 95 startup of this project.

Trustee Council
Action:

Provide interim funding only. Defer remainder pending project review with the Chief Scientist. Project addresses the "is it food?" hypothesis for several seabird species that are in continuing decline. This information could help inform future fisheries management decisions, particularly if commercial interest in fisheries for capelin and other small, oil-rich species was to emerge.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96163L

Project Title: Historical Review of Ecosystem Structure in the PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands

Proposer: Duffy, et. al.

New or Cont'd: Continued

Cluster: Seabird/Forage Fish
Ecosystem Project

RPL Request: ADFG \$4.8

Cooperating

Federal

Total FY 96: \$73.3

Agencies: DOI, NOAA

Project Summary: Part of Project 96163 (Seabird-Forage Fish/APEX). This study will use seabirds as "probes" of the trophic environment of PWS and compare their reproductive and foraging biologies with similar measurements from the Barren Islands, an area with more suitable or abundant food. Measurements will be compared with hydroacoustic and net samples of fish to calibrate seabird performance with fish distribution and abundance. The project will use fish samples to compare diet, energetics and reproductive parameters of different forage-fish species to determine whether competitive and predatory interactions or different responses to the environment may be favoring the abundance of one fish species over another.

Chief Scientist's Recommendation: Project to be subject of detailed review in November 1995, as voted by the Trustee Council in approving the FY 95 startup of this project.

Trustee Council Action: Provide interim funding only. Defer remainder pending project review with the Chief Scientist. Project addresses the "is it food?" hypothesis for several seabird species that are in continuing decline. This information could help inform future fisheries management decisions, particularly if commercial interest in fisheries for capelin and other small, oil-rich species was to emerge.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96164

Project Title: Pacific Herring Program Leadership

Proposer: ADFG

New or Cont'd: NEW

Cluster: Herring Projects

RPL Request: ADFG \$49.2

Cooperating

Federal

Total FY 96: \$49.2

Agencies: None

Project Summary: The purpose of this project is to enhance coordination, integration and critical review of projects that are designed to study different aspects of Pacific herring in the PWS ecosystem; to better understand the interactions of the components of the ecosystem; and to aid in the recovery of the injured resource and lost services.

Chief Scientist's Recommendation: As revised, this proposal provides the leadership the herring research program deserves.

Trustee Council Action: Fund. Increased leadership should increase the effectiveness of the EVOS herring program. Note that the balance of funds needed to hire a program leader should come from 96162, 96165, and 96166. It is unlikely this project will transition into normal agency management. In future years, funding will be rolled into other herring projects.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96165

Project Title: Genetic Discrimination of Prince William Sound Herring Populations

Proposer: ADFG

New or Cont'd: Continued

Cluster: Herring Projects

RPL Request: ADFG \$103.9

Cooperating
Federal

Total FY 96: \$103.9

Agencies: None

Project Summary: The PWS herring fishery has been in catastrophic decline since 1992. The Alaska Department of Fish and Game recovery effort includes incorporating a knowledge of genetically derived population structure into harvest management. This continuing project will delineate the structure of PWS population(s) and related North Pacific populations using both nuclear and mitochondrial DNA analyses. Tests for temporal and spatial diversity within years and temporal stability across years will be done.

Chief Scientist's
Recommendation: This is a continuing project that will directly affect issues of importance for managing Prince William Sound herring. The investigators have performed admirably on past projects, and I recommend further support for the project in 1996.

Trustee Council
Action: Fund. This project addresses basic questions about the genetic composition of PWS herring in relation to other North Pacific populations. This information is important to management. When setting harvest limits, it is important to know whether there exists one or more genetically distinct populations.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96166

Project Title: Herring Natal Habitats

Proposer: ADFG

New or Cont'd: Continued

Cluster: Herring Projects

RPL Request: ADFG \$229.9

Cooperating
Federal

Total FY 96: \$444.1

Agencies: None

Project Summary: Past studies have documented damage from oil exposure in adult herring, hatching success of embryos, and levels of physical and genetic abnormalities in larvae. The PWS herring spawning population has drastically declined since 1993, and pathology studies implicated Viral Hemorrhagic Septicemia (VHS) and *Ichthyophonus* as potential sources of mortality as well as indicators of stress. The project will continue to provide estimates of spawning herring abundance and investigate the lethality of suspected pathogens and the role of environmental contaminants in disease transmission through laboratory and field studies.

Chief Scientist's
Recommendation:

Relates to SEA hypothesis and causes of decline in herring, which are fundamental to the EVOS restoration program. However, there is concern about the extent to which some activities can be considered on-going agency management. The budget is too high.

Trustee Council
Action:

Defer pending 1) review of FY 95 results; 2) a review of recovery objective for herring based on FY 95 results; 3) a review of the project budget; and 4) agreement on plan for transition to normal agency management. In addition, there is a question whether herring spawn deposition surveys are a cost-effective management tool (juvenile herring survey may be more effective). Fund interim. The goal of the project is to improve estimation of spawning biomass, in order to establish harvest levels and guidelines that allow natural restoration to occur and that will sustain a healthy fishery.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96170

Project Title: Isotope Ratio Studies of Marine Mammals in Prince William Sound

Proposer: Schell, University of Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Marine Mammal Program

RPL Request: ADFG \$150.4

Cooperating Federal

Total FY 96: \$150.4

Agencies: None

Project Summary: Stable isotope ratios are natural tracers of carbon and nitrogen transfers through food webs. Through a mix of captive animal studies, comparison of isotope ratios in archived and current marine mammal tissues and their potential prey species in the PWS, insight into environmental changes causing the decline of harbor seals may be possible. This project will supply the isotope ratio determinations for other projects using this technique in the PWS ecosystem. Over the 12 months of FY 96 funding about 10,000 samples in these related projects will be analyzed. (This project was formerly numbered 95320L2.)

Chief Scientist's Recommendation:

Excellent in all respects. This project will doubtlessly provide insights into the functioning of the Prince William Sound ecosystem that cannot be obtained in other ways. It may well provide valuable information for modeling the entire ecosystem at a very reasonable cost. Coordination with Project 96121 should prevent duplication of effort.

Trustee Council Action:

Fund. This project provides technical support for 96064, and will assist the SEA program (96320) by describing the food chains that support important commercial fisheries in PWS.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96180

Project Title: Kenai Habitat Restoration & Recreation Enhancement Project

Proposer: ADNR

New or Cont'd: NEW

Cluster: Habitat
Improvements

RPL Request: ADFG \$281.0
ADNR \$241.9

Cooperating
Federal

Total FY 96: \$560.6

Agencies: DOI

Project Summary: Adverse impacts to the banks of the Kenai River total approximately 19 miles of the river's 166 mile shoreline. Included in this total are 5.4 river miles of degraded shoreline on public land. Riparian habitats have been impacted by trampling, vegetation loss and structural development. This riparian zone provides important habitat for pink salmon, sockeye salmon and Dolly Varden, species injured by the *Exxon Valdez* oil spill. The project's objectives are to restore injured fish habitat, protect fish and wildlife habitat, enhance and direct recreation and preserve the values and biophysical functions that the riparian habitat contributes to the watershed.

Chief Scientist's
Recommendation:

This is a well presented proposal, and the supplementary information provided helps to clarify the relationship to work that is being carried out with funds provided from the *Exxon Valdez* criminal settlement and other sources. This is a strong project aimed at the direct restoration of habitats that are important to the recovery of sockeye and other fish species of commercial and recreational importance.

Trustee Council
Action:

Fund. This project will aid restoration of habitat for the benefit of sockeye salmon and other fish species of commercial and recreational importance.

9/11/95

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96186

Project Title: Coded Wire Tag Recoveries From Pink Salmon in Prince William Sound

Proposer: ADFG

New or Cont'd: Continued

Cluster: Pink Salmon Projects

RPL Request: ADFG \$254.9

Cooperating

Federal

Total FY 96: \$254.9

Agencies: None

Project Summary: This project funds recovery of coded-wire tags in PWS pink salmon. The recovered tags are used to help ADFG manage the commercial fishery to protect injured stocks. The project is part of a program to transition to a more precise in-season tool, otolith marking, with a permanent funding source other than the Trustee Council. (This project was formerly numbered 95320B.)

Chief Scientist's Recommendation: This project is necessary to support the transition to the otolith thermal mass marking. This project should be discontinued only after feasibility of TMM is demonstrated.

Trustee Council Action: Fund. Future years' funding, as recommended, includes two years of overlap with Otolith Thermal Marking Project (96188). The project provides information that allows managers to vary the timing and location of commercial harvest to protect injured wild stocks. This is especially important for stocks in the hard-hit Southwest District in PWS and would enable continued fishing in this area.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96188

Project Title: Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon
in Prince William Sound

Proposer: ADFG

New or Cont'd: Continued

Cluster: Pink Salmon Projects

RPL Request: ADFG \$93.2

Cooperating
Federal

Total FY 96: \$93.2

Agencies: None

Project Summary: This project will develop otolith mass marking as an in-season stock separation tool for pink salmon in PWS. In-season stock composition data is used by fishery managers to protect damaged wild pink salmon stocks from overharvest in mixed-stock fisheries. Coded-wire tags are presently used for this purpose in the Sound. Transitioning to otolith marking will reduce costs and increase precision. (This project was formerly numbered 95320C.)

Chief Scientist's
Recommendation:

This is the continuation of a previously approved program. It is innovative, cost effective, and probably one of the most effective steps the Trustees can support to improve pink salmon management.

Trustee Council
Action:

Fund. Otolith marking is a more accurate and less expensive technology for providing the information now obtained through coded wire tags. Future years' funding, as recommended, includes two years of overlap with Coded Wire Tag (Project 96186). Funding for application of this technique will make a transition to non-Trustee sources by FY 99 (only closeout funds proposed in '99).

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96191A

Project Title: Oil-Related Embryo Mortalities in PWS Pink Salmon Populations

Proposer: ADFG

New or Cont'd: Continued

Cluster: Pink Salmon Projects

RPL Request: ADFG \$389.5

	<u>Cooperating Federal Agencies:</u>	
<u>Total FY 96:</u>	\$474.6	None

Project Summary: Elevated embryo mortalities were detected in populations of pink salmon inhabiting oiled streams following the oil spill. The purpose of this project is to continue to monitor the recovery of pink salmon embryos in the field, provide laboratory verification of the field results, and verify and identify the occurrence of genetic damages. Results of these studies may provide the first evidence of heritable injury in fish exposed to chronic or acute sources of oil pollution.

Chief Scientist's Recommendation: The assessment of embryo survival in the field is worthwhile to verify the 1994 result that no survival difference exists between oiled and unoled streams for even-year pink salmon. However, the search for microlesions in the genome of injured pink salmon, through employing a variety of the latest genetic techniques, may not be able to detect these very rare events in the many possible locations for such mutations. The molecular genetics should not go forward in FY 96 until the results from FY 95 have been reviewed in the fall. If the adults from the 1994 brood year that were exposed as eggs do not produce a f2 generation, then only closeout funding should be provided.

Trustee Council Action: Fund ongoing component of project. Interim funding only on molecular genetics component of project. Decision on further molecular genetics work pending further review of all pink salmon proposals addressing genetics/straying/stock identification questions. This project monitors potential on-going injury to and recovery of pink salmon and explores the hypothesis that oil spill injury is being passed on genetically.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96196

Project Title: Genetic Structure of Prince William Sound Pink Salmon

Proposer: ADFG

New or Cont'd: Continued

Cluster: Pink Salmon Projects

RPL Request: ADFG \$71.3

Cooperating
Federal

Total FY 96: \$178.5

Agencies: None

Project Summary: Previous work found that wild-stock pink salmon suffered both direct lethal and sublethal injuries as a result of the oil spill. An understanding of the population structure of pink salmon in PWS is essential to assess the impact of these injuries on a population basis and to devise and implement management strategies for restoration. This project is designed to delineate the genetic structure of populations of wild pink salmon inhabiting PWS. (This project was formerly numbered 95320D.)

Chief Scientist's
Recommendation:

This is the second year of this work on the genetic stock structure of pink salmon in Prince William Sound. This is a good proposal being conducted by well-qualified geneticists. The proposed breeding experiments are justified in order to interpret the heterozygosity of certain genes used as markers.

Trustee Council
Action:

Fund close-out of current work. Defer new data gathering pending further review of all pink salmon proposals addressing genetics/straying/stock identification questions. This project is designed to determine geographic extent of genetic differences in PWS pink salmon. In combination with 96093A and B, this information will guide development of management strategies for single vs. multiple stocks.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96210

Project Title: Prince William Sound Youth Area Watch

Proposer: Chugach Regional
Resources
Corporation

New or Cont'd: NEW

Cluster: Subsistence Projects

RPL Request: ADFG \$115.0

Cooperating
Federal

Total FY 96: \$115.0

Agencies: None

Project Summary: Students from Chenega Bay, Tatitlek and some outlying areas will participate in research projects identified by the Prince William Sound Science Center and other EVOS researchers. The objective is to increase the awareness of youth regarding the effects of the oil spill and encourage their involvement in research/restoration. Students will be involved in oceanographic testing, fish monitoring, bird and mammal observations, pristane/mussel analysis and octopus studies.

Chief Scientist's
Recommendation: A solid proposal for a pilot project to involve local youth in the scientific aspects of the restoration program. Well presented and integrated proposal.

Trustee Council
Action: Fund as a pilot project. However, no funds should be spent on this project until legal and budget review are complete, liability concerns are resolved, and final approval is received from the Executive Director.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96214

Project Title: Documentary on Subsistence Harbor Seal Hunting in PWS

Proposer: Tatitlek Village

New or Cont'd: NEW

Cluster: Subsistence Projects

RPL Request: ADFG \$77.4

Cooperating
Federal

Total FY 96: \$77.4

Agencies: None

Project Summary:

The purpose of this project is to make a documentary on subsistence hunting of harbor seals in PWS. This video will document all facets of harbor seal hunting including the ecological and biological knowledge hunters use to hunt harbor seals. By documenting this knowledge, the project will enhance the restoration of the seal population by providing an indigenous hunter's perspective on harbor seal ecology.

Chief Scientist's
Recommendation:

Project is an excellent idea. Will directly serve the interests of the communities, and will assist restoration of harbor seals by allowing subsistence users to make better decisions about the resource.

Trustee Council
Action:

Fund.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96225

Project Title: Port Graham Pink Salmon Subsistence Project

Proposer: Port Graham

New or Cont'd: NEW

Cluster: Subsistence Projects

RPL Request: ADFG \$95.3

Cooperating

Federal

Total FY 96: \$95.3

Agencies: None

Project Summary: This project will help supply pink salmon for subsistence use in the Port Graham area during the broodstock development phase of the Port Graham hatchery. Because local runs of coho and sockeye salmon, which are the more traditional salmon subsistence resources, are at low levels, pink salmon are now heavily relied on for subsistence. This project will help ensure that pink salmon remain available for subsistence use until the more traditional species are rejuvenated.

Chief Scientist's Recommendation: Potentially worthwhile project that should supplement pink salmon production for the benefit of subsistence users.

Trustee Council Action: Fund. Project is intended to increase the availability of pink salmon for subsistence use, replacing runs of coho and sockeye salmon depleted since the oil spill.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96244

Project Title: Community-Based Harbor Seal Management and Biological Sampling

Proposer: Alaska Native Harbor Seal Commission

New or Cont'd: Continued

Cluster: Subsistence Projects

RPL Request: ADFG \$128.5

Cooperating
Federal

Total FY 96: \$128.5

Agencies: None

Project Summary: The goal of the project is to facilitate the involvement of subsistence users of harbor seals in the restoration of this species through two workshops, conducting biological sampling, collection and application of traditional knowledge, and development of a traditional knowledge database. A subcontract with the Alaska Native Harbor Seal Commission will contribute to developing a meaningful role for subsistence hunters in research and restoration activities.

Chief Scientist's
Recommendation:

This is a well integrated and technically feasible project.

Trustee Council
Action:

Fund. This project will follow through on recommendations from workshops supported through previous Trustee Council projects. Subsistence users will be involved in harbor seal restoration through collecting biological samples from subsistence-taken animals, and a traditional knowledge database will be developed and distributed.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96255

Project Title: Kenai River Sockeye Salmon Restoration

Proposer: ADFG

New or Cont'd: Continued

Cluster: Sockeye Salmon
Program

RPL Request: ADFG \$239.8

Cooperating

Federal

Total FY 96: \$442.9

Agencies: None

Project Summary: Greatly reduced fishing time in upper Cook Inlet in 1989 due to the presence of oil caused sockeye salmon spawning escapements in the Kenai River to exceed the desired amount by three times. The overescapement may have reduced survival of juvenile sockeye salmon. Careful monitoring and possible reduction of Kenai River sockeye salmon harvests may be necessary to ensure adequate escapements. The goal of this project is to restore Kenai River sockeye salmon through improved stock assessment capabilities and more accurate regulation of spawning levels.

Chief Scientist's Recommendation: This has been an excellent program, producing landmark results in '94 and '95. It has achieved its objectives by providing management tools for the upper Cook Inlet fishery. Closeout funds are requested for '96, but the amount seems high.

Trustee Council Action: Fund close-out of FY 95 project. Defer a decision on FY 96 and future years until December, pending a review of the 1995 Kenai/Skilak sockeye return and of the overall Kenai/Skilak sockeye program. The project provides in-season identification of actual runs that Cook Inlet fishermen are harvesting which is used by fisheries managers to modify fishing areas and openings to protect Kenai/Skilak stocks.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96258A

Project Title: Sockeye Salmon Overescapement Project

Proposer: ADFG

New or Cont'd: Continued

Cluster: Sockeye Salmon
Program

RPL Request: ADFG \$460.2

Total FY 96: \$858.9

Cooperating
Federal
Agencies: None

Project Summary: This proposal provides for a close-out budget for the Kenai lakes sockeye research program with a limited continued sockeye monitoring program for the Kodiak Island lakes. If depressed adult returns from 1989 brood are observed in the Kenai River in 1995, continuation of the evaluation is proposed for the 1996 field season, which would bring the FY 96 cost to \$907,800. In addition, a separate proposal to experimentally evaluate the proposed mechanism leading to reduced production of smolt from the Kenai systems by mean of an *in situ* enclosure study is integrated into these investigations.

Chief Scientist's
Recommendation: Preliminary analysis of the 1995 return appears to confirm a weak return of the 1990 brood year, which would be consistent with an effect of overescapement in 1987 - 1989. The fry weight data and observations on vertical migration of zooplankton might also reflect on effect of overescapement. The application of the limnological work to management is unclear. The closeout costs appear high and further description of the analysis to be conducted on 1995 data is needed. I cannot recommend gathering new data except perhaps in Red and Akalura lakes on Kodiak Island.

Trustee Council
Action: Fund close-out of FY 95 work on Kenai/Skilak portion; continue limited Kodiak monitoring. Defer decision on FY 96 and future years' Kenai/Skilak work until fall, pending review of 1995 sockeye return and of the overall Kenai/Skilak sockeye program. This project investigates multiple mechanisms for injuries to sockeye caused by overescapement, and also will determine the effects on smolt escapement and ultimate production of returning adults. It also monitors recovery of Kodiak runs and provides information to help restore these runs.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96259

Project Title: Restoration of Coghill Lake Sockeye Salmon

Proposer: ADFG

New or Cont'd: Continued

Cluster: Sockeye Salmon
Program

RPL Request: ADFG \$71.0

Cooperating
Federal

Total FY 96: \$285.8

Agencies: USFS

Project Summary: Coghill Lake has historically been a major sockeye producer for PWS. The current production is very low and could jeopardize the sustainability of this sockeye stock without restoration efforts. This project continues a program begun in 1993 to fertilize Coghill Lake to restore the run. A restored sockeye salmon run would provide an important replacement resource for sport and commercial fisheries in PWS.

Chief Scientist's
Recommendation:

This project is a replacement action for oil spill injury using lake fertilization to increase sockeye salmon production in Coghill Lake. Reviews have identified risks in the approach taken. If the fertilization program does not work, we are not likely to know why. In spite of my reservations about the project, I recommend continued funding.

Trustee Council
Action:

Defer pending review of FY 95 results (fund interim). Consistent with recommendation in FY 95 work plan, there must be a transition to a non-Trustee funding source after FY 97. This project is designed to restore Coghill Lake to its former position as a mainstay of the commercial/sport sockeye fishery in PWS. Although the injury to this fishery was not caused by the oil spill, this project has been conducted on a replacement basis for losses of other fishery resources.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96272

Project Title: Chenega Chinook Release Program

Proposer: Prince William Sound
Aquaculture
Corporation

New or Cont'd: Continued

Cluster: Subsistence Projects

RPL Request: ADFG \$52.3

Cooperating
Federal

Total FY 96: \$52.3

Agencies: None

Project Summary: Chinook salmon incubated and reared at the Wally Noerenberg Hatchery will be released in Crab Bay, adjacent to the native community of Chenega. Adult salmon returning to the site of release will provide replacement resources and associated services injured by the oil spill. Two releases have taken place (1994 & 1995) as part of this multi-year project. Adult salmon will begin returning in 1996 and 1997, with larger numbers projected at nearly 1,000 adult fish returning in 1998 and thereafter.

Chief Scientist's
Recommendation:

Excellent proposal. Good match with Trustee Council's fish supplementation criteria. Good local involvement. Suggest continued Trustee Council funding through at least FY 97, pending project review in Fall 1996 to assess effectiveness.

Trustee Council
Action:

Fund through one full chinook salmon life cycle (at least FY 97). Review effectiveness in fall of 1996. Project will provide replacement resources for subsistence salmon injured by the oil spill. However, the proposers should develop a plan for a transition to non-Trustee funding.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320E

Project Title: SEA: Salmon and Herring Predation

Proposer: ADFG

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$637.7

Cooperating
Federal
Agencies:

Total FY 96: \$637.7

None

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This sub-project would determine the extent to which variations in predation on juvenile pink salmon affect survival and describe mechanisms that cause variation in predation. This would include the identification of fish predators (distribution, abundance, species, and size composition) along the juvenile salmon migratory pathway. The project will also collect samples for a variety of the other SEA efforts.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320G

Project Title: SEA: Phytoplankton and Nutrients

Proposer: McRoy, University of
Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$162.2

Cooperating

Federal

Total FY 96: \$162.2

Agencies: None

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This project would focus on primary production and provide nutrient and phytoplankton data to help evaluate the influence of phytoplankton dynamics on the PWS food web. The project would examine variations in phytoplankton production in relation to zooplankton production and oceanographic conditions.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320H

Project Title: SEA: Zooplankton in the PWS Ecosystem

Proposer: Cooney, University of
Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$323.6

Cooperating
Federal

Total FY 96: \$323.6

Agencies: None

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This project would continue to investigate the annual zooplankton bloom and its relationship to fish predator abundance. The project would sample and monitor the distribution and composition of PWS macrozooplankton populations in collaboration with the physical oceanography component of SEA.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320I

Project Title: SEA: Isotope Tracers - Food Webs of Fish

Proposer: Prince William Sound
Science Center

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$83.3

Cooperating
Federal

Total FY 96: \$195.8

Agencies: NOAA

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This sub-project would analyze tissue samples and use shifts in stable isotope ratios that occur with trophic level and food source to describe food sources and predation relationships among species in PWS.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94. Future program effort and funding will be considered after mid-January SEA program review session. Projected SEA cost in FY 97 is \$3,600.0; FY 98 is \$2,600.0.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320J

Project Title: SEA: Information Systems and Model Development

Proposer: Prince William Sound
Science Center

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$180.5

Cooperating
Federal

Total FY 96: \$482.7

Agencies: DOI, NOAA

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This particular sub-project would provide an information system appropriate for the SEA effort and develop the modeling resources needed to achieve the program's objectives. This sub-project provides for overall data management and technical support to other SEA efforts through field data communications; descriptive modeling; numerical modeling; support with sampling technologies; and on-line analysis and visualization tools. This sub-project provides the means by which various data can be collected, used and understood.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94. Future program effort and funding will be considered after mid-January SEA program review session. Projected SEA cost in FY 97 is \$3,600.0; FY 98 is \$2,600.0.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320K

Project Title: SEA: PWSAC -- Experimental Fry Release

Proposer: Prince William Sound
Aquaculture
Corporation

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$61.4

Total FY 96: \$61.4

Cooperating

Federal

Agencies: NOAA

Project Summary:

This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This project would support the rearing of salmon fry for release as part of an effort to investigate the possible influence of fry size as a determinant of survival during early marine residence as part of the SEA study effort.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320M

Project Title: SEA: Physical Oceanography in PWS

Proposer: Prince William Sound
Science Center

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$191.7

Cooperating
Federal

Total FY 96: \$499.4

Agencies: NOAA

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This project would investigate the physical oceanographic structure of PWS including the space/time variability of atmospheric and oceanic processes within PWS, investigate relationships between atmospheric forcing (wind, storms, long term temperature changes) and wind and buoyancy-driven currents; determine how these relationships act to retain/disperse food resources for ecologically important species within PWS; and investigate large and fine scale oceanographic structures and major climatic cycles and events.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94. Future program effort and funding will be considered after mid-January SEA program review session. Projected SEA cost in FY 97 is \$3,600.0; FY 98 is \$2,600.0.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320N

Project Title: SEA: Nekton/Plankton Acoustics

Proposer: Prince William Sound
Science Center

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$209.9

Cooperating
Federal

Total FY 96: \$487.6

Agencies: NOAA

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This project would describe macrozooplankton distribution and biomass in real time using hydroacoustics; describe fish predator distribution/biomass in real time using hydroacoustics; investigate hypothesis that plankton/nekton/predator populations aggregate in cyclic patterns and specific locations due to currents and bottom morphology.

Chief Scientist's Recommendation: Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council Action: Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94. Future program effort and funding will be considered after mid-January SEA program review session. Projected SEA cost in FY 97 is \$3,600.0; FY 98 is \$2,600.0.

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320R

Project Title: SEA: Trophodynamic Modeling and Validation Through Remote Sensing

Proposer: Eslinger, University
of Alaska/Fairbanks

New or Cont'd: NEW

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$202.7

Cooperating
Federal

Total FY 96: \$202.7

Agencies: None

Project Summary: This is a new SEA sub-project in FY 96 as a result of an internal reorganization of efforts. Some of the work performed under 95320-G and J is to be done under this project in FY 96 and beyond. This project would continue the trophodynamic modeling of phytoplankton and zooplankton begun in FY 95 and add modeling of ichthyoplankton, herring larvae in particular. It will evaluate and verify the model against field data to be collected using a variety of remote sensing and *in situ* sampling platforms.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work. This reorganization of the SEA program seems logical and effective. This work is central to development of an understanding of controls of year-to-year variation in recruitment success of fish in Prince William Sound.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320T

Project Title: SEA: Juvenile Herring Growth and Habitat Partitioning

Proposer: Norcross, University
of Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$1,141.6

Cooperating
Federal

Total FY \$1,141.6

Agencies: None

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This sub-project would investigate what may be causing the failure of herring runs in PWS by investigating the dynamics of larval and juvenile herring. The proposed project, together with other investigations being undertaken as part of the SEA program, would attempt to describe the relative importance of zooplankton abundance, oceanic conditions, habitat requirements, and density dependent predation in determining large fluctuations in herring abundance. The budget for this sub-project contains research vessel charter costs that will support SEA project efforts.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320U

Project Title: SEA: Energetics of Herring and Pollock

Proposer: Paul, University of
Alaska/Fairbanks

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$189.5

Cooperating
Federal

Total FY 96: \$189.5

Agencies: None

Project Summary: This project would continue work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). Project would focus on the seasonal somatic energy cycles of two important forage fish species in the spill area: Pacific herring and walleye pollock. The project would explore overwinter survival of juvenile herring and herring reproductive biology and provide energetic information to quantify trophic interactions (food webs) involving pollock.

Chief Scientist's
Recommendation: Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action: Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320Y

Project Title: SEA: Variation in Local Predation Rates on Hatchery-Released Fry

Proposer: Prince William Sound
Science Center

New or Cont'd: Continued

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$40.0

Cooperating

Federal

Total FY 96: \$40.0

Agencies: None

Project Summary: Project close out of investigation of the size, composition, behavior and duration of foraging aggregations of predators, especially birds, at fry release sites.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94. Funding provides for closeout (analysis and final report writing) of prior year work. Future program effort and funding will be considered after mid-January SEA program review session.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96320Z1

Project Title: SEA: Synthesis and Integration

Proposer: Cooney, University of
Alaska/Fairbanks

New or Cont'd: NEW

Cluster: Sound Ecosystem
Assessment (SEA)

RPL Request: ADFG \$68.8

Cooperating
Federal
Agencies:

Total FY 96: \$68.8

None

Project Summary: This project would support work initiated in FY 94 as part of the Sound Ecosystem Assessment (SEA) program effort (Project 96320). This sub-project provides additional support to the Lead Scientist of the Project for synthesis and integration activities associated with the application of SEA field and modelling studies to the restoration of pink salmon and Pacific herring populations in PWS.

Chief Scientist's
Recommendation:

Project helps provide the larger context of ecosystem structure under which restoration must be considered to be effective, and is likely to contribute valuable information for the management of salmon and herring in PWS. A review workshop should be held in January 1996, at which we would expect a substantial review of the first 2 years' work. Necessary for effective project management, although cost for administrative support seems high.

Trustee Council
Action:

Fund. Part of the 14-part \$4,525.7 Sound Ecosystem Assessment (SEA) Project 96320 initiated in FY 94.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN
Revised Program 11 - 6 - 9990

Project Number: 96427

Project Title: Harlequin Duck Recovery Monitoring

Proposer: ADFG

New or Cont'd: Continued

Cluster: Nearshore Ecosystem
Projects

RPL Request: ADFG \$51.0

Cooperating
Federal

Total FY 96: \$261.1

Agencies: None

Project Summary: This project will compare population parameters between oiled and unoled areas based on population structure, behavior, production, and growth rates. Shoreline boat surveys will be conducted simultaneously. Changes in population size, structure, and production in oiled and unoled areas and between years will be compared. Continued population monitoring and brood surveys will allow us to assess trends and suggest factors limiting recovery.

Chief Scientist's
Recommendation:

Surveys of harlequin ducks are a high restoration priority. However, without statistical justification, a decision on work for 1997 and beyond should be made later. Three more years of effort are proposed for this project. This request for future work should be examined after review of FY 96 work.

Trustee Council
Action:

Fund interim costs; defer decision on balance of FY 96 funding until report from prior year (Project B11) is submitted. Consider funding for future years after review of FY 96 work. This project continues a series of studies focusing on injury to and recovery of harlequin ducks in PWS. This information will help determine when current harvest restrictions can be lifted and whether additional actions, such as more cleanup of oiled mussel beds, are necessary.

9/11/95

EXXON VALDEZ OIL SPILL — FY 96 WORK PLAN Revised Program 11 - 6 - 9990

Project Number: 96600

Project Title: Program Management

Proposer: NOAA

New or Cont'd: Continued

Cluster: Seabird/Forage Fish
Ecosystem Project

RPL Request: ADFG \$53.5

Cooperating
Federal

Total FY 96: \$53.5

Agencies: NOAA

Project Summary: The purpose of this project is provide support for continued NOAA participation in *Exxon Valdez* damage assessment and management. The program manager of the Office of Oil Damage Assessment and Restoration is responsible for management and oversight of scientists and contractors as they relate to the *Exxon Valdez* Oil Spill Trustee Council. The program manager has responsibility for maintaining information and records on studies schedules, work progress and study products and works closely with project leaders of studies to ensure that program goals, objectives and timelines are met.

Chief Scientist's
Recommendation: Not applicable.

Trustee Council
Action: Fund.

9/11/95

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: *Molly McCammon*
Molly McCammon
Executive Director

DATE: December 20, 1995

RE: *Exxon Valdez Oil Spill Revised Program 11-6-9992*

In accordance with Chapter 1, FSSLA 1992, the Departments of Fish and Game, Environmental Conservation, and Natural Resources request authority to receive and expend \$2,231,100 from *Exxon Valdez* oil spill settlement trust funds.

This represents the second request for authority to receive and expend settlement trust funds for the Federal Fiscal Year 1996 Work Plan. The first request, RPL 11-6-9990 was approved by the committee at the September 28, 1995 meeting. This revised program requests additional authority and incorporates all Trustee Council action to date.

The 1996 Work Plan was developed based on extensive scientific, budget and policy review, taking into consideration comments received from the public and the Trustee Council's 17-member Public Advisory Group. The following discussion is an overview of the process used for development of the 1996 Work Plan. In addition, attached is a flow-chart which depicts the process.

In November 1994, the Trustee Council adopted the Exxon Valdez Oil Spill Restoration Plan. The plan provides for a comprehensive, balanced approach to achieve the recovery objectives for the biological resources and human services injured by the oil spill. To be eligible for funding, proposals must be consistent with the policies in the Restoration Plan.

At the 1995 Restoration Workshop held January 17-20, 1995 in Anchorage, over 120 participants, including individuals currently conducting restoration projects, scientists

Trustee Agencies

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

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

familiar with the spill, and members of the public reviewed previous years' work and analyzed restoration needs for the future. The Trustee Council staff used discussions at the workshop to produce the March 1995 Invitation to Submit Restoration Projects for Federal Fiscal Year 1996 and Draft Restoration Program: FY96 and Beyond (Invitation). The Invitation called for proposals to be submitted by May 1, 1995.

Public involvement and comment was also solicited during this period. A series of public meetings were held throughout the spill area during the month of April. The focus of the meetings was to discuss concerns of the public relevant to the continuing effects of the oil spill, communicate findings of previous years' work, discuss the Draft FY96 Restoration Program, and answer questions about the 1996 Invitation.

After proposals were received, they were reviewed by the Chief Scientist and peer reviewers, who are under contract to provide the Trustee Council an independent scientific and technical review of project proposals. Concurrently with the scientific review, all proposals were reviewed by the staff of the Trustee Council. This included individuals from the Restoration Office, representatives of each Trustee agency, and legal counsel from both the federal and state governments.

Based on the reviews, the preliminary recommendation of the Executive Director was published in the Draft Fiscal Year 1996 Work Plan in late June, with public comments due August 4, 1995. In addition, a public hearing on the Draft Work Plan was held on July 20, 1995 in Anchorage. Teleconference access was available to spill area communities and other interested communities.

The Public Advisory Group met in early August to review the Executive Director's preliminary recommendations and provide additional public comment. The Executive Director developed the final recommendations for consideration by the Trustee Council, taking into consideration comments received from the public and the Public Advisory Group.

Based on the Executive Director's recommendations and public comments, the Trustee Council took action on the first part of the FY 1996 Work Plan on August 25, 1995. RPL 11-6-9990 was then submitted to the Legislative Budget and Audit Committee for approval on September 28, 1995.

As noted at the September Legislative and Budget Audit Committee meeting, the Trustee Council did not act on the entire Work Plan in August. For some projects, the Council deferred action pending further review. For the most part, this review involved analysis of the results from the 1995 field session. Based on a series of these reviews, the Trustee Council met December 11, 1995 and took action on the balance of the 1996 Work Plan.

The attached table reflects the individual projects proposed for implementation by the

state agencies. Committee action is being sought on twenty projects. Of that total, additional authorization is being proposed on fourteen projects previously approved, one project has been reduced, one project has been eliminated, and four new projects are being proposed. An abstract for each project has been attached to this request. The abstract summarizes the project, the Chief Scientist's recommendation on the project and the Trustee Council action. Detailed information exists for each project. If you would like additional information on any of the projects or any other aspect of the restoration program, please let me know.

Since the Trustee Council operates on the Federal Fiscal Year, authority to receive and expend is being requested through state fiscal year 1997 for these projects. Authorization to receive and expend is being requested in the amount of \$2,231,100 allocated to agencies as follows:

Environmental Conservation	\$50,200
Fish and Game	\$1,846,600
Natural Resources	\$334,300

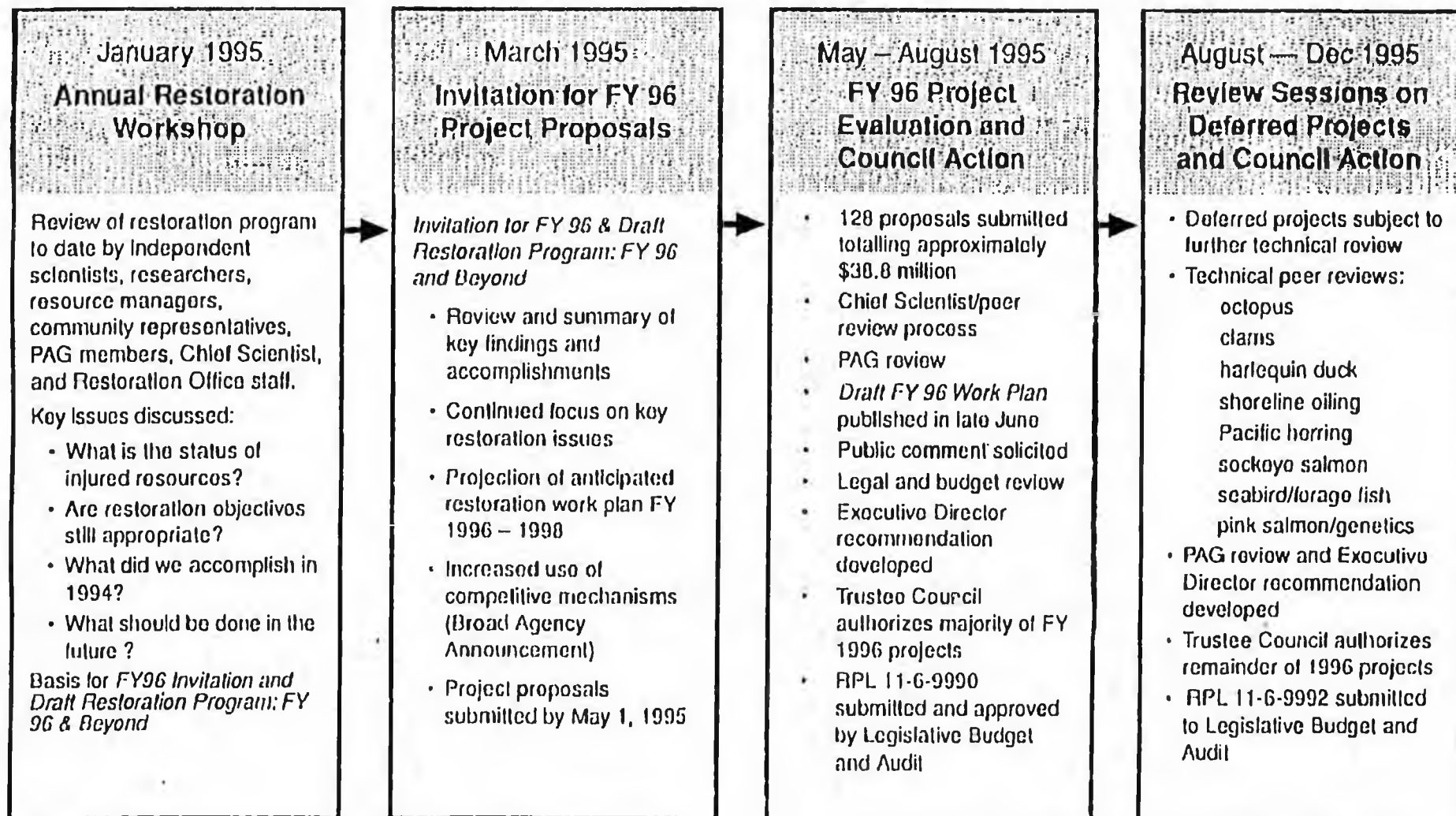
Thank you for consideration of this request. If you have any questions, give me a call at 278-8012.

attachments

cc: Joe Sullivan, ADF&G
Ernie Piper, ADEC
Carol Fries, ADNR

Exxon Valdez Oil Spill Trustee Council

Development of the FY 96 Restoration Work Plan



EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990	RPL 11-6-9992	STATE FUNDS TOTAL
ADEC	96027	Kodiak Archipelago Shoreline Assessment	\$10.0	\$15.2	\$25.2
	96100	Administration, Public Information and Scientific Management	\$204.3		\$204.3
	96115	Sound Waste Management Plan	\$28.3		\$28.3
	96507	EVOS Symposium Publication		\$35.0	\$35.0
		ADEC Total	\$242.6	\$50.2	\$292.8
ADF&G	96001	Recovery of Harbor Seals: Condition and Health Status	\$214.1		\$214.1
	96025	Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators	\$542.4		\$542.4
	96052	Community Involvement and Use of Traditional Knowledge	\$261.0	\$10.0	\$271.0
	96064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in PWS	\$347.3		\$347.3
	96086	Herring Bay Monitoring and Restoration Studies	\$173.0		\$173.0
	96100	Administration, Public Information and Scientific Management	\$1,956.4		\$1,956.4
	96106	Subtidal Monitoring: Eelgrass Communities	\$250.0	\$(22.8)	\$227.2
	96126	Habitat Protection Acquisition Support	\$20.0		\$20.0
	96127	Talillek Coho Salmon Release	\$26.6		\$26.6
	96131	Chugach Native Region Clam Restoration		\$274.9	\$274.9
	96139A1	Salmon Instream Habitat and Stock Restoration - Little Waterfall Barrier Bypass	\$55.0		\$55.0
	96139A2	Spawning Channel Construction Project - Port Dick, Lower Cook Inlet	\$230.5		\$230.5
	96162	Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in PWS	\$204.1	\$430.9	\$635.0
	96163C	Fish Diet Overlap Using Fish Stomach Content Analysis	\$21.5	\$34.2	\$55.7
	96163L	Historical Review of Ecosystem Structure in the PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands	\$4.8	\$27.5	\$32.3

EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990	RPL 11-6-9992	STATE FUNDS TOTAL
	96164	Pacific Herring Program Leadership	\$49.2	\$(49.2)	\$0.0
	96165	Genetic Discrimination of Prince William Sound Herring Populations	\$103.9		\$103.9
	96166	Herring Natal Habitats	\$229.9	\$214.2	\$444.1
	96170	Isotope Ratio Studies of Marine Mammals	\$150.4		\$150.4
	96180	Kenai Habitat Restoration and Recreation Enhancement Project	\$281.0		\$281.0
	96186	Coded Wire Tag Recoveries From Pink Salmon in Prince William Sound	\$254.9		\$254.9
	96188	Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon in PWS	\$93.2		\$93.2
	96190	Construction of Linkage Map for Pink Salmon Genome		\$167.7	\$167.7
	96191A	Oil-Related Embryo Mortalities in PWS Pink Salmon Populations	\$389.5	\$85.1	\$474.6
	96196	Genetic Structure of Prince William Sound Pink Salmon	\$71.3	\$107.2	\$178.5
	96210	Prince William Sound Youth Area Watch	\$115.0		\$115.0
	96214	Documentary on Subsistence Harbor Seal Hunting in PWS	\$77.4		\$77.4
	96225	Port Graham Pink Salmon Subsistence Project	\$95.3		\$95.3
	96244	Community Based Harbor Seal Management and Biological Sampling	\$128.5		\$128.5
	96255	Kenai River Sockeye Salmon Restoration	\$239.8	\$67.2	\$307.0
	96256	Columbia and Solf Lakes Sockeye Salmon Stocking		\$17.4	\$17.4
	96258A	Sockeye Salmon Overescapement Project	\$460.2	\$136.4	\$596.6
	96259	Restoration of Coghill Lake Sockeye Salmon	\$71.0	\$83.9	\$154.9
	96272	Chenega Chinook Release Program	\$52.3		\$52.3
	96320E	Salmon and Herring Predation	\$637.7		\$637.7
	96320G	Phytoplankton and Nutrients	\$162.2		\$162.2
	96320H	Zooplankton in the PWS Ecosystem	\$323.6		\$323.6
	96320I	Isotope Tracers - Food Webs of Fish	\$83.3		\$83.3
	96320J	Information Systems and Model Development	\$180.5		\$180.5
	96320K	PWSAC: Experimental Fry Release	\$61.4		\$61.4

EXXON VALDEZ TRUSTEE COUNCIL
1996 Federal Fiscal Year Project Budget
October 1, 1995 - September 30, 1996

Agency	Project Number	Project Title	RPL 11-6-9990	RPL 11-6-9992	STATE FUNDS TOTAL
ADNR	96320M	Physical Oceanography in PWS	\$191.7		\$191.7
	96320N	Nekton/Plankton Acoustics	\$209.9		\$209.9
	96320R	SEA Trophodynamic Modeling and Validation Through Remote Sensing	\$202.7		\$202.7
	96320T	Juvenile Herring Growth and Habitat Partitioning	\$1,141.6		\$1,141.6
	96320U	Energetics of Herring and Pollock	\$189.5		\$189.5
	96320Y	Variation in Local Predation Rates on Hatchery-Released Fry	\$40.0		\$40.0
	96320Z1	Synthesis and Integration	\$68.8		\$68.8
	96427	Harlequin Duck Recovery Monitoring	\$51.0	\$210.1	\$261.1
	96600	Program Management	\$53.5	\$51.9	\$105.4
	ADF&G Total		\$10,766.9	\$1,846.6	\$12,613.5
	96007A	Archaeological Index Site Monitoring	\$96.4		\$96.4
	96100	Administration, Public Information and Scientific Management	\$847.5		\$847.5
	96126	Habitat Protection Acquisition Support	\$394.6	\$334.3	\$728.9
	96149	Archaeological Site Stewardship	\$54.1		\$54.1
	96154	Comprehensive Community Planning for Restoration of Archaeological Resources in PWS and Lower Cook Inlet	\$9.6		\$9.6
	96180	Kenai Habitat Restoration and Recreation Enhancement Project	\$241.9		\$241.9
	ADNR Total		\$1,644.1	\$334.3	\$1,978.4
TOTAL		\$12,653.6	\$2,231.1	\$14,884.7	

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96027

Project Title: Kodiak Archipelago Shoreline Assessment: Monitoring Surface and Subsurface Oil

Proposer: ADEC

RPL Request: ADEC \$15.2 Cluster: Nearshore Ecosystem Projects

Total FY 96: \$39.8 Cooperating Federal Agencies: NOAA

Project Summary: Continued funding for ongoing project. This project completes work begun in FY 95 to determine the areal extent, toxicity and origin of oil on selected Kodiak Archipelago shorelines. Most of these shorelines were last surveyed in 1990. The information about the remaining oil is necessary to determine whether recovery is proceeding at an acceptable rate, and to help local people assess whether the presence of remaining oil is still affecting shoreline activities. It also provides funding to develop information about future shoreline treatment in Prince William Sound.

Chief Scientist's Recommendation: Close-out funding will allow community meetings to be held and final report to be written.

Trustee Council Action: Fund. Project is closeout of FY 95 shoreline assessment work in Kodiak. Project also will develop and assess information about future monitoring needs and alternative shoreline treatments.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96052
Project Title: Community Involvement & Use of Traditional Knowledge
Proposer: Chugach RRC
RPL Request: ADFG \$10.0 Cluster: Subsistence Projects

Total FY 96: \$271.0 Cooperating None
Federal
Agencies:

Project Summary: Continued funding for ongoing project. This project, submitted by the Chugach Regional Resources Commission (CRRC), will continue a program begun in FY 95. This project will encourage and facilitate communication among the Trustee Council, researchers working on oil spill restoration projects, regional organizations and residents of communities impacted by the oil spill. The project includes a pilot effort to integrate western science and Traditional Ecological Knowledge to further the restoration program.

Chief Scientist's Recommendation: Addresses needed restoration work by furthering interactions between EVOS scientists and community members.

Trustee Council Action: Fund. This project continues a program to facilitate communication and interaction among the Trustee Council, scientists, and residents of communities impacted by the oil spill.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96106
Project Title: Subtidal Monitoring: Eelgrass Communities
Proposer: Jewett/UAF
RPL Request: ADFG \$(22.8) Cluster: Nearshore Ecosystem Projects
Total FY 96: \$253.1 Cooperating Federal Agencies: NOAA

Project Summary: This project would provide funds to write the final report for Project 95106. The budget reflects projected costs of sample analysis, data analysis, and report preparation. The final report will incorporate and compare all data collected since 1991. This reduction in authorization reflects a transfer of funds from ADFG to NOAA based on new cost estimates of sample analysis.

Chief Scientist's Recommendation: This is a close-out project for work previously funded by the Trustees. The investigator is doing a very good job on subtidal studies.

Trustee Council Action: Fund. This project closes out work funded in previous years.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96126

Project Title: Habitat Protection and Acquisition Support

Proposer: ADFG, ADNR

RPL Request: ADNR \$334.3

Cluster: Habitat Protection
Support

Total FY 96: \$2,160.9

Cooperating USFS, DOI
Federal
Agencies:

Project
Summary:

Continued funding for ongoing project. This project supports activities necessary for the Trustee Council's habitat protection program, including negotiations with willing private landowners, parcel appraisals, hazardous materials surveys, title searches, and site visits as needed. Authority to receive and expend at this time is limited to acquisition support and management costs. Separate requests will be submitted for review once agreements involving the state are completed.

Chief Scientist's
Recommendation:

The Chief Scientist's recommendation in support of habitat protection was documented as part of the *Report of the Executive Director Concerning Habitat Acquisition* (November 28, 1994).

Trustee Council
Action:

Fund.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96131

Project Title: Chugach Native Region Clam Restoration

Proposer: Chugach RRC

RPL Request: ADFG \$274.9 Cluster: Subsistence Projects

Total FY 96: \$274.9 Cooperating Federal Agencies: None

Project Summary:

Resident clam populations near the Native villages of Port Graham, Nanwalek, and Tatitlek will be re-established to restore diminished subsistence opportunities. The Qutekcak hatchery in Seward will annually provide about 800,000 juvenile littleneck clams, cockles and, if possible, butter clams for seeding. Historical information, local and agency expertise, and research will be used to identify areas to seed and methods used. Total seeded area will not exceed 5 hectares. In addition, beaches will be surveyed in Chenega and Ouzinkie for possible future seeding. Also, Eyak razor clams will be identified and work will be initiated to protect the existing clam populations from natural predators.

Chief Scientist's Recommendation:

This project was successful in spawning little-neck clams and raising their spat, and it has the potential of making an important contribution to restoration of subsistence use of clams. However, there is need for continued development of hatchery techniques, which will require consultation with experts who have appropriate experience. I recommend continued support of this project, emphasizing development of hatchery techniques that eventually may be applied on a larger scale.

Trustee Council Action:

Fund continuing pilot effort in Port Graham, Nanwalek, and Tatitlek. Fund initial beach surveys in Chenega and Ouzinkie, and analysis of clam predator problem in Cordova (Native Village of Eyak). Funding is contingent on approval of Detailed Project Description, which must address hatchery issues raised by peer reviewers. Project is intended to establish subsistence clam populations as replacement for subsistence resources injured by the oil spill.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96162

Project Title: Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in Prince William Sound, AK

Proposer: UW/UCD/SFU

RPL Request: ADFG \$430.9 Cluster: Herring Projects

Total FY 96: \$635.0 Cooperating None
Federal
Agencies:

Project Summary: Continued funding for ongoing project. Field and laboratory studies will focus on Viral Hemorrhagic Septicemia (VHS) and *Ichthyophonus hoferi*, a pathogenic fungus, to determine their role in the disease and mortality observed in PWS herring since 1993. Herring in PWS will be monitored three times per year for signs of disease and immune status. Specific pathogen-free herring will be used to determine the degree of mortality, blood chemical changes and pathogenicity produced by these organisms alone and in combination with exposure to stressors such as petroleum hydrocarbons, temperature and crowding. (This project was formerly numbered 95320S.)

Chief Scientist's Recommendation: Substantial progress has been made in understanding the role of VHS and *Ichthyophonus* in the recent decline of Pacific herring stocks in Prince William Sound. The hypothesis that oil-induced stress is linked to the disease outbreak and population decline remains viable. The project is on track for achieving its objectives, and I recommend continued funding.

Trustee Council Action: Fund. Project is designed to investigate potential link between oil exposure and disease, and between disease and the herring population decline in PWS. Understanding the causes of the decline and the lack of recovery is important for restoration and resumption of the herring fishery.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96163C

Project Title: Fish Diet Overlap Using Fish Stomach Content Analysis

Proposer: NOAA

RPL Request: ADFG \$34.2 Cluster: Seabird/Forage Fish Ecosystem Project

Total FY 96: \$76.9 Cooperating Federal Agencies: NOAA

Project Summary: Continued funding for ongoing ecosystem Project 96163 (Seabird-Forage Fish/APEX). This study will use seabirds as "probes" of the trophic environment of PWS and compare their reproductive and foraging biologies with similar measurements from the Barren Islands, an area with more suitable or abundant food. Measurements will be compared with hydroacoustic and net samples of fish to calibrate seabird performance with fish distribution and abundance. The project will use fish samples to compare diet, energetics and reproductive parameters of different forage-fish species to determine whether competitive and predatory interactions or different responses to the environment may be favoring the abundance of one fish species over another.

Chief Scientist's Recommendation: This project was undertaken as a pilot in FY95; remarkable progress was achieved in demonstrating the link between seabird productivity and forage fish populations in the spill area. The intercolony comparisons have provided qualitative evidence of food limitation of seabird colonies, which is essential to successful testing of the APEX hypotheses. However there are substantial challenges ahead in documenting these relationships on a quantitative basis. In the future, the emphasis of the work should shift from deep water to nearshore environments because most of the important interactions between seabirds and forage fish take place there. Preliminary analysis of historical trawl-catch data in the Gulf of Alaska has been extremely helpful showing how long-term and potentially large-scale changes in the composition of crustacean and fish populations might affect marine bird and mammal populations. This historical work, coupled with the current field investigations, may lead to significant improvement in the ability to understand, predict and manage the spill-area ecosystem on a sustained basis. Recommend funding this work on a full-scale basis in FY96.

Trustee Council Action: Fund. Pilot effort in FY95 showed a link between forage fish and seabird productivity. The scientific reviewers are enthusiastic about the prospect that this work will yield results that are of benefit to the marine ecosystem in PWS and the northern Gulf of Alaska.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96163L

Project Title: Historical Review of Ecosystem Structure in the PWS/GOA Complex

Proposer: DOI

RPL Request: ADFG \$27.5

Cluster: Seabird/Forage Fish
Ecosystem Project

Total FY 96: \$97.4

Cooperating DOI, NOAA
Federal
Agencies:

Project
Summary:

Continued funding for ongoing ecosystem Project 96163 (Seabird-Forage Fish/APEX). This study will use seabirds as "probes" of the trophic environment of PWS and compare their reproductive and foraging biologies with similar measurements from the Barren Islands, an area with more suitable or abundant food. Measurements will be compared with hydroacoustic and net samples of fish to calibrate seabird performance with fish distribution and abundance. The project will use fish samples to compare diet, energetics and reproductive parameters of different forage-fish species to determine whether competitive and predatory interactions or different responses to the environment may be favoring the abundance of one fish species over another.

Chief Scientist's
Recommendation:

This project was undertaken as a pilot in FY95; remarkable progress was achieved in demonstrating the link between seabird productivity and forage fish populations in the spill area. The intercolony comparisons have provided qualitative evidence of food limitation of seabird colonies, which is essential to successful testing of the APEX hypotheses. However there are substantial challenges ahead in documenting these relationships on a quantitative basis. In the future, the emphasis of the work should shift from deep water to nearshore environments because most of the important interactions between seabirds and forage fish take place there. Preliminary analysis of historical trawl-catch data in the Gulf of Alaska has been extremely helpful showing how long-term and potentially large-scale changes in the composition of crustacean and fish populations might affect marine bird and mammal populations. This historical work, coupled with the current field investigations, may lead to significant improvement in the ability to understand, predict and manage the spill-area ecosystem on a sustained basis. Recommend funding this work on a full-scale basis in FY96.

Trustee Council
Action:

Fund. Pilot effort in FY95 showed a link between forage fish and seabird productivity. The scientific reviewers are enthusiastic about the prospect that this work will yield results that are of benefit to the marine ecosystem in PWS and the northern Gulf of Alaska.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96164
Project Title: Pacific Herring Program Leadership
Proposer: ADFG
RPL Request: ADFG \$(49.2) Cluster: Herring Projects

Total FY 96: \$0.0 Cooperating None
Federal
Agencies:

Project Summary: This project was intended to facilitate coordination, integration, and review of different aspects of Pacific herring in the PWS ecosystem. Upon further review, it was determined that the herring studies were progressing well and that these funds could be more effectively used in other aspects of the restoration program.

Chief Scientist's Recommendation: Although I had previously recommended that ADFG needed additional leadership for its herring studies, it is evident from the recent review that ADFG's herring work is on track and that there is little prospect that the agency would be able to support increased personnel costs once Trustee support has concluded. Thus, I recommend that the funds allocated in August be withdrawn.

Trustee Council Action: Terminate funding. With little prospect that ADFG will take over the future role expected of this project and with herring research on track under the guidance of the peer review policy, interim Trustee Council funding is not necessary.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96166

Project Title: Herring Natal Habitats

Proposer: ADFG

RPL Request: ADFG \$214.2

Cluster: Herring Projects

Total FY 96: \$444.1

Cooperating None

Federal

Agencies:

Project
Summary:

Continued funding for ongoing project. Past studies have documented damage from oil exposure in adult herring, hatching success of embryos, and levels of physical and genetic abnormalities in larvae. The PWS herring spawning population has drastically declined since 1993, and pathology studies implicated Viral Hemorrhagic Septicemia (VHS) and *Ichthyophonus* as potential sources of mortality as well as indicators of stress. The project will continue to provide estimates of spawning herring abundance and investigate the lethality of suspected pathogens and the role of environmental contaminants in disease transmission through laboratory and field studies.

Chief Scientist's
Recommendation:

This work is vital to on-going management of Pacific herring in Prince William Sound. I recommend one more year of full support from the Trustees, provided that there is an explicit plan developed for transfer of this program back to ADFG as part of normal agency management.

Trustee Council
Action:

Fund for FY 96 contingent upon expectation that project begins a transition to non-Trustee funding source in FY 97. Project's major objective is to improve estimate of spawning biomass of herring. This information is needed to establish harvest levels and guidelines that allow restoration to occur and to sustain a healthy fishery.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96190
Project Title: Construction of a Linkage Map for the Pink Salmon Genome
Proposer: Allendorf/UM
RPL Request: ADFG \$167.7 Cluster: Pink Salmon Projects

Total FY 96: \$167.7 Cooperating None
Federal
Agencies:

Project Summary: Proposal would construct a detailed genetic linkage map for pink salmon by analyzing the genetic transmission of several hundred DNA polymorphisms. The ability to genetically map the location of oil-induced lesions will allow the thorough identification, description, and understanding of oil induced genetic damage. This research will also aid other pink salmon studies including estimation of straying rates, description of stock structure, and testing whether marine survival has a genetic basis.

Chief Scientist's Recommendation: This project will produce a linkage map for a large number of genes in pink salmon. This project would potentially provide significant benefits for pink salmon, because it would increase knowledge of the genetic implications of management and supplementation decisions for wild and hatchery stocks. For example, a genetic linkage map would facilitate development of disease-resistant strains of fish and provide new markers for genetic stock identification. This project will require several years of support, and I encourage the proposers to seek additional sources of funds in the future. In addition, the proposer should coordinate with current efforts at the University of Alaska.

Trustee Council Action: Fund This project provides fundamental information which will likely aid restoration of wild stocks of pink salmon and which are likely to benefit all pink salmon management in the future. It is a long-term project with national importance. Recommendation is to provide two years of funding at the requested level, but proposers should seek additional funding sources in future years.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96191A
Project Title: Oil-Related Embryo Mortalities in PWS Pink Salmon Populations
Proposer: ADFG
RPL Request: ADFG \$85.1 Cluster: Pink Salmon Projects

Total FY 96: \$474.6 Cooperating Federal Agencies: None

Project Summary: Continued funding for ongoing project. Elevated embryo mortalities were detected in populations of pink salmon inhabiting oiled streams following the oil spill. The purpose of this project is to continue to monitor the recovery of pink salmon embryos in the field, provide laboratory verification of the field results, and verify and identify the occurrence of genetic damages. Results of these studies may provide the first evidence of heritable injury in fish exposed to chronic or acute sources of oil pollution.

Chief Scientist's Recommendation: To evaluate the recovery of wild stocks of pink salmon in Prince William Sound, it is necessary to monitor embryo mortality in the field. This past season (1995) was the second year in which no statistically significant differences were found in embryo mortality between oiled and unoiled streams. However, two more years of study are required to confirm recovery in odd- and even-year stocks. The investigators have done excellent work to date. I recommend funding the field components of this project. In addition, the search for genetic evidence of heritable injury should continue on a limited basis, mainly through the andogenesis experiments. Current efforts to locate altered DNA sequences should be closed out in FY96, as they appear to have a low prospect of success.

Trustee Council Action: Fund field monitoring and andogenesis experiments. Close out molecular genetics. Field monitoring should receive funding until there are no statistically significant differences between oiled and unoiled streams for two years for each of the odd- and even-year runs (closeout is FY 98). This is the major monitoring project for the on-going injury to and recovery of pink salmon.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96196
Project Title: Genetic Structure of Prince William Sound Pink Salmon
Proposer: ADFG
RPL Request: ADFG \$107.2 Cluster: Pink Salmon Projects

Total FY 96: \$178.5 Cooperating Federal Agencies: None

Project Summary: Continued funding for ongoing project. Previous work found that wild-stock pink salmon suffered both direct lethal and sublethal injuries as a result of the oil spill. An understanding of the population structure of pink salmon in PWS is essential to assess the impact of these injuries on a population basis and to devise and implement management strategies for restoration. This project is designed to delineate the genetic structure of populations of wild pink salmon inhabiting PWS. (This project was formerly numbered 95320D.)

Chief Scientist's Recommendation: This project is yielding interesting and worthwhile insights into genetic diversity among wild pink salmon in Prince William Sound, most notably east-west differences within the Sound. This work could have significant benefit for pink salmon management, and I recommend continued funding.

Trustee Council Action: Fund. This project is designed to determine geographic extent of genetic differences in PWS pink salmon. Knowledge of the location of pink salmon stocks and genetic differences among the stocks in PWS will help refine pink salmon management areas and goals.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96255

Project Title: Kenai River Sockeye Salmon Restoration

Proposer: ADFG

RPL Request: ADFG \$67.2

Cluster: Sockeye Salmon
Program

Total FY 96: \$307.0

Cooperating None
Federal
Agencies:

Project
Summary:

Continued funding for ongoing project. Greatly reduced fishing time in upper Cook Inlet in 1989 due to the presence of oil caused sockeye salmon spawning escapements in the Kenai River to exceed the desired amount by three times. The overescapement may have reduced survival of juvenile sockeye salmon. Careful monitoring and possible reduction of Kenai River sockeye salmon harvests may be necessary to ensure adequate escapements. The goal of this project is to restore Kenai River sockeye salmon through improved stock assessment capabilities and more accurate regulation of spawning levels.

Chief Scientist's
Recommendation:

This has been an excellent program, the results of which have already proven enormously valuable in managing the upper Cook Inlet mixed-stock fishery to protect Kenai River stocks. I recommend limited additional funding in FY96, after which this program should be taken over by ADFG as part of its normal management responsibilities.

Trustee Council
Action:

Fund at reduced amount which reflects the beginning of a transition to agency rather than Trustee Council support; the project will be closed out in FY97. The project has proven successful in providing in-season identification of actual runs that Cook Inlet fishermen are harvesting. The information is used by fisheries managers to modify fishing areas and openings to protect Kenai/Skilak stocks.

EXXON VALDEZ OIL SPILL - FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96256

Project Title: Columbia and Solf Lakes Sockeye Salmon Stocking

Proposer: USFS

RPL Request: ADFG \$17.4 Cluster: Subsistence Projects

Total FY 96: \$60.8 Cooperating Federal Agencies: USFS

Project Summary: This project would assess the feasibility of establishing self-sustaining runs of sockeye salmon in Solf Lake and Columbia Lake. Solf Lake is located in Herring Bay on Knight Island. Data suggest it could annually produce returns of 19,000 to 22,000 sockeye. Columbia Lake is located in Heather Bay near the Columbia Glacier. Data indicate that the lake could annually produce returns of 10,000 to 29,000 sockeye.

Chief Scientist's Recommendation: There appear to be reasonable prospects for successful establishment of self-sufficient sockeye salmon runs at Solf and possibly Columbia lakes. This is of considerable interest to subsistence users in Prince William Sound, and this project would more fully explore its feasibility. I recommend funding of this feasibility study in FY 1996.

Trustee Council Action: Fund feasibility study. If feasible, this project could provide sockeye salmon to aid PWS subsistence, sport, and commercial fisheries.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96258A
Project Title: Sockeye Salmon Overescapement Project
Proposer: ADFG
RPL Request: ADFG \$136.4 Cluster: Sockeye Salmon Program

Total FY 96: \$596.6 Cooperating Federal Agencies: None

Project Summary: Continued funding for ongoing project. This project provides for completion of the Kenai lakes sockeye research program, and closeout of the sockeye monitoring program for Kodiak Island lakes. The Kenai research program investigates the mechanism and extent of injury for the continued depressed returns caused by the 1989 (and previous years) overescapement into the Kenai/Skilak system.

Chief Scientist's Recommendation: Recent analysis of the extensive limnological and fry data gathered over the last several years indicates a link between fall zooplankton abundance and fry survival in the subsequent year. This may explain sockeye salmon population cycles in these lake systems. If substantiated by further analysis, this is a major breakthrough in understanding of the Kenai R. system and perhaps sockeye salmon rearing lakes in general. I recommend approval of the funds needed to complete the Kenai R. portion of this work in FY96. This project also includes funds for continued assessment of overescapement effects at Red and Akalura lakes on Kodiak Island. The investigators for the Kodiak portion of this project have done an excellent job, but the mixed-stock fishery in waters offshore of Red and Akalura lakes greatly complicates future restoration efforts for these lakes. I do not recommend funding Kodiak work beyond FY 96.

Trustee Council Action: Fund completion of work on the Kenai River. Close-out work this year on Kodiak portion of project consistent with Chief Scientist's recommendation. Project investigates mechanism of injury to Kenai river sockeye and monitors recovery of Kodiak sockeye runs. Review of FY 95 results indicates significant scientific breakthrough, which may explain the extent and mechanism of overescapement injury on the Kenai River. If the discovery is confirmed, it may significantly advance the understanding of the Kenai River system.

EXXON VALDEZ OIL SPILL – FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96259

Project Title: Restoration of Coghill Lake Sockeye Salmon

Proposer: ADFG

RPL Request: ADFG \$83.9

Cluster: Sockeye Salmon
Program

Total FY 96: \$265.7

Cooperating USFS
Federal
Agencies:

Project
Summary:

Continued funding for ongoing project Coghill Lake has historically been a major sockeye producer for PWS. The current production is very low and could jeopardize the sustainability of this sockeye stock without restoration efforts. This project continues a program begun in 1993 to fertilize Coghill Lake to restore the run. A restored sockeye salmon run would provide an important replacement resource for sport and commercial fisheries in PWS.

Chief Scientist's
Recommendation:

This project is increasing the productive capacity of Coghill Lake for sockeye salmon through fertilization. The Trustees should continue to support lake fertilization for two more years. I do recommend continued support of the limnological monitoring, but I am concerned that interpretation of the relationship between sockeye production and lake fertilization is confounded by introduction of hatchery-produced pre-smolt, which was done independently of the Trustee-sponsored project. There needs to be further discussion of the objectives and methods of the monitoring program.

Trustee Council
Action:

Fund continued fertilization through FY 97, but not hydroacoustic monitoring which has not been very effective. Smolt outmigration and limnological work will continue, but ADFG and PWSAC should undertake an expanded effort to assess returns of wild adults. Project is designed to restore Coghill Lake to its former position as a mainstay of the commercial/sport sockeye fishery in PWS. Although the injury to this fishery was not caused by the oil spill, this project has been conducted on a replacement basis for losses of other fishery resources.

EXXON VALDEZ OIL SPILL -- FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96427
Project Title: Harlequin Duck Recovery Monitoring
Proposer: ADFG
RPL Request: ADFG \$210.1 Cluster: Nearshore Ecosystem Projects

Total FY 96: \$261.1 Cooperating Federal Agencies: None

Project Summary: Continued funding for ongoing project. This project will compare population parameters between oiled and unoiled areas based on population structure, behavior, production, and growth rates. Shoreline boat surveys will be conducted simultaneously. Changes in population size, structure, and production in oiled and unoiled areas and between years will be compared. Continued population monitoring and brood surveys will allow us to assess trends and suggest factors limiting recovery.

Chief Scientist's Recommendation: Harlequin ducks were seriously impacted by the oil spill, and there continues to be concern about their status, especially in western Prince William Sound. Based on the review session this fall, the investigators have made excellent progress in developing an approach to comparing the health of populations in eastern and western parts of the Sound. This work needs to go forward, and I recommend funding this project in FY 96.

Trustee Council Action: Fund. This project continues basic assessment of recovery status of harlequin ducks in Prince William Sound.

EXXON VALDEZ OIL SPILL - FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96507

Project Title: EVOS Symposium Publication

Proposer: NOAA

RPL Request: ADEC \$35.0 Cluster: Information Support

Total FY 96: \$42.0 Cooperating NOAA
Federal
Agencies:

Project Summary: The *Exxon Valdez* Oil Spill Symposium was held in February 1993. The Trustee Council funded publication and distribution of the symposium proceedings in FY94 with a budget of \$102,000. The length of the proceedings is now expected to be 51% longer than originally planned and the American Fisheries Society (AFS), the publisher, needs an additional \$35,000 to complete the project.

Chief Scientist's Recommendation: Not applicable.

Trustee Council Action: Fund. This project completes the funding necessary to publish and distribute the proceedings of the 1993 Oil Spill Symposium. Publication furthers the Trustee Council's public information goals.

GENERAL OFFICE 4041/021

EXXON VALDEZ OIL SPILL - FY 96 WORK PLAN
Revised Program 11 - 6 - 9992

Project Number: 96600

Project Title: Program Management

Proposer: NOAA

RPL Request: ADFG \$51.9

Cluster: Seabird/Forage Fish
Ecosystem Project

Total FY 96: \$105.4

Cooperating NOAA
Federal
Agencies:

Project
Summary:

Continued funding for ongoing project. This project provides support for continued NOAA participation in *Exxon Valdez* damage assessment and management. The program manager of the Office of Oil Damage Assessment and Restoration is responsible for management and oversight of scientists and contractors as they relate to the *Exxon Valdez* Oil Spill Trustee Council. The program manager has responsibility for maintaining information and records on research schedules, work progress, and study products, and works closely with project leaders of studies to ensure that program goals, objectives, and timelines are met.

Chief Scientist's
Recommendation:

Not applicable.

Trustee Council
Action:

Fund.

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In Memoriam



**WALTER
MEGANACK,
SR.**

The *Exxon Valdez* Oil Spill Trustee Council dedicates the 1996 annual report in memory of Walter R. Meganack, Sr.

Walter was chief of Port Graham for 29 years. As the village chief he made great personal sacrifices so that his community might be a better place to live.

Walter supported his growing family through subsistence fishing and hunting, trapping, and commercial fishing. He was deeply disturbed by the effects of the *Exxon Valdez* oil spill on the marine environment he loved and enjoyed, as well as its effect on the people of the region. He spoke out powerfully many times in public forums to make the plight known of the people whose livelihoods and lifestyle were devastated by the spill. His words and his example inspired others to work to clean up the oil spill and to endeavor to restore the injured natural resources.

Walter's commitment, dedication, pride in his Alutiiq heritage, and his eloquence will be greatly missed by all.

there is hope.

MISSION STATEMENT

The Exxon Valdez Oil Spill Trustee Council

The mission of the Trustee Council and all participants in council efforts is to efficiently restore the environment injured by the Exxon Valdez oil spill to a healthy, productive world renowned ecosystem, while taking into account the importance of quality of life and the need for viable opportunities to establish and sustain a reasonable standard of living.

The restoration will be accomplished through the development and implementation of a comprehensive interdisciplinary recovery and rehabilitation program that includes:

- Natural Recovery
- Monitoring and Research
- Resource and Service Restoration
- Habitat Acquisition and Protection
- Resource and Service Enhancement
- Replacement
- Meaningful Public Participation
- Project Evaluation
- Fiscal Accountability
- Efficient Administration

Adopted by the Trustee Council, November 30, 1993.

1996 Status Report

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Cover photograph: Human mask collected in the 1880s from Prince William Sound, now in the collection of Sheldon Jackson Museum, Division of the Alaska State Museums. Courtesy of the Chugach Alaska Corporation.

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LETTER FROM THE EXECUTIVE DIRECTOR

As Walter Meganack, Sr. said in testimony quoted on this report's dedication page, "Where there is life, there is hope." The Trustee Council is providing some of that hope and now finds itself on the leading edge of restoration activities nationwide. In this year's report on the status of the restoration program, we describe a number of achievements which we hope will leave a positive legacy and eventually overshadow the devastation of the 1989 oil spill.



Molly McCannion
Executive Director
Exxon Valdez Oil Spill
Trustee Council

The Trustee Council was formed five years ago to guide the use of the civil settlement funds from the Exxon Valdez oil spill. Since then, the restoration program has matured into one of the largest long-term research and monitoring programs in the nation. In addition, by protecting important habitats, the Council also has provided a long-term "safety net" for the recovery of injured resources and services in the spill area.

In shaping and guiding the restoration program, the Trustee Council emphasizes several key elements:

Credible science — The Trustees are funding some of the most exciting scientific research underway anywhere in the world, and we're starting to reap the benefits. In the past five years, fisheries management has advanced by decades through development of new management tools for Cook Inlet and Prince William Sound. The Council's three major ecosystem studies are unprecedented efforts to understand the dynamic processes which support our marine resources and should lead to further improvements in resource management. An active scientific peer review process, including frequent workshops and review sessions, helps ensure that we continue to build upon the knowledge gained each year and that researchers share information and ideas. A clarion call for coming years will be "Publish, publish, publish," in order to provide the greater scientific community access to our research results.

Meaningful involvement of the public — The Council is entrusted with restoring the natural resources and human services injured by the spill. Because these resources belong to the public, the Council is committed to making the public—especially the communities and residents of the spill area—active partners in the restoration process. The 17-member Public Advisory Group plays a strong role in guiding restoration decisions. New Council efforts this year, including the participation of high school students in restoration projects and creation of a network of community liaisons, promise to further strengthen this partnership.

A focus on the future — We are already turning our energies toward further integration of the restoration program and synthesis of scientific findings. The 10th anniversary of the spill is three years away, and planning is underway for that event. Establishment of a long-term reserve account is now leading to further thinking about future use of those funds.

The Council continues to insist on a program that is cost-effective, follows well-established management principles, and is of the highest quality. The Council contracted for its first audit this year; the results are included in this report.

No manual exists on how to restore a marine ecosystem following an oil spill as large as the Exxon Valdez spill. The Trustee Council process is continually evolving as we seek better ways to achieve our mission, and in the process we are turning abstract restoration goals into concrete achievements. We look forward to the next year of work and invite your involvement.

Molly McCannion

THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL



Bruce M. Botelho

*Attorney General
State of Alaska*



Michele Brown

*Commissioner
Alaska Department of Environmental
Conservation*

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL PUBLIC ADVISORY GROUP 1995 – 1997

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James King	<i>Public at Large</i>
Nancy Lethcoe	<i>Commercial Tourism</i>
Mary McBurney	<i>Aquaculture</i>
Vern McCorkle	<i>Public at Large</i>
Brenda Schwantes	<i>Subsistence</i>
Thea Thomas	<i>Commercial Fishing</i>
Charles Totemoff	<i>Native Landowners</i>
Gordon Zerbetz	<i>Public at Large</i>



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Administration, U.S. Department of Commerce*

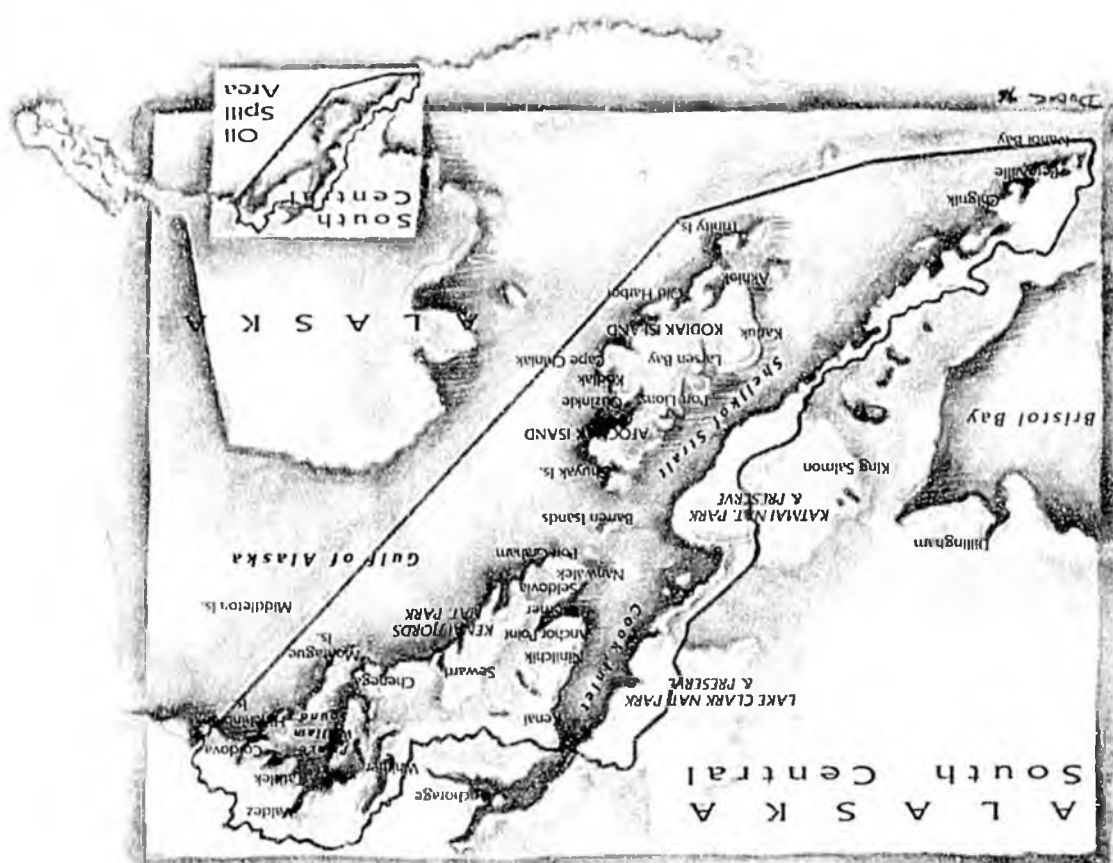


Frank Rue

*Commissioner
Alaska Department of
Fish and Game*

EX-OFFICIO MEMBERS

Senator Georgianna Lincoln
Representative Alan Austerman



R ECOVERY STATUS

In the seven years since the Exxon Valdez ran aground on Bligh Reef, several of the marine mammals, birds

fish and other resources injured by the spilled oil have recovered or are making progress toward recovery. For others, recovery is coming slowly if at all. Harbor seals, for example, continue to decline at a rate of about six percent per year. Certain oiled seabird colonies have not recovered, although at some locations seabird reproduction appears to have returned to normal. A much-studied pod of killer whales in Prince William Sound has suffered additional losses in the past two years, and the social structure of the pod seems to be disintegrating. Residents in the spill area continue to deal with disruptions to commercial fishing and their subsistence way of life.

State and federal agencies went into action to identify resources at risk of injury from oil within hours after the spill occurred on March 24, 1989. Data collected about the injuries has been critical in guiding restoration. Following is information summarizing the current status of representative injured resources.

OIL REMAINING IN THE ENVIRONMENT

Oil can still be found in some places in the spill region, although in most locations beaches appear to be normal. Remaining oil is mostly in scattered patches of hard or crumbly asphalt, a

thin black coating of tar on boulders or in rock crevices, or layers of oil embedded deep in sediment, protected from weathering by rocks or boulders.

Kodiak survey. During June and July 1995 a team experienced in tracking Exxon Valdez oil revisited 30 sites in the Kodiak region where oil was found during the 1990 or 1991 shoreline surveys. The group also visited several locations identified by Kodiak area community members as possibly containing oil remaining from the spill.

The surveyors found almost no oil. In a very few places, the survey team located small isolated patches of mousse, soft asphalt with surface crusts, or tar splotches. Chemical analysis of the oil confirmed it originated from the Exxon Valdez. No subsurface oil was found.

This boulder strewn shore on the north side of Shuyak Island was oiled following the 1989 oil spill, but geomorphologist James Ghesut and environmental specialist Diane Munson did not find any residual oil six years later. This pocket beach was one of 30 sites surveyed for remaining oil in the Kodiak area during 1995.



photo by Tom Egan

In contrast to Kodiak, surface and subsurface oil patches remain in many locations in Prince William Sound, even though most beaches appear free from oil. The contrast between the two regions probably can be attributed to several factors. By the time the oil reached Kodiak beaches, it had absorbed water, was thicker and emulsified, and less able to penetrate beach sediments. Initial oiling in the Kodiak area also was lighter because so much of the oil already had been deposited, dissi-

pated or evaporated by the time it reached those beaches. Also, Kodiak shorelines frequently are buffeted by high energy storm waves that tended to scour off oil residues.

Oiling workshop. The Trustee Council sponsored a workshop in November 1995 to address concerns about oil remaining on Prince William Sound beaches. Workshop participants included residents of Chenega Bay, land and wildlife managers, and a panel of technical experts with broad oil spill and shoreline treatment experience. The workshop focused on the costs, benefits and possible environmental problems associated with limited treatment at sites where significant oil remains. Some of the oiled sites are near Chenega Bay. The Council will consider the results in 1996.

Mussel beds. While most mussels in Prince William Sound are free from oil, some dense mussel beds over fine sediments in sheltered locations are still contaminated. In 1994, scientists and residents from the village of Chenega Bay removed and replaced contaminated sediments underneath 12 oiled mussel beds in Prince William Sound, a restoration technique

never attempted before. Monitoring of the restored sites in 1995 showed that oil concentrations in the sediments at all of the restored beds dropped by 98 percent on average. Mussel survival at the cleaned beds was variable but generally good.

PINK SALMON



photo by Judy Scott

SEA project researchers use devices such as this CTD (conductivity/temperature/depth) recorder to collect oceanographic data important to understanding fluctuations in pink salmon and herring populations in Prince William Sound.

Poor pink salmon returns in 1992 and 1993 and the collapse of the Pacific herring population in 1993 in the Sound led to Trustee Council sponsorship in 1994 of a collaborative effort known as the *Sound Ecosystem Assessment*. The SEA project aims to explore and develop models

of the processes influencing pink salmon and Pacific herring productivity in Prince William Sound.

The first phase of the project consisted of intensive field work to collect information on physical characteristics of the Sound that affect salmon and herring. These factors include sea temperature, salinity, current movements, and the availability and timing of increases and decreases in plankton, the tiny plants and animals that fish eat. These studies will continue, leading to the development of models that explain and predict ecological processes in the Sound, making management and



photo by L.J. Evans

Pat Harris of the National Oceanic and Atmospheric Administration has collected mussels at specific sites in Prince William Sound at least twice a year since twelve mussel beds were cleaned in 1994. Mussels and sediment analysis indicates oil remaining in the cleaned mussel beds decreased by more than 90 percent.

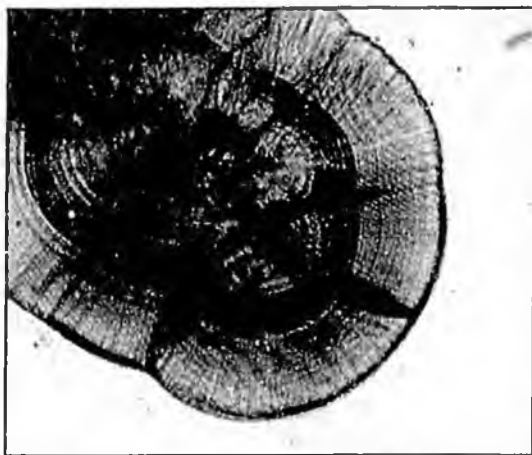


photo by Chris Abund

A pink salmon carbone (otolith) is about 1/8 inch long, magnified 100 times. The light and dark bands circling the otolith were laid down similar to tree rings in specific patterns by hatchery staff controlling changes in water temperature. The bands enable researchers to identify the year and hatchery where the fish spawned.

restoration of a multitude of marine resources more effective.

In a related pink salmon project, monitoring efforts in both 1994 and 1995 detected no significant difference between survival of wild pink salmon eggs spawned in oiled versus non-oiled streams in Prince William Sound. This data suggests wild stocks may be recovering from direct spill injuries. Researchers expect to monitor oiled and unoled streams until no significant differences are detected in egg survival for two years in both odd- and even-year pink salmon runs.

SEA researcher Mark Clapsdell measures a pollock while Mark Willette prepares to label a jar of tissue samples for analysis. Working in 12-hour shifts, the SEA vessels collected data in Prince William Sound using hydroacoustic equipment, periodically lowering a net to determine exactly what kind of fish the sonar equipment was detecting. The number and species of fish in each catch were recorded and a percentage of the fish were sampled.



photo by J. J. Escam

In 1995 the Trustee Council placed equipment for otolith thermal mass marking—a method of marking every pink salmon released using fluctuations in water temperature—in hatcheries in Prince William Sound. Fishery managers will use the marking information to set harvest limits, locations and timing of fishery openings to concentrate harvest on hatchery or uninjured wild runs, thus protecting injured wild stocks.

HERRING

Prince William Sound Pacific herring runs collapsed in 1993 and have not yet recovered. The SEA project is investigating the causes of fluctuations in adult herring survival. Additional studies completed in 1995 implicate a common fish virus and a fungus in the catastrophic declines. Researchers are exploring the possibility that stress from oil contamination in intertidal spawning and staging areas made herring more susceptible to these diseases. Work will continue in 1996 to explore the relationships between oil and disease, and to monitor pathogens in wild herring.

SOCKEYE SALMON

Because of closed fisheries in 1989, a large number of sockeye salmon escaped to spawn in the Kenai River system and in Red and Akalura Lakes on Kodiak Island, resulting in decreases in the returns of these valuable fish in subsequent years. This effect was still seen in the numbers of sockeye returning to the Kenai in 1995. The Trustee Council funded projects in 1995 to provide fishery managers

with tools to better manage the catch and escape-ment of spawning sockeye salmon and to ensure the health of future runs.

HARLEQUIN DUCKS

Harlequin ducks feed in intertidal and shallow subtidal habitats where most of the spilled oil initially was stranded. The summer population of harlequins in Prince William Sound

Scientists captured and released more than 350 harlequin ducks during August and September 1995 to take blood samples, measure their size and weight, and assess the ducks' overall condition. The ducks were captured while they were molting and unable to fly. Several team members in kayaks herded groups of harlequins into a chute-and-trap system in shallow water. Adult birds from oiled and unoled areas of the Sound were also fitted with radio transmitters to track their movements and survival. So far biologists report that most birds have stayed close to their molting sites.



photo by Paul Snyder

is small—less than five thousand birds—and scientists continue to be concerned about poor reproduction and a possible decline in the summer population of birds in the oiled western regions of the Sound.

The Trustee Council initiated the *Nearshore Vertebrate Predator* project in 1995 to understand the key mechanisms that may be constraining recovery of the nearshore ecosystem, using four species as indicators of environmental stress. The species are two fish eaters—river otters and pigeon guillemots, and two invertebrate-feeding species—harlequin ducks and sea otters, which live on shellfish. The project's goal is to determine whether residual oiling effects or limitations in the quantity or quality of food available to these key species is limiting their recovery.

Primary objectives for 1995, the first year of this project, were to assess the condition of harlequin ducks in oiled areas, refine techniques for estimating populations and assessing the overall health of sea otters, and develop techniques for determining the density and distribution of invertebrate prey species. Work in 1996 will also include data collection on river otters and pigeon guillemots.

Researchers in another project funded by the Trustee Council developed a monitoring program to assess the distribution, abundance and reproductive success of harlequin ducks in the eastern

versus the western parts of the Sound. In 1995, harlequin pairs with ducklings were observed in eastern Prince William Sound. No ducklings have been seen in the oiled western area

since the spill occurred. Researchers will continue monitoring to determine if adult harlequins using the western side of the Sound are not breeding or if they breed elsewhere.

PIGEON GUILLEMOTS

Pigeon guillemots are widely distributed in the spill region. These diving birds nest in rocky cliffs, sometimes in small groups, but usually apart from one another. For reasons still unexplained, these birds had already declined before the oil spill. The present population in Prince William Sound is estimated at only one-third that of the early 1970s. The number of guillemots observed during 1995 surveys was highly variable, and there is not yet any strong evidence that the population is on the rise.

Field biologists monitoring guillemot nests in Prince William Sound and the Barren Islands gathered data on the number of eggs laid, chicks hatched and fledged, and the kind and quantity of fish brought to the chicks by adult birds. These observations, coupled with historical data from other sources, suggest that the kinds and amounts of forage fish available in the region have changed a great deal over the past 20 years. The implications of this shift are significant and far-reaching. A wide variety of other birds and mammals rely on forage fish for an important part of their diets and also may be affected by this shift.

The Trustee Council initiated the *Apex Predator Experiment*, or APEX project, to examine the relationships between forage fish abundance and availability, and populations of pigeon guillemots, common murres and black-legged kittiwakes—key indicators of ecosystem health. None of these species has yet recovered from the spill. This project will continue for several years and should improve understanding of factors limiting recovery from oil spill injuries and management of the spill area ecosystem.



photo by T. Tessler

Dave Tessler measures the wing of a pigeon guillemot chick. Pigeon guillemots typically nest in openings or crevices in rocky cliffs. As part of the APEX project, researchers monitored the growth, survival, and what kind and how much food the parents brought to pigeon guillemot chicks at several sites in Prince William Sound and the Gulf of Alaska.

COMMON MURRES

Large colonies of murres and other seabirds breed and raise their chicks in the Barren Islands in the northern Gulf of Alaska. Birds at these colonies were killed in great numbers by the oil from the *Exxon Valdez*. In fact, more common murres died because of the spill than any other species. Reproduction of murres at the Barrens was disrupted for several years after the spill, leading to reductions in chick survival. Murre productivity in the Barren Islands has been normal since 1993.

MURRELETS

Marbled murrelets in Prince William Sound had declined for unknown reasons before the spill. Progress was made in 1995 on a reliable survey method to determine how successfully these secretive birds are reproducing in the spill area. Using this method, researchers were able to tell that the birds were producing more chicks in some places than in others. The techniques perfected by Trustee Council biologists may also be useful to researchers of threatened marbled murrelets in other areas.

In August 1995 the Trustee Council added Kittlitz's murrelets and common loons to the list of species injured by the spill. This addition does not reflect new findings. Rather, further analysis resulted in official recognition that the spill effects on these birds were significant.

HARBOR SEALS

Prince William Sound harbor seals continue to decline at a rate of about six percent per year. Harbor seals already were in serious decline throughout the Gulf of Alaska, including the Sound, before the spill. Marine mammal biolo-

gists have been capturing a few harbor seals every year to sample blood and tissues, measure, weigh and tag the seals. Data from the samples indicates the seals have been exposed to certain diseases in the past, but that there have been no recent outbreaks. Analysis of the fat layer, or blubber, also is providing important information about what the seals are eating.

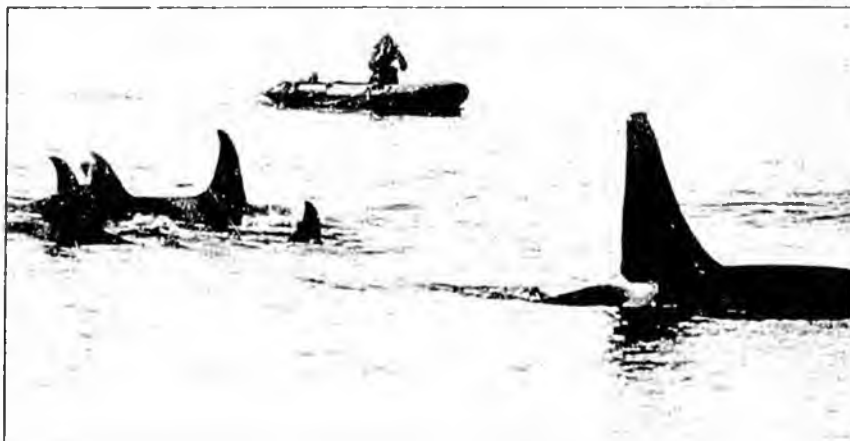
Harbor seals are a traditional subsistence resource in the oil spill area. Subsistence hunting is affected by the declining seal population, and lack of opportunities to hunt seals has changed the diet of subsistence users. The Trustee Council has funded the Alaska Department of Fish and Game Subsistence Division to work with the Alaska Native Harbor Seal Commission to share and discuss research results, develop a biosampling program to provide information about important life history parameters, and discuss future research and management needs.

SEA OTTERS

Immediately following the spill, researchers used boat surveys to find out how many sea otters were present in the wild. Biologists working on Trustee Council projects have now developed and tested methods of counting sea otters from small airplanes which more easily yield precise results. Surveys conducted over the past three years have observed greater sea otter abundance at

un-oiled study areas than at oiled areas. In 1995 otters seemed to be reproducing at about the same rate in both areas.

In 1996 blood and tissue samples will be collected from sea otters in oiled parts of Prince William Sound. Analysis will provide a better picture of the overall health of the animals and their ability to resist disease.



Biologist Craig Matkin photographs a group of killer whales from the AB pod in Prince William Sound. Killer whales can be identified using photographs that show the size and shape of the dorsal fin and by markings and coloration of the white saddle patch at the base of the dorsal fin. The dorsal fin of the male on the right has folded over at the tip. Some scientists speculate this is a sign of poor health or stress. Among the females in the group on the left is the smaller fin of a calf.

KILLER WHALES

Scientists have been particularly concerned about the AB pod of killer whales in Prince William Sound. There were 36 members in this well-documented social group before the spill. Fourteen whales disappeared from the AB pod in 1989 and 1990 and are presumed dead, and no calves were known to be born during those years. Although four calves were added between 1992

and 1994, surveys in 1994 and 1995 indicate five more whales were lost. The link between these losses and the oil spill is only circumstantial, and human interaction could be a factor. However, the losses far exceed normal rates documented over 20 years of study for this and similar killer whale groups in the northern Pacific. In addition to the losses, a subgroup or family of the AB pod was observed in 1995 swimming with another resident pod in the Sound, behavior unheard of in any other killer whale group. These changes in social structure may be leading to the AB pod's disintegration.

Transient killer whales are also found in Prince William Sound. These individuals do not belong to a coherent group. Typically they rely on marine mammals as prey species, whereas resident whales usually eat fish. Because harbor seals are an important prey species for transient whales, researchers are examining the relationship between the decline in harbor seals and predation by transient killer whales.

INTERTIDAL COMMUNITIES

Both the oil spill and subsequent cleanup activities had significant effects on plants and animals that live in the intertidal zone, the area of shoreline between low and high tides. Oil penetrated deeply into many beaches, and despite intensive cleanup and winter storms, still persists in some places.

Small invertebrates and shellfish like limpets, barnacles, marine snails, clams and mussels that live in the intertidal zone are important to sea and river otters, black oystercatchers, harlequin ducks and pigeon guillemots, as well as subsistence

users. Although the numbers of many intertidal species have increased since the spill, recovery of the brown seaweed known as *Fucus*, or popweed, in the upper intertidal zone is lagging. Recovery of *Fucus* is important. Many invertebrates need the cover the lush, moist canopy this seaweed provides to survive and multiply.

Although several methods of encouraging the regrowth of *Fucus* have been investigated, none has yet proved practical to implement in large areas. Researchers will continue to monitor natural recovery of the intertidal community.

ARCHAEOLOGICAL RESOURCES

Archaeological sites injured by oil, cleanup activities or related vandalism are different because they are nonrenewable—they cannot recover in the same sense as biological resources. Archaeologists in 1995 continued a program of monitoring and sampling some of the 24 archaeological sites throughout the spill region known to have been injured, and conducted a more extensive exploration of two other sites in Prince William Sound. No new disturbance or vandalism was noted in 1995.

Archaeological artifacts found on public lands during spill response, damage assessment and restoration programs are stored at facilities outside the spill region. The Alutiiq Archaeological Repository in Kodiak, constructed in part with Trustee Council funds, is the only facility in the spill area capable of storing artifacts, but none of the objects found are presently housed there. A project begun in 1995 and continuing in 1996 is exploring options with communities in Prince William Sound and lower Cook Inlet who have expressed interest

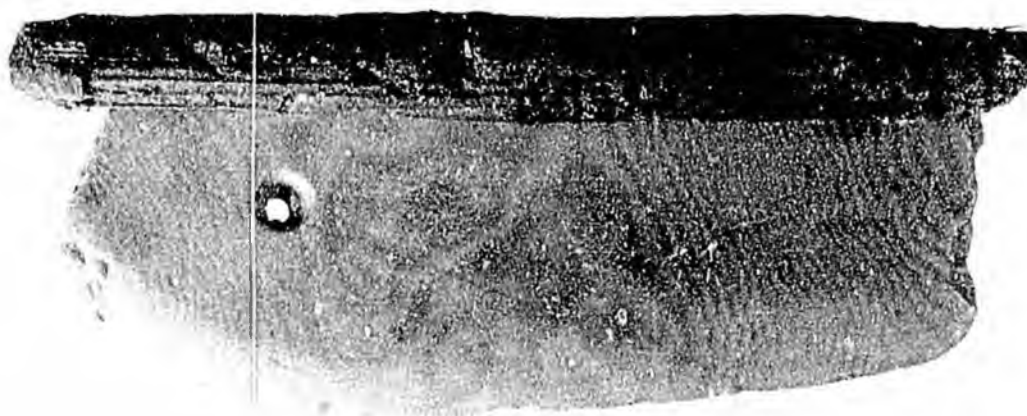


photo by L.J. Evans

This broken slate ulu, about five inches long, was found with a two-piece wooden handle made of hemlock which was probably originally lashed to the blade with some kind of fiber such as spruce roots. It was found in 1995, more than three feet below the surface at an archaeological site on northeastern Knight Island in Prince William Sound. This site was unknown prior to surveys conducted to identify archaeological sites at risk of damage from cleanup activities. Archaeologist Linda Yarbrough estimates the ulu is about one thousand years old, and that it was made and used by ancestors of the Alutic people who still inhabit the region.

in returning the artifacts to the spill area for storage and display in appropriate facilities.

SUBSISTENCE

Residents of the 20 communities most directly affected by the oil spill continue to be concerned about the safety of their traditional food resources. Over the past two years, representatives of the Subsistence Division of the Alaska Department of Fish and Game, other agencies and staff from the Restoration Office have assisted community residents with developing restoration projects related to subsistence resources.

One project surveyed octopus populations in cooperation with the villages of Tatitlek and

Chenega Bay. Biologists used intertidal and underwater search techniques to assess the populations of chiton and octopus near the villages. Expertise contributed by local residents was key to the success of the pilot project.

Clams in the spill area were killed or suffered slower growth rates as a result of the spill and cleanup activities. A project in 1995 provided funds for the Qutekcak Shellfish Hatchery in Seward to develop seed clams for use in future restoration work near the villages of Port Graham and Nanwalek on the Kenai Peninsula and Tatitlek in Prince William Sound, as well as other locations. In 1996 the emphasis will be on refining hatchery techniques to increase production.

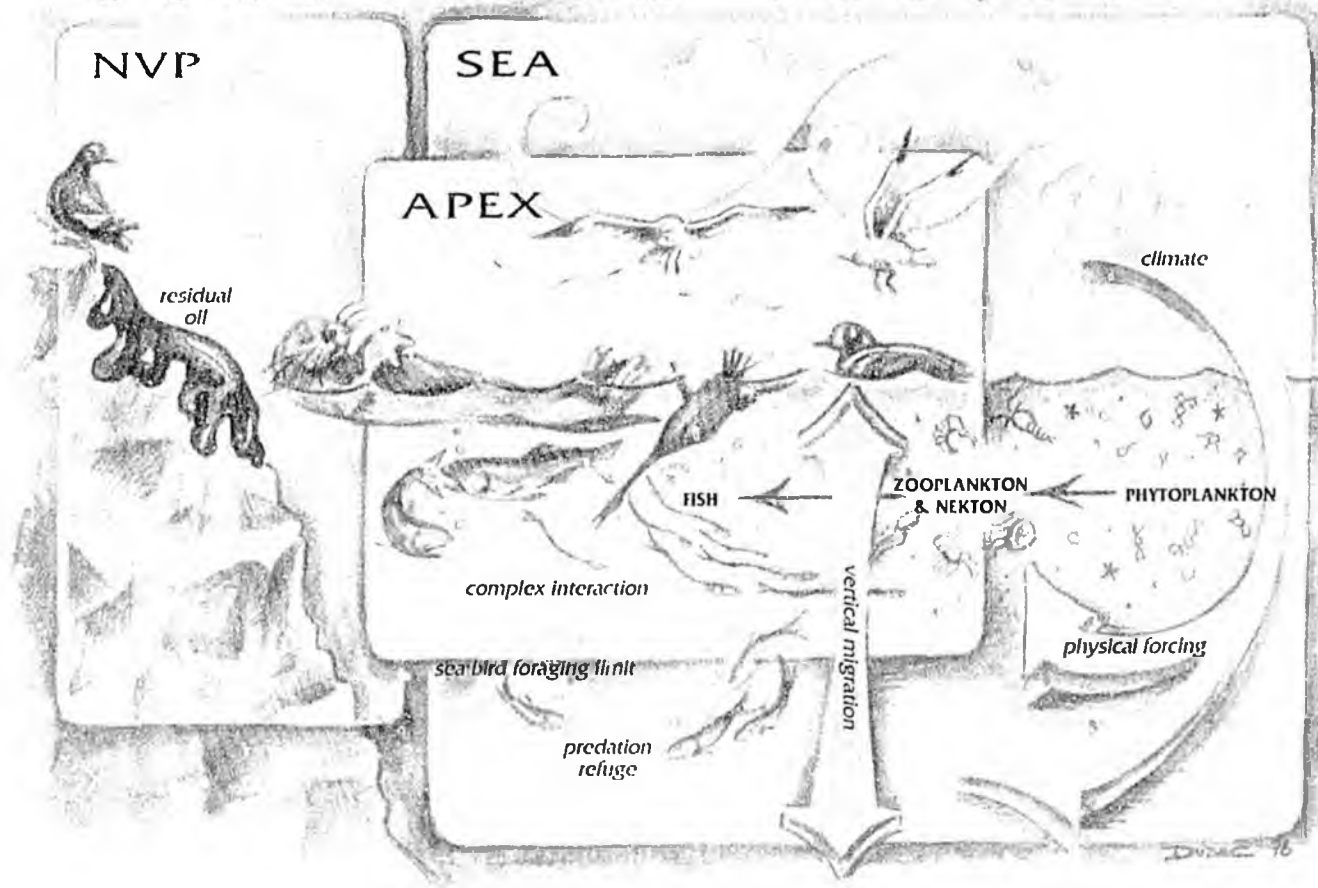
RESOURCES AND SERVICES INJURED BY THE SPILL

Biological resources listed in this table experienced population-level or continuing sublethal injuries.

INJURED RESOURCES		LOST or REDUCED SERVICES
Biological Resources	Other	Other
Recovering Bald eagle Black oystercatcher Intertidal organisms (some) Killer whale Mussels Sockeye salmon (Red Lake) Subtidal organisms (some)	Not Recovering Common murre Harbor seal Harlequin duck Intertidal organisms (some) Marbled murrelet Pacific herring Pigeon guillemot Pink salmon Sea otter Sockeye salmon (Kenai & Akalura systems) Subtidal organisms (some)	Archaeological resources Designated wilderness areas Sediments Commercial fishing Passive uses Recreation & Tourism (including sport fishing, sport hunting, and other recreation uses) Subsistence
Recovery Unknown Clams Common loon Cutthroat trout Dolly Varden Kittlitz's murrelet River otter Rockfish		

Amending the List of Injured Resources and Services. The list of injured resources and services will be reviewed through the Trustee Council's scientific review process as new information becomes available.

ECOSYSTEM PROJECTS



Concept by Beth Spore Illustration by Debra Dubar

Each of the Trustee Council's major ecosystem projects—Nearshore Vertebrate Predator, APEX, and Sound Ecosystem Assessment—complements the others and provides unique information about recovery of the marine ecosystems in the spill area.

The Trustee Council has taken steps to restore resources or accelerate natural recovery wherever possible. Habitat important to the recovery of injured resources has been protected throughout the spill region.

Council-funded projects are using state-of-the-art scientific tools and methods to examine the injured resources and improve understanding of the spill's long-term effects. In other cases, data collected and scientific tools developed through restoration projects are providing immediate benefits and will also leave a legacy of improved management and understanding of Alaska's wealth of marine resources. Through an intensive public process, the Trustee Council has developed an integrated, ecosystem-based program that effectively applies the trust funds to restoration needs throughout the spill area.

PROGRAM HIGHLIGHTS

Conference on Subsistence and the Oil Spill. Nearly 80 elders, youth, and other village residents throughout the oil spill region participated in a *Community Conference on Subsistence and the Oil Spill* sponsored by the

Trustee Council in September 1995. Major themes of the conference were improving communication between researchers and communities and involving young people in the restoration process.

Working groups at the conference developed ideas for using traditional and local knowledge to help resources recover and to revitalize subsistence lifestyles. Another major theme was the importance of self-reliance and the need to pursue some aspects of subsistence restoration, particularly spiritual healing, independent of Trustee Council support. Participants appointed a steering committee to continue work on goals identified at the conference.



photo by Karen Shennet

The Alutiiq Dancers from Kodiak entertained participants at a reception during the *Community Conference on Subsistence in the Oil Spill*.

COMMUNITY INVOLVEMENT

During 1995 the Trustee Council took several steps to more fully involve spill-area communities in the restoration process.

Community Coordinator. Through a contract with Chugach Regional Resources Commission, a Community Involvement Coordinator joined the Restoration Office in December 1995. The Coordinator's tasks are to enhance communication between the Trustee Council and communities affected by the oil spill, increase residents' level of active participation in the restoration process—particularly in ongoing scientific studies—and work with project leaders to integrate local and traditional knowledge into the research and restoration process.

As part of the contract, local facilitators were hired in Chenega Bay, Cordova, Kodiak, Nanwalek, Port Graham, Seward, Tatitlek and



Community Coordinator Martha Vlasoff keeps spill-area residents informed of restoration activities and assists with integration of traditional knowledge into restoration projects.

Valdez. An additional facilitator will represent the Alaska Peninsula.

Community-based harbor seal management. A project begun by the Trustee Council in 1994 directly involves subsistence hunters in the efforts to restore harbor seals and sea otters, species that still have not recovered from the spill. The project provides for a continuing exchange of information among hunters, marine mammal biologists and resource management agencies. The hunters contribute valuable traditional knowledge about the habits of seals and sea otters and information about harvest locations. In fiscal year 1996, the project is training hunters to collect tissue samples needed by marine biologists to evaluate the health of seals and otters. The hunters and scientists work together to develop recommendations for subsistence uses of these marine mammals based on restoration project findings. This project will continue in 1996 with a focus on increasing the dialogue between scientists and subsistence users in order to enhance harbor seal recovery.

Other community involvement projects. A 1995 project trained local residents to sample abnormal fish and wildlife resources found near their community and transport samples to laboratories for analysis. Sixty-one volunteers in 20 communities in the oil spill area were trained to collect, preserve, package and ship different types of samples. A network was put in place to transport and analyze the samples, and then to report the results back to the community.

Another project, the Youth Area Watch, involves young people in Prince William Sound communities in the science aspects of restoration projects. This project came together with the harbor seal project in the fall of 1995 when high school students also participated in the biological sampling program described above. As the biologists, hunters, and young people interacted, and students learned to take tissue samples from harbor seals and fish, anatomy and physiology were no longer abstract classroom concepts. The students were involved in hands-on science in their own backyards and at the same time learned about traditional subsistence practices from experienced hunters.

Linda Evans of Nanwalek participated in training sessions during September 1995 to learn how to take samples for analysis from any abnormal fish and wildlife resources found near her village.



Photo by: Robert Johnson

SCIENCE PROGRAM DEVELOPMENT

The Council's adaptive management process is now well established, producing a predictable annual cycle of project development, restoration work, and review. Trustee Council researchers report regularly on the progress of their work to the Chief Scientist and a number of independent peer reviewers internationally known in their fields. A series of intensive review sessions were held last fall and winter to follow up on issues needing attention and to identify areas where the projects could be improved. Addition of a Science Coordinator to the Restoration Office staff also strengthened the review process.

The third annual Restoration Workshop in January 1996 brought together 250 researchers, residents of spill communities, resource managers, and members of the public. Through three days of presentations, small group discussions, and a well-received poster session, the interdisciplinary group exchanged information and fostered collaboration that will benefit the restoration program.



photo by C. L. Evans

The Trustee Council's science team reviews each project prior to Council approval. Standing, left to right: Stan Semner, Trustee Council Science Coordinator; Pete Peterson, Professor of Marine Sciences, Biology & Ecology, University of North Carolina; Robert Spies, Trustee Council Chief Scientist. Seated, left to right: Chris Haney, Wildlife Ecologist, Wilderness Society; Andy Gunther, Assistant Chief Scientist, Applied Marine Sciences; Phil Mundy, Fisheries Scientist; George Rose, Senior Chair in Fisheries Conservation, Memorial University of Newfoundland.



The annual Trustee Council adaptive management cycle of soliciting, reviewing, implementing and revising restoration projects provides opportunities for public input in the process and constantly looks for ways to improve the program.

MARINE ECOSYSTEMS

The Trustee Council has been moving steadily toward an ecosystem-based approach for understanding factors affecting recovery of injured resources. This method maximizes the efficiency of research and monitoring efforts and should lead to scientific results with wide application and lasting benefits. Taking an ecosystem approach to restoration means examining certain injured species that can serve as indicators of the health of the whole marine ecosystem and using this information to understand the underlying processes which may be limiting recovery. Work on related questions and resources has been concentrated in three major ecosystem projects. Each of the projects complements the others, and the researchers are sharing data to maximize benefits and avoid duplication.

Scientists working on the Sound Ecosystem Assessment project are investigating the causes of fluctuations in pink salmon and Pacific herring in Prince William Sound. Researchers working on this multi-year project have now completed their second field season.

The *Nearshore Vertebrate Predator* project is examining populations of sea otters, river otters, harlequin ducks and pigeon guillemots as key species to indicate the health of the overall nearshore ecosystem, the area where most of the oil was deposited. Studies of invertebrates such as sea urchins, mussels and clams, as well as nearshore fishes, were included in this project to assess the abundance and health of prey populations important to these four predators.

The *Apex Predator Experiment*, or APEX, project is exploring the productivity of common murre, pigeon guillemots, and black-legged kittiwakes in Prince William Sound and the Gulf of Alaska in relation to the availability and quality of the small forage fish that are their prey.

NOTEWORTHY SCIENTIFIC & RESTORATION ACHIEVEMENTS

Kenai sockeye predictions.

Following the spill in 1989, no fishery openings were allowed in Cook Inlet because of the possibility of fouling the catch with oil. This led to large numbers of fish returning to spawn in the Kenai river and lakes system. Most Kenai River sockeye have a five-year life cycle—two years in the fresh waters of the river system and three at sea. Biologists expected that more spawning adults, therefore more fry and juveniles, would lead to depletion of food resources and starvation of the fry, resulting in a downturn in the returns of the same year class five years later. However, the returns since the spill have not entirely matched this model, and the Trustee Council funded a project to find out why.

Researchers found that the oversized runs

have the largest impact on survival of the fish spawned the next year. Sockeye fry emerge in late spring. New zooplankton, the main food resource for juvenile sockeye, enter the food chain in mid-summer. If the juvenile sockeye salmon from an oversized run the prior year have reduced the zooplankton population too much, the emerging fry will starve before new zooplankton are available in the summer.

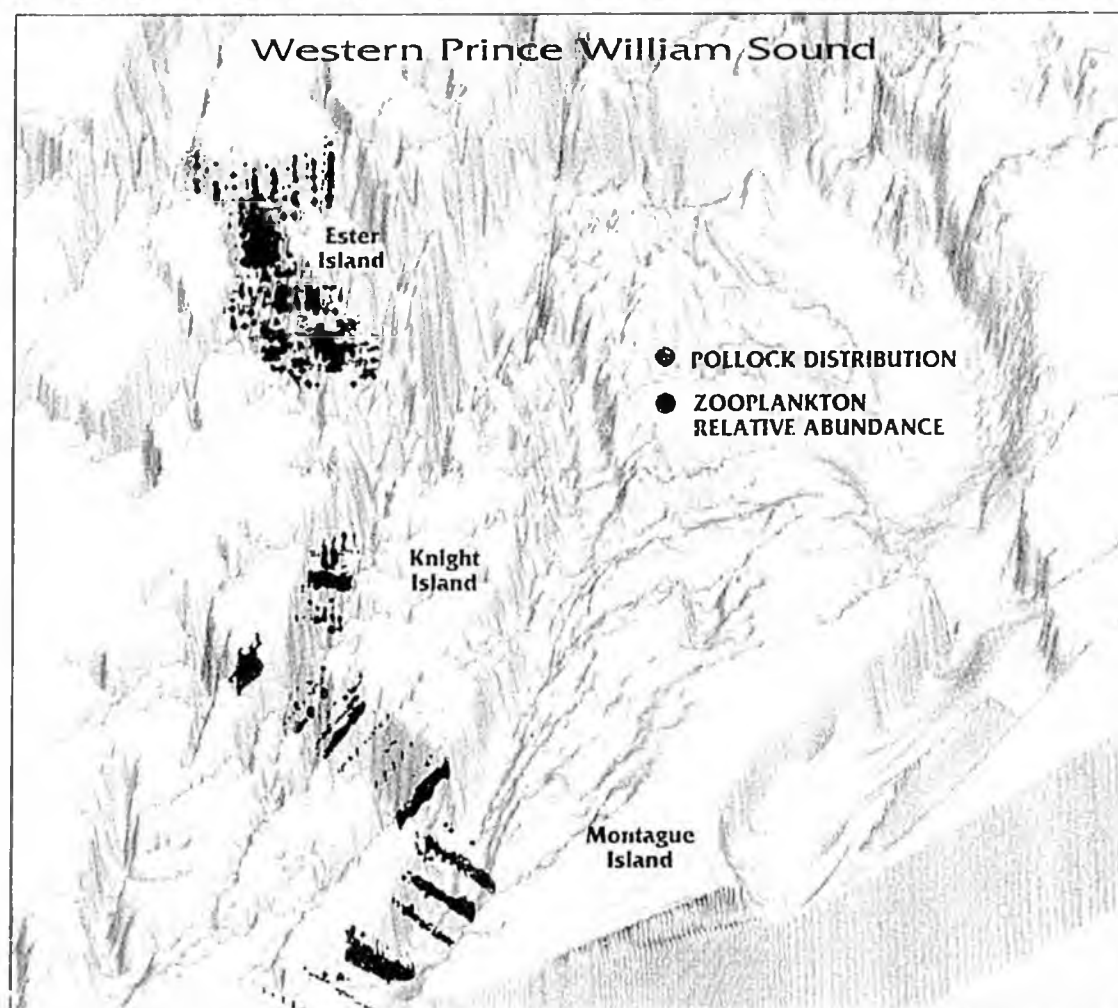
The result is the same—huge fluctuations in the returning fish as succeeding generations return to spawn. If this new theory holds true, fishery managers will be able to predict sockeye returns much more accurately and more effectively manage the fishery.

SEA documentation of pollock in Prince William Sound. One outcome of the research by the Sound Ecosystem Assessment, or SEA, project has been the discovery of a large population of adult and juvenile walleye pollock throughout the Sound.

Towing advanced underwater hydroacoustic equipment, the SEA teams collected data about the sea bottom and the marine life in specific areas of the Sound. Fishing vessels accompanying the research ships used nets to catch samples of whatever the sonar equipment was "hearing," so that the technicians could compare the hydroacoustic data with what was in the nets. By identifying the different signals that represented different kinds of fish caught in the nets, the researchers were able to collect information on the number and kinds of fish present in wide areas of the Sound.

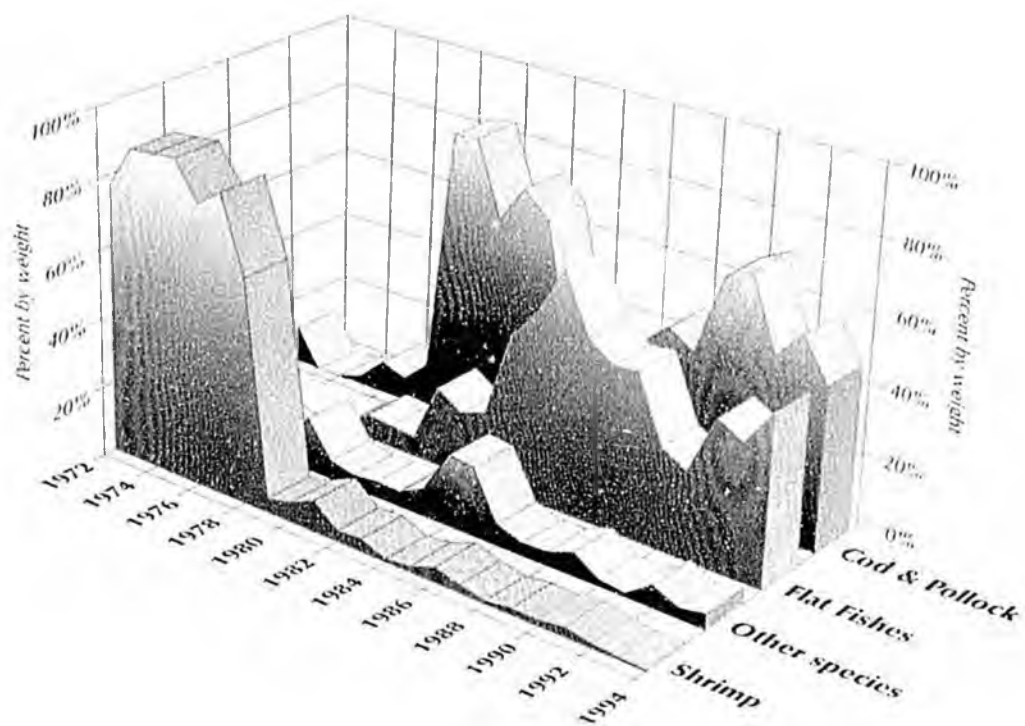
Using these techniques, researchers identified a large population of adult and juvenile pollock throughout southwestern and northern Prince

POLLOCK & ZOOPLANKTON



Graph Courtesy of Prince William Sound Science Center

Surveys conducted in 1994 and 1995 by SEA researchers mapped the presence of pollock and zooplankton in Prince William Sound using hydroacoustic surveys and net samples.



This graph shows the composition by weight of four groups of marine species collected in Gulf of Alaska shrimp trawl surveys between 1972 and 1994 by the National Marine Fisheries Service. APEX researchers noted a large decline in abundance of shrimp and an increase in cod, pollock and flat fishes around 1979. At about the same time, oceanographers in the Gulf observed that the temperature of the water column increased by about two degrees. Data from Paul Anderson, NMFS.

William Sound. The biologists also examined stomach contents of some of the fish they caught, leading to a theory that pollock may be a major predator on juvenile salmon and pollock. Since no one knew before that so many pollock were present, there had been no reason to suspect pollock predation could be a factor in fluctuations in salmon populations.

Upper Cook Inlet sockeye

management. The Trustee Council funded a project in 1995 to provide fishery managers the two types of in-season information they need to alleviate oil spill injury to Kenai River sockeye salmon: data about how many fish have returned for use in allocating the commercial harvest, and information about where the returning fish are from within the Kenai River system.

Data about returning fish was collected with hydroacoustic equipment where sockeye salmon are known to congregate in Cook Inlet before they migrate up the Kenai River to spawn. This makes it

possible to time fishery openings to protect stocks of these highly prized fish. Prior to 1995, fishery managers in upper Cook Inlet depended on information from commercial drift-fleet sockeye catches to determine the volume of fish returning to spawn.

Unfortunately, this data was incomplete and limited because it could only be gathered when the fishery was actually open. When the fishing fleet was idled to allow salmon to pass by and go up the river to spawn, the fishery managers operated blindly—they could not make accurate, reliable estimates of the volume of fish returning and when the fishery could be reopened. If fishery managers allowed the drift fleet to harvest too many fish, the resource might be overfished and not enough salmon would escape to assure the strength of future runs. Hold the fishermen off too long and too many fish might go up the river, leading to overescapement problems and declines in future runs. The development of hydroacoustic survey methods for sockeye salmon in Upper Cook Inlet will provide a long-lasting tool for use by fishery managers.

Knowledge of the abundance of returning fish is not sufficient, however, when the fishery manager is concerned about one particular fish stock. The hydroacoustic surveys provide an estimate of the fish in Cook Inlet, but they can't determine how many of those fish are from the Kenai River. In another part of the project, scientists identified the genetic "tags" of sockeye from different spawning streams in the Kenai River system. It is now possible to tell fishery managers within 48 hours which stream in the river a particular salmon is from if it was harvested in Cook Inlet. This information provides another powerful tool which can be used to protect spill-damaged stocks by guiding selective harvest in the Inlet.

Changes in distribution of forage fish species. A major shift occurred in the late 1970s in the relative abundance of small fish species critical in the diets of birds and marine mammals in the Gulf of Alaska. Researchers speculate that some of these findings may explain why seabird and marine mammal populations have not recovered from spill injuries.

Data analyzed by researchers in the APEX project indicate that forage species such as capelin and shrimp virtually disappeared around 1979-80, while other fish such as pollock, flounder and cod increased dramatically. At the same time, oceanographers detected a two- to three-degree Fahrenheit increase in the water temperature throughout the region. The effects of this shift on the seabirds and marine mammals of the region may be sig-

nificant, at least in part because the fish that are on the increase do not seem to have as much nutritional value as those whose abundance has decreased.

The researchers used a variety of data sources to identify this shift. National Marine Fisheries Service and Alaska Department of Fish and Game staff analyzed test trawl data covering the past 40 years to discover when the shift occurred.

Comparing this information with the current situation occurring off the East Coast of the United States and Canada has been revealing. The northern Atlantic off Newfoundland has cooled in the last several years, and Atlantic cod, the main fish resource in the area, have almost disappeared. At the same time, there has been a huge increase in shrimp and other crustacean species. This data is useful to scientists on both sides of the continent and may help to explain natural fluctuations in the marine ecosystem.

National Biological Service personnel also examined data on the diets of seabirds in Prince William Sound collected during the 1970s and 1980s. The earlier studies showed that parent birds brought more sandlance to their chicks before the spill than they have since. Other researchers observed rates of seabird reproduction at sites in Prince William Sound, Cook Inlet and the Gulf of Alaska, and estimated the biomass of forage fishes in the waters around the study sites.

They appear to have discovered a direct relationship between the types and quantity of forage fish available and the ability of seabird chicks to survive.



photo by L. E. Evans

Researchers in 1995 examined the kind of food available to injured fish, birds and marine mammals. These juvenile pollock were collected in a fine mesh net in nearshore waters of Prince William Sound.

Harbor seal fatty acid analysis.

In late September, 28 harbor seals were captured in Prince William Sound and briefly held to collect samples for analysis of fatty acids, stable isotopes, genetic information and other data. Several species of forage fish were collected at the same time for similar analysis of fatty acid profiles. The early results indicate that the fatty acids in herring and pollock are very different from each other and that the difference is detectable in seal blubber. This may make it possible to tell whether a particular seal is eating more of one kind of fish or the other. Initial analysis of data from southeast Prince William Sound indicates that seals at Channel Island were eating more herring, and seals at Stockdale and Port Chalmers ate more pollock or another fish that has a fatty acid profile similar to pollock. These areas are only five to ten miles apart, yet the seals are apparently eating different prey. Fatty acid analysis will likely provide an additional tool to help determine the reasons for the continued decline in harbor seals throughout the spill region.

**Reducing marine pollution:
The Sound Waste Management Program.** Over the past year, representatives of the Prince William Sound communities of Chenega Bay, Cordova, Tatitlek, Whittier and Valdez have been working together to come up with better ways to prevent marine pollution and

manage solid waste through a project funded by the Trustee Council and the Alaska Department of Environmental Conservation. Their plan describes ways to reduce sources of continuing pollution that may be impeding recovery of resources injured by the spill. By working together as a region, the communities can save money and make use of more varied means of pollution prevention and control than if each tried to make changes independently. Although the project is still in the planning stages, it received the 1995 Alaska Award of Excellence from the Alaska Municipal League for this innovative approach.



photos by David Lowry

Marine mammal biologist Kathy Frost uses epoxy to attach a satellite transmitter to the back of a harbor seal. The transmitter will relay information for several months about the seal's whereabouts and how deep and for how long it dives. When the seal sheds its fur in the fall, the transmitter will harmlessly fall off.

SEALIFE CENTER

The Trustee Council in 1994 authorized \$25 million toward construction of the Alaska SeaLife Center in Seward. The SeaLife Center will provide marine research facilities to support restoration work presently not feasible, as well as other science efforts. The scientific program will be guided by the University of Alaska School of Fisheries and Ocean Science. The facility will provide unique and technologically advanced facilities for research on marine mammals, fish and seabirds.

A leading expert in marine mammal physiology was appointed Science Director of the Alaska SeaLife Center in mid-November. Substantial interest has already been expressed by Trustee Council researchers and the international scientific community in use of the facility, projected to open in spring 1998.



RESTORATION RESERVE

Complete recovery from the *Exxon Valdez* oil spill may not occur for decades. To be effective, restoration activities may have to continue beyond 2001, the end of Exxon Corporation's payments to the settlement trust. For these reasons, in 1994 the Trustee Council began making deposits of \$12 million per year into a Restoration Reserve to be used for future restoration activities. Allocation of the Reserve funds to specific activities will be made by the Trustee Council at a later date. The Reserve now totals \$36 million and is expected to reach at least \$108 million, plus interest, by 2001.



photo by Kevin Murphy

The outer coast of Shuyak Island is one of the areas of habitat protected by the Trustee Council in 1995.

HABITAT PROTECTION

The Trustee Council continued in 1995 to protect habitats important to recovery of injured resources and services. The habitat protection program involves working with property owners willing to sell lands in the oil spill area. The goals are to prevent additional injury to resources and services during recovery and to provide a long-term safety net of undisturbed habitat for these resources. As of December 1995, the Trustees had committed \$161.5 million to protect 361,000 acres of habitat. This includes actions taken in 1993 to contribute to protection of 23,800 acres in Kachemak Bay State Park and in 1994 to protect 41,549 acres near Kodiak as Afognak Island State Park. In January 1995, the Trustees purchased timber rights on 2,052 acres of Eyak Corporation land in Orca Narrows near Cordova in Prince William Sound. The Trustees paid \$3.65 million for this acquisition.

Following is a summary of recent habitat protection actions as part of the large parcel (greater than 1,000 acres) and small parcel (less than 1,000 acres) programs.

Large parcel program:

Akhiok-Kaguyak — The Kodiak National Wildlife Refuge gained 76,646 acres of land and conservation easements on 43,239 acres from Akhiok-Kaguyak, Inc., in May 1995. The Trustees contributed \$36 million toward this acquisition, with additional funds contributed from other sources.

Old Harbor — Also in May 1995, the

federal government purchased from the Old Harbor Native Corporation surface title to 29,100 acres and conservation easements on 3,000 acres, also within the Kodiak National Wildlife Refuge. In addition, the Old Harbor Native Corporation agreed to preserve 65,000 acres of land on nearby Sitalik Island as a private wildlife refuge. The Trustees contributed \$11.25 million toward this acquisition, in addition to funds from other sources.

Koniag — Surface title to 59,691 acres of prime habitat for bear, salmon, bald eagles, and other species in the Kodiak National Wildlife Refuge was purchased from Koniag, Inc., by the federal government in November 1995. This agreement protected an additional 56,048 acres under a conservation easement through 2001. The Trustees contributed \$21.5 million toward this acquisition, along with funds from other sources.

Kodiak Island Borough/Shuyak Island — The Trustees approved \$42 million toward purchase from the Kodiak Island Borough of surface title to 25,665 acres of prime habitat on Shuyak Island, at the northern tip of the Kodiak archipelago, also in November 1995. The Kodiak Island Borough agreed to commit \$6 million from the land sale to expansion of Kodiak's Fishery Industrial Technology Center.

Negotiations Continuing — Negotiations continue with English Bay, Port Graham, Tatitlek, Chenega, Eyak, Afognak Joint Ventures, and Koniag Corporations on long-term protection of another 415,000 acres of habitat in the spill area.

Small parcel program. In late 1995, the Trustees authorized \$15.6 million for offers to purchase fee interest in 22 small parcels located throughout the spill region. If all offers are accepted, 17,645 acres of habitat will be protected, including 2,500 acres along the Kenai River important for salmon habitat. Other small parcels are being evaluated and additional purchase offers may be made in the future.

FISCAL ACCOUNTABILITY

Independent audit. The Trustee Council contracted with a private accounting firm, Elgee, Rehfeld, and Funk of Juneau, to conduct an external audit of the Council's financial activities. A summary of the audit of 1995 activities can be found beginning on page 29 of this report. The audit provides an independent assessment of the settlement funds held in trust and an analysis of expenditures against the trust.

Administrative budget reduced.

Funding allocated to Trustee Council public information, science management, and administrative costs was reduced by 12 percent in 1995 in a continuing effort to maximize restoration benefits of the remaining settlement funds.

COORDINATION WITH CRIMINAL SETTLEMENT FUNDS

As part of the criminal plea agreement, Exxon paid \$50 million each to the State of Alaska and the United States to be used for restoration projects relating to the oil spill. The

state and federal governments separately manage these criminal payments; the funds are not under the authority of the Trustee Council. However, in order to maximize opportunities for restoration, the Trustees will continue to coordinate with activities funded through the criminal settlement.

The federal trustees have allocated funds from the federal criminal fines for habitat protection, shoreline monitoring in Prince William Sound, and other research projects.

Habitat protection. Habitat protection actions include authorizing the U.S. Forest Service to use \$20 million to acquire privately owned lands within the boundaries of the Chugach National Forest in Prince William Sound. In the Kodiak region, \$20.5 million of the federal criminal funds were used by the U.S. Fish and Wildlife Service to protect habitat within the Kodiak National Wildlife Refuge.

The federal trustees approved approximately \$5 million to appraise and acquire privately owned small parcels in the Chugach National Forest and the Kenai and Kodiak National Wildlife Refuges. To date the Fish and Wildlife Service has reached agreements to acquire 21 key parcels in the Kodiak Refuge.

Shoreline monitoring

and other research. The National Oceanic and Atmospheric Administration received federal criminal funds for three projects: a long-term shoreline monitoring project to analyze the effectiveness of various responses to future oil spills, preliminary work to establish an Estuarine Research Reserve in the oil spill area, and research

to identify, design and implement changes enhancing navigational safety for oil tanker and other large commercial vessels transiting the Sound and Cook Inlet.

The state funds have been appropriated by the Alaska Legislature for a variety of purposes. Of particular interest:

Subsistence. Five million dollars were appropriated to the Alaska Department of Community and Regional Affairs for grants to restore subsistence resources in unincorporated communities. Two new grants were awarded in 1995, bringing the total to approximately \$3 million committed thus far. One new grant enhanced the silver salmon run in the Port Graham River on the Kenai Peninsula. The other extended fish-counting time at the Chignik River weir by four weeks to document and research late returns of sock-eye, Dolly Varden and other anadromous fish. Several other grant proposals in the Kodiak area, Prince William Sound and the Kenai Peninsula are under review.

Kenai River. Three million dollars were appropriated to the Alaska Department of Fish and Game for habitat restoration and enhancement projects within the Kenai River watershed. In 1995, three restoration projects were completed in the lower Kenai River downstream of Skilak Lake. Techniques used at the three sites included river-bank revegetation, and construction of light-penetrating elevated walkways, stairs and floating docks. Efforts are continuing to acquire parcels of land adjacent to the river or lakes which are key to protecting salmon habitat.

Twenty-four Kodiak residents teamed up in September 1995 to help with building new trails in the Ft. Abercrombie State Historic Park. This project was supported with state criminal settlement funds.

Recreation. The Alaska Department of Natural Resources received \$10.8 million for restoring recreational services. During 1995 funding was used on several projects. A public boat dock was constructed in Halibut Cove Lagoon near Homer to provide access to a public use cabin. Construction began on two public use cabins in Resurrection Bay – one fully accessible to people with disabilities. Visitor information displays about Kachemak Bay State Park were placed at prominent locations in Homer. New trails were built at Fort Abercrombie State Park in Kodiak and at Caines Head State Recreation Area near Seward, and planning was completed for 30 miles of new trails in Kachemak Bay State Park. Additional recreational projects will be underway later in 1996.

Oil Spill Prevention. The Alaska Department of Environmental Conservation received \$3.3 million for research on prevention and cleanup of future oil spills. Contracts are in place for four projects in early 1996 totaling about \$300,000, with additional projects under review.



photo by Lisa Perez

Current projects include a study of biodegradation of Alaska oils in fresh water, field tests of a device that will help prevent small fishing vessels from overfilling their fuel tanks, an on-land test of burning oil as a cleanup method, and updating data to help the department make the best decisions if burning was under consideration as an oil spill cleanup method.



Public participation is a key element in the Trustee Council's restoration process. Highlights of 1995 activities follow:

Community involvement was a major emphasis in 1995. A Community Involvement Coordinator joined the Restoration Office to assist residents of the spill region become more involved in restoration activities. Additional programs, including a Conference on Subsistence and the Oil Spill, a Workshop on Residual Oil and participation of about 20 representatives of spill area communities in the 1996 annual Restoration Workshop, reflect an increased commitment to involving residents of the spill region, especially in research activities where local and traditional knowledge can make important contributions.

The Trustees sponsored the third annual Restoration Workshop in January 1996. More than 250 people participated, including key personnel from each project funded by the Trustees in 1995 as well as members of the public, representatives from spill area communities, scientists and resource agency representatives. Presentations were made about each of the major components of the restoration program. A number of discussions took place on aspects of the program's future.



A number of Cordovans discussed their concerns with Council members at the Trustee Council meeting in Cordova on June 1, 1995.

The Trustee Council met in Cordova on June 1, 1995. The meeting was well attended and many Cordova residents offered comments and discussed their ideas with the Trustees. The Trustees plan to meet at least once a year in a spill region community.

During a field trip to Prince William Sound in September 1995, the Public Advisory Group toured a hatchery where otolith thermal marking equipment was in operation, viewed a number of land parcels under consideration for habitat protection, attended briefings on restoration activities and participated in public meetings in Valdez and Chenega Bay.

Trustee Council staff conducted public meetings throughout the spill region during April 1995 to take public comments on the 1996 Draft Work Plan and discuss scientific findings of the restoration program. Experts on restoration projects of particular interest to local residents participated in each meeting. Other, more informal community meetings took place throughout the year.

Restoration information became available on the world wide web through an electronic home page set up in the summer of 1995. Staff at the Oil Spill Public Information Center are providing information to Internet users on the status of recovery, restoration activities, background information on the spill, and a variety of other information, including the text to the Annual Status Report. The web page can be reached at:

<http://www.alaska.net/~ospic>



PAST AND ESTIMATED FUTURE USES OF CIVIL SETTLEMENT

Reimbursements for Damage Assessment and Response	213.6
Governments (includes litigation and cleanup)	173.7 (a)
Exxon (for cleanup after 1/1/92)	39.9
Research, Monitoring & General Restoration	180.0
Actual expenditures:	
• FY 1992 Work Plan	12.4
• FY 1993 Work Plan	8.8 (b)
• FY 1994 Work Plan	15.2
• FY 1995 Work Plan	17.1
• FY 1996 Work Plan (authorized)	18.2
FY 1992 — FY 1996 Work Plans	71.7
FY 1997 — FY 2002 Work Plans (estimate)	83.4
Alaska SeaLife Center	25.0
Habitat Protection	381.5
Large Parcel and Small Parcel programs (past expenditures, outstanding offers, estimated future commitments and parcel evaluation costs)	
Restoration Reserve	108.0
• FY 1994 — FY 1996	36.0
• FY 1997 — FY 2002 (anticipated)	72.0
Public Information, Science Management & Administration	30.9
Actual Expenditures:	
• FY 1992 Work Plan	4.3
• FY 1993 Work Plan	2.7 (b)
• FY 1994 Work Plan	4.1
• FY 1995 Work Plan	3.2
• FY 1996 Work Plan (authorized)	3.4
FY 1997 — FY 2002 (estimate)	13.2
TOTAL	914.0 (includes interest)
Exxon Payments	900.0
Interest on Court Registry Investment System account (minus fees)	12.0
Interest on federal and state accounts	2.0

a) Reimbursement to governments reduced by \$2.7 M for expenditures included in FY 1992 Work Plan.

b) 1993 Work Plan was funded for only 7 months during transition to the federal fiscal year (Oct. 1 — Sept. 30).



ELGEE, REHFELD & FUNK

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INDEPENDENT AUDITORS' REPORT

Members, *Exxon Valdez* Oil Spill Trustee Council,
Anchorage, Alaska:

We have audited the financial statements of the *Exxon Valdez* Oil Spill Trustee Council, Trust Funds as of and for the year ended September 30, 1995, as listed in the accompanying table of contents. These financial statements are the responsibility of the *Exxon Valdez* Oil Spill Trustee Council's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 2, the financial presentation for the Court Registry Investment System (CRIS), *Exxon Valdez* Oil Spill Settlement Account (Joint Trust Account) is of this account only and is not intended to present the financial position of CRIS or the United States District Court for the Southern District of Texas and the results of their operations, in conformity with generally accepted accounting principles.

As discussed in Note 2, the financial presentation for the U.S. Department of the Interior, Fish and Wildlife Service, Natural Resources Damage Assessment and Restoration Fund (NRDA&R) is of the amounts related to the *Exxon Valdez* Oil Spill Trustee Council only and is not intended to present the financial position of NRDA&R or the U.S. Department of Interior Fish and Wildlife Service and the results of their operations, in conformity with generally accepted accounting principles.

As discussed in Note 2, the financial presentation for the State of Alaska, *Exxon Valdez* Oil Spill Settlement Trust (Settlement Trust) is of the Settlement Trust only and is not intended to present the financial position of the State of Alaska or any of its component units and the results of their operations.

As discussed in Note 2, the financial statements for the Joint Trust Account and NRDA&R are prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the cash balances of the Joint Trust Account and NRDA&R and the financial position of the Settlement Trust as of and for the year ended September 30, 1995, and the results of their operations for the year then ended on the basis of accounting described in Note 2 for the Joint Trust Account and NRDA&R, and in conformity with generally accepted accounting principles for the Settlement Trust.

In accordance with *Government Auditing Standards*, we have also issued reports dated January 26, 1996 on our consideration of the *Exxon Valdez* Oil Spill Trustee Council, Trust Funds' internal control structure and a report dated January 26, 1996 on their compliance with laws and regulations, as listed in the table of contents.

Elgee, Rehfeld & Funk
January 26, 1996

Exxon Valdez Oil Spill Trustee Council
UNITED STATE DISTRICT COURT - FIFTH CIRCUIT
COURT REGISTRY INVESTMENT SYSTEM
EXXON VALDEZ OIL SPILL SETTLEMENT ACCOUNT
STATEMENT OF ASSETS, LIABILITIES AND JOINT TRUST ACCOUNT
BALANCE ARISING FROM CASH TRANSACTIONS
September 30, 1995

ASSETS:

Cash and Investments	\$ 117,067,523
Total Assets	<u>\$ 117,067,523</u>

LIABILITIES AND JOINT TRUST ACCOUNT BALANCE:

Liabilities	\$ -
Joint Trust Account Balance	117,067,523
Total Liabilities and Joint Trust Account Balance	<u>\$ 117,067,523</u>

STATEMENT OF RECEIPTS, DISBURSEMENTS AND
CHANGES IN JOINT TRUST ACCOUNT BALANCE
For the Fiscal Year Ended September 30, 1995

Receipts:

Receipts	\$ 67,303,000
Investment Income	5,483,088
Total Receipts	<u>72,786,088</u>

Disbursements:

State of Alaska, <i>Exxon Valdez</i> Settlement Trust:	
Fiscal 1995 Natural Resource Damage Assessment and Restoration Projects	(16,494,749)
Fiscal 1995 Land Acquisitions	(3,111,204)
Fiscal 1996 Natural Resource Damage Assessment and Restoration Projects	(9,863,716)
Fiscal 1996 Research Infrastructure Improvements	(12,500,000)
Total Disbursements to State of Alaska	<u>(41,969,669)</u>

U.S. Department of Interior, Natural Resources Damage
Assessment and Restoration Fund:

Fiscal 1995 Natural Resource Damage Assessment and Restoration Projects	(8,282,612)
Fiscal 1995 Land Acquisitions	(33,900,000)
Fiscal 1996 Natural Resource Damage Assessment and Restoration Projects	(5,837,316)
Total Disbursements to United States	<u>(48,019,928)</u>

Court Registry Fees	(542,728)
Total Disbursements	<u>(90,532,325)</u>

Deficiency of Receipts Over Disbursements	(17,746,237)
Joint Trust Account Balance, Beginning of Year	134,813,760
Joint Trust Account Balance, End of Year	<u>\$ 117,067,523</u>

The accompanying notes to trust fund financial statements are an integral part of this statement.

Exxon Valdez Oil Spill Trustee Council
**UNITED STATE DEPARTMENT OF THE INTERIOR,
 FISH AND WILDLIFE SERVICE
 NATURAL RESOURCES DAMAGE ASSESSMENT
 AND RESTORATION FUND
 STATEMENT OF ASSETS, LIABILITIES AND TRUST FUND
 BALANCE ARISING FROM CASH TRANSACTIONS
 September 30, 1995**

ASSETS:

Cash and Investments	\$ 7,231,428
Total Assets	<u>\$ 7,231,428</u>

LIABILITIES AND FUND BALANCE:

Liabilities	\$ -
Trust Fund Balance	7,231,428
Total Liabilities and Trust Fund Balance	<u>\$ 7,231,428</u>

**STATEMENT OF RECEIPTS, DISBURSEMENTS AND
 CHANGES IN TRUST FUND BALANCE
 For the Fiscal Year Ended September 30, 1995**

Receipts:

Contributions - Court Registry Investment System, Joint Trust Account	\$ 48,019,928
Unobligated Balances Returned to NRDA&R:	
U.S. Department of Interior:	
Fish and Wildlife Service	204,484
National Park Service	304,075
Minerals Management Service	56,301
Office of the Secretary	12,115
U.S. Department of Commerce, National Oceanic and Atmospheric Administration	80,700
	657,675
Investment Income	115,751
Total Receipts	<u>48,793,354</u>

Disbursements:

U.S. Department of Interior:	
Fish and Wildlife Service	(33,887,200)
National Biological Service	(663,615)
National Park Service	(63,100)
Minerals Management Service	(17,400)
Office of the Secretary	(58,900)
U.S. Department of Agriculture, United States Forest Service	(4,047,000)
U.S. Department of Commerce, National Oceanic and Atmospheric Administration	(2,893,100)
Total Disbursements	<u>(41,630,315)</u>

Excess of Receipts Over Disbursements	7,163,039
Trust Fund Balance, Beginning of Year	6,389
Trust Fund Balance, End of Year	<u>\$ 7,231,428</u>

The accompanying notes to trust fund financial statements are an integral part of this statement.

Exxon Valdez Oil Spill Trustee Council
STATE OF ALASKA - EXXON VALDEZ OIL SPILL SETTLEMENT TRUST
BALANCE SHEET
September 30, 1995

ASSETS:

Cash and Investments	\$ 21,823,265
Contributions Receivable	12,500,000
Total Assets	<u>\$ 34,323,265</u>

LIABILITIES AND FUND BALANCES:

Liabilities:	
Accounts Payable	\$ 2,356,928
Deferred Revenues	22,363,716
Total Liabilities	<u>24,720,644</u>
Fund Balances:	
Reserved for Encumbrances	2,691,943
Unreserved	6,910,678
Total Fund Balances	<u>9,602,621</u>
Total Liabilities and Fund Balances	<u>\$ 34,323,265</u>

**STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES**
For the Fiscal Year Ended September 30, 1995

Revenues:

Contributions - Court Registry Investment System, Joint Trust Account	\$ 19,605,953
Interest and Investment Income	943,577
Total Revenues	<u>20,549,530</u>

Expenditures:

Current Operating:	
Natural Resources Damage Assessment and Restoration Projects	
Department of Fish and Game	12,679,279
Department of Environmental Conservation	1,472,568
Department of Natural Resources	1,252,755
Total Current Operating	<u>15,404,602</u>

Capital Outlay:

Land Acquisitions - Alaska Department of Fish and Game	3,229,042
Total Expenditures	<u>18,633,644</u>

Excess of Revenues Over Expenditures	1,915,886
Fund Balances, Beginning of Year	7,686,735
Fund Balances, End of Year	<u>\$ 9,602,621</u>

The accompanying notes to trust fund financial statements are an integral part of this statement.

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

1. EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Formation of the Exxon Valdez Oil Spill Trustee Council

The United States of America (United States) and the State of Alaska (State) entered into a Memorandum of Agreement and Consent Decree (MOA) on August 28, 1991. The MOA was made to maximize the funds available for restoration of natural resources and to resolve the governments' claims against one another relating to the T/V *Exxon Valdez* Oil Spill (Oil Spill), which occurred on the night of March 23-24, 1989 in Prince William Sound, Alaska. Upon entering into the MOA, the United States and the State believed that the terms of the MOA were in the public interest and would best enable them to fulfill their duties as trustees to assess injuries and to restore, replace, rehabilitate, enhance, or acquire the equivalent of the natural resources injured, lost, or destroyed as a result of the Oil Spill.

Pursuant to the MOA and federal laws, the United States and State act as co-trustees in the collection and joint use of all natural resource damage recoveries for the benefit of natural resources injured, lost or destroyed as a result of the Oil Spill. To manage the co-trustee relationship, the *Exxon Valdez* Oil Spill Trustee Council (Council) was formed.

Exxon Valdez Oil Spill Trustee Council Structure

The Council consists of six trustees, three trustees represent the United States and three trustees represent the State. The United States' trustees are the Secretaries of the United States Departments of Interior and Agriculture and the Administrator of the National Oceanic and Atmospheric Administration (a bureau of the United States Department of Commerce). The State's trustees consist of the Commissioners of the State Departments of Environmental Conservation and Fish and Game, and the Attorney General of the State of Alaska. The MOA allows the President of the United States or the Governor of the State of Alaska to transfer trustee status from one official to another official of their respective governments.

All decisions of the Council must be made by the unanimous agreement of the trustees. The decisions of the United States' trustees must be made in consultation with the United States Environmental Protection Agency. If the trustees cannot reach unanimous consent, either the United States or the State may resort to litigation in the United States District Court for the District of Alaska (Court).

Restoration Office

The Council has established a Restoration Office which is responsible for the coordination and supervision of the activities of the Council. The Restoration Office is managed by an Executive Director who reports directly to the Council. Since the Council exists through the MOA, it and the Restoration Office operate within the framework of the Trustee Agencies. During fiscal 1995, all activities of the Restoration Office were conducted through the Alaska State Departments of Fish and Game and Environmental Conservation. In addition, the Alaska Department of Natural Resources and the U.S. Department of Commerce, National Oceanic and Atmospheric Administration administered certain parts of the Restoration Office's activities.

The Restoration Office develops an annual budget which, upon approval by the Council, sets forth the anticipated expenditures of the Restoration Office. The Council makes an annual contribution to the State agencies equal to the budget for the Restoration Office. The contributions are made using the disbursements procedures discussed in Note 6.

Termination of the Exxon Valdez Oil Spill Trustee Council

The MOA shall terminate when the United States and the State certify to the Court, or when the Court determines on application by either government, that all activities contemplated under the MOA have been completed.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Joint Trust Account - Court Registry Investment System

As further discussed in Note 5, amounts paid by Exxon Corporation are made directly to the United States and the State for reimbursement of certain costs incurred by them in connection with the Oil Spill. In accordance with the MOA and as ordered by the presiding Court, money that is not directly paid to the United States and the State is placed in an interest-bearing account in the Court Registry Investment System (CRIS) administered through the United States District Court for the Southern District of Texas. In addition, an account entitled "Exxon Valdez Oil Spill Settlement Account" (Joint Trust Account) was established in CRIS specifically for the Exxon settlement proceeds.

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

CRIS is a cash management system developed by the United States District Court for the Southern District of Texas. All amounts placed with CRIS are maintained in United States government treasury securities with maturities of 100 days or less, and are held in the name of Clerk, U.S. District Court, Southern District of Texas at the Federal Reserve Bank. The financial presentation for the Joint Trust Account is of the Joint Trust Account only and is not intended to present the financial position of CRIS or the United States District Court for the Southern District of Texas and the results of their operations.

Upon unanimous approval of the Trustee Council, funds are disbursed to the United States and the State to be expended by the Trustee Agencies in accordance with the Council's wishes. The accompanying financial statements for the Joint Trust Account reflect the intent of the disbursements as to natural resource damage assessment and restoration, or the acquisition of land or research infrastructure improvements to further protect the natural resources. The financial statements also reflect the fiscal year which the disbursements are to be expended by the Trustee Agencies.

As allowed under 28 USC 1913, 1914 (b) and 1930(b), the Clerk of the Court for the United States Courts is allowed to charge a registry fee for administering investment holdings of funds held in their registry accounts. During the year ended December 31, 1995, the registry fee charged to the Joint Trust Account was 10 percent of investment income. In addition, CRIS has entered into a contract with a Houston, Texas based financial institution to provide investment advisory information, securities trading services, and accounting services at a fee of .025 percent added to the cost of securities purchased by CRIS.

U.S. Department of the Interior, Natural Resources Damage Assessment and Restoration Fund

Disbursements which are made from the Joint Trust Account to the United States are deposited in the U.S. Department of the Interior, Fish and Wildlife Service, Natural Resources Damage Assessment and Restoration Fund (NRDA&R). NRDA&R was established pursuant to Public Law 102-154, and is administered by the U.S. Department of Interior, Fish and Wildlife Service. It is a trust fund which was established to hold natural resources damage assessment and restoration settlement proceeds of the United States Government. Public Law 120-229 requires that federal proceeds from the Agreement and Consent Decree (see additional discussion in Note 4) be deposited in NRDA&R, and that all interest earned on these proceeds be available to the Federal Trustees for necessary expenses for assessment and restoration of areas affected by the Oil Spill. Public Law 120-229 also calls for amounts in NRDA&R to be invested by the U.S. Secretary of the Treasury in interest bearing obligations of the United States.

Disbursements from NRDA&R are made pursuant to the directions of the Council and as approved by the Court. At the beginning of each fiscal year, the Department of Interior, Fish and Wildlife Service communicates with each of the United States Trustee Agencies to determine the timing of disbursements from NRDA&R to each Federal Trustee Agency. Investments are purchased in order to earn interest on available balances within NRDA&R, and with scheduled maturity dates coincident with the scheduled date of disbursement.

The financial presentation for NRDA&R is of the amounts related to the Council only and is not intended to present the financial position of NRDA&R or the Department of Interior Fish and Wildlife Service and the results of their operations.

State of Alaska, Exxon Valdez Oil Spill Settlement Trust

Disbursements which are made from the Joint Trust Account to the State are deposited in the State of Alaska, Exxon Valdez Oil Spill Settlement Trust (Settlement Trust). The Settlement Trust is established pursuant to AS 37.14.400. Pursuant to State law a state agency may not expend money from the Settlement Trust unless the expenditure is in accordance with an appropriation made by law. Expenditures of funds are made upon properly approved requests for payment. The total of expenditures and encumbrances (obligations) may not exceed the appropriations to which they pertain.

The Settlement Trust is an expendable trust fund of the State. Expendable trust funds account for assets held by the State in a trustee capacity where the principal and income may be expended in the course of the fund's designated operations.

Upon approval by the Council, the Court, and the State of Alaska, Trustee Agencies make expenditures directly against the Settlement Trust.

The financial presentation for the Settlement Trust is of the Settlement Trust only and is not intended to present the financial position of the State of Alaska or any of its component units and the results of their operations.

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Basis of Accounting

Basis of accounting refers to when revenues, expenditures and the related assets and liabilities are recorded in the accounts and financial statements. Specifically, it relates to the timing of the financial measurements made, regardless of the measurement focus applied.

The basis of accounting used by the Joint Trust Account, NRDA&R and the Settlement Trust are as follows:

Joint Trust Account - The financial statements of the Joint Trust Account are prepared on a cash basis of accounting. As such, revenues are recognized when received, and disbursements are recognized when paid.

NRDA&R - The financial statements of NRDA&R are prepared on a cash basis of accounting. As such, revenues are recognized when received, and disbursements are recognized when paid.

Settlement Trust - The financial statements of the Settlement Fund are accounted for using a current financial resources measurement focus on the modified accrual basis. The Settlement Fund recognizes revenues when the source is measurable and available, and intended for the fiscal year. Available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Assets are recorded when measurable and due.

Expenditures are recorded when the related liability is incurred. Encumbrance accounting, under which purchase orders and contracts for the expenditure of moneys are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of the formal budgetary integration of the Settlement Trust. Encumbrances outstanding at year-end are reported as reservations of fund balance since they do not constitute expenditures or liabilities.

Interest and investment income is allocated to the Settlement Trust as agreed to under a Memorandum of Understanding (MOU) by and between the State Departments of Revenue and Administration effective July 1, 1993. Under the MOU, interest is credited daily to the Settlement Trust by determining the Settlement Trust's daily cash balance and applying the current weekly 180 day Treasury Bill Rates based on the Treasury Bill auctions.

Statement Presentation

Separate balance sheets and statements of receipts and disbursements or revenues and expenditures are presented for each of the Joint Trust Account, NRDA&R and the Settlement Trust. This is due to the fact that ownership of the Trust Funds rests with the U.S. District Court, U.S. Department of Interior, Fish and Wildlife Service and the State of Alaska, respectively, and the different bases of accounting used by the Trust Funds.

Contributions Receivable - Settlement Trust

Contributions Receivable in the Settlement Trust financial statements include amounts disbursed from the Joint Trust Account pursuant to Council action prior to September 30, 1995, but which were received by the State subsequent to that date.

Accounts Payable and Deferred Revenue - Settlement Trust

Accounts payable in the Settlement Trust financial statements include disbursements made against the Settlement Trust subsequent to September 30, 1995, which relate to fiscal 1995 restoration activities.

Deferred Revenues in the Settlement Trust financial statements include amounts received or receivable at September 30, 1995, which are to be expended by the State in fiscal 1996.

Unobligated Balances Returned to Fund - NRDA&R

Unobligated Balances Returned to Fund in the NRDA&R financial statements represent unobligated amounts from Exxon Valdez oil spill restoration activities of prior fiscal years that the United States Trustee Agencies have transferred back to NRDA&R during fiscal 1995.

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
 Fiscal Year Ended September 30, 1995

3. CASH AND INVESTMENTS

Cash and investments for the Joint Trust Account, NRDA&R and the Settlement Trust are as follows:

Joint Trust Account - All deposits and investments of the Joint Trust Account are held in the name of Clerk, U.S. District Court, Southern District of Texas at the Federal Reserve Bank. At September 30, 1995, substantially all balances are held in U.S. Treasury Bills with maturities less than 100 days. A nominal amount of cash is also included in the balance. There are no uninsured or unregistered deposits or investments. This places all of CRIS's investments and deposits in GASB credit risk category 1 *.

NRDA&R - All cash and investments of NRDA&R are held in the name of the U.S. Department of the Interior, Fish and Wildlife Service, Natural Resources Damage Assessment and Restoration Fund at the U.S. Department of the Treasury. At September 30, 1995, substantially all balances are held in U.S. Treasury Bills with maturities ranging from 30 to 300 days. A nominal amount of cash is also included in the balance. There are no uninsured or unregistered deposits or investments. This places all of NRDA&R's investments and deposits in GASB credit risk category 1 *.

Settlement Trust - Cash and Investments of the Settlement Trust represent cash on deposit in banks, and cash invested in various investments as a part of the State's short-term cash management pools. By law, all deposits and investments relating to the Settlement Trust are under the control of the Commissioner of the State Department of Revenue. The State's cash is invested pursuant to State laws which mandate that investments shall be made with the judgment and care exercised by an institutional investor of ordinary professional prudence, discretion and intelligence. All deposits are insured or collateralized with securities held by the State or by its custodian in its name. All investments are insured or registered in the State's name and are held by the State or its custodian. This places all of the State's General Investment Funds deposits and investments, of which the Settlement Trust cash and investments are a part, in GASB credit risk category 1 *.

- GASB Statement No. 3 requires deposits and investments to be categorized to indicate the level of risk assumed by an entity. For investments, category 1 consists of investments that are insured or registered for which the securities are held by the entity or its custodian in the entity's name, category 2 consists of uninsured and unregistered investments for which the securities are held by the broker's or dealer's trust department or agent in the entity's name, and category 3 includes uninsured and unregistered investments for which the securities are held by the broker's or dealer's trust department or agent not in the entity's name.

4. CONTRIBUTIONS BY EXXON CORPORATION

Agreement and Consent Decree

On October 8, 1991, the United States, the State, Exxon Corporation (Exxon) and Exxon Shipping Company, and Exxon Pipeline Company entered into an Agreement and Consent Decree (Agreement). The Agreement principally stipulates that Exxon make certain payments, and that all parties release and covenant not to sue or to file any administrative claim against the other parties or specifically identified third parties. Pursuant to the Agreement Exxon is to pay the United States and the State a total of \$900 million as follows:

<u>Date Payment Due</u>	<u>Amount</u>
Ten days after the Agreement became effective	\$ 90,000,000
December 1, 1992	150,000,000
September 1, 1993	100,000,000
September 1, 1994	70,000,000
September 1, 1995	70,000,000
September 1, 1996	70,000,000
September 1, 1997	70,000,000
September 1, 1998	70,000,000
September 1, 1999	70,000,000
September 1, 2000	70,000,000
September 1, 2001	70,000,000
	<u>\$ 900,000,000</u>

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

4. CONTRIBUTIONS BY EXXON CORPORATION (Continued)

During fiscal 1995, Exxon Corporation made the contribution to the Joint Trust Account as required by the Agreement. As further discussed in Note 5, \$2,697,000 of the \$70,000,000 contribution was paid directly to the U.S. Department of Agriculture, United States Forest Service. The balance of \$67,303,000 was placed with the Joint Trust Account.

Reopener for Unknown Injury

In addition to the payment terms discussed above, the Agreement also has a reopener provision that allows the governments to claim an additional \$100 million from Exxon between September 1, 2002, and September 1, 2006, as required for the performance of restoration projects in Prince William Sound and other areas affected by the Oil Spill to restore one or more populations, habitats, or species which, as a result of the Oil Spill, suffered substantial loss or substantial decline in the areas affected by the Oil Spill.

The cost of the restoration projects must not be grossly disproportionate to the magnitude of the benefits obtained, and the reopener is available only for any losses or declines that could not reasonably have been known or anticipated from information available at the time of the Agreement.

5. REIMBURSEMENTS TO THE UNITED STATES AND THE STATE

Under the terms of the Agreement, certain amounts paid by Exxon are to be made directly to the United States and the State. These payments are to be used solely to reimburse them for the following purposes:

1. Response and clean-up costs incurred by either of them on or before December 31, 1990 in connection with the Oil Spill;
2. Natural resource damages assessment costs incurred by either of them on or before March 12, 1991 in connection with the Oil Spill;
3. (State only) Attorneys fees, experts' fees, and other costs incurred by the State on or before March 12, 1991 in connection with litigation arising from the Oil Spill;
4. Response and clean-up costs incurred by either of them after December 31, 1990 in connection with the Oil Spill;
5. To assess injury resulting from the Oil Spill and to plan, implement, and monitor the restoration, rehabilitation, or replacement of natural resources, natural resource services, or archaeological sites and artifacts injured, lost or destroyed as a result of the Oil Spill, or the acquisition of equivalent resources or services after March 12, 1991; and
6. (State only) Reasonable litigation costs incurred by the State after March 12, 1991.

The agreement states that the amounts to be reimbursed to the United States for items one and two above are not to exceed \$67 million. The amounts to be reimbursed to the State for items one, two and three above are not to exceed \$75 million. The agreement does not place a cap on items four and five. The amounts paid to the State for item six above are not to exceed \$1 million per month. During fiscal 1995, \$2,697,000 was paid to the United States Department of Agriculture as a reimbursement pursuant to the Agreement. There were no other reimbursements made to the United States or the State during fiscal 1995 under the Agreement.

6. DISBURSEMENTS FROM JOINT TRUST ACCOUNT

Approved Payment Uses

Under the terms of the MOA, amounts paid by Exxon, excluding the reimbursements discussed in the preceding Note, are deposited into the Joint Trust Account. These payments are to be used solely to assess injury resulting from the Oil Spill and to plan, implement, and monitor the restoration, rehabilitation, or replacement of natural resources, natural resource services, or archaeological sites and artifacts injured, lost or destroyed as a result of the Oil Spill, or the acquisition of equivalent resources or services.

Project Approval

The Council has developed a solicitation and review process for projects to address the purposes stated above. The outcome of the process is the development of a fiscal year Work Plan which approves the funding for all projects to be conducted during the fiscal year. For the fiscal year ending September 30, 1995, the following project solicitation and review process was used by the Council:

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

6. DISBURSEMENTS FROM JOINT TRUST ACCOUNT (Continued)

1. In May 1994, the Council published an *Invitation to Submit Restoration Projects for Fiscal Year 1995*. The Council's Chief Scientist coordinated a preliminary scientific and technical review of the projects. The projects were also reviewed by the Council's Executive Director, Federal and State agency staff, and representatives of the Public Advisory Group (the Public Advisory Group consists of members of the public and concerned groups and was appointed by the Council in accordance with the MOA to help provide meaningful public participation in the injury assessment and restoration process).
2. In late August, all proposals and the results of the reviews were published in the *Draft Fiscal Year 1995 Work Plan*. The public comment period on the draft ran from late August until October 3, 1994.
3. Projects that were in process from the fiscal year ended September 30, 1994, and that were ongoing and required immediate funding, received interim funding from the Council on August 23, 1994.
4. During the public review period, the Council's Chief Scientist, peer reviewers, the Public Advisory Group, and others attended additional review sessions of the various proposed projects to assess the merits of each project.
5. In November and December 1994, the Council made final project approval. The approved projects were published in the *Fiscal Year 1995 Work Plan*.
6. The staff of the respective Federal and State agencies developed detailed project descriptions which were reviewed by the Council's Executive Director and Chief Scientist.

In addition to the process outlined above, the Council has also identified and acquired several tracts of land as permitted by the MOA. The land acquisition support costs are funded through the Work Plan, and all land acquisitions are separately approved by the Council.

Interest Income Recovery - NRDA&R and the Settlement Trust

The governments are to report to the Council the amount of interest earned on net available balances in NRDA&R and the Settlement Trust. The Council then recovers the interest reported by reducing subsequent disbursements from the Joint Trust Fund for future projects. During fiscal 1995, disbursements to the United States and the State were reduced by \$139,314 and \$985,423 for such interest earnings, respectively.

Unobligated Balance Recovery - NRDA&R and the Settlement Trust

Actual project costs are frequently less than the original project budgets. When this occurs, the United States and the State retain the unspent or unobligated balances. The Council then recovers these balances by reducing subsequent disbursements for new projects. During fiscal 1995, the United States and the State reported total unobligated balances of \$2,597,808. Of this amount, United States and the State reported \$220,858 and \$2,376,950, respectively. These unobligated funds were recovered through reduced project disbursements during the fiscal year ending September 30, 1995.

Disbursements from the Joint Trust Account

During fiscal 1995, the Council disbursed \$89,989,597 for restoration projects and land acquisition as follows:

Restoration Projects Authorized By the Council

For 1995 and 1996:

To be conducted by the United States	\$ 14,560,800
To be conducted by the State	<u>29,603,000</u>
Total	<u>44,163,800</u>

Land Acquisitions and Research Infrastructure

Improvements Authorized By The Council

For 1995 and 1996:

To be acquired by the United States	33,900,000
To be acquired by the State	<u>15,729,042</u>
Total	<u>49,629,042</u>
	93,792,842

Less:

Unobligated balances on prior years projects	(2,597,808)
Interest earnings on payments not yet disbursed by the United State and State	(1,124,737)
Other Adjustments	<u>(80,700)</u>

Disbursements from the Joint Trust Account \$ 89,989,597

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

7. CONTRIBUTIONS RECEIVABLE

On November 2, 1994, the Council approved the disbursement of \$24,956,000 from the Joint Trust Account to the State. The money is to be expended by the State of Alaska, Department of Fish and Game to fund research infrastructure improvements affiliated with the University of Alaska, School of Fisheries and Ocean Sciences, Institute of Marine Science in Seward, Alaska. The amount is to be funded with a withdrawal of \$12,500,000 on September 15, 1995 and another withdrawal of \$12,456,000 on September 15, 1996.

On September 20, 1995, the first scheduled withdrawal was made. These amounts were disbursed from the Joint Trust Account. However, the funds were received and deposited to the Settlement Trust subsequent to September 30, 1995. For this reason, the Settlement trust has recorded a contribution receivable in the accompanying financial statements as of September 30, 1995.

8. DEFERRED REVENUE

Deferred revenue in the financial statements of the Settlement Trust has been recorded for two transactions:

1. The disbursement, in the amount of \$12,500,000 made from the Joint Trust Fund with CRIS to fund research infrastructure improvements affiliated with the University of Alaska, School of Fisheries and Ocean Sciences, Institute of Marine Science in Seward, Alaska as discussed in the preceding note is to be expended by the Alaska Department of Fish and Game upon final legislative approval by the State Legislature's Legislative Budget and Audit Committee. Pending this approval, the amount has been recorded as deferred revenue.
2. On August 25, 1995, the Council approved the initial funding for restoration projects to be conducted by the Trustee Agencies in fiscal 1996. The disbursement relating to this action was made from the Joint Trust Account on September 21, 1995, and the amount disbursed to the State Trustee Agencies' of \$9,863,716 has been recorded as deferred revenue.

NRDA&R also received the United States' disbursement prior to September 30 1995, relating to the initial funding for restoration projects to be conducted by the Trustee Agencies in fiscal 1996. The amount received of \$5,837,316 has been recorded as Receipts - CRIS in the NRDA&R financial statements since NRDA&R is accounted for using the cash basis of accounting, and is part of the ending Trust Fund Balance. However, this money will be made available to the Federal Trustee Agencies in fiscal 1996.

9. REAL PROPERTY ACQUISITIONS OBLIGATIONS OUTSTANDING

Alaska Sea Life Center

As discussed in Note 7, on November 2, 1994, the Council approved the disbursement of \$24,956,000 from the Joint Trust Account with CRIS to fund research infrastructure improvements affiliated with the University of Alaska, School of Fisheries and Ocean Sciences, Institute of Marine Science in Seward, Alaska. The first of two withdrawals to fund the project in the amount of \$12,500,000 was made on September 15, 1995. A final withdrawal of \$12,456,000 is scheduled for September 15, 1996.

Kodiak National Wildlife Refuge - AKI

On November 2, 1994, the Council approved the purchase of the surface estate in fee simple of approximately 76,700 acres of land within the boundaries of the Kodiak National Wildlife Refuge (Refuge) and conveyance of an in-perpetuity conservation easement on an additional approximately 43,200 acres of land within the Refuge. The purchase closed during year-end. The land was acquired by the United States Department of Interior, Fish and Wildlife Service. The total amount to be paid from the Joint Trust Account is \$36,000,000. The scheduled amounts paid or to be paid from the Joint Trust Account are as follows with no interest accruing on the unpaid amounts:

At initial closing (paid in fiscal 1995)	\$ 13,000,000
At subsequent closing (paid in fiscal 1995)	8,000,000
September 30, 1996	7,500,000
September 30, 1997	<u>7,500,000</u>
	<u>\$ 36,000,000</u>

Exxon Valdez Oil Spill Trustee Council
NOTES TO TRUST FUNDS FINANCIAL STATEMENTS
Fiscal Year Ended September 30, 1995

9. REAL PROPERTY ACQUISITIONS OBLIGATIONS OUTSTANDING (Continued)

Seal Bay, Alaska

On August 23, 1993, the Council approved the purchase of 41,549 acres of land in the vicinity Seal Bay, Alaska by the State as part of habitat protection activities consistent with its fiscal year 1993 Work Plan. The property, which was owned by a Corporation, was purchased for \$38,700,000 with \$29,950,000 paid at closing on November 10, 1993. The balance due is to be paid in three equal annual installments of \$2,917,000 with interest accruing on the unpaid balance at a rate equal to the fifty-two week United States treasury bill rate, adjusted and compounded annually. The first annual installment was paid on November 9, 1994. Interest paid on that date was \$312,000. The remaining unpaid balance due of \$5,833,000 plus interest will be disbursed from Joint Trust Account balances at the scheduled installment dates.

10. SUBSEQUENT EVENTS

Fiscal 1996 Restoration Activities

On December 11, 1995, the Council approved the second disbursement related to its fiscal 1996 *Work Plan* for Restoration Projects to be conducted by the Trustee Agencies. The total amount approved was \$5,502,000. The United States and the State reported \$48,676 and \$262,202, respectively, of interest earned on available balances in NRDA&R and the Settlement Trust since the previous disbursement. As a result, \$5,191,122 was withdrawn from the Joint Trust Account for disbursement to the United States and State. In addition, on January 12, 1996, the Council approved \$150,000 in additional funding for habitat protection and acquisition support activities (project #96126).

Kodiak National Wildlife Refuge - Kodiak

On December 2, 1994, the Council approved the purchase of the surface estate in fee simple of approximately 59,700 acres of land within the boundaries of the Kodiak National Wildlife Refuge (Refuge) and conveyance of a seven-year conservation easement on an additional approximately 56,000 acres of land within the Refuge. The purchase closed subsequent to year-end. The land was acquired by the United States Department of Interior, Fish and Wildlife Service. The total amount paid is to be \$28,500,000, including \$21,500,000 from the Joint Trust Account, and \$7,000,000 from separate federal funds. The amounts to be paid from the Joint Trust Account are as follows with no interest accruing on the unpaid amounts:

At closing (fiscal 1996)	\$ 8,000,000
September 30, 1996	4,500,000
September 30, 1997	4,500,000
September 30, 1998	4,500,000
	<u>\$ 21,500,000</u>

On November 21, 1995, the Court approved the Council's request to withdraw \$8,000,000 from the Joint Trust Account for the down payment and first installment relating to the acquisition of land at Kodiak National Wildlife Refuge as described above.

Seal Bay, Alaska Land Acquisition

On November 2, 1995, the Court approved the Council's request to withdraw \$3,294,667 from the Joint Trust Account for the second installment relating to the acquisition of land at Seal Bay, Alaska as described in Note 9. Of this amount, \$378,000 was for accrued interest, and \$2,916,667 was for principal.

HB 468

TONY KNOWLES, GOVERNOR

DEPARTMENT OF ADMINISTRATION

DIVISION OF ADMINISTRATIVE SERVICES

P.O. BOX 110208
JUNEAU, ALASKA 99811-0208
PHONE: (907) 465-2277
FAX: (907) 465-2135

March 27, 1996

The Honorable Steve Frank, Co-Chair
Senate Finance Committee
Alaska State Legislature
State Capitol Building, Room 518
Juneau, Alaska 99801-1182

Dear Senator Frank:

During the Monday hearing on HB 468 (Supplemental Appropriations) a number of requests for additional information were made. This letter, with attachments, is in response to those requests.

Public Defender

Please find attached a memo detailing caseload by felony/misdemeanor for the period FY90 thru FY96 (projected). The memo also includes discussions of caseload trends and standards for the quality of defense.

Office of Public Advocacy

Please find attached a memo detailing FY95 caseload by child and adult cases. The memo includes a discussion of cost saving measures undertaken by OPA.

Longevity Bonus

Please find attached a Longevity Bonus Application form and a memo discussing elderly demographics.

Leases

Please find attached a series of spreadsheets and graphs showing lease funding and square footage by agency for the period FY91 thru FY97.

I hope the attached material addresses the committee's requests. If you need additional information or would like to discuss any of the material, please contact me.

Sincerely,



Sharon Barton
Director

cc

~~Senate Finance Committee~~

Mark Boyer
Annalee McConnel
Alison Elgee
David Koivuniemi
Division Directors

M E M O R A N D U M
ALASKA PUBLIC DEFENDER AGENCY
900 W. 5TH AVE., SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907)264-4412 (direct number)
Fax line: (907)269-5476

DATE: 3-26-96

TO: Sharon Barton, DOA/DAS Director

FROM: John B. Salemi, Public Defender

RE: Info. re PD Agency

Per your request:

1. Caseload trends--

<u>FISCAL YEAR</u>	<u>CASELOAD</u>	<u># OF MISDEMEANORS</u>	<u># OF FELONIES</u>
1990	14,901	8,333	2,110
1991	15,030	8,679	1,953
1992	17,094	9,574	2,113
1993	16,137	8,617	2,258
1994	17,582	9,065	2,358
1995	17,393	8,799	2,466
1996 (Projected)	18,075	8,824	2,802

Discussion re Caseload Trends--it is highly likely that PD is underreporting its workload in that it has no centralized data collection. (PD has no data entry positions). Data is gathered from each of the 13 offices state-wide. Current computer hard/software in use for this purpose is inadequate. Additionally, frequent computer breakdowns in bush offices, use of substitute clerical personnel and other factors contribute to PD's failure to "capture" entire workload.

It should also be noted that criminal litigation is becoming more complex, especially concerning the use of science in the courtroom. As a result, attorneys must spend more time educating themselves concerning forensic science as well as preparing expert witness

testimony in the fields of DNA, ballistics, blood spatter evidence, computer-generated crime scene reconstruction and like fields. (These developments also increase contractual expenditures).

2. Standards re "Quality of Defense"--

The standards are defined by statute, by state caselaw, and by the professional canons.

a. AS 18.85.100 states "An indigent person. . . is entitled to be represented by an attorney to the same extent as a person retaining an attorney is entitled; and to be provided with the necessary services and facilities of representation, including investigation and other preparation."

b. Risher v. State of Alaska, 523 P2d 421 (Alaska 1974) is a reported case which is the standard by which ineffective assistance of counsel claims are reviewed. This in and of itself does not defined quality of representation, but does provide some guidance.

c. Alaska Rules of Court/Alaska Rules of Professional Conduct provides that "A lawyer shall provide competent representation to a client. Ccmpetent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation." Rule 1.1.

MEMORANDUM

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

OFFICE OF PUBLIC ADVOCACY

PHONE 274-1684 FAX 274-8816

DATE: March 26, 1996

TO: Sharon Barton
Director
Division of Administrative Services
Department of Administration

FROM: Brant McGee
Public Advocate
Office of Public Advocacy
Department of Administration

RE: OPA expenditure information

In response to your questions concerning our FY96 expenditures and caseload is the following:

1. Our caseload breakout for FY 95 is 6,019 adult cases and 3,652 child cases.
2. Cost saving measures initiated in FY 96 include the establishment of the Office of Public Advocacy (OPA) Caseload Management System, which allows us to maintain and act upon specific information concerning billings in particular contractor cases; the addition of a staff civil attorney which will allow us to provide much cheaper staff representation in Anchorage civil cases, especially in the representation of respondents in guardianship proceedings; expanded use of volunteer guardians ad litem in Anchorage, Kenai, and Palmer; refused increases in contractor rates between FY 95 and FY 96; continued rigorous scrutiny of requests for extraordinary expenses such as investigation, expert witnesses, witness travel, and psychiatric/psychological examinations.
3. The "standards for quality of defense" question is addressed adequately by John Salemi in his memo to you of this date.

State of Alaska • Department of Administration
Longevity Bonus Application

P.O. Box 110211
Juneau, AK 99811-0211

Telephone: 465-4416 • Fax: 465-4108

The Alaska Longevity Bonus is a monthly benefit paid to Alaskans who qualify.
To qualify, a person must:

- 1) be at least 65 years old;
- 2) be a resident of Alaska for at least one year immediately before applying;
- 3) be physically present in Alaska with the intention of making Alaska their home; and
- 4) apply for a bonus (or apply for reinstatement) before January 1, 1997.

Please note:

An application received by December 31, 1995, and which meets the above requirements, will receive \$150.00 per month

An application received by December 31, 1996, and which meets the above requirements, will receive \$100.00 per month

To confirm their age, applicants **must submit** a legible photocopy of their birth certificate, baptismal record, or passport with this application. If photocopies are not available, please contact the Longevity Bonus Office at (907) 465-4416 for more information.

Last Name	First Name	Middle Initial	Social Security Number
Full name as shown on your birth record			
Sex ☐ Male ☐ Female		Date of Birth	
Mailing Address			
City		State	ZIP Code
Physical Address			
City		State	ZIP Code
Telephone Area Code ()		Description (home, work, etc)	
()			

FOR OFFICE USE ONLY:

Date Received:	Postmark Date: _____	None: _____	Not Readable: _____	In Person: _____
Approval Date:	Approved by:		Amount:	

State or Country of Birth:	Alaska resident since (date:month/year):
Are you a United States citizen? ☐ Yes ☐ No If no, please indicate your status and submit proof of status.	
☐ Here on Visa ☐ Refugee ☐ Resident Alien	

If you have a husband or wife, is he or she a Longevity Bonus recipient? ☐ Yes ☐ No	
Spouse's name (Last name, first name, middle initial)	Social Security Number

Please list organization(s) or individual(s) who know how to contact you.		
Name(s)	Address (Please include City, State, ZIP Code)	Telephone #

Please provide names and addresses of your children.		
Name(s)	Address (Please include City, State, ZIP Code)	Telephone #

Are you living in a nursing home or Pioneers' Home? ☐ Yes ☐ No	
If yes, name of facility:	
Are you confined to a correctional or mental health facility? ☐ Yes ☐ No	If yes, date entered:

What are the physical addresses/locations of other homes (including mobile homes/trailers), condominiums and apartments?		
Type (home, mobile home, etc.)	Date Purchased	Physical Address
1) _____	_____	_____
2) _____	_____	_____

It is essential that everyone signing this application read the following statements before signing. This application will be rejected if you change the statements.

I understand that a false claim of eligibility to obtain a Longevity Bonus for myself or another is a criminal offense. I also understand that if I exercise gross negligence in reporting, willfully misrepresent, or recklessly disregard a material fact regarding eligibility for a Longevity Bonus, I will forfeit all future bonuses and be subject to a civil fine. I understand that these penalties are in addition to criminal penalties imposed.

APPLICANT

I certify that the information contained in this application is true.

I authorize the Alaska Department of Administration to obtain information from any source to verify my eligibility for the Longevity Bonus program and I agree that a copy of this authorization is as valid as the original.

Signature of Applicant

Date

Your signature must be certified by a notary public, postal official or other official authorized to take oaths in Alaska

Subscribed and sworn to me this _____ day of _____, 19____

(STAMP OR SEAL)

Official for the State of Alaska

My Commission Expires

WITNESSES

The statement below must be read and signed by two adult residents of Alaska **unrelated** to the applicant who can confirm that the applicant is eligible for the Longevity Bonus program.

I certify that I have read and understand the statement above and the eligibility requirements of the Alaska Longevity Bonus program as stated on this application, and to the best of my knowledge and belief, the applicant (1) was an Alaska resident for the entire period indicated on this application, (2) is still an Alaska resident, and (3) was physically present in Alaska for at least one-half of the 12-month period ending on the date that I sign this application or was absent for a reason listed in the applicant's certification section of this application. I understand that I may be contacted by the Alaska Department of Administration regarding the eligibility of the applicant.

Witness Signature		Date	Witness Signature		Date
Printed Name		Social Security Number	Printed Name		Social Security Number
Mailing Address (Include City, State and ZIP Code)			Mailing Address (Include City, State and ZIP Code)		
Daytime Telephone Number		Alaska Resident Since	Daytime Telephone Number		Alaska Resident Since

Please list your residence addresses for the past 24 months. Addresses (Include City, State, and ZIP Code)	Date of Residence			
	From Month	Year	To Month	Year

Please list and describe the reason for all absences from Alaska in the 12 months immediately before the date you signed this application form.						
From Month	Day	Year	To Month	Day	Year	Reason for Absence

If your absences exceeded 180 days in the 12 months prior to application, please explain why you think the absences should be excusable.

In the past 2 years have you claimed residency or any benefits of residency outside Alaska? ☐ Yes ☐ No
If yes, please give details.

Do you have a driver's license? ☐ Yes ☐ No License # _____ State _____

Have you registered any vehicles outside Alaska in the past two years? If so, please describe.

Type of Vehicle	License Plate #/State	Date Purchased	Current Location
_____	_____/____	_____	_____
_____	_____/____	_____	_____

What businesses do you own and where are they located?

file Long Kansas

MEMORANDUM

TO: State Aging Directors
FROM: Jim Whaley
DATE: December 21, 1995
RE: Elderly Demographics

RECEIVED
DEC 26 1995

DEC 20 1995

Enclosed for your information is an article "*Elderly Demographic Profiles of U.S. States: Impacts of 'New Elderly Births,' Migration, and Immigration*" from The Gerontologist (Volume 35, Number 6, 1995). The article is written by William H. Frey, PhD, Population Studies Center, University of Michigan.

The article evaluates how new elderly births (state's population age 55-59 in 1985 and surviving to age 60-64 in 1990) compare with within-U.S. migration, and migration from other countries in affecting the elderly populations of the states. The author maintains that new elderly births exert much more pronounced impacts on a state's elderly population than migration. According to Frey's analysis, elderly births contribute more to the size, higher educational levels and lower poverty rates in a state's elderly population than migration.

New elderly births account for 42% of Alaska's older population but only 18% of Florida's. In most states, new elderly births account for 23-28% of the elderly population.

Frey categorizes states in to 5 groupings: Elderly In-Migration States; Elderly Out-Migration States; High Elderly Birth States; Low Elderly Birth States; and Other States. The high elderly birth states are identified as Maryland, Hawaii, Louisiana, Colorado, Texas, Ohio, Virginia, Delaware, Indiana and Georgia. Low elderly birth states are Kansas, Idaho, Nebraska, Iowa, North Dakota, and South Dakota.

Over the next 10 years, the smaller numbers of elderly births will reduce their overall impacts for most states. In 2006, when the first baby boom cohort members become age 60, the "new elderly birth" component will become a strong force.

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Many policy analysts take a narrow view toward assessing demographic change of state elderly populations by focusing only on the migration component. This article examines how 1990 state elderly populations have been affected by "new elderly births" (a state's population ages 55-59 in 1985 which survived to ages 60-64 in 1990) as well as by migration components, over the 1985-90 period. It utilizes 1990 Census migration tabulations of the residence 5-years-ago question, along with demographic decomposition analysis. During this period, elderly births exerted a greater impact than migration on elderly gains and demographic compositions for all states. Migration from abroad is also important for state Latino and Asian elderly populations.

Key Words: Migration, Immigration, Race and ethnicity, Demography

Elderly Demographic Profiles of U.S. States: Impacts of "New Elderly Births," Migration, and Immigration¹

William H. Frey, PhD²

The rise in numbers of the nation's elderly population holds important implications at the state level — ranging from the allocation of social services to formulating political agendas that cater to elderly concerns. Yet many policy analysts take a narrow view of assessing the changing demographics of state elderly populations by focusing only on the migration component. The purpose of this article is to broaden this focus by pointing up the significance of an even more dominant source of demographic change at the state level — "new elderly births," represented by the aging of the pre-elderly population into the elderly ranks as they pass their 60th birthday milestone. From a state's demographic standpoint, the emergence of these "births" over a given period constitute a component of change in its elderly population. Because these new elderly births vary across states in both numbers and demographic characteristics, they can and do exert quite different effects on state elderly population sizes and sociodemographic characteristics. Moreover, as our data will show, their impacts on state elderly populations are much more pronounced than those associated with migration.

New elderly births represented an especially strong component of elderly change over the past two decades. This is because large birth cohorts, reinforced by immigration in the early part of this century, turned age 60 during the 1970s and 1980s (Rogers & Woodward, 1988; Siegel, 1993; Soldo & Agree, 1988; Treas & Torrecilla, 1995). This partly explains why the nation's elderly population grew by 46% between 1970 and 1990, while its total population grew by only 22%. In a sense, this rising tide of elderly births lifted all boats across broad areas of the country. Most states and metropolitan areas experienced increases in their elderly populations, irrespective of their elderly migration patterns (Frey, 1992; Taeuber, 1992). This pervasive growth for larger areas should not be taken to imply that all local areas have registered elderly gains as a result of new elderly births. For many small areas, retirement migration has dominated elderly gains and, in others, elderly populations declined (Fuguitt, Brown, & Beale, 1989; Glasgow, 1988).

Although high elderly birth levels contributed to elderly population gains in most states, the states do vary in both the size and demographic attributes of their "newborn" elderly populations. Those best poised to gain large numbers of elderly births with the most select demographic characteristics — high educations, good health, and better incomes — were those which attracted large numbers of in-migrants during their pre-elderly working-aged years. States with smaller elderly birth levels, with less select demographic characteristics, tend to be located in the least prosperous parts of the country where significant pre-elderly working-aged outmigration took place.

¹This is a revised version of a paper presented at the Annual Scientific Meeting of the Gerontological Society of America, Atlanta, GA, November 19, 1994. An extended version with detailed appendix tables is Research Report 95-325 available from Publications, Population Studies Center, University of Michigan. This research was supported by the National Institutes on Aging, Grant No. 1-R01-AG12291, "Migration and Redistribution of the U.S. Elderly." The migration data were prepared at the Population Studies Center from 1990 U.S. Census files. The author acknowledges Cathy Sun for computer programming assistance, and Ron Lue-Seng for preparing maps and graphics.

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Previous research emphasizes elderly inter-state migration as a component of elderly demographic change (Bean, Myers, Angel, & Galle, 1992; Biggar, 1984; Flynn, Longino, Wiseman, & Biggar, 1985; Frey, 1995; Glasgow, 1988; Longino, 1990, 1994; Rogers, 1992; Serow, 1987). Although levels of migration among elderly persons are far lower than for the population as a whole (Long, 1988; Rogers, 1988), elderly migration makes a focused impact on a few selected states. This is because the migration streams from many origin states tend to converge primarily on only a few retiree "magnet" destination states, where the impact is especially strong (Longino, 1994; Rogers & Watkins, 1987). Moreover, demographic characteristics of elderly migrants to these states tend to be favorable — disproportionately comprising newly retired, relatively well-off, husband-and-wife couples (Yeatts, Biggar & Longino, 1987), especially those in their younger elderly ages (Speare & Meyer, 1988). Finally, increasingly large waves of immigrants from abroad suggest that these streams, too, will play a larger role in elderly population growth (Martin & Midgley, 1994). This should be particularly the case among the new minority groups, Latinos and Asians, since immigration laws permit the entry of family members, including elderly parents of current naturalized U.S. citizens.

This article evaluates how new elderly births compare with within-U.S. migration, and migration from abroad in affecting the elderly populations of U.S. states. Specifically, it employs special 1990 census tabulations to evaluate how each of these components, over the period 1985–90, affected 1990 state elderly population sizes and sociodemographic compositions. Three questions are addressed:

1. What are the relative impacts of recent elderly births, within-U.S. migration, and migration from abroad on state elderly population sizes?
2. What are the relative impacts of recent elderly births and migration on the sociodemographic characteristics of state elderly populations?
3. How have recent elderly births, within-U.S. migration, and immigration from abroad incremented the sizes of state elderly black, Latino, and Asian populations?

Methods

The data for this study are drawn from special migration tabulations of the 16.7% sample (weighted to the total population) of the 1990 census based on the "residence-5-years ago" question, which allows determination of population redistribution over the 1985–90 period. The data for interstate migrants, migrants from abroad, and non-migrants, when tabulated by age, permit estimation of contributions to 1990 state elderly populations associated with: 1985–90 within-U.S. migration, 1985–90 migration from abroad, and 1985–90 elderly births. Because the elderly population is considered to be aged 60 and above, the elderly birth component represents the

aging of the 1925–30 cohorts, from ages 55–59 in 1985 to 60–64 in 1990. These components pertain to migrants and non-migrants who survived (or did not die) over the 1985–90 period, for the purpose of comparing the relative impacts of these components across each state's 1990 elderly populations.

The equations below can be used to estimate the contributions to a state's 1990 population associated with each of these components.

$$P^{1990}(60+) = P^{1985}(60+) + B + I - O + A \quad (1)$$

where:

$P^{1990}(60+)$ = State's population age 60+ in 1990

$P^{1985}(60+)$ = State's population, age 60+, in 1985 and surviving to age 65+ in 1990

B = Elderly Births

(State's population age 55–59 in 1985 and surviving to age 60–64 in 1990)

I = In-migrants from another state

(1985–90 in-migrants from another state, age 55+ in 1985, and surviving to age 60+ in 1990)

O = Outmigrants to another state

(1985–90 outmigrants to another state, age 55+ in 1985 and surviving to age 60+ in 1990)

A = Immigrants from Abroad

(1985–90 in-migrants from abroad, age 55+ in 1985 and surviving to age 60+ in 1990)

Each of the terms in the above equation can be estimated from the census residence 5-years-ago question when cross-tabulated by 1990 residence, for individual states. They can be used to calculate contributions that 1985–90 elderly births, within-U.S. migration, and migration from abroad make to a state's 1990 elderly population.

Contribution (expressed in percent) to 1990 State Elderly Populations Attributable to:

$$\text{1985–90 Elderly Births} = \frac{B}{P^{1990}(60+)} \times 100 \quad (3)$$

$$\text{1985–90 Interstate Migration} = \frac{(I - O)}{P^{1990}(60+)} \times 100 \quad (3)$$

$$\text{1985–90 Migration from Abroad} = \frac{A}{P^{1990}(60+)} \times 100. \quad (4)$$

Each of these contributions indicates how much of the state's 1990 elderly population can be attributed to recent elderly births, interstate migration, or migration from abroad. They can be used to rank states on the degree to which, for example, recent elderly births have contributed to their current elderly population sizes. As discussed above, the significance of elderly births as a source of elderly population growth varies markedly across states. Equation (2) can be used to rank states on this contribution. Likewise, Equations (3) and (4) can be used to rank states on each migration contribution.

These measures will be used to investigate the first

two questions addressed in this research: What are the relative contributions of recent elderly births and recent migration in contributing to the size and composition of a state's 1990 elderly population? Contributions to a state's 1990 elderly composition can be assessed when the terms in Equation (1) are calculated separately for different population subgroups (e.g., education attainment categories, poverty status categories, gender categories). For example, it is possible to estimate the contribution that recent elderly births exert on a state's poverty rate (i.e., the percent of the state's elderly population which lies below the poverty level). As shown in Equation (5), this involves calculating the difference between the state's actual 1990 elderly poverty rate, and the hypothetical poverty rate that would have resulted in the absence of 1985-90 elderly births (Note: The subscript *p* denotes terms specific to the poverty population, whereas the subscript *n* denotes terms that are specific to the non-poverty population).

$$\left(\frac{P_p^{1990}(60+)}{P_p^{1990}(60+) + P_n^{1990}(60+)} \times 100 \right) - \left(\frac{P_p^{1990}(60+) - B_p}{(P_p^{1990}(60+) - B_p) + (P_n^{1990}(60+) - B_n)} \times 100 \right) \quad (5)$$

Two methodological points should be borne in mind in interpreting these results. The first has to do with the treatment of mortality. The primary purpose of this research is to compare the contributions of 1985-90 elderly births with the contributions of 1985-90 migration as they affect each state's 1990 elderly populations. The effect of mortality on each of these components is automatically taken into account because the census data record only individuals who arrived in 1985 and survived until 1990 (i.e., individuals who were "born" into the 60+ age group between 1985-90 but died before 1990, or 1985-90 elderly migrants who died before 1990 are considered as "deaths" rather than as elderly births or migrants, respectively). However, because of this, the results of this analysis cannot be directly compared with those which evaluate the combined effects of births and deaths, often termed "natural increase" or "aging-in-place" of the elderly population (Rogers & Woodward, 1988). Rather, the focus of the present study is to isolate the contributions of surviving 1985-90 elderly births as compared with those of surviving elderly migrants on state elderly population sizes and compositions.

The second methodological point pertains to the treatment of international migration. Its assessment in this study is limited to the one-way flow from residence abroad in 1985 to residence in the U.S. in 1990. This is because, unlike with internal migration, it is not possible to obtain outmigration flows from individual states to foreign residences from the U.S. census or any other statistical collection agency in a form that is comparable with the census immigration flow. This restriction to immigration only, therefore, overstates the net impact of international migration on the elderly population. However, the overstate-

ment is moderated by the fact that one-way immigration flows, as reported in the U.S. census, severely understate the number of illegal aliens who reside in the U.S. A crude estimate, based on national statistics for the year 1993, indicates that the number of emigrants from the U.S. amounted to approximately 18 to 23% of the number of immigrants for that year. However, it is also estimated that the number of legal immigrants understates the number of total immigrants (including illegal immigrants who stay permanently) by about 25% (Martin & Midgley, 1994). These statistics represent national estimates rather than those for individual states, and apply to the total population rather than to the elderly population only. Nonetheless, they make plain that the migration-from-abroad statistics used in this analysis might be taken as a crude indication of the net contributions attributable to the international migration component.

Results

State Variations in Elderly Birth and Migration Contributions

Although previous research has shown that the contribution of interstate migration on a state's elderly population varies widely across states, less attention has been paid to the way new elderly births and migration from abroad vary in these contributions. Contributions of each of these components to the 1990 elderly populations of individual states are shown in Table 1 (based on Equations (2), (3) and (4), above).

Clearly, new elderly births vary across states in their contributions to 1990 elderly population sizes. They account for 42% of Alaska's elderly population but only 18% of Florida's. The contributions to most states fall within the narrower range of 23-28%. However, even an additional contribution of a few percentage points translates into a substantial numeric gain for a state's elderly population (for example, a 1% gain to Ohio's elderly population represents 19,023 people).

Although migration from abroad is not normally thought to be a large contributor to a state's elderly population, there are four states where this component accounts for 1% or greater—Hawaii, California, Florida, and New York. These represented sizeable numbers of elderly persons in the latter three states (75,608, 30,671, and 31,838, respectively). However, the contribution of 1985-90 migration from abroad is relatively small for most of the states. In fully 30 states, it represents .2% or less of the 1990 elderly population.

The contribution of internal migration is, consistent with previous literature, most pronounced in traditional "elderly magnet" states. Among all states, Nevada, Florida and Arizona lead the rest, where 1985-90 internal migration contributed 14.9, 10.6, and 9.4%, respectively, to their elderly populations. At the other end of the spectrum, the largest negative contributions attributable to recent internal migration are

Table 1. Percentage Contributions to 1990 Elderly Populations, U.S. States

State	1990 Elderly Population	1985-90 Within U.S. Migration	1985-90 Elderly Births	1985-90 Migration from Abroad
Alabama	704,530	1.0	25.2	0.1
Alaska	34,865	-9.4	42.1	0.8
Arizona	631,518	9.4	21.1	0.6
Arkansas	457,870	2.6	22.9	0.1
California	4,224,171	-1.3	25.9	1.8
Colorado	449,582	0.5	27.1	0.4
Connecticut	594,794	-4.0	26.4	0.4
Delaware	110,636	1.8	26.3	0.2
Washington, DC	103,211	-4.9	25.7	0.7
Florida	3,049,932	10.6	18.3	1.0
Georgia	890,552	1.5	26.1	0.2
Hawaii	173,521	-0.4	27.3	2.0
Idaho	159,776	0.7	23.7	0.2
Illinois	1,923,668	-3.6	26.6	0.5
Indiana	938,832	-1.1	26.3	0.1
Iowa	553,862	-1.2	23.5	0.1
Kansas	447,872	-1.4	23.9	0.1
Kentucky	627,589	0.3	25.3	0.1
Louisiana	638,787	-1.0	27.2	0.1
Maine	217,695	0.5	24.4	0.1
Maryland	710,517	-1.5	27.8	0.6
Massachusetts	1,081,161	-2.9	25.0	0.6
Michigan	1,508,964	-2.8	27.6	0.2
Minnesota	717,664	-0.6	24.2	0.2
Mississippi	427,191	0.9	24.2	0.1
Missouri	948,236	0.0	24.1	0.1
Montana	140,323	-0.4	24.1	0.1
Nebraska	290,441	-0.7	23.7	0.1
Nevada	180,638	14.9	23.7	0.8
New Hampshire	169,192	0.9	25.8	0.2
New Jersey	1,373,199	-4.0	27.1	0.7
New Mexico	222,300	2.2	25.8	0.4
New York	3,193,437	-5.7	27.4	1.0
North Carolina	1,092,556	3.3	25.4	0.1
North Dakota	118,175	-1.2	23.5	0.1
Ohio	1,902,329	-1.7	26.8	0.1
Oklahoma	561,060	0.3	24.4	0.1
Oregon	510,893	4.1	22.2	0.3
Pennsylvania	2,437,953	-1.0	25.2	0.2
Rhode Island	197,757	-1.5	24.0	0.4
South Carolina	541,061	3.5	25.3	0.1
South Dakota	133,350	-0.7	23.3	0.1
Tennessee	832,644	1.3	25.1	0.1
Texas	2,336,775	0.4	26.8	0.5
Utah	202,027	1.1	25.7	0.3
Vermont	80,645	1.1	24.9	0.1
Virginia	907,260	0.4	26.7	0.5
Washington	765,848	2.4	23.9	0.6
West Virginia	360,420	-0.2	25.3	0.0
Wisconsin	860,820	-0.8	24.6	0.1
Wyoming	64,910	-2.8	20.7	0.1

Note: Percentage contributions to elderly (Age 60+) population in 1990 attributable to 1985-90 net within-U.S. migration, elderly births and migration from abroad (see text Equations (2), (3), and (4)).

shown for Alaska and New York at -9.4% and -5.7%, respectively. Of the 51 states (including the District of Columbia), 25 show positive internal migration contributions, with 9 showing contributions greater than 2%. Among the elderly outmigration states, nine show negative contributions of 2% or more.

A State Classification of Elderly Demographic Change

Because the questions to be addressed involve comparing the relative contributions the three components exert on a state's elderly population, we have constructed a typology of states to aid in these comparisons. This is shown in Table 2 and depicted in Figure 1. The typology includes: 9 Elderly In-Migration States, 9 Elderly Out-Migration States, 10 High Elderly Birth States, and 6 Low Elderly Birth States. In constructing this typology, we chose not to incorporate immigration as a separate dimension. This is because its *relative* contribution to elderly population, compared with the other components, is small. However, its contribution is important for selected race and ethnic groups, and this will be the focus of the final part of the analysis.

One of the purposes of this typology is to enable comparisons of distinct demographic selectivity patterns (by education, poverty status, etc.) that are associated with different mixes of components. For this reason, it is important to distinguish those few states with accentuated net in-migration and net out-migration of elderly populations, because migration is known to be highly selective on these demographic characteristics. The nine Elderly In-Migration States include the perennial retiree magnets, Florida and Arizona, that still attract the plurality of elderly migrants in terms of aggregate numbers. However, when the contribution of recent net migration is calculated as a percent of the elderly population (the measure used here), Nevada leads all states, and Oregon and the Carolinas fall in right behind the two traditional "magnets." It is noteworthy that while the elderly birth contribution is larger than the within-U.S. migration contribution in each of these states, the former is generally smaller in these Elderly In-Migration States than in most other categories.

The Elderly Out-Migration States include six large northeastern and midwest "Frost Belt" states, in addition to Alaska, Washington, DC, and Wyoming. Most of these states house industrialized urban populations which have typically been associated with accentuated elderly outmigration to South and West States. Yet, unlike the Elderly In-Migration States, several of the Elderly Out-Migration States show relatively high elderly birth contributions — which will more than compensate for the outmigration losses. For example, New York's 5.7% net migration loss represents net out-movement of 182,000 people. Yet, its 27.4% gain attributable to recent elderly births adds 873,000 to the state's 1990 elderly population.

The key group of states identified for this analysis are the High Elderly Birth States. States in this group are not typically thought of as elderly "magnets" in most analyses because they have relatively low levels of net in- and out-elderly migration. However, among states with low levels of elderly migration activity, these 10 states exhibited the highest 1985-90 elderly birth contributions to their 1990 elderly populations. They include the South Atlantic states of Delaware, Maryland, Virginia, and Georgia — all with dynamic economies over the last decade or two (Frey, 1995). Also included on this list are the mid-

Table 2. State Classification of
Elderly Demographic Change, 1985-90

State	Contributions to 1990 Elderly Population		
	Within U.S. Migration	Elderly Births	Migration from Abroad
Elderly In-Migration States			
Nevada	14.9	23.7	0.8
Florida	10.6	18.3	1.0
Arizona	9.4	21.1	0.6
Oregon	4.1	22.2	0.3
South Carolina	3.5	25.3	0.1
North Carolina	3.3	25.4	0.1
Arkansas	2.6	22.0	0.1
Washington	2.4	23.9	0.6
New Mexico	2.2	25.8	0.4
Elderly Out-Migration States			
Wyoming	-2.8	28.7	0.1
Michigan	-2.8	27.6	0.2
Massachusetts	-2.9	25.0	0.6
Illinois	-3.6	26.6	0.5
New Jersey	-4.0	27.1	0.7
Connecticut	-4.0	26.4	0.4
Washington, DC	-4.9	25.7	0.7
New York	-5.7	27.4	1.0
Alaska	-9.4	42.1	0.8
High Elderly Birth States			
Maryland	-1.5	27.8	0.6
Hawaii	-0.4	27.3	2.0
Louisiana	-1.0	27.2	0.1
Colorado	0.5	27.1	0.4
Texas	0.4	26.8	0.5
Ohio	-1.7	26.8	0.1
Virginia	0.4	26.7	0.5
Delaware	1.8	26.3	0.2
Indiana	-1.1	26.3	0.1
Georgia	1.5	26.1	0.2
Low Elderly Birth States			
Kansas	-1.4	23.9	0.1
Idaho	0.7	23.7	0.2
Nebraska	-0.7	23.7	0.1
Iowa	-1.2	23.5	0.1
North Dakota	-1.2	23.5	0.1
South Dakota	-0.7	23.3	0.1
Selected Other States			
California	-1.3	25.9	1.8
Pennsylvania	-1.0	25.2	0.2
Tennessee	1.3	25.1	0.1

Note: Contributions to elderly (Age 60+) population in 1990 attributable to net within-U.S. migration, elderly births, and migration from abroad, 1985-90.

Source: 1990 U.S. Census tabulations of "residence 5 years ago" migration question compiled at the Population Studies Center, University of Michigan.

western states of Ohio and Indiana, the southwestern states of Texas and Louisiana, and also Colorado and Hawaii. Several of the latter states have had turbulent economies over the 1970s and 1980s, but each has had a period when it attracted in-migrants from other parts of the country. It is these states which are best poised to contribute not only sizeable numbers to their elderly populations, but more highly select sociodemographic characteristics.

Elderly Demographic Change STATE CLASSIFICATION

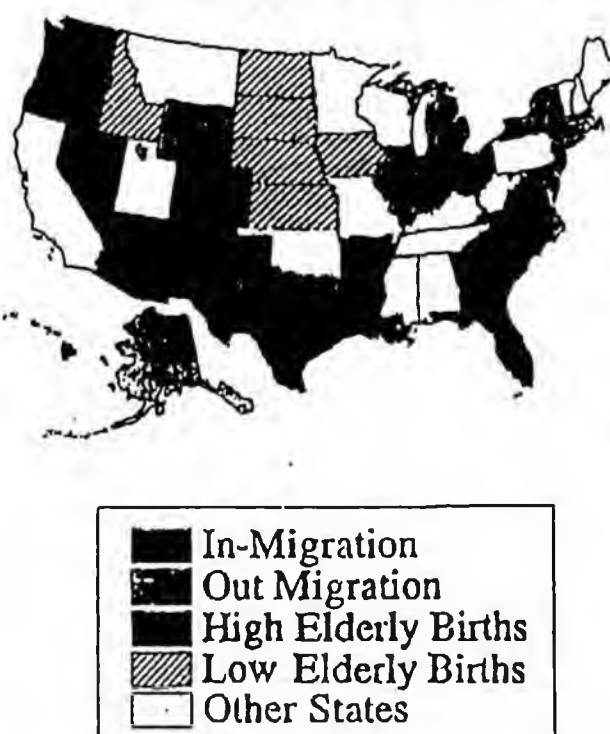


Figure 1. Elderly demographic change: State classification by in-migration, outmigration, and elderly births.

Finally, the classification scheme includes six Low Elderly Birth States. These states are all located in the western part of the Midwest region, except for Idaho. Economic downturns associated with agriculture and mining have caused them to lose and not attract large working-aged populations who would now be graduating into their elderly ages (Frey, 1995; Fugitt et al., 1989). Not only do these places show relatively low elderly birth contributions to their elderly populations, but five of the six exhibit a small net outmigration of their elderly populations.

These four classes of states represent distinct types of areas with respect to their mixes of demographic components. While a great deal of attention has been given to elderly "magnets" such as Nevada, Florida, and Arizona, the data make plain that other South Atlantic states such as Maryland, Virginia, and Georgia are gaining significant elderly as a result of new elderly births. Finally, it should be noted that there are 17 states which do not appear on this classification because they do not show extremely high or low contributions for either elderly births or internal migration. Among these are three large states which, nonetheless, have large elderly populations. California's elderly birth contribution of 25.9 is not extreme, but the state leads the nation in the absolute number of elderly births — 1,054,000 — over the 1985-90 period. While not approaching that magnitude, Pennsylvania and Tennessee are also

large states with sizeable numbers of elderly births. Because of the numbers of elderly that are represented in these three states, their statistics are presented in the text table comparisons.

Impacts on State Sociodemographic Structures

What were the relative impacts of 1985-90 new elderly births and elderly migration on the sociodemographic characteristics of 1990 state elderly populations? This question will be answered in this section. Previous research has shown that elderly migration is most selective on younger, better educated, and financially well-off elderly migrants (Longino, 1990; Yeatts et al., 1987). Partially because of these characteristics, more husband-wife couples are likely to migrate than single female-headed households (which comprise a large share of the total elderly population). As a consequence, states which gain more elderly migrants than they lose (with large elderly net migration contributions) should show disproportionate gains among elderly persons with these more "select" characteristics.

Are states with high net migration contributions likely to gain disproportionately in more well-off, and educated elderly? Do these more positive contributions to a state's sociodemographic structure also characterize their gains via new elderly births? The answers to these questions are a qualified "yes," based on the statistics in Table 3. Shown here are the

education, poverty, and gender-specific contributions associated with both within-U.S. migration and new elderly births for eight hand-picked states. (Note: These contributions were estimated from Equations (2) and (3) for specific population categories.) They include two Elderly In-Migration States (Florida and Arizona), two Elderly Out-Migration States (Illinois and New York), two High Elderly Birth States (Texas and Georgia), and two Low Elderly Birth States (Nebraska and South Dakota).

The migration contributions to a state's sociodemographic structure are evident for the Elderly In-Migration States. That is, in both Florida and Arizona, the impact of net in-migration on the state elderly population is much more pronounced for persons with high school educations or above, and especially college graduates. The contributions of nonpoverty net in-migration are about double those for the poverty population, and there is a distinct gender difference favoring the in-migration of males. Because education is often associated with health status, these statistics indicate that elderly in-migration states, such as Florida and Arizona, are attracting healthier migrants as well as those who are not impoverished. The gender differences are indicative of the fact that younger husband-wife couples comprise a large share of the in-migration flow.

The impact of net outmigration for the elderly populations of Illinois and New York is something of a mirror image of the net in-migration impacts. Al-

Table 3. 1985-90 Within-U.S. Migration and Elderly Births as Percent of 1990 State Elderly Populations by Education, Poverty, and Gender

	Elderly Migration Births Total			Elderly Migration Births Total			Elderly Migration Births Total			Elderly Migration Births Total		
	Florida			Illinois			Texas			Nebraska		
Education												
Less than high school	7.4	16.5	25.3	-2.4	19.6	17.9	0.2	21.9	22.8	-0.1	15.8	15.8
High school graduate	11.9	18.7	31.2	-3.3	27.8	26.8	0.5	29.6	30.5	-0.8	28.5	27.8
Some college	12.7	19.9	33.4	-5.7	33.1	27.8	0.6	31.8	32.9	-0.9	27.0	26.1
College graduate	13.7	20.2	35.0	-6.6	37.2	31.3	0.4	33.3	34.4	-2.3	31.2	29.1
Poverty Status												
Poverty	5.0	10.2	26.4	-2.8	23.1	21.4	0.0	23.1	23.8	-0.1	16.8	16.7
Nonpoverty	11.6	10.7	31.2	-3.8	28.1	24.8	0.4	28.7	29.6	-1.0	26.1	25.2
Gender												
Male	12.7	19.0	32.8	-4.3	30.5	26.7	0.2	29.7	30.4	-0.9	27.2	26.4
Female	9.0	17.7	27.8	-3.0	23.8	21.3	0.5	24.7	25.8	-0.5	21.1	20.6
	Arizona			New York			Georgia			South Dakota		
Education												
Less than high school	5.5	19.5	25.8	-4.2	20.9	18.1	1.4	21.0	22.6	-0.3	16.5	16.3
High school graduate	10.3	20.9	31.6	-6.3	30.0	24.3	1.9	31.6	33.7	-0.7	30.9	30.3
Some college	11.1	22.5	34.0	-8.1	33.8	26.4	1.7	32.1	34.0	-1.9	26.2	24.4
College graduate	13.6	22.0	37.1	-7.3	36.6	30.2	1.4	33.3	35.1	-1.1	27.5	26.7
Poverty Status												
Poverty	4.7	23.0	26.7	-3.9	23.0	21.4	1.0	19.5	20.7	0.2	17.2	17.7
Nonpoverty	10.3	21.3	32.1	-6.0	28.9	23.8	1.7	28.6	30.5	-0.8	25.8	25.1
Gender												
Male	10.8	22.1	33.5	-6.4	30.9	25.5	1.5	29.8	31.4	-0.5	26.0	25.7
Female	8.3	20.3	29.2	-5.2	24.9	20.7	1.6	23.7	25.5	-0.9	21.2	20.4

Note: Total columns include the combined components of 1985-90 Within-U.S. Migration, Elderly Births, and Migration From Abroad.

though the magnitudes of these percentages are lower, net outmigration is most prominent among the most educated, the nonpoverty population, and males in each of these states, and is consistent with the general "circulation of elites" model of migration. In the remaining four states, the levels of migration are much lower, and their impacts on sociodemographic structure are not nearly as distinct. In fact, the effects of net outmigration patterns in the two Low Elderly Birth States (Nebraska and South Dakota) are a bit more distinct than for the two High Elderly Birth States (Texas and Georgia). Hence, part of the qualified "yes" to the question raised above draws from the observation that migration has its most pronounced sociodemographic effect in those states with relatively large elderly migration contributions.

Turning now to the question of whether elderly birth contributions exhibit a similar sociodemographic impact as net migration, we focus first on the two High Elderly Birth States. The Table 3 data show that in both Texas and Georgia, there is a noticeable impact on education attainment structure associated with the elderly birth contribution. In fact, among all 10 High Elderly Birth States (not shown), the 1985-90 elderly birth component accounts for about one-third of these states' 1990 elderly college graduate populations. With respect to both poverty status and gender, elderly births contribute disproportionately to their nonpoverty and male elderly populations.

While Illinois and New York are both classed as Elderly Out-Migration States, they each have large elderly birth contributions. In each case, this contribution shows a significant impact on the state's education, poverty, and gender composition. These effects are also apparent in the Low Elderly Birth States (Nebraska and South Dakota). Only in Florida and Arizona does the elderly birth contribution not show up to be very sharply selective on measures of education, poverty, and gender.

Overall, these statistics show that elderly births over the 1985-90 period did contribute to more favorable effects on the 1990 elderly demographic compositions in states where this contribution was large. As a summary, Table 3 shows a "total" column which includes the effects of within-U.S. migration, elderly births, and also the small effect of migration from abroad, combined. When these are compared across different categories of states, it becomes clear that the combined effects of these contributions were not that much different in the Elderly In-Migration States of Florida and Arizona than they were for the High Elderly Birth States of Texas and Georgia. In the Elderly Out-Migration States, Illinois and New York, the overall impact was muted, since the negative sociodemographic impacts of net outmigration cancelled out some of the positive effects of elderly births. Although the overall impact of the elderly birth contribution was smaller in Nebraska and South Dakota, this component contributed to improved demographic characteristics in their elderly populations, as well.

The analyses of Table 3 assessed the selective impacts of elderly migration and elderly births on dif-

ferent social and demographic categories of state populations. Another, more comprehensive, way of evaluating the two components' impact is to assess their overall contributions on selected summary measures of state elderly population characteristics. These can be assessed with the statistics in Table 4. Shown here are 1990 state summary measures on: the percentage of elderly with at least high school educations, the percentage of elderly in poverty, and the percentage of elderly who are male. Next to each of these summary measures are the contributions that are attributable to 1985-90 within-U.S. migration, and 1985-90 elderly births.

For example, Table 4 shows that the elderly 1990 population of Maryland comprises 56.4% high school graduates. In the adjacent columns it shows that recent within-U.S. migration had the effect of reducing that percentage by .3, and recent elderly births had the effect of increasing it by 3.4. These contributions were arrived at by decomposing the overall elderly population's educational attainment into that which would have occurred in the absence of 1985-90 within-U.S. migration and elderly births, respectively. (See earlier discussion of this method and expression (5).) Although the contributions may appear to be small, it should be remembered that the overall summary measures will not change dramatically over a single five-year period, and it is the directions of change that are important to assess.

The contributions to percent high school graduates make clear that elderly births make a much greater impact than within-U.S. migration. In only two states (Florida and Arizona) has recent migration made a more positive contribution than recent elderly births on this measure, although migration's impact is generally positive in those states where there is a net in-migration. Although High Elderly Birth States show uniformly large positive contributions to the elderly education measure, the elderly birth component also shows large impacts in the Elderly Out-Migration States of New Jersey, Connecticut, Illinois, and Michigan. These are negated, somewhat, by the negative contributions of within-U.S. migration.

Turning to the impacts on state elderly poverty levels, one again finds an almost uniform contribution attributable to elderly births toward reducing the levels of elderly poverty. (Two exceptions are Arizona and Alaska, where elderly births slightly increase elderly poverty.) The magnitudes of these contributions are also greater than those associated with recent elderly migration, for the most part. The three notable exceptions here are Nevada, Florida, and Arizona, where elderly migration leads to a greater poverty reduction than recent elderly births.

The last comparison involves an assessment of the contributions to the percent of males in the elderly population, shown in the last three columns of Table 4. With the sole exception of Hawaii, elderly births serve to increase the male percentage of elderly populations. There are particularly strong contributions in the High Elderly Birth States of Maryland, Ohio, and Georgia, and in several of the Elderly Out-

Table 4. 1990 Elderly Demographic Characteristics and Contributions Attributable to 1985-90 Within-U.S. Migration and Elderly Births

State	Percent Who Are High School Graduates			Percent in Poverty			Percent Male		
	Contributions of 1985-90:			Contributions of 1985-90:			Contributions of 1985-90:		
	State 1990 Value	Within-U.S. Migration ^a	Elderly Births ^b	State 1990 Value	Within-U.S. Migration ^a	Elderly Births ^b	State 1990 Value	Within-U.S. Migration ^a	Elderly Births ^b
Elderly In-Migration States									
Nevada	64.6	0.4	1.8	9.3	-0.4	-0.1	47.2	0.4	0.9
Florida	63.1	1.3	0.8	10.6	-0.6	-0.1	43.1	1.0	0.4
Arizona	67.2	1.4	0.7	10.8	-0.6	0.2	43.9	0.7	0.6
Oregon	66.7	0.5	2.0	9.8	0.0	-0.3	43.3	0.1	1.1
South Carolina	46.3	1.0	2.3	18.6	-0.4	-1.6	40.6	0.4	1.5
North Carolina	46.6	1.0	2.6	17.5	-0.3	-1.8	40.7	0.2	1.7
Arkansas	43.4	0.8	2.7	21.2	-0.4	-1.4	41.9	0.6	0.9
Washington	68.6	0.3	2.1	8.6	0.0	-0.4	43.4	-0.1	1.3
New Mexico	57.5	0.5	1.9	16.1	-0.1	-0.3	44.1	0.1	1.0
Elderly Out-Migration States									
Wyoming	65.0	-0.3	2.9	10.3	0.0	-0.6	44.9	-0.3	2.4
Michigan	54.0	-0.5	4.1	10.3	0.2	-0.7	42.2	-0.3	2.1
Massachusetts	62.5	-0.3	2.7	8.7	0.1	-0.7	40.0	-0.3	2.0
Illinois	55.9	-0.5	4.2	10.1	0.1	-0.6	41.1	-0.3	2.2
New Jersey	55.6	-0.7	4.5	7.8	0.0	-0.8	41.4	-0.3	2.0
Connecticut	59.6	-0.7	4.0	6.5	0.1	-0.7	41.5	-0.5	2.2
Washington, DC	56.3	-0.7	1.5	16.8	0.8	-0.8	38.7	0.4	1.9
New York	56.6	-0.6	3.9	11.2	0.2	-0.8	40.6	-0.3	2.0
Alaska	62.9	-1.1	4.7	7.9	-0.4	1.2	48.9	-1.0	3.2
High Elderly Birth States									
Maryland	56.4	-0.3	3.4	9.6	0.1	-1.0	41.6	-0.4	2.2
Hawaii	54.2	0.0	5.5	7.3	0.0	-0.7	47.3	0.3	-0.5
Louisiana	45.5	-0.3	3.9	22.8	0.1	-1.4	41.1	0.0	1.6
Colorado	67.4	0.0	3.1	10.3	0.0	-0.8	42.8	-0.3	1.8
Texas	52.8	0.1	3.1	17.3	-0.1	-1.1	42.0	-0.1	1.6
Ohio	56.0	-0.4	2.8	10.1	0.1	-0.6	41.3	-0.2	2.1
Virginia	52.9	-0.2	3.3	12.8	0.0	-1.4	41.4	-0.2	1.0
Delaware	50.3	-0.2	2.8	9.4	-0.1	-0.6	42.2	-0.1	1.5
Indiana	56.2	-0.3	2.9	10.0	0.1	-0.8	41.1	-0.2	1.9
Georgia	45.0	0.1	3.7	10.5	-0.1	-1.9	40.1	0.0	2.0
Low Elderly Birth States									
Kansas	64.0	0.1	3.2	11.1	0.1	-1.0	41.7	0.1	1.9
Idaho	63.6	-0.1	2.5	10.9	0.0	-0.6	41.8	0.2	1.0
Nebraska	61.5	-0.2	3.9	11.0	0.1	-1.2	42.0	-0.1	2.0
Iowa	60.8	-0.3	3.5	10.4	0.1	-0.8	41.4	-0.1	1.0
North Dakota	48.6	-0.4	3.9	13.5	0.1	-1.2	43.9	0.0	1.3
South Dakota	54.9	-0.2	4.0	14.2	0.1	-1.4	43.5	0.1	1.5
Selected Other States									
California	65.0	-0.1	2.1	7.6	-0.1	-0.1	42.7	-0.1	1.6
Pennsylvania	52.4	-0.2	3.8	10.1	0.1	-0.6	40.9	-0.1	1.7
Tennessee	42.2	0.1	2.9	19.2	-0.1	-1.7	41.0	0.1	1.7

^aChange in migration equals actual 1990 value minus the hypothetical value which would have resulted from the absence of 1985-90 Within-U.S. Migration.

^bChanges in elderly births equal actual 1990 value minus the hypothetical value which would have resulted from the absence of 1985-90 Elderly Births.

Migration States which also have large elderly birth contributions. Alaska's 48.9 male elderly percentage has increased by 3.2% as a result of elderly births over the late 1980s. Migration's positive contribution to the elderly male percentage is highest in the Elderly In-Migration States. In only Florida and Arizona is this contribution larger than that shown for elderly births.

In sum, this review has shown that the positive sociodemographic impacts of elderly births are

greater and more pervasive than those for migration. While net migration to the few Elderly In-Migration States exerts a noticeable impact on these states' elderly education, poverty, and gender compositions, its impact is relatively small in other states. The elderly birth contributions to sociodemographic structure are far more prevalent — appearing to be strongest in the High Elderly Birth States, and serving to counter the negative effects of outmigration in the Elderly Out-Migration States.

Contribution to Black, Latino, and Asian Elderly Populations

The previous analysis has established the importance of elderly births during the late 1980s as an important component of state elderly population gains and sociodemographic compositions. Those states which have been able to garner large numbers of working-aged migrants in the past are now benefiting from their numbers and "good demographics" as they move into their elderly years. Yet, the past migration patterns of blacks have always been different from those of the white population (Longino & Smith, 1991; Watkins, 1989), and Latinos and Asians show migration and recent immigration patterns that are even more distinct (Barringer, Gardner, & Levin, 1993; Blafora & Longino, 1990). Do the conclusions drawn above, with respect to elderly birth contributions, hold as well for these three minority groups? Tables 5, 6, and 7 show selected data for each group, respectively, for states that house large numbers of elderly blacks, Latinos, or Asians.

As shown in Table 5, 26 states (including DC) housed more than 20,000 elderly blacks at the time of the 1990 census. While the elderly birth component makes the largest contribution to 1990 black elderly populations in all states, it is clear that Florida benefits most from within-U.S. black elderly migration. Still, only five additional states show elderly migration contributions greater than 1% (North and South Carolina, Maryland, Virginia, and Georgia), and 14 of

the 26 exhibit a net outmigration of black elderly led by New York and Connecticut. Certainly, elderly births make a strong contribution to the black elderly populations in most states. Their contributions are highest in states with a large black elderly outmigration, or with little migration change. These include all of the traditional northern destinations of blacks from the original South to North migration streams. Elderly births are likely to be a continued source of black elderly gains in these states.

Migration from abroad represents a relatively small contribution to black elderly gain. Only in four states (Massachusetts, New York, Florida, and Connecticut) is its contribution greater than 1%, and this represents, largely, black movement from the Caribbean. Yet among the new immigrant groups, Latinos and Asians, migration from abroad is more substantial. Twenty-two states house more than 5,000 Latino elderly, and in eight of these, recent migration from abroad accounts for more than 5% of their 1990 elderly populations (Table 6). Among the 14 states with more than 5,000 Asian elderly (Table 7), migration from abroad accounts for more than 10% in all but one (Hawaii). Among Asians, in particular, the migration-from-abroad component is far more significant than the within-U.S. migration component. This is the case, for several states, with the Latino population as well. Elderly births still make the dominant contribution to all states' elderly Latino and Asian populations, but the impact of migration from abroad is also significant.

Table 5. Contributions to 1990 State Elderly Populations: Blacks

State	Percent of 1990 Elderly Black Population		
	Within-U.S. Migration	Elderly Births	Migration from Abroad
Florida	4.5	26.9	1.2
North Carolina	2.1	25.4	0.1
Maryland	2.0	30.2	0.4
Virginia	2.0	26.0	0.1
Georgia	1.8	25.0	0.1
South Carolina	1.6	24.6	0.0
Indiana	0.9	28.8	0.0
Oklahoma	0.8	24.2	0.0
Alabama	0.6	23.6	0.0
Tennessee	0.6	24.6	0.0
Mississippi	0.3	21.9	0.0
Texas	0.1	27.2	0.1
Missouri	-0.1	27.3	0.0
Kentucky	-0.1	24.8	0.0
Louisiana	-0.2	26.3	0.0
Michigan	-0.2	28.8	0.0
Ohio	-0.3	29.9	0.0
Arkansas	-0.3	21.2	0.0
California	-0.3	29.2	0.4
Pennsylvania	-0.5	28.7	0.1
New Jersey	-1.6	31.7	0.8
Illinois	-1.8	31.0	0.1
Massachusetts	-2.3	29.4	3.2
Washington, DC	-2.5	27.0	0.2
Connecticut	-4.2	32.6	1.1
New York	-5.0	32.0	1.7

Note: Includes states with 1990 black elderly populations that exceed 20,000.

Discussion

This article offers a comprehensive view of how 1990 state elderly populations have been affected by recent migration and "new elderly births." It differs from many earlier studies, which focused only on the migration component in evaluating changes in state elderly demographic profiles. The analyses presented here make plain that, during the 1985-90 period, elderly births contributed significantly to both the sizes and improved demographic compositions of states that had been successful in attracting working-aged in-migrants in the past. The "good" demographics — high educations, lower poverty levels, and preponderance of males (indicating more husband-wife couples) — associated with these advancing new elderly cohorts, when coupled with their large sizes, effected positive impacts on the elderly populations of more states than did selective migration over the same period. This is especially the case in High Elderly Birth States such as Maryland, Virginia, Georgia, Colorado, and Texas. Moreover, in several states with large elderly outmigration flows such as New York, New Jersey, Illinois, and Michigan, the beneficial demographic effects of elderly births have more than compensated for these losses. Elderly births also make a large contribution to state black, Latino and Asian elderly populations although, for the latter two groups, recent migration from abroad is often a significant source of elderly gain.

Table 6. Contributions to 1990 State Elderly Populations: Latinos

State	Percent of 1990 Elderly Latino Population		
	Within-U.S. Migration	Elderly Births	Migration from Abroad
Nevada	13.2	23.5	4.7
Florida	7.8	24.2	6.7
Washington	4.0	32.5	4.0
Arizona	2.2	32.3	1.9
Virginia	2.2	33.5	10.4
New Mexico	1.1	29.2	0.5
Colorado	0.6	32.7	1.0
Texas	0.4	31.9	1.6
Kansas	0.4	33.9	1.1
Hawaii	-0.7	34.4	1.2
California	-1.0	34.3	3.7
Massachusetts	-1.2	31.1	11.6
Maryland	-1.4	31.9	9.0
Pennsylvania	-1.5	33.2	5.7
Ohio	-1.7	37.3	2.1
Michigan	-1.8	36.7	1.8
Indiana	-2.6	38.3	1.3
Louisiana	-3.2	31.9	3.4
Connecticut	-3.5	34.3	9.4
Illinois	-5.4	42.6	5.0
New York	-6.3	35.9	4.9
New Jersey	-7.6	37.2	6.1

Note: Includes states with 1990 Latino elderly populations that exceed 5,000.

Table 7. Contributions to 1990 State Elderly Populations: Asians

State	Percent of 1990 Elderly Asian Population		
	Within-U.S. Migration	Elderly Births	Migration from Abroad
Florida	9.4	20.2	15.2
New Jersey	4.0	24.0	21.1
Virginia	2.4	32.6	18.0
Washington	2.4	20.7	11.4
California	1.8	26.7	13.7
Hawaii	-0.2	27.5	2.3
Oregon	-0.3	20.2	10.7
Massachusetts	-0.7	20.0	15.2
Maryland	-3.2	32.2	16.2
New York	-4.0	30.0	15.6
Pennsylvania	-4.0	29.6	19.0
Texas	-4.8	31.9	19.7
Michigan	-5.7	30.5	17.2
Illinois	-6.3	29.6	10.5

Note: Includes states with 1990 Asian elderly populations that exceed 5,000.

The importance of recent elderly births lies largely with the sizes of the population cohorts that survive to 60+ ages. Over the 1970 through 1990 period, these cohorts were relatively large due to the high birth rates and sizeable immigration waves in the early part of this century. As a result, most states saw gains in their elderly populations although, as shown here, some fared much better than others. This historical note holds an important implication for the contribution of elderly births over the next 10 years. It will be during this period that the tiny birth cohorts of the Great Depression will be advancing to their 60+ ages. These cohorts are still better educated and

more well-off financially than most of today's elderly population (Treas & Torrecilla, 1995) but their smaller numbers will reduce the overall impact of elderly births for most states. It will not be until the year 2006, when the first baby boom cohort members turn 60 — that the "new elderly birth" component will again become a strong force.

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Received February 28, 1995

Accepted August 8, 1995

**Leasing and Facilities
Funding by Department (in thousands)
FY 91 - FY 97**

	Administration		Commerce		C&RA		Corrections		Education		Environ. Cons	
	GF	I/A	GF	I/A	GF	I/A	GF	I/A	GF	I/A	GF	I/A
FY 91	\$ 1,273.2	\$ 76.2	\$ 888.5	\$ 130.6	\$ 595.1	\$ 23.0	\$ 1,027.4	\$ 259.1	\$ 2,103.5	\$ 245.4	\$ 1,271.0	\$ 402.4
FY 92	\$ 1,098.0	\$ 104.3	\$ 1,009.9	\$ 148.4	\$ 604.2	\$ 2.6	\$ 1,215.2	\$ 135.5	\$ 2,205.3	\$ 271.5	\$ 1,725.8	\$ 762.9
FY 93	\$ 1,149.1	\$ 75.9	\$ 1,211.6	\$ 353.2	\$ 582.3	\$ -	\$ 636.8	\$ 168.5	\$ 2,197.7	\$ 292.9	\$ 1,961.7	\$ 956.9
FY 94	\$ 1,231.6	\$ 104.6	\$ 933.2	\$ 290.5	\$ 737.3	\$ 25.7	\$ 686.2	\$ 79.8	\$ 2,199.5	\$ 277.4	\$ 1,953.8	\$ 921.7
FY 95	\$ 1,197.6	\$ 135.4	\$ 890.1	\$ 304.8	\$ 642.7	\$ -	\$ 601.6	\$ 393.4	\$ 2,073.9	\$ 282.3	\$ 1,928.9	\$ 925.5
FY 96	\$ 1,171.7	\$ 239.4	\$ 809.1	\$ 303.4	\$ 640.8	\$ -	\$ 1,006.1	\$ 16.7	\$ 2,062.3	\$ 324.2	\$ 1,770.0	\$ 1,163.9
FY 97	\$ 1,553.8	\$ 234.1	\$ 598.0	\$ 525.9	\$ 649.8	\$ -	\$ 1,011.2	\$ 19.6	\$ 2,079.2	\$ 324.2	\$ 1,756.5	\$ 1,164.6

- Notes:
- Includes funding for Subport land leases
 - Includes additional spare costs required by the agencies after budget submission

Leasing and Facilities
Funding by Department (in thousands)
FY 91 - FY 97

	Fish & Game		Governors Office		Health & Soc Svcs		Labor		Law		DMVA	
	GF	I/A	GF	I/A	GF	I/A	GF	I/A	GF	I/A	GF	I/A
FY 91	\$ 2,613.0	\$ 164.6	\$ 786.2	\$ 61.4	\$ 2,603.0	\$ 956.3	\$ 1,839.9	\$ 976.4	\$ 1,283.1	\$ 346.2	\$ 317.1	\$ 52.3
FY 92	\$ 2,823.7	\$ 137.3	\$ 840.6	\$ 14.5	\$ 2,318.7	\$ 1,103.6	\$ 2,019.9	\$ 1,106.9	\$ 1,331.3	\$ 372.6	\$ 176.9	\$ 59.7
FY 93	\$ 2,792.3	\$ 153.2	\$ 673.4	\$ 14.5	\$ 2,494.2	\$ 1,395.3	\$ 2,379.8	\$ 914.9	\$ 1,410.0	\$ 351.6	\$ 156.1	\$ 49.6
FY 94	\$ 2,902.1	\$ 157.0	\$ 507.6	\$ 13.3	\$ 2,486.5	\$ 1,446.8	\$ 2,381.1	\$ 915.9	\$ 2,034.9	\$ 669.5	\$ 142.1	\$ 49.6
FY 95	\$ 2,931.1	\$ 155.0	\$ 378.5	\$ -	\$ 2,818.1	\$ 1,522.6	\$ 2,483.3	\$ 850.5	\$ 1,284.2	\$ 608.1	\$ 154.0	\$ 22.8
FY 96	\$ 2,839.4	\$ 164.3	\$ 313.0	\$ 45.0	\$ 2,788.4	\$ 1,804.0	\$ 2,444.5	\$ 930.4	\$ 1,327.9	\$ 531.9	\$ 117.9	\$ 23.2
FY 97	\$ 2,856.2	\$ 164.3	\$ 316.3	\$ 46.4	\$ 2,790.6	\$ 1,875.0	\$ 2,468.4	\$ 930.4	\$ 1,332.8	\$ 521.7	\$ 99.7	\$ 23.2

Leasing and Facilities
Funding by Department (in thousands)
FY 91 - FY 97

	Natural Resources		Public Safety		Revenue		DOT/PF		Totals	
	GF	I/A	GF	I/A	GF	I/A	GF	I/A	GF	I/A
FY 91	\$ 4,735.3	\$ 155.5	\$ 1,059.7	\$ 30.7	\$ 1,025.7	\$ 113.9	\$ 1,315.7	\$ 77.5	\$ 24,737.4	\$ 4,071.5
FY 92	\$ 5,166.6	\$ 162.2	\$ 1,178.9	\$ 174.6	\$ 924.3	\$ 115.5	\$ 1,321.0	\$ 37.6	\$ 25,960.3	\$ 4,709.7
FY 93	\$ 5,259.7	\$ 186.2	\$ 1,268.8	\$ 162.2	\$ 761.6	\$ 81.8	\$ 1,369.8	\$ 11.4	\$ 26,304.9	\$ 5,168.1
FY 94	\$ 5,259.5	\$ 186.2	\$ 1,217.4	\$ 149.0	\$ 763.5	\$ 141.0	\$ 1,359.0	\$ 11.4	\$ 26,795.3	\$ 5,439.4
FY 95	\$ 4,504.4	\$ 194.1	\$ 1,208.5	\$ 191.6	\$ 739.8	\$ 198.0	\$ 1,503.5	\$ 11.0	\$ 25,340.2	\$ 5,795.1
FY 96	\$ 3,452.0	\$ 198.9	\$ 1,194.8	\$ 193.6	\$ 792.2	\$ 262.3	\$ 1,518.3	\$ -	\$ 24,248.4	\$ 6,201.2
FY 97	\$ 3,457.4	\$ 198.9	\$ 1,202.5	\$ 193.1	\$ 792.2	\$ 279.9	\$ 1,533.8	\$ -	\$ 24,498.4	\$ 6,501.3

**Leasing and Facilities
Square Footage by Department
FY 91 - FY97**

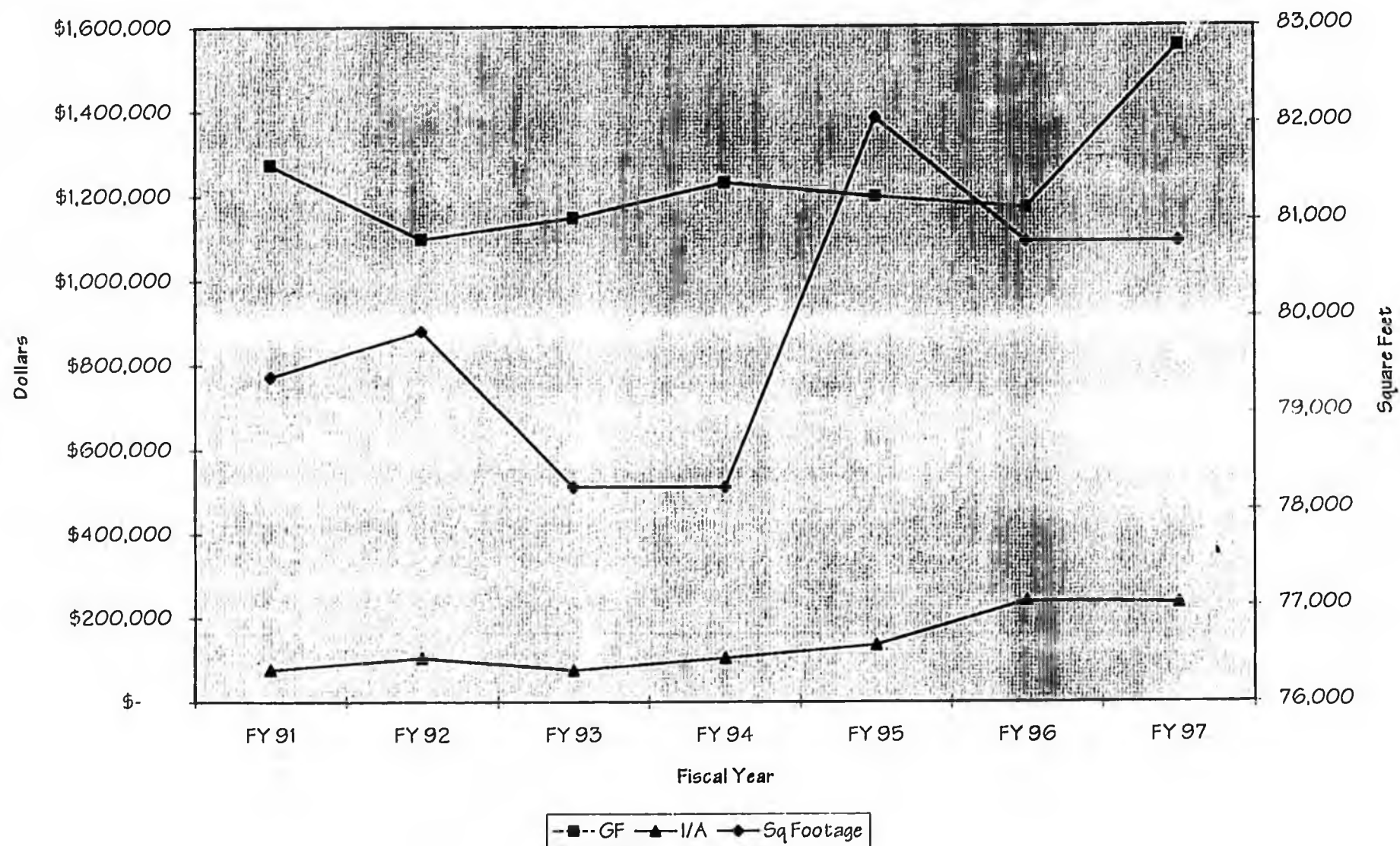
	Admin	Commerce	C&RA	Corrections	Education	Env. Cons.	Fish & Game	Gov Office	H&SS
FY 91	79,377	60,221	29,929	211,526	183,597	146,377	212,354	30,834	154,811
FY 92	79,850	73,337	30,065	188,948	189,348	123,320	218,230	33,917	209,383
FY 93	78,234	76,491	30,065	104,494	186,791	126,981	218,183	28,863	220,921
FY 94	78,234	52,902	35,253	48,940	191,830	126,427	241,127	19,149	227,845
FY 95	82,053	54,373	34,778	57,571	188,375	154,537	241,881	16,092	219,110
FY 96	80,775	54,645	34,778	58,551	188,375	137,901	235,346	19,712	235,459
FY 97	80,775	54,645	34,778	58,551	188,375	137,901	235,346	19,712	235,459

Note: FY 97 known square footage same as FY 96

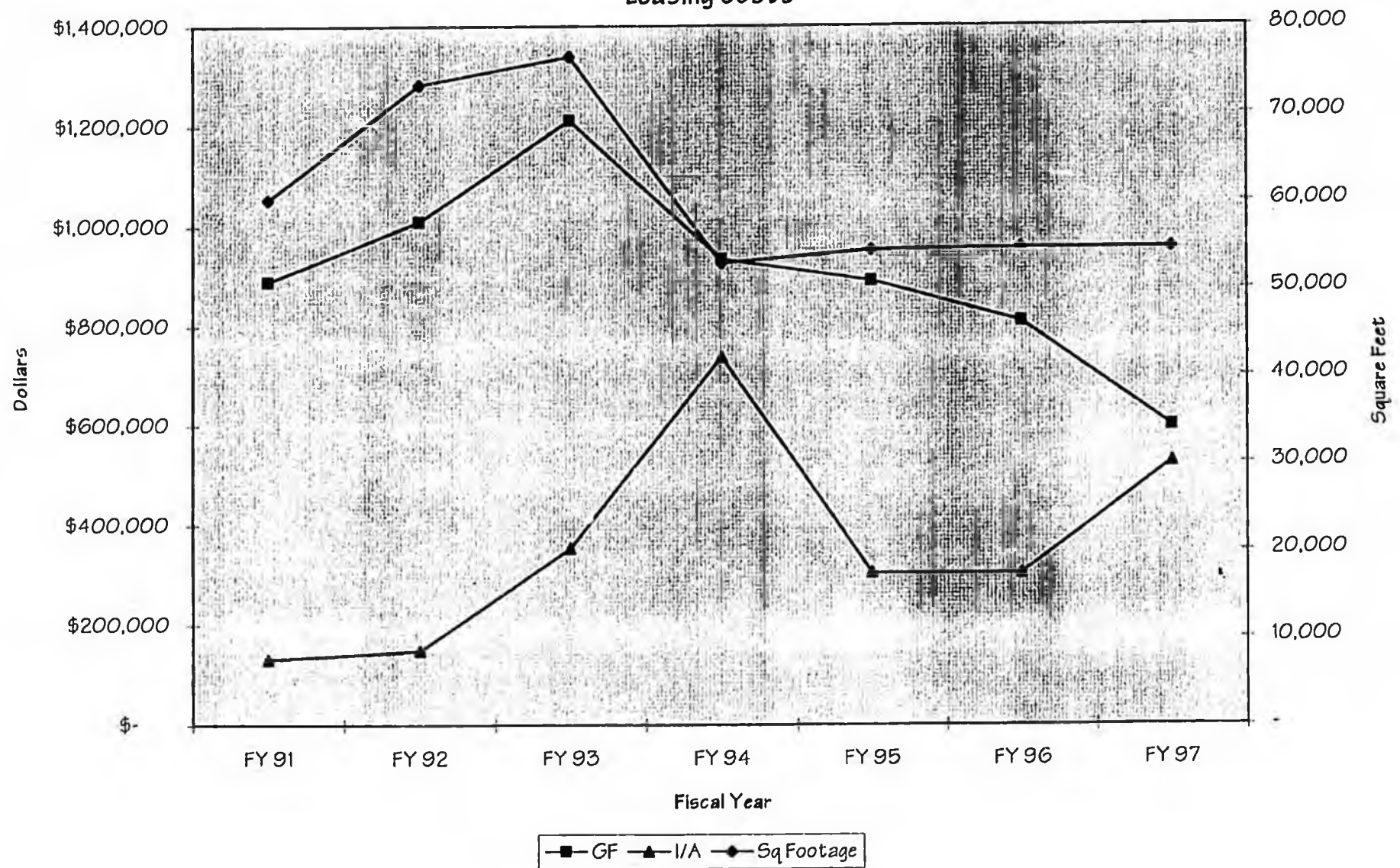
Leasing and Facilities
Square Footage by Department
FY 91 - FY97

	Lebor	Law	DMVA	Nat Res	Pub Safety	Revenue	DOT/PE	Totals
FY 91	149,245	68,960	35,350	180,433	82,038	60,568	83,011	1,768,631
FY 92	156,365	75,954	18,803	192,445	81,151	49,610	75,653	1,796,379
FY 93	157,378	75,954	18,803	184,164	87,574	49,649	83,785	1,728,330
FY 94	157,544	84,420	20,803	184,164	104,001	55,257	79,373	1,707,269
FY 95	158,844	78,513	19,734	171,714	99,369	61,615	78,773	1,717,332
FY 96	158,844	79,141	18,830	172,424	99,715	64,344	75,973	1,714,813
FY 97	158,844	79,141	18,830	172,424	99,715	64,344	75,973	1,714,813

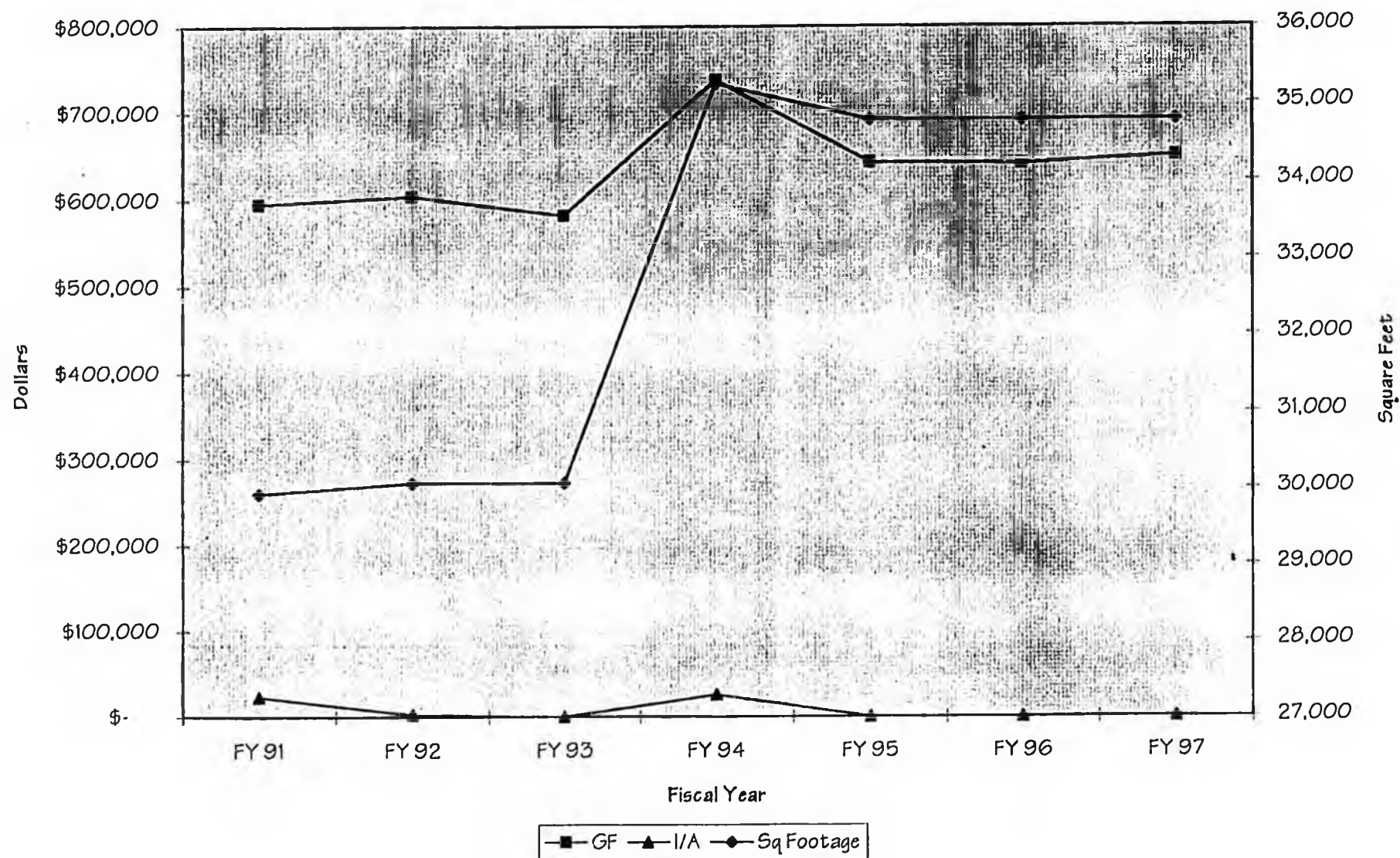
Department of Administration Leasing Costs



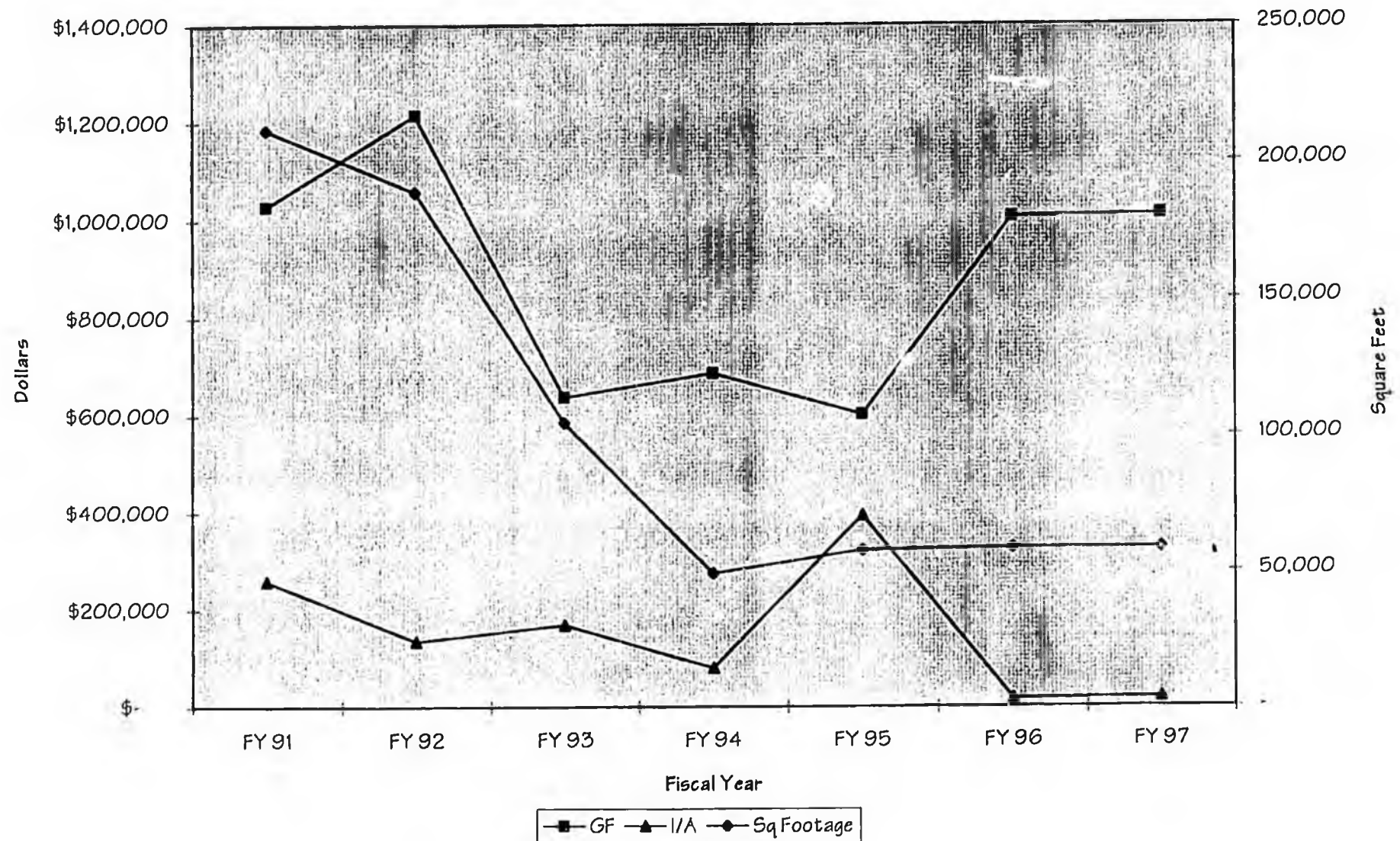
Department of Commerce & Economic Development Leasing Costs



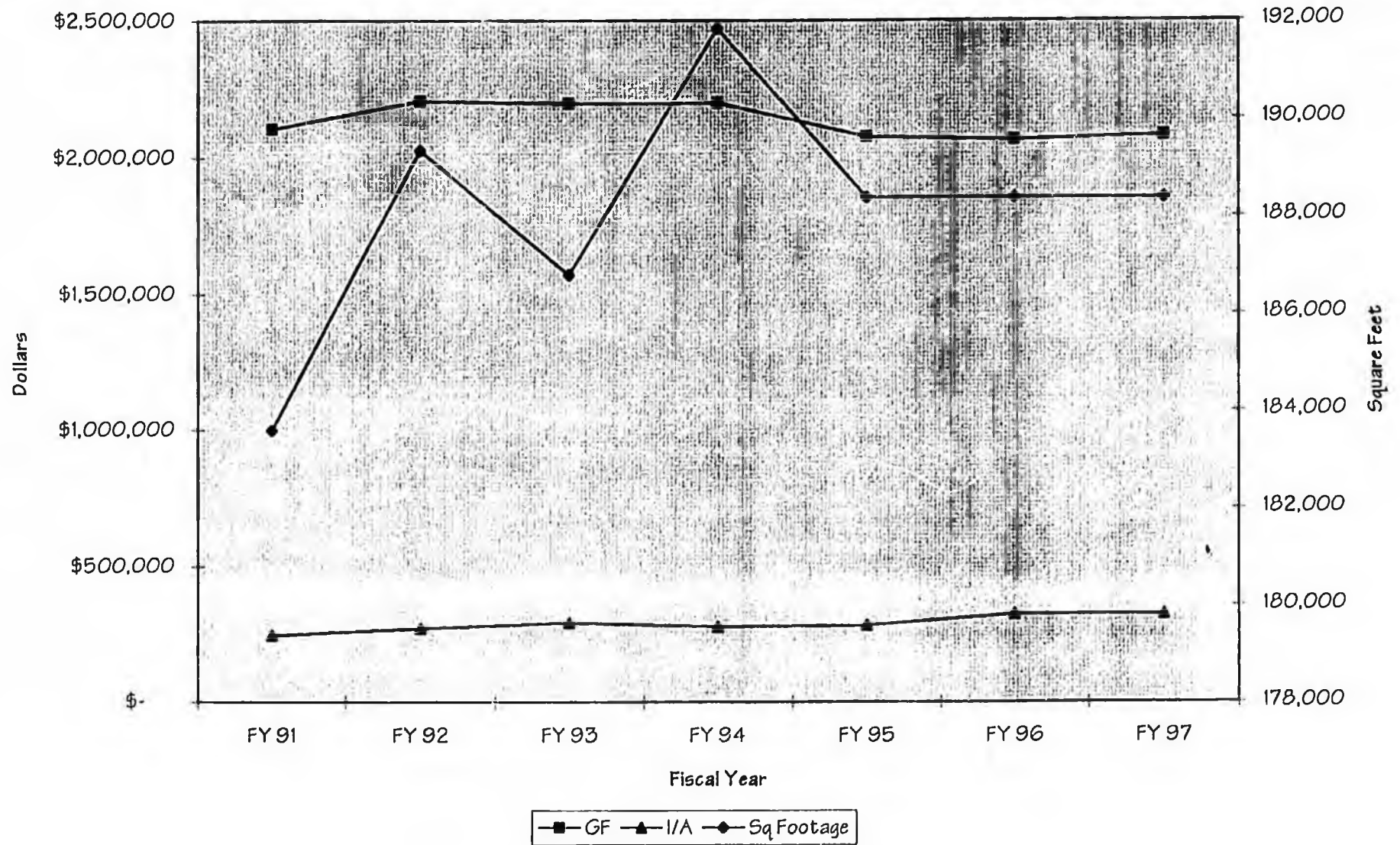
Department of Community & Regional Affairs Leasing Costs



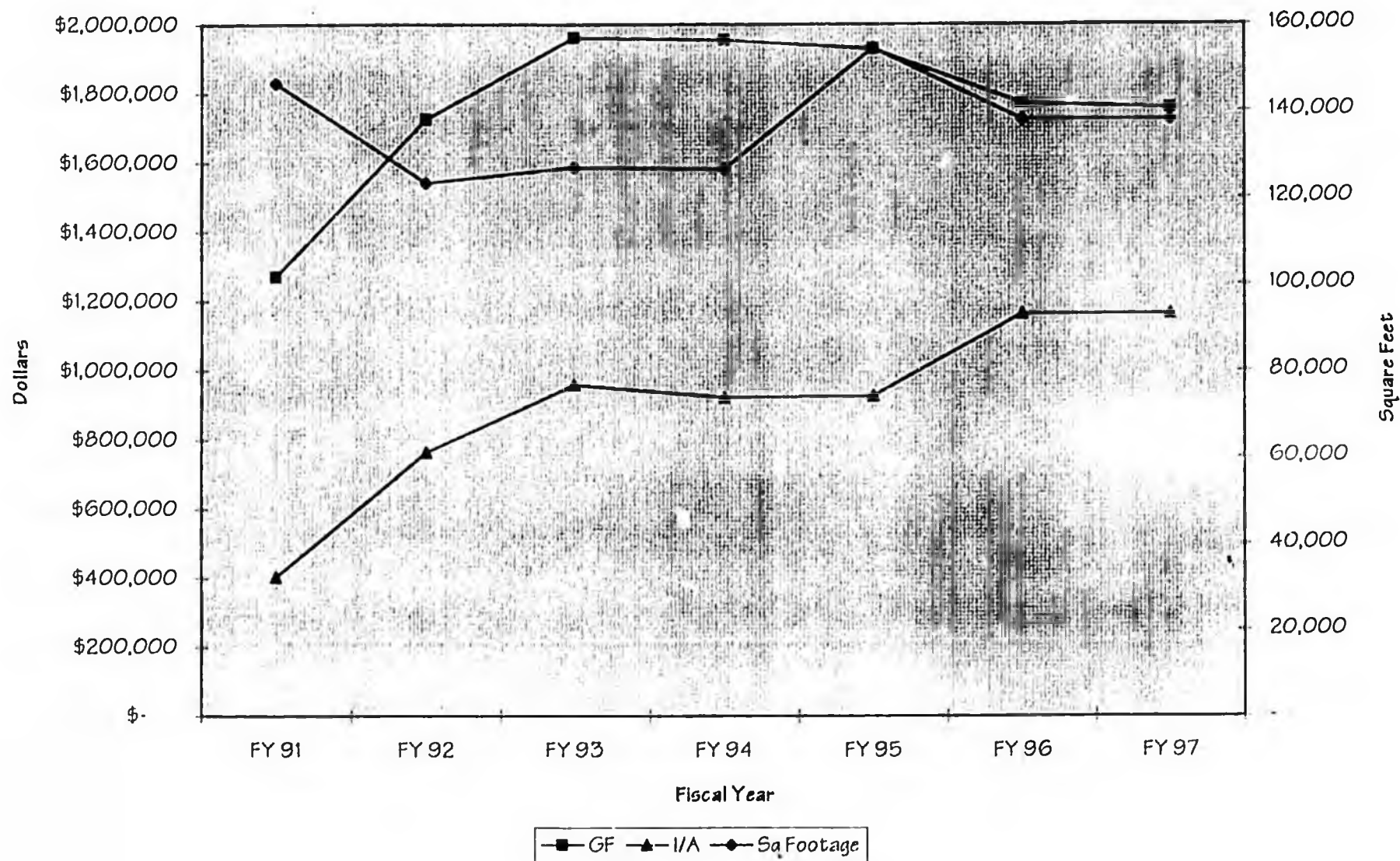
Department of Corrections Leasing Costs



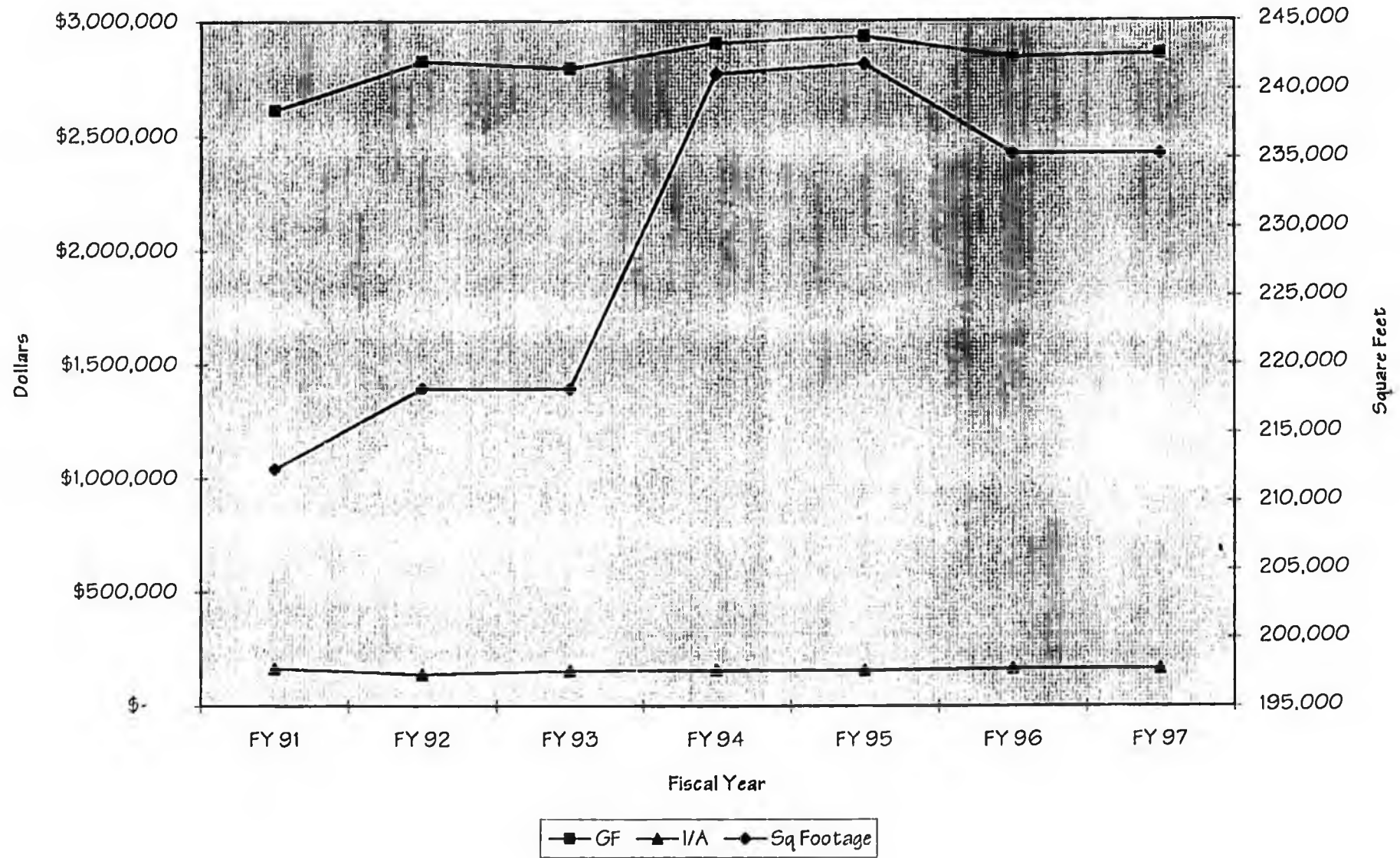
Department of Education Leasing Costs



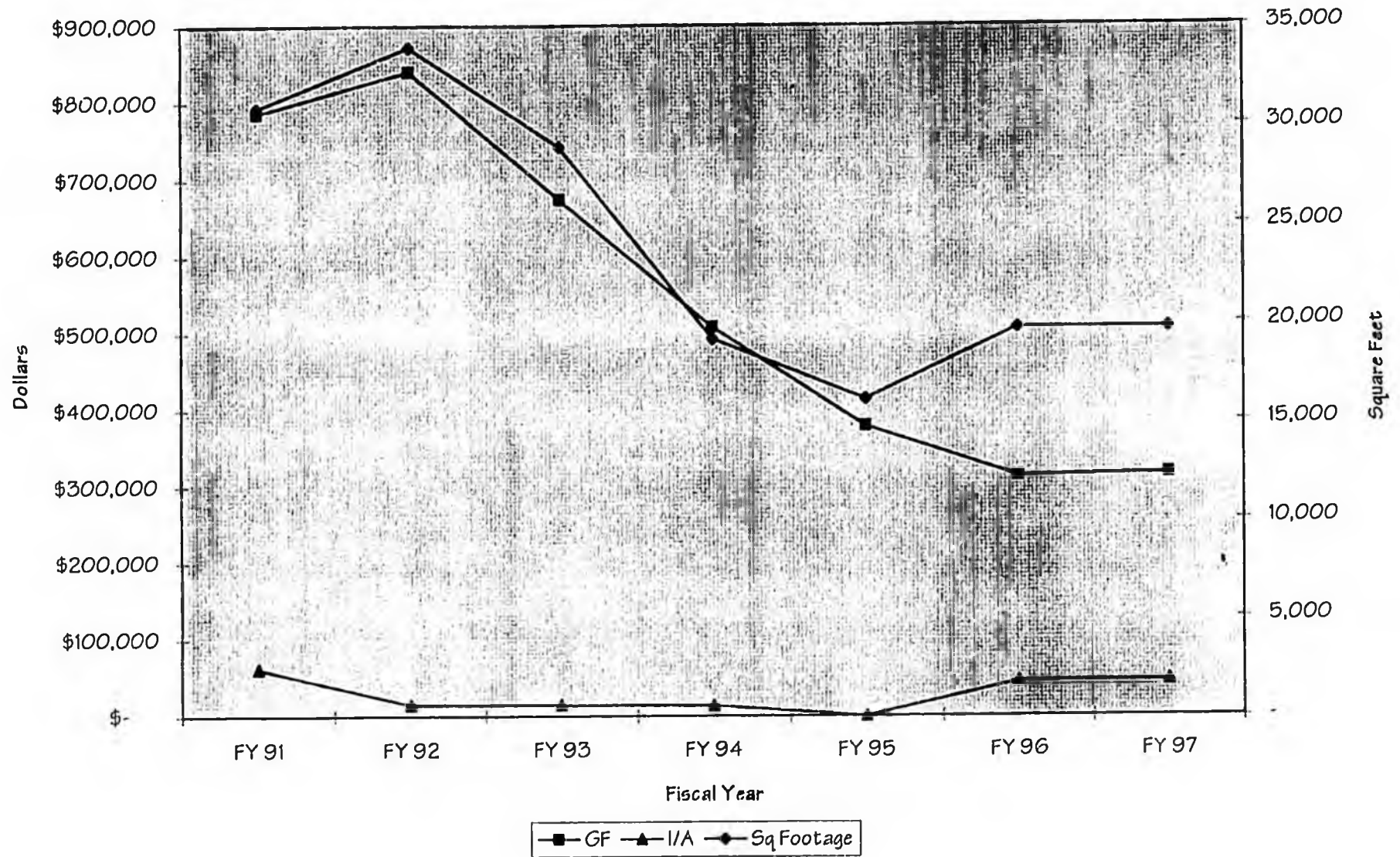
Department of Environmental Conservation Leasing Costs



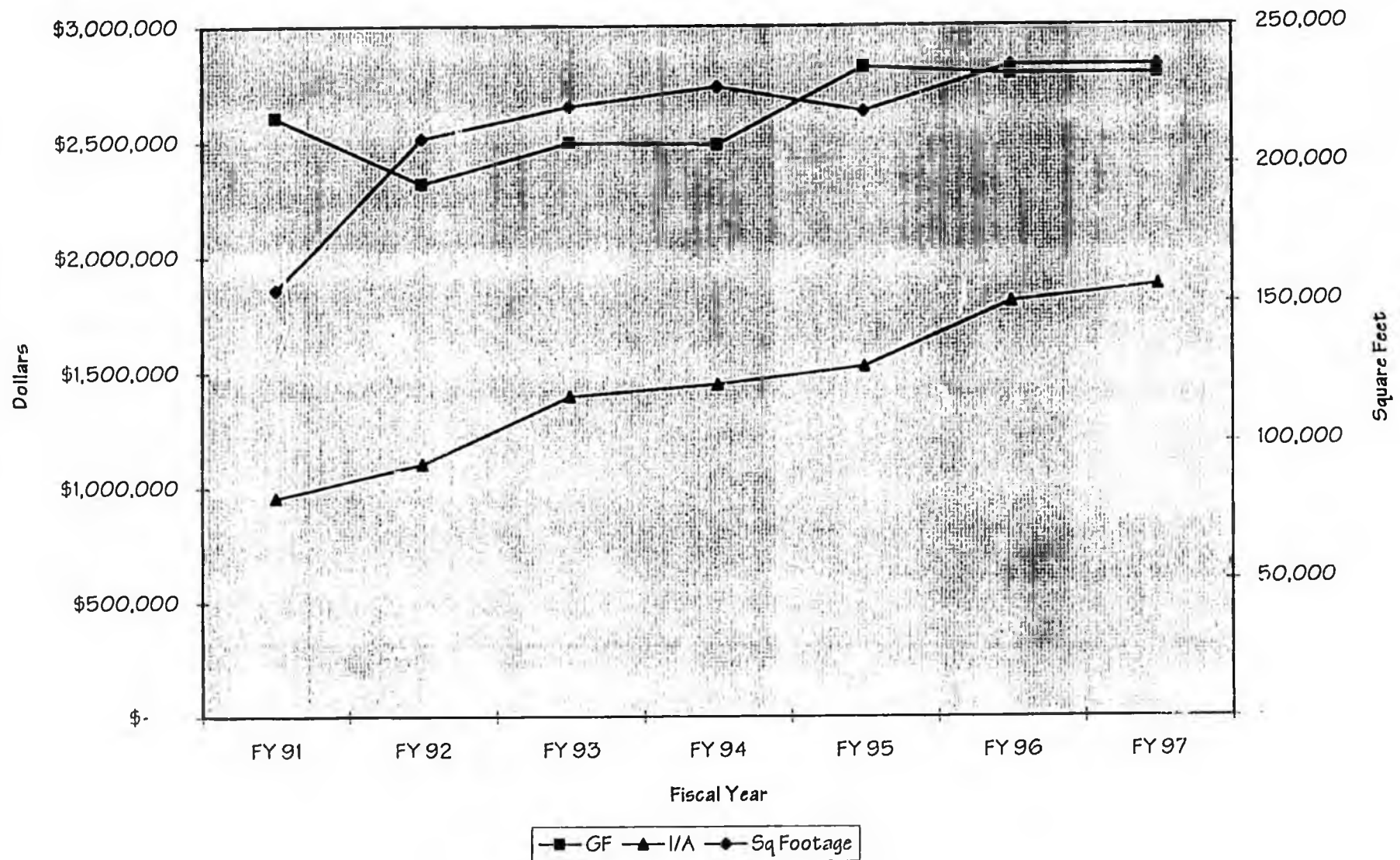
Department of Fish & Game Leasing Costs



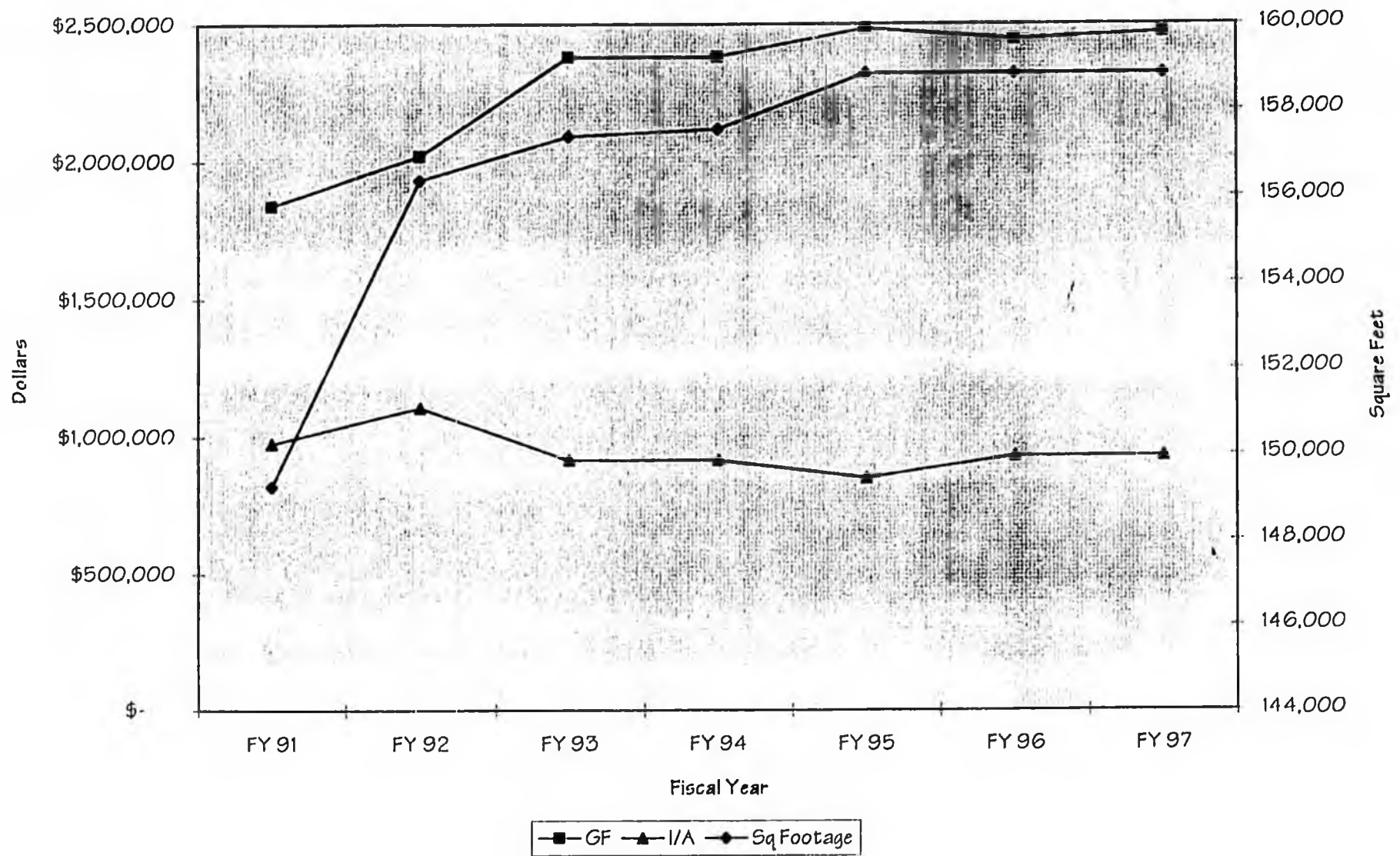
Office of the Governor Leasing Costs



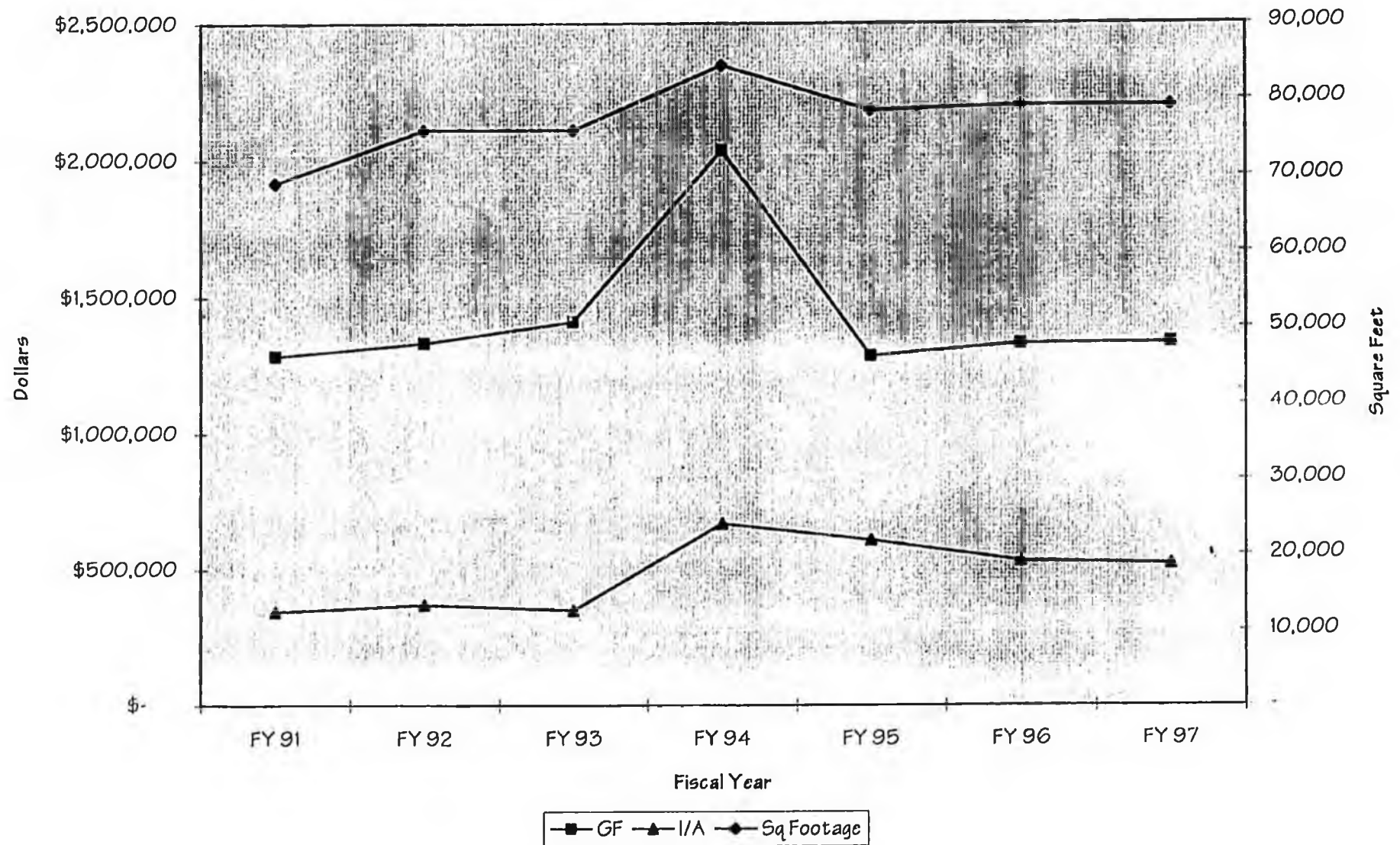
Department of Health & Social Services Leasing Costs



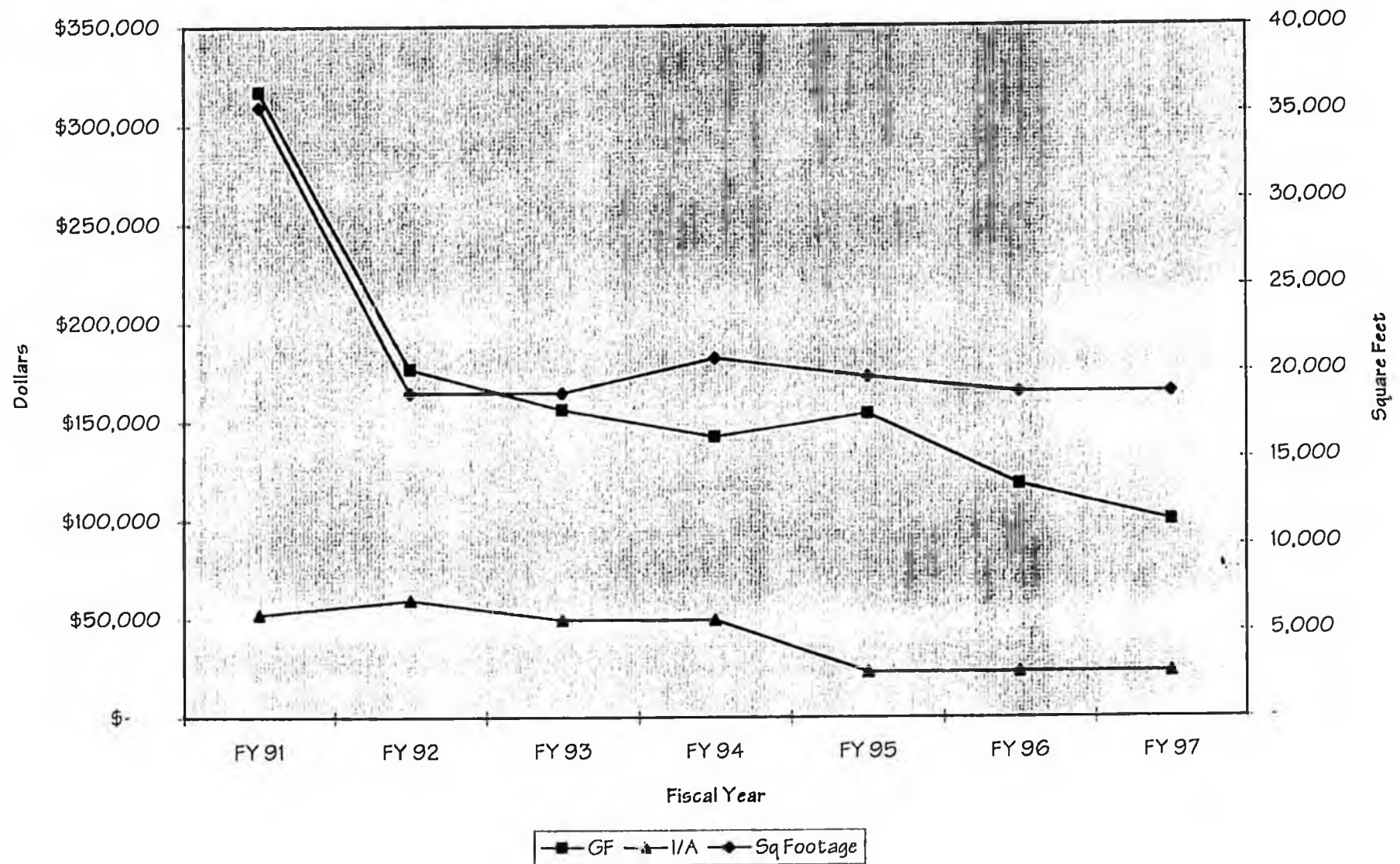
Department of Labor Leasing Costs



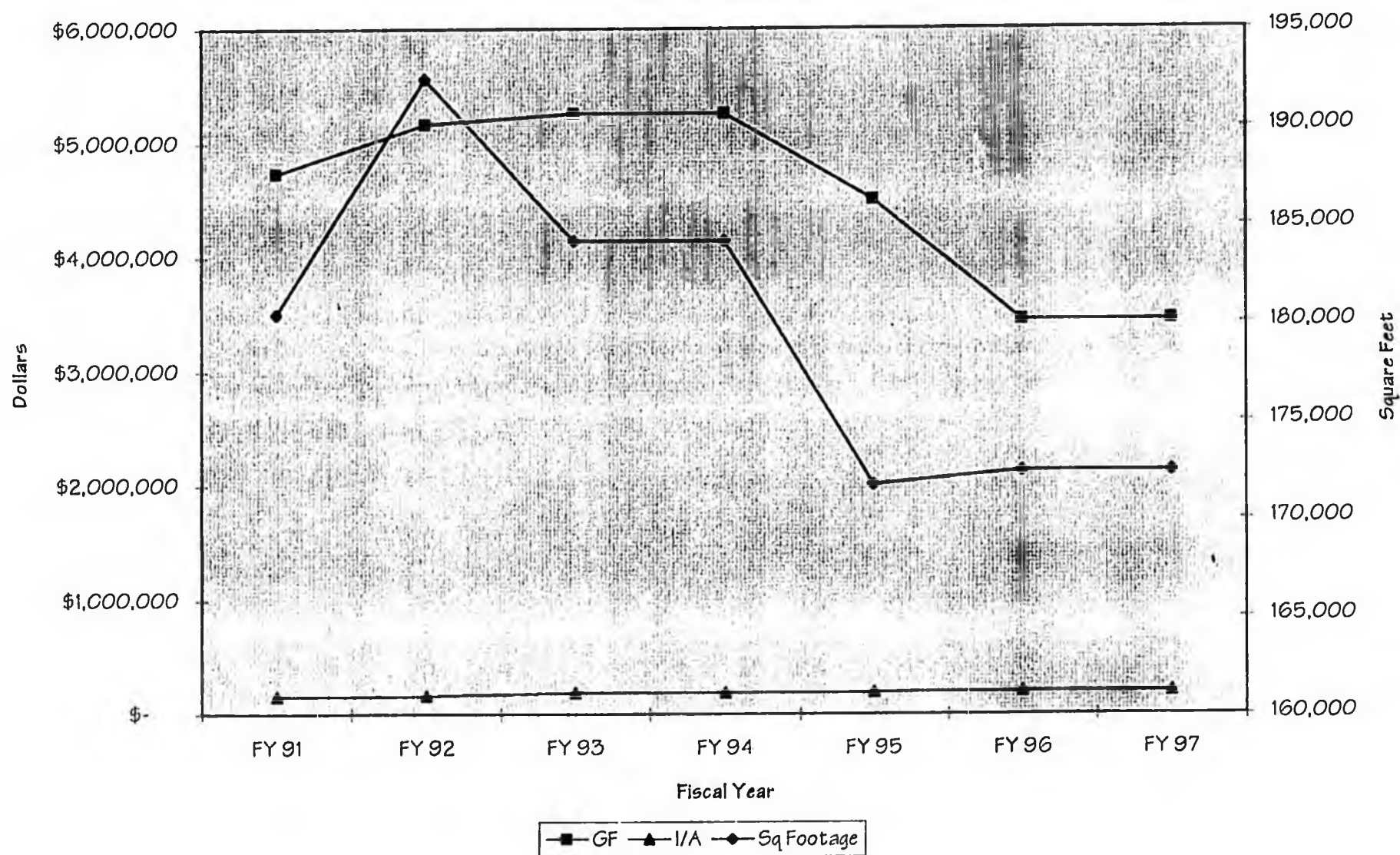
Department of Law Leasing Costs



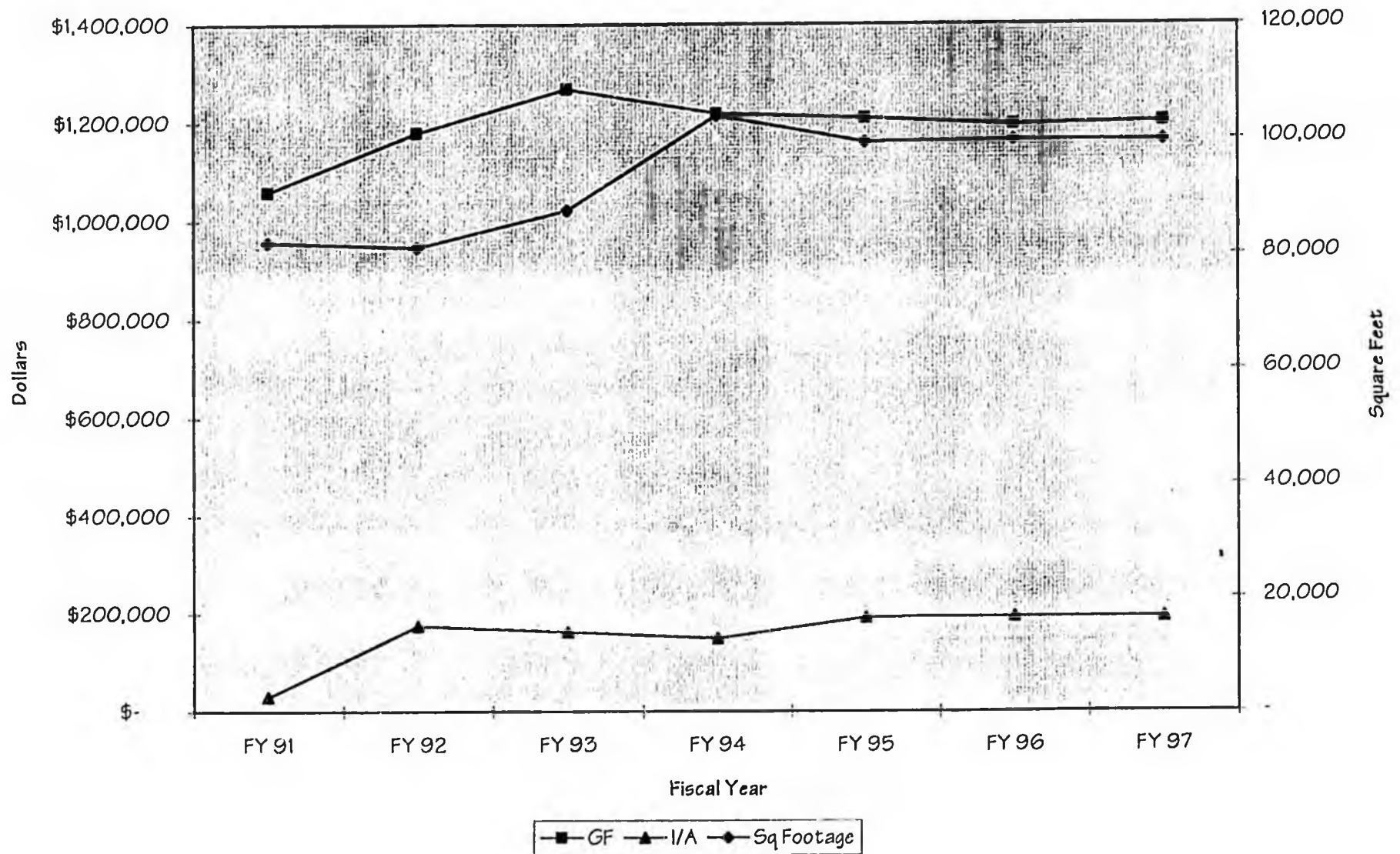
Department of Military & Veteran's Affairs Leasing Costs



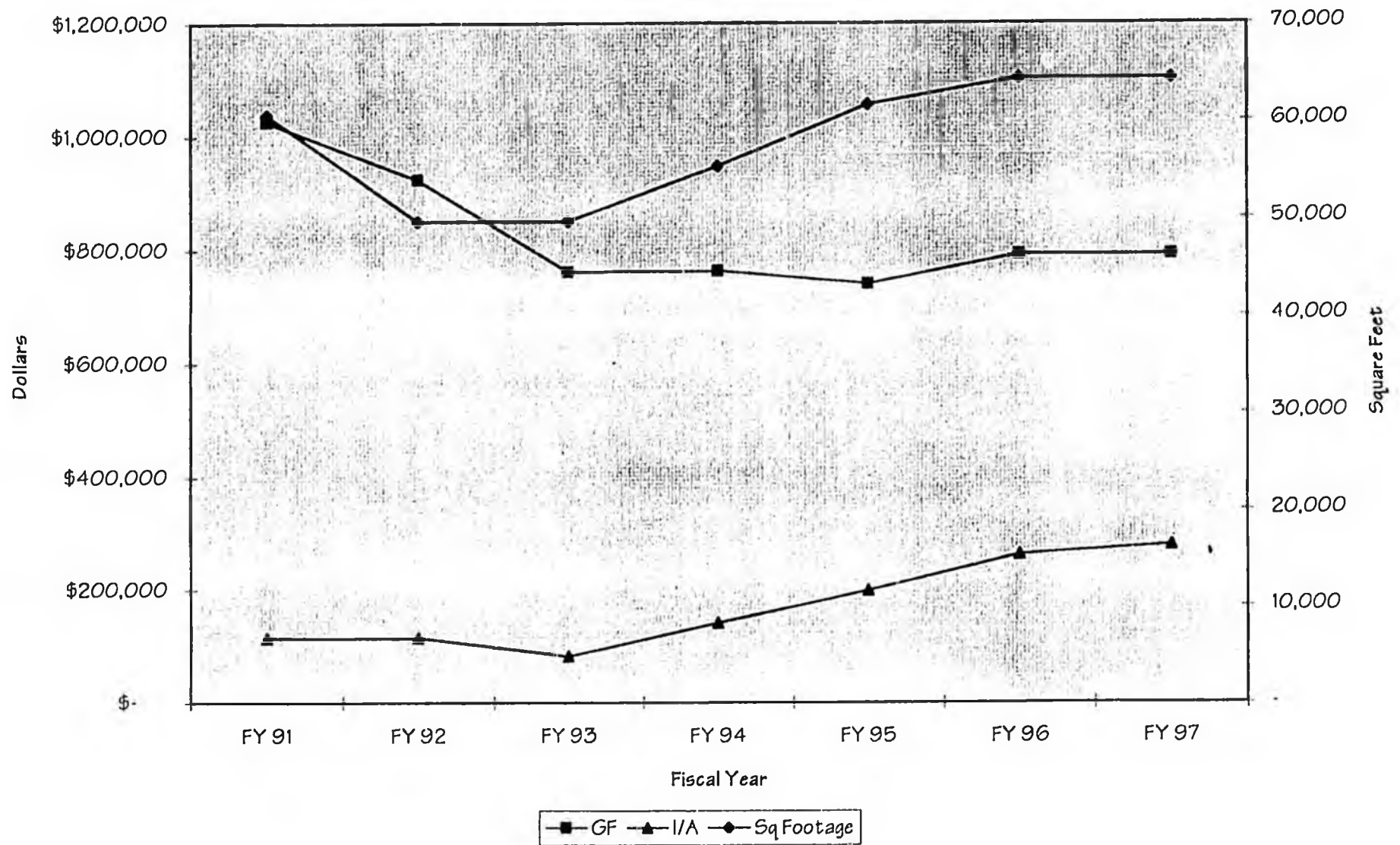
Department of Natural Resources Leasing Costs



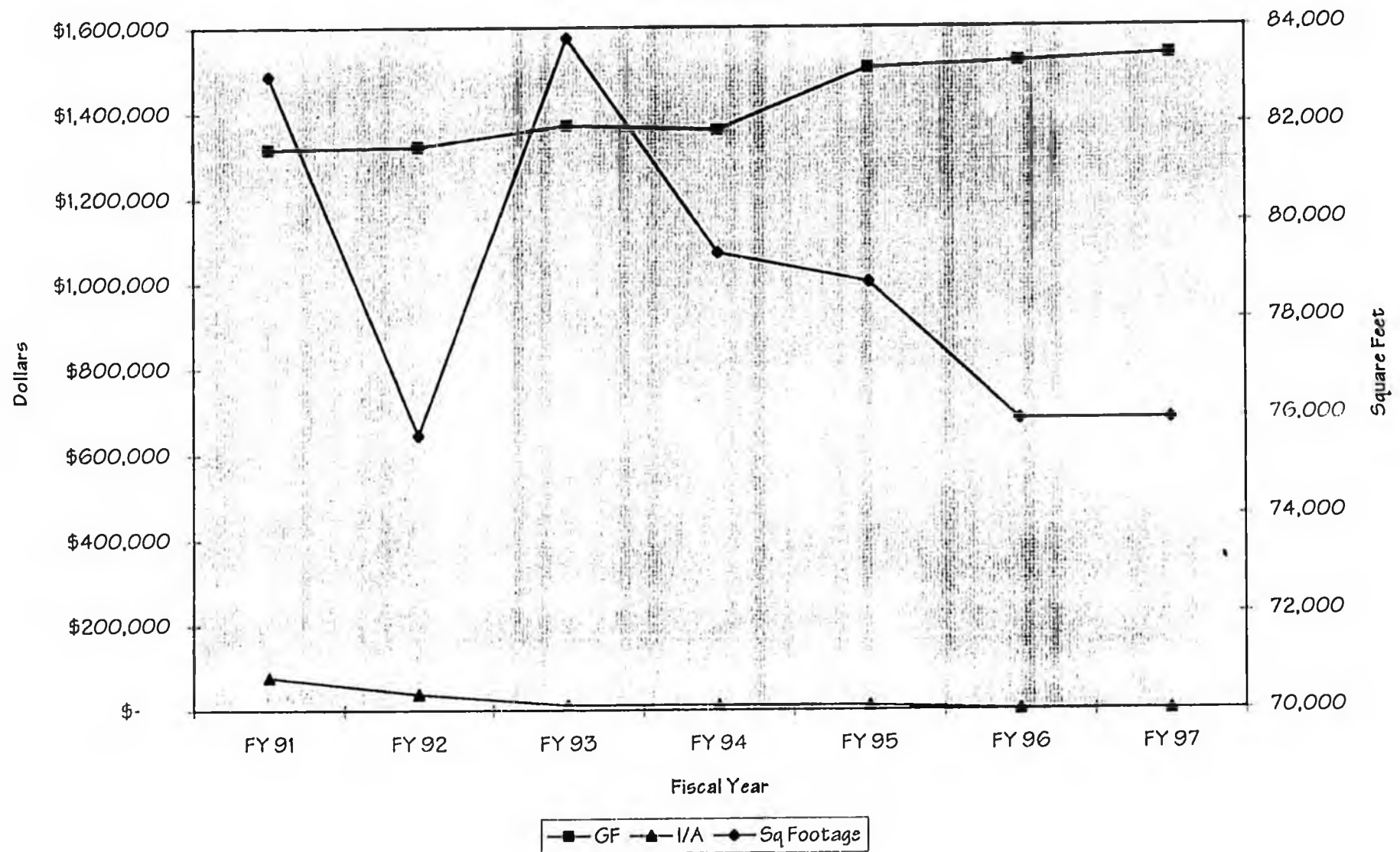
Department of Public Safety Leasing Costs



Department of Revenue Leasing Costs



Department of Transportation & Public Facilities Leasing Costs



OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEW

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-2178
FAX: (907) 465-2090

April 1, 1996

The Honorable Steve Frank
The Honorable Rick Halford
Co-Chairs, Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Co-Chairs Frank and Halford:

As you begin your review of HB 468, the Governor's supplemental legislation, please consider the following amendments.

Attached is the Department of Administration's memo identifying the Longevity Bonus Program's additional FY96 need as \$1,600,000.

Section 9 (a) should be amended to reflect a total request of \$441,634 and identify the following fund source changes for additional judgments:

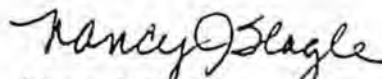
General fund	<u>184,836</u>
	[130,415]
International airports revenue fund	<u>239,201</u>
	[225,300]
Public employees retirement fund	<u>4,012</u>

Section 14 (a) of the bill should be amended to reflect an additional state dated warrant:

Administration	<u>\$42,566</u>
	[12,565]

Thank you for your consideration of these amendments.

Sincerely,



Nancy J. Slagle
Director

cc: Representative Mark Hanley
Representative Richard Foster

MEMORANDUM RECEIVED STATE OF ALASKA
MAR 29 1996 DEPARTMENT OF ADMINISTRATION

To: Annalee McConnell **BUDGET REVIEW** Date: March 29, 1996
Director

Office of Management and Budget
Office of the Governor

File No:

Phone: 465-5655

From: Sharon Barron *Sharon Barron*
Director
Division of Administrative Services

Subject: FY 96 Supplemental
Longevity Bonus Grants

Updated Longevity Bonus Grants projections, with March checks having been issued, confirm the need for a \$1.6 million FY 96 supplemental appropriation.

If you have any questions, please call.

cc: Mark Boyer
Commissioner
Department of Administration

Alison Elgee
Deputy Commissioner
Department of Administration

David Koivuniemi
Assistant Commissioner
Department of Administration

MEMORANDUM

RECEIVED

MAR 29 1996

State of Alaska

Department of Law

BUDGET REVIEW

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

DATE: March 28, 1996

FILE NO.:

TEL. NO.: 465-3600

SUBJECT: Amendment No. 1
FY96 Judgments
Supplemental Appropriation

FROM: Bruce M. Botelho
Attorney General

This is to amend the Department of Law's request of January 5, 1996, for a supplemental appropriation to pay judgments awarded against the state, to include eight new judgments that have been awarded since our original request was made. These include 7 judgments in the amount of \$54,422, which should be paid from the general fund, and 1 judgment in the amount of \$4,012, which should be paid from the public employees retirement fund. In addition, the Brantly and Palmer judgments, in the amount of \$225,300 from the international airports revenue fund, should be increased by \$13,900 to reflect the statutory interest that is now accruing. The interest cost was apparently omitted when the two judgments were submitted by the Department of Transportation and Public Facilities.

An amended judgments supplemental list is attached for your review.

Attachment

Updated 1/23/96

International Airport Fund

Description	Date	Amount	Interest	Total	Cumulative
1 Milburn Brantley Brantley v. State	12/1/95	146,470.76	9,056.88	155,527.64	155,527.64
2 Michael Palmer Brantley v. State	12/1/95	78,800.35	4,872.54	83,672.89	239,200.53

MEMORANDUM

State of Alaska

Department of Administration
Division of Administrative Services

To: Nancy Slagle
Director
Division of Budget Review

Date: March 29, 1996

From: Sharon Burroughs
Director

Phone: 465-5655

Subject: Stale Dated Warrants

Please find attached a fifth stale-dated warrant request amounting to \$826.93. As you recall, we have previously submitted four requests amounting to \$41,738.52 for a five request total of \$42,565.45.

If you need additional information, please call.

cc: Mark Boyer
Alison Elgee
Don Wanie
Dan Spencer
Mary Capobianco
Eric Swanson

OFFICE OF
MANAGEMENT & BUDGET
MAR 29 1996

BUDGET REVIEW

No. 52329076

ALASKA PERMANENT FUND DIVIDEND



This warrant will be deemed paid unless redeemed
within two years after the date of issue per AS 37.05.180. DATE OF ISSUE

52329076

12 15 83

89-52/1252

TREASURY WARRANT

DOLLARS	CENTS
\$*****826.93	

PAY TO THE ORDER OF

IRENE
3021
ANCH

ART
420
AK

Sam Cooper
GOVERNOR

\$**826.93

52329076 121583

Alaska State Legislature

Mark Hanley
Co-Chair
(907) 465-4939

INTERIM ADDRESS
716 W. 4th Ave., Suite 300
Anchorage, Alaska 99501-2133
(907) 258-8192



Richard Foster
Co-Chair
(907) 485-3763

INTERIM ADDRESS
P.O. Box 1630
Nome, Alaska 99762-1630
(907) 443-5036

House of Representatives Committee on Finance State Capitol, Juneau, Alaska 99801-1182

MEMORANDUM

DATE: March 30, 1996

TO: Senator Steve Frank, Co-Chair
Senate Finance Committee

FROM: Representative Mark Hanley, Co-Chair *MH*
House Finance Committee

SUBJECT: FY96 Supplemental - Salary and Benefit Study

Before the Senate Finance Committee completes work on the FY96 supplemental request, HB468, I ask that you consider the addition of funding to pay for a salary and benefit study. The need for such a study was initially pointed out by the Long Range Fiscal Planning Commission which recommended a study be done to:

"Compare salaries and benefits of public employees to appropriate private markets in Alaska and the Pacific Northwest. Use that comparison to move Alaska's pay system for State Employees, local government employees, and school districts to market".

During the House Finance Committee hearings on the new collective bargaining agreements, the Administration argued that state employee salaries have not kept up with inflation and that the new three year agreements will bring state salary in line with the private sector. While the information available does not support these arguments, it is less than perfect. For instance, while the Department of Administration's 1994 Salary Study shows that state worker salaries are 8% above the private sector, the report did not fully compare the cost of benefits.

Senator Steve Frank

(2)

March 30, 1996

The attached sheet provides a rough outline of what I feel the study should address, the oversight of the study, and the approximate costs. The actual appropriation should be crafted by Legal Services to specify the appointment of a group to oversee the study composed of both Legislative and Governor appointees as well as a detailed purpose of the study.

Thank you for your consideration.

attachment

cc: House Leadership
Senate Leadership

SALARY AND BENEFIT STUDY

- Funded in supplemental so RFP can be "on street" as early as possible.
- Results ready by beginning of session next year
- Work to be done by an independent company - big 10 accounting firm or similar with expertise in exactly this sort of study
- RFP, bid award and work product to be developed and overseen by a steering committee consisting of equal members from Legislature and the Administration.
- Members to be appointed by the Presiding Officers and the Governor.
- Approximate costs \$250 to \$500 thousand.
- Put to rest myths/rumors about over/under compensation
- Must cover both salary & benefits
- Compare to Government entities (Feds, Local) in Alaska & other states
- Compare to private sector in AK & Outside
- Consider Cost of Living, Merit Pay, Longevity
- Evaluate individual bargaining units & look at equity within units
- Compare averages & job classes
- Point out unusual benefits, or benefits Alaska state employees have that other states do not have
- Look at all aspects; salary, health, PERS, SBS, leave, per diem, hours worked (37.5); job security vs. private sector (how much is it worth)

3/29/96

Hold for
updated material
relating to the
Supplemental
HB 468.

pk

STATE OF ALASKA

ROUTE SLIP

TO: Mail Station	Department <i>Sen Fin</i>	Division												
Attention <i>Kathy Holmquist</i>														
<table><tr><td>☐ Approval</td><td>☐ Note & Return</td></tr><tr><td>☐ Signature</td><td>☐ Initial & Return</td></tr><tr><td>☐ Comment</td><td>☐ Return as Requested</td></tr><tr><td>☐ Contact Me</td><td>☐ Return for Approval</td></tr><tr><td>☐ Prepare Reply</td><td>☐ Necessary Action</td></tr><tr><td>☐ For Your File</td><td>☐ For Your Information</td></tr></table>			☐ Approval	☐ Note & Return	☐ Signature	☐ Initial & Return	☐ Comment	☐ Return as Requested	☐ Contact Me	☐ Return for Approval	☐ Prepare Reply	☐ Necessary Action	☐ For Your File	☐ For Your Information
☐ Approval	☐ Note & Return													
☐ Signature	☐ Initial & Return													
☐ Comment	☐ Return as Requested													
☐ Contact Me	☐ Return for Approval													
☐ Prepare Reply	☐ Necessary Action													
☐ For Your File	☐ For Your Information													
Remarks: <i>This was submitted w/ amendments to HB 412 (the operating bill) & on page 3, references the shortfall to Longevity Bonus.</i>														
FROM: Mail Station	Department <i>Leg Fin</i>	Division												
By <i>Kathryn</i>	Date <i>3/22/96</i>													

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEW

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-2178
FAX: (907) 465-2090

March 7, 1996

The Honorable Steve Frank
The Honorable Rick Halford
Co-Chairs, Senate Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Senators Frank and Halford:

As the Finance Committee continues to review the Governor's FY97 operating budget (SB213), I would appreciate the committee's consideration of the enclosed budget amendments. These are in addition to the technical amendments submitted to you on February 23, 1996.

The following are changes that are being requested for front section language:

Section 12 of the original bill contains some drafting errors and should reflect the same language that was in the FY96 appropriation bill. The section should be replaced with the following language:

*Sec. 12. INSURANCE AND BOND CLAIMS. (a) Amounts necessary to fund the uses of the state insurance catastrophe reserve account described in AS 37.05.289(a) are appropriated from that account to the Department of Administration.

(b) Amounts equivalent to the amounts to be received in settlement of insurance claims for losses and the amounts to be received as recovery for losses are appropriated from the general fund to the state insurance catastrophe reserve account established by AS 37.05.289.

(c) Amounts equivalent to the amounts to be received in settlement of claims against bonds guaranteeing the reclamation of state land are appropriated from the general fund to the agency secured by the bond. This appropriation is made for the purpose of reclaiming state land affected by a use covered by the bond.

(d) The appropriations made in (b) and (c) of this section are contingent upon compliance with the program review provisions of AS 37.07.080(h).

Also, we are asking that three sections be added to the front section of the bill:

This section will provide transitional language for the use of revenues related to the Clean Air Protection Fund. The fund takes effect upon the date the federal government approves the state plan. It is unknown when that might occur, but we anticipate it sometime during FY97. Contained in the attached amendments is a partial transfer of spending authorization from the Clean Air Protection Fund to the general fund to accommodate expenditures during the first part of the year until the federal plan approval is received. The following front section language will allow excess revenues received prior to approval of the plan to be transferred into the Clean Air Protection Fund.

*Sec. . ALASKA CLEAN AIR PROTECTION FUND. Upon the effective date of the Alaska Clean Air Protection Fund established in AS 46.14.260, an amount equal to the fiscal year 1997 receipts from air permit fees collected under AS 46.14.240-250 less the amount expended or obligated for expenditure is appropriated to the Clean Air Protection Fund .

The following section appropriates the funds for the Exxon Valdez Oil Spill restoration projects. This is in accordance with the Legislative Budget and Audit Committee's request to incorporate these projects into the Governor's budget request. Please be aware that these are simply estimates and the Trustee Council will be completing their project review and approval process sometime in August and September.

*Sec. . EXXON VALDEZ OIL SPILL SETTLEMENT FUND. (a) The sum of \$14,604,400 is appropriated from the Exxon Valdez oil spill settlement fund for restoration projects. The amount appropriated in this section is allocated as follows:

Department of Environmental Conservation	\$130,300
Department of Fish and Game	\$12,500,300
Department of Natural Resources	\$1,973,800

(b) The allocations of Exxon Valdez oil spill settlement funds made in (a) of this section for restoration projects are set out as interagency receipts in section 47 [OR APPROPRIATE NUMBER FOR THE BACK SECTION OF THE BUDGET BILL] of this act and may be reallocated by the Trustee Council upon approval of the Office of Management and Budget.

(c) Trust funds that exceed the amount appropriated in (a) of this section are appropriated conditioned upon compliance with the program review provisions of AS 37.07.080(h). If trust funds fall short of the estimate appropriated in (a) of this section, the appropriation in (a) of this section, and the corresponding restoration project described in Section 47 of this act, is reduced by the amount of the shortfall.

(d) This appropriation lapses September 30, 1997.

In some instances departments have authority to allow vendors to retain a portion of the fees that they collect on behalf of the state as compensation for their services. Examples include the amounts retained by vendors for selling fish and game licenses or credit card fees retained on issuing motor vehicle licenses. Although the funds never enter the state treasury, the Legislature has wanted to see the entire cost of a particular program when reviewing the state budget. The following section allows departments that have the appropriate authority to record into the state accounting system the amounts retained by vendors as state revenue and expenditures.

*Sec. . FEES RETENTION. An amount not to exceed the amount retained as fees by a collector of fees, licenses, taxes, or other money belonging to the state is appropriated from the general fund to the agency authorized by law to generate the revenue for the purpose of compensating the collector for services rendered.

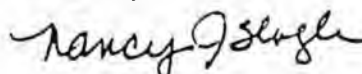
At this time we want to inform you of the Longevity Bonus Grant Program's potential need for ✕ additional funds. We observed over the last couple of months an increasing number of applications and payments. At first it was not clear whether this was a short-term increase or a trend. Based on the best estimate so far, an additional need for FY96 funding could \$1.6 million and for FY97 as much as \$2 million. In order to get a more accurate number, we suggest waiting for a full 9 months of activity before adjusting the appropriations. Our intent is to give you a more precise estimate after the March bonus checks are distributed. Attached is a memo from the Department of Administration explaining the trends they are now experiencing in this program.

We are also requesting a budget structure change for the Department of Health and Social Services. This request is to separate the institutions and administration functions of the Division of Mental Health and Developmental Disabilities from the grant programs within that division.

In light of Annalee McConnell's conversations with you this week on program receipts, we would like to work with you to clarify for the Legislature and the public that an increase in designated program receipts does not affect the fiscal gap. We will be providing to you a listing of all programs identified in the designated program receipt category and their related budget amounts.

Thank you for your consideration of these amendments.

Sincerely,



Nancy J. Slagle
Director

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-4660
FAX: (907) 465-3008

March 14, 1996

Senator Steve Frank
Senator Rick Halford
Co-Chairs, Senate Finance Committee
Alaska State Legislature
Juneau, AK 99811

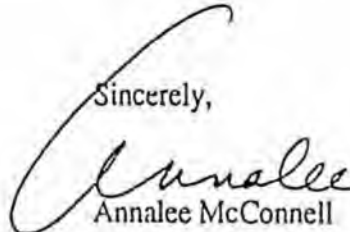
Dear Senators Frank and Halford:

I would like to clarify any misunderstandings that may have occurred regarding the need for additional funds for the Longevity Bonus Program for FY97. It is our intention to submit a request to increase FY97 Longevity Bonus funding prior to the end of March. As I mentioned to Senator Frank and Representative Hanley and as Nancy Slagle mentioned in the amendment transmittal letter of March 7, we are waiting until the March checks have been issued before we submit our formal request. At that time we will have nine months of payment experience upon which to base our projection for next year. As Nancy stated in her letter, the approximate level could be as much as \$2 million, not the \$1.4 million included in the House Cap documents. We are trying hard to avoid a supplemental situation next year or over-budget for this program by giving you the most accurate information possible.

When we submit the increase request for FY97, we will also request supplemental funds for the FY96 Longevity Bonus Program shortage.

Please let me know if you have questions regarding this issue.

Sincerely,



Annalee McConnell
Director

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET

March 11, 1996

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-4660
FAX: (907) 465-3008

The Honorable Steve Frank
The Honorable Rick Halford
Co-Chairs, Senate Finance Committee
State Capitol
Juneau, Alaska 99801-1182

Dear Senators Frank and Halford:

By request of the Governor, HB468 (An Act making supplemental appropriations ...) was introduced, passed by the House and, subsequently, referred to your committee. On behalf of Governor Knowles, I urge you to schedule a hearing as soon as possible.

We have discussed with you and your staff the critical timing of the fire suppression appropriation within this bill. As you recall, the funding for FY96 fire suppression activities was severely underfunded this year with the anticipation that additional need would be provided in the supplemental. The fire suppression budget is out of funds for FY96. Contracts have been negotiated for the upcoming fire season, but can not be encumbered due to the lack of funds. If funds are not available to cover these obligations, contracts may need to be canceled, which will leave the state without aviation resources to deal with fires if, and when, they occur. Attached is a memo from the Department of Natural Resources explaining their concern.

This is just one of the issues raised by delaying action on this bill. Retirement and Benefits' request for funding is also time-critical to their operation. Your quick attention to this request is greatly appreciated.

Sincerely,



Annalee McConnell

Director

cc: Senator Rieger
Senator Sharp
Senator Phillips
Senator Zharoff
Senator Donley

MEMORANDUM
DEPARTMENT OF NATURAL RESOURCES

State of Alaska
SUPPORT SERVICES DIVISION

TO: Nancy Slagle, Director
OMB - Budget Review
Office of the Governor

DATE: March 5, 1996

FILE NO:

PHONE: 465-2406

FROM: *Nico Bus*
Nico Bus
Acting Director

SUBJECT: Fire Suppression

The Fire Suppression aviation contracts for the last half of FY96 have now been awarded and total \$1.0 million. We have been unable to encumber these obligations due to insufficient funds available on AKSAS. We have now over-obligated the Fire Suppression general fund budget.

Currently, there is an unobligated general fund balance of \$78,678 on AKSAS and \$389,942 encumbered. We have released what encumbrances we can to have cash available to make vendor payments and the bi-monthly payroll, but now are running out of options. Many of the encumbrances we have are for services that have already been performed and we are waiting for a bill.

Between April 1st and May 22nd we have 11 aviation contracts that become active. We must have funds available 30 days prior to the start of the contract. According to AS 36.30.390 and AS 36.30.470, if funds are not available we must release the contractor from the obligation. This would not be a good management decision and would probably increase the cost of the aviation contracts if they had to be re-bid. It may also jeopardies the availability of aircraft to fight fire. Between April 1st and May 1st the first five contracts become active. In order to keep these contracts we need to have \$270,330 available by April 1st.

Technically we need to cancel these contracts now, 30 days prior to activation in order not to be bound to this obligation. We need your approval or authorization to keep our obligations in anticipation of a "spec'y" FY96 supplemental.

We look forward to working with you to resolve this funding problem.

cc: Tom Boutin, Director, Division of Forestry
Chris Christianson, Division of Forestry
Bill Andrews, Support Services
Jean Davis, Support Services

**OFFICE OF
MANAGEMENT & BUDGET**

MAR 05 1996

BUDGET REVIEW

OFFICE OF THE GOVERNOR

OFFICE OF MANAGEMENT AND BUDGET
DIVISION OF BUDGET REVIEW

P.O. BOX 110020
JUNEAU, ALASKA 99811-0020
PHONE: (907) 465-2178
FAX: (907) 465-2090

February 16, 1996

The Honorable Mrk Hanley
The Honorable Richard Foster
Co-Chairs, House Finance Committee
State Capitol
Juneau, AK 99801-1182

Dear Co-Chairs Hanley and Foster:

As you continue your review of HB 468, the Governor's supplemental legislation, please consider the following amendment.

We are now requesting reinstatement of Section 10(c) of the original supplemental request at a reduced amount. The Department of Law has settled the Berger case. The final request with interest to May 31, 1996 is \$3,605,800. Attached is the documentation provided by the department regarding the settlement..

Thank you for your consideration of these amendments.

Sincerely,



Nancy J. Slagle
Director

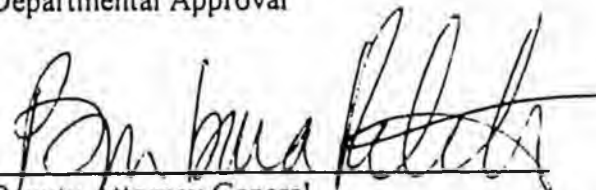
Department of Law

JUDGMENTS/CLAIMS FOR PAYMENT

1. Case Name: *Berger v. State*
2. Case Number: Superior Court: 3AN-89-8710 Supreme Court: S-6078 Civil
3. Date Judgment entered: Supreme Court decision - December 1, 1995
Revised opinion issued January 25, 1996ⁱ
4. Amount to be paid: \$3,500,000
5. Interest Rate: 10.5% Effective Date: February 16, 1996
6. Payable to: Inslee, Best, Doezie & Ryder, In Trust
ATTN: Andrew Symons, Esq.
Security Pacific Plaza, Suite 1900
777 108th Avenue N.E.
Bellevue, Washington 98009-9016
7. SSN or EIN: To be provided.
8. Send check to: ☒ above address ☐ Departmental contact

Departmental contact: Vincent L. Usera
Telephone Number 465-4118

Departmental Approval


Deputy Attorney General

Date: February 16, 1996

This form will be used for the purpose of standardizing the submission of claims and will expedite the payments to the claimants, thereby reducing the amount of lost interest to the state. If any of the information changes, please advise the Deputy Director, Administrative Services division, P.O. Box 110300, Juneau, Alaska, 99811, or call (907)465-3672 as soon as any changes are known.

-
1. The revised opinion merely clarified the Court's ruling, substantively there was no change in the decision.

DEPARTMENT OF LAW

Judgment/Claims for Payment

CASE NAME: *Roger Berger d/b/a Frontier Financial Services v. State of Alaska, Department of Revenue* (Anchorage Superior Court and Alaska Supreme Court).

CASE No.: AN-89-8710 and Supreme Court No. S-6078 (Civil)

1. Describe the circumstances or events resulting in this case and ultimately this judgment against the state.

In early 1989, Roger Berger, doing business as Frontier Financial Services (Frontier), entered into transactions with persons eligible for Alaska Permanent Fund dividends (PFDs) in which a person received between \$325 and \$400 in exchange for the person's assignment of rights to the 1989 PFD. That year the PFD was valued \$873.16. The individual was required to complete a fairly extensive process establishing not only a present expectation of a PFD, but also general creditworthiness. The documentation required of the applicant included a purchase agreement which obligated the individual, in any event, to repay to Frontier the amount of the 1989 PFD. This obligation was further secured by the execution of a Confession of Judgment for that amount.

Faced with both an extraordinary logistical burden because of the escalation of assignments and an alarming increase in multiple applications from individuals entering into these transactions, the Department of Revenue adopted a regulation¹ under which it would decline to honor PFD assignments to other than governmental agencies. For that reason, Frontier altered its handling of these transactions opting instead to have the PFDs for which it had transacted sent directly to it. This was accomplished by having the applicant complete a change of address form instructing the Department of Revenue to send his or her PFD to Frontier. The person then executed a Power of Attorney authorizing Frontier to negotiate the PFD warrant when it was received.

The volume of address changes soon caused the department to realize

1. 15 AAC 23.220 also repealing 15 AAC 23.715.

that this was simply a means of circumventing the anti-assignment regulation and to decide, therefore, that it would not implement these address changes. Parties were notified accordingly.

Frontier brought an action in December, 1989, challenging the anti-assignment regulation and the department's refusal to implement address changes. The Superior Court declared the regulation to be invalid as beyond the scope and authority of the department. In addition to opposing the challenge to the regulation, the State raised the defenses of usury and violation of the Alaska Small Loans Act as barring any recovery. Frontier asserted that the State lacked standing to raise these defenses. The Superior Court held that the State lacked standing to raise the defense of usury, based on the premise that this defense is personal to the borrower, but that the State did have standing to raise a violation of the Small Loans Act in defense of Frontier's action.

After the Superior Court invalidated the regulation and dismissed the defense of usury, briefing was had on the State's standing to raise the Small Loans Act as a defense. The Court ruled that the State did, in fact, have standing. On subsequent cross-motions for summary judgment, the Court ruled that the transactions were loans within the meaning of the Small Loans Act, that the terms of repayment called for excessive interest, and that the Small Loans Act made these transactions unenforceable. An appeal to the Alaska Supreme Court followed.

The Supreme Court in December, 1995, overturned the Superior Court ruling in a three-to-two decision. The Court held that these transactions were not loans, advancing the unique view that 1) to find a loan, the borrower must be shown to have an unconditional expectation to repay, and 2) that that expectation is lacking where the value of the collateral does not exceed the amount to be repaid. In this case, since the individual who sold his rights to the 1989 PFD promised to repay the same amount as the PFD if it were not transferred from the Department of Revenue to Frontier, it made no difference to the person whether the repayment came from the PFD itself or from the person. From this, the Court reasoned that there existed no unconditional expectation to repay, hence there was a sale rather than a loan. Since there was no loan, the interest restrictions contained in the Small Loan Act did not apply.

The State moved for a rehearing pointing out certain dangers in the Court's adoption of this very narrow construction of a loan. In a two-to-two decision, the motion was denied.

Copies of the Supreme Court decision and the State's Motion for rehearing are attached to this questionnaire.

2. Describe issues of state policy or law involved in this case, if they are relevant to and resulted in substantial effort and expense for the department to bring or defend this lawsuit.

The issues considered in this lawsuit were unique and not likely to recur. In 1992 the Legislature enacted AS 43.23.069 which prohibits assignments of PFDs to other than state agencies and the courts. Unless this statute were to be changed, the buying and selling of PFDs could not be "supported" by the availability of assignments.

The suit was carried on over an extensive period of time with a variety of issues being decided on a piecemeal basis. The first decision revolved around the department's regulation. This was found to be outside statutory authority and, therefore, unconstitutional. Had the regulation been upheld, the suit would have ended there. Next came a summary judgment motion dealing with the State's proffered defense of usury. The State had to concede that it was not entitled to raise this defense as the United States Supreme Court, in a factually similar matter, had ruled relatively recently that a government could not use the defense of usury as it was personal to the borrower.

At this point the State moved to add the defense of violation of the Small Loans Act by amending its answer to the complaint. The Superior Court ruled in favor of the State and allowed the defense to be added. Frontier countered with a summary judgment motion charging the Attorney General could not enforce the Small Loans Act. The Superior Court -- and later the Supreme Court -- held that it was perfectly appropriate that the Attorney General undertake enforcement of this statute. This cleared the way for final motion for summary judgment.

3. Did the State prevail on any issues; if so describe those.

The State prevailed on the issue of the Attorney General having authority to enforce the terms of the Small Loans Act and, therefore, to raise that as a defense to Frontier's claims. The Court reaffirmed prior rulings that the Attorney General has the power to intervene in cases in the public interest.

4. Did we challenge plaintiff's request for costs and fees or in other ways seek to reduce the costs to the state? If so describe to what extent they were successful.

The Supreme Court remanded this case to the Superior Court for a determination of the amount of the judgment, including costs and attorney's fees. The State contacted the plaintiff's attorney and discussed settling at a figure below

what might be predictable were the matter to go to trial, in exchange for not having to incur the time and expense of having to go through a trial.

The Plaintiff claimed payment for the full value of some 2,600 PFDs and partial payment for 330 PFDs against which prior claims had been exercised. Claims for PFDs under review or otherwise unaccounted for in 1989 and 1990 could have raised this total. This could have resulted in a total potential judgment of well over \$5 million, including principal, pre-judgment interest for 74 months, and attorney's fees.

Negotiation has resulted in a settlement and judgment in the total amount of \$3.5 million. This amount includes principal, pre-judgment interest through February 15, 1996, and attorney's fees.

5. Any recommendations concerning cases of this type in the future?

Given the statute change in 1992 concerning PFD assignments, this type of case should be repeated.

Attorney completing form: Vincent L. Usera

Date: February 15, 1996

IN THE SUPREME COURT OF THE STATE OF ALASKA

ROGER BERGER, d/b/a FRONTIER
FINANCIAL SERVICES,

Appellant,

v.

STATE OF ALASKA, Department
of Revenue,

Appellee.

Supreme Court No. S-607A

O R D E R

Superior Court No. 3AN-89-8710 Civil

Before: Compton, Chief Justice, Rabinowitz, Matthews, and
Eastaugh, Justices. [Moore, Justice, not
participating.]

IT IS ORDERED:

1. Opinion No. 4289, published on December 1, 1995, is
WITHDRAWN.

2. Opinion No. 4316 is issued on this date in its
place. The major changes to the opinion can be found on pages 4,
5 and 9.

Entered by direction of the Court at Anchorage, Alaska
on January 26, 1996.

CLERK OF THE SUPREME COURT


JAN HANSEN

Notice: This opinion is subject to correction before publication in the Pacific Reporter. Readers are requested to bring errors to the attention of the Clerk of the Appellate Courts, 303 K Street, Anchorage, Alaska 99501, phone (907) 264-0607, fax (907) 275-5808.

THE SUPREME COURT OF THE STATE OF ALASKA

ROGER BERGER, d/b/a FRONTIER	)	
FINANCIAL SERVICES,	)	
	)	Supreme Court No. S-6078
Appellant,	)	
	)	Superior Court No.
v.	)	3AN-89-8710 CI
	)	
STATE OF ALASKA, Department	)	<u>O P I N I O N</u>
of Revenue,	)	
	)	
Appellee.	)	[No. 4316 - January 26, 1996]

Appeal from the Superior Court of the State of
Alaska, Third Judicial District, Anchorage,
Dana A. Fabe, Judge.

Appearances: Mark A. Sandberg, Sandberg,
Smith, Wuestenfeld & Corey, Anchorage, for
Appellant. Vincent L. Usera, Assistant
Attorney General, Bruce M. Botelho, Attorney
General, Juneau, for Appellee.

Before: Moore, Chief Justice, Rabinowitz,
Matthews, Compton and Eastaugh, Justices.

MATTHEWS, Justice.
COMPTON, Justice, with whom RABINOWITZ, Justice,
joins, dissenting in part.

I. BACKGROUND

A. Facts and Proceedings

In 1989, Roger Berger bought the rights to approximately
3000 permanent fund dividends (PFDs). He paid sellers between \$325

and \$400 for their PFDs.¹ To guarantee that he would receive the purchased PFDs, Berger had the sellers send the State a PFD change of address form with Berger's address on it and sign a power of attorney permitting Berger to cash the PFD check. In addition, each seller agreed to pay Berger the amount of the 1989 PFD if the State refused to honor the change of address request or the purchase. Finally, Berger had each seller sign a confession of judgment form so that he could collect the PFD amount from each seller if the State refused to honor the change of address request or the purchase.

Berger went to these lengths to guarantee collection because he knew that the Department of Revenue (DOR) did not favor PFD assignments. During the 1980s, DOR proposed regulations that would have prohibited PFD assignments. In each instance, the Attorney General advised DOR that the proposed regulation violated state law. Nonetheless, in 1989 a regulation was promulgated banning assignments "unless the assignee named is a government agency." 15 Alaska Administrative Code 23.220 (1989). Berger continued to purchase PFDs.

In October 1989, the sellers received a letter from DOR saying DOR would not honor the change of address forms and that DOR would mail PFDs to the sellers. In response, Berger filed suit, requesting damages, an injunction to force the State to honor the

¹ Each PFD was estimated to be worth \$840, and turned out to be worth \$873.16.

PFD assignments, and a declaratory judgment that the regulation barring PFD assignments is invalid.

The superior court denied injunctive relief, and this court denied Berger's petition for review. In 1991, the superior court found that the regulation was beyond the scope of DOR's authority and invalid.² Consequently, the superior court granted partial summary judgment for Berger. The court declined, however, to address whether the transactions were usurious, as claimed by DOR. In 1992, the superior court refused to grant either party summary judgment; it found that the State could not raise the defense of usury because the defense of usury is personal to a borrower, but found that the State could raise the Alaska Small Loans Act (ASLA) as a defense. Finally, in 1993, the superior court found that the PFD purchases were illegal and unenforceable under ASLA, and granted summary judgment for the State. Berger appeals.

B. Usury and the Small Loan Laws

The American colonies adopted English usury laws prior to independence to limit the amount of interest a lender could charge on a loan. See generally Howard J. Alperin & Roland F. Chase, Consumer Law: Sales Practices and Credit Regulation § 497 (1986). While usury laws prevented one evil, they fostered another: loansharking. Usury interest limits were so low that small loans were not profitable. Many people needed to take out

² In 1992 the legislature amended AS 43.23.069(a) to prohibit PFD assignments. This amendment has no effect on the 1989 assignments.

small loans, and turned to loansharks for small loans at illegal interest rates. Because these loans could not legally be enforced, lenders used extra-legal means for collection. 54 Am. Jur. 2d Moneylenders & Pawnbrokers § 7 (1971); National Consumer Law Center, Usury and Consumer Credit Regulation §§ 2.3.3.1, 9.3.5.2 (1987).

In an attempt to curb the loanshark problem, legislatures began passing small loan acts in the early 1900s. These acts often were modeled after the Uniform Small Loan Law drafted by the Russell Sage Foundation. National Consumer Law Center, supra, §§ 2.3.3.1, 9.3.5.2. Small loan laws were special usury statutes, intended to be an exception to the general usury laws. Small loan laws primarily provided a licensing framework by which lenders could become licensed to offer small loans at interest rates higher than those allowed under general usury laws. These laws also prohibited unlicensed lenders from making small loans at rates higher than the general usury rates. Barbara A. Curran, Trends in Consumer Credit Legislation 15-45 (1965); F.B. Hubachek, Small Loan Series: Annotations on Small Loan Laws - Based on the Sixth Draft of the Uniform Small Loan Law (1938).

Alaska followed this general trend. Alaska's usury laws are codified at AS 45.45.010-.090. Under AS 45.45.010(a) the rate of interest is "10.5 percent a year and no more . . . except as provided in (b) of this section." Subsection (b) provides that interest charged by express agreement may not exceed "five percentage points above the annual rate charged member banks for

advances by the 12th Federal Reserve District" on the day the agreement is made, and that an agreement greater in amount than \$25,000 "is exempt from the limitation of this subsection."³ Borrowers are provided with civil remedies if their lender charges too much interest. AS 45.45.010, .030. In 1955 the legislature passed the Alaska Small Loans Act, modeled after the sixth draft of the Uniform Small Loan Law.⁴ Ch. 73 SLA 1955. ASLA describes the licensing process, AS 06.20.010-.220, and provided civil and criminal⁵ penalties for both licensed and unlicensed lenders who violate its provisions. AS 06.20.320. ASLA also prohibits unlicensed lenders from lending less than \$25,000 with interest higher than the legal rate. AS 06.20.300. It is this clause that the State claims Berger violated. However, before discussing whether Berger violated ASLA, we must first address whether the State can raise ASLA as a defense.

³ Subsection (b) was passed at a time when the rate it permitted was substantially higher than the 10.5 percent rate allowed under subsection (a). At this writing, however, the rate charged by the Federal Reserve is 5.25 percent and the permissible rate under subsection (b) is therefore 10.25 percent. This obviously paradoxical situation would appear to be worthy of legislative attention.

⁴ The legislative history does not state this, but the Uniform Small Loan Law and the original Alaska Small Loan Act are nearly identical. Compare Ch. 73 SLA 1955 with Hubachek, supra, at 181.

⁵ In 1993 the legislature repealed ASLA's criminal penalty provision. Ch. 26, § 102, SLA 1993.

II. DISCUSSION

A. The State May Raise the Alaska Small Loans Act as a Defense

Berger contends that the State cannot raise ASLA as a defense. Berger points out that ASLA is a form of usury statute. Traditionally, only borrowers (or their trustees) could raise usury as a defense. Because ASLA is a special usury statute, he argues that only the "borrower" (or, in this case, original PFD holder) can raise it as a defense.

The State addresses Berger's contention as a standing issue.⁷ The State first points out that ASLA is not the State usury statute. And, contrary to the usury statute, ASLA had provisions for criminal enforcement by the Attorney General.⁸ Additionally, the Attorney General has the power to intervene in cases in the public's interest. Since the Attorney General can affirmatively act to enforce ASLA, the State argues that he can raise ASLA as a defense.

⁶ Whether the State can raise ASLA as a defense is a question of law. We review questions of law using our independent judgment and apply the "rule of law which is most persuasive in light of precedent, policy and reason." Summers v. Hagen, 852 P.2d 1165, 1169 (Alaska 1993).

⁷ The State also argues that the doctrine of "estoppel" does not apply. Berger does not use the term estoppel, but claims that because the State did not raise ASLA until other claims failed, "the State's position is one of convenience rather than conviction." He does not cite any legal authority or explain why this is legally significant. Therefore, we do not address the estoppel argument. Adamson v. University of Alaska, 819 P.2d 886, 889 n.3 (Alaska 1991).

⁸ Although the State speaks in the present tense, the legislature repealed ASLA's criminal penalty provision in 1993. Ch. 26, § 102, SLA 1993.

The superior court found that the State had standing to raise ASLA as a defense:

[ASLA] provides that violation of certain of its requirements . . . constitutes a misdemeanor. This court agrees with the State's argument that if the attorney general has the power to bring an action to enforce a state law it must follow that the attorney general has standing to raise [a] violation of that statute in an action for damages against the state.

We agree with the superior court and the State. We have held that the State, through the Attorney General, can act to enforce certain statutes. For example, in Public Defender Agency v. Superior Court, 534 P.2d 947, 949-50 (Alaska 1975), we held that the Attorney General may enforce child support orders. The Attorney General's authority to enforce the support orders stems, in part, from the fact that "willful non-support [is] a misdemeanor." Id. at 949. Additionally, the Attorney General has the common law power "to bring any action which he thinks necessary to protect the public interest." Id. at 950. We reaffirmed Public Defender Agency in State v. First National Bank of Anchorage, 660 P.2d 406 (Alaska 1982). In First National the Attorney General brought suit against several fraudulent real estate developers. Id. at 408-09. The State sought an injunction against further fraudulent sales and restitution for fifty-three defrauded purchasers. Id. at 408. The developers argued "that the State was without authority to enforce the common law rights of these purchasers." Id. at 420. We held that the Attorney General could

bring a suit even "in the absence of express statutory authority."
Id. at 421.

This case is similar to Public Defender Agency. The legislature has expressed an interest in protecting Alaskans from usurious small loans by making such transactions misdemeanors. Additionally, the State argues that invalidating the transactions is in the public interest. Thus, as in Public Defender Agency, we hold that the State can act to enforce a statute, in this case by raising ASLA as a defense to Berger's suit.

B. The Alaska Small Loans Act Does Not Prohibit These Transactions

1. The scope of the Alaska Small Loans Act.

Alaska Statute 06.20.300(a) prohibits unlicensed persons from making small loans, or similar transactions, at a greater interest rate than that allowed under Alaska's general usury statute. The statute states:

Except as authorized in this chapter, a person may not directly or indirectly charge, contract for, or receive any interest, discount, or consideration greater than that which the person would be permitted by law to charge if the person were not a licensee, upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of \$25,000 or less.

AS 06.20.300(a).

⁹ Whether ASLA applies to these transactions is a question of law. We review questions of law using our independent judgment and apply the "rule of law which is most persuasive in light of precedent, policy and reason." Summers v. Hagen, 852 P.2d 1165, 1169 (Alaska 1993).

The superior court ruled that Berger violated the plain language of AS 06.20.300(a):

[Berger] "contracted for" a "consideration" upon the "forbearance" of a "thing in action". The contract entered into between [Berger] and the individual applicant provided that [Berger] would receive consideration in the form of the applicant's 1989 Dividend (a "thing in action") or its cash equivalent. [Berger] would forbear the right to receive the Dividend or payment until January 1, 1990. Therefore, AS 06.20.300 required that the consideration received by [Berger] in these transactions not be greater than authorized by law.

This misconstrues AS 06.20.300. Berger will receive a handsome return on his purchases. However, the statute only forbids handsome returns -- those in excess of the legal rate -- where there is (1) a loan/use/forbearance of money/goods/things in action, or (2) a loan/use/sale of credit.

In this case Berger relinquished money. Thus, AS 06.20.300 only prohibits the transaction if, when Berger paid each PFD seller, he was engaging in the loan or forbearance of money.¹⁰

It is clear that Berger did not engage in the forbearance of money;¹¹ whether he loaned money is less clear. There are two

¹⁰ We interpret the word "use," in this context, to be parallel and similar in meaning to the word "loan" and to apply when the subject matter is goods or things in action rather than money.

¹¹ To forbear money is to refrain from collecting a debt. See Boerner v. Colwell Co., 577 P.2d 200, 204 n.7 (Cal. 1978) ("A 'forbearance' of money is the giving of further time for the repayment of an obligation or an agreement not to enforce a claim at its due date."); H.V. Tvogrett v. University Gardens Homeowners' Ass'n, 687 S.W.2d 481, 483 (Tex. App. 1985) ("'Forbearance' occurs when there is a debt due or to become due, and the parties agree to extend the time of its payment.").

methods for determining whether Berger loaned money. First, did Berger's transactions fit the objective definition of a loan? Second, were the transactions loans disguised as sales? If the answer to either question is yes, Berger loaned money in violation of ASLA.¹²

2. The transactions do not fit the definition of a loan.

A loan is the payment of money by a lender to a borrower in exchange for an agreement to repay with or without interest. See Southwest Concrete Prods. v. Gosh Constr. Corp., 798 P.2d 1247, 1249 (Cal. 1990) ("A loan of money is the delivery of a sum of money to another under a contract to return at some future time an equivalent amount."); Liberty Nat'l Bank & Trust Co. v. Travelers Indem. Co., 295 N.Y.S.2d 983, 986 (N.Y. App. 1968) ("A loan is defined in Webster's New Twentieth Century Dictionary (1964) as ' . . . anything furnished for temporary use to a person at his request, on the condition that it shall be returned, or its equivalent in kind, with or without a compensation for its use'"); Consumer Credit Code (1974 Act) § 1.301(25)(a)(i) (defining loan as including "the creation of debt by the lender's payment of or agreement to pay money to the debtor or to a third person for the account of the debtor").

A sale is the payment of money by a buyer to a seller in exchange for title and possession of property. See Cullen v.

¹² The superior court analyzed the transactions to determine if they were disguised loans, but found that "it [was] not necessary to address this argument, given the fact that ASLA specifically covers the transactions."

Bragg, 350 S.E.2d 798, 799-800 (Ga. App. 1987) (assignment of expected tax refund of \$474 for immediate payment of \$296.53 a sale rather than a loan); Grinnell Corp. v. United States, 390 F.2d 932, 947-48 (Ct. Cl. 1968) (describing sale as, normally, transfer of property for a price); Kline v. Robinson, 428 P.2d 190, 194 (Nev. 1967) ("A sale is the transfer of the property in a thing for a price in money. The transfer of the property in the thing sold for a price is the essence of the transaction."); U.C.C. § 2-106(1) (1987) ("A 'sale' consists in the passing of title from the seller to the buyer for a price.").

In this case, Berger gave each seller money in exchange for a PFD and a promise to repay Berger the value of the PFD if the State did not send Berger the proceeds. These transactions thus contain elements of both definitions but do not exactly fit either. The conditional guarantees add the element of possible repayment (found in a loan) to a transfer of property for money (a sale).

Case law holds that repayment guarantees do not necessarily turn sales into loans. Where such guarantees exist, however, transactions must be scrutinized to determine if they are disguised loans. See Investors Thrift v. AMA Corp., 63 Cal. Rptr. 157, 159 (Cal. App. 1967) ("[A] guarantee of the validity of accounts implemented by an agreement to repurchase 'uncollectible or dispute accounts' [does] not, per se, render the transaction a loan."); Refinance Corp. v. Northern Lumber Sales, 329 P.2d 109, 113 (Cal. App. 1958) ("[T]he giving of a guaranty is simply an item of testimony or evidence which the trial court may consider in

determining whether the transaction is in fact a loan"); Webster v. Sterling Fin. Co., 195 S.W.2d 509, 515 (Mo. 1946) ("[S]ome or all of the unsold installments in each note were pledged to secure the payment of the alleged sold installments, but we find no case or text that such would be evidence tending to show that the transactions were not sales, as stated in the sale agreements."); Coast Fin. Corp. v. Ira F. Powers Furniture Co., 209 P. 614, 615 (Or. 1922) ("The great weight of authority is that [a guaranteed] transaction should be regarded as a valid sale of a chattel with a warranty of soundness"); Val Zimmermann Corp. v. Leffingwell, 318 N.W.2d 781, 790 (Wis. 1982) (When unsure if a guarantee makes a transaction a loan, "examine all of the allegations . . . to determine whether . . . [it is] a usurious loan."). Because the presence of the guarantees precludes finding that the transactions were by definition either loans or sales, we turn to the question of whether the transactions were disguised loans.

3. The transactions are not disguised loans.

Courts often "pierce" suspicious commercial transactions to examine their true nature. See, e.g., Milana v. Credit Discount Co., 163 P.2d 869, 871 (Cal. 1945) ("The courts have been alert to pierce the veil of any plan designed to evade the usury law and in doing so to disregard the form and consider the substance."). See generally Hubachek, supra, at 145-78 (discussing small loan law evasion). Berger's transactions are sale-loan hybrids and should be subjected to the disguised loan analysis we articulated in two

prior cases, McGalliard v. Liberty Leasing Co., 534 P.2d 528 (Alaska 1975), and Metcalf v. Bartrand, 491 P.2d 747 (Alaska 1971).

We first addressed a disguised loan transaction in Metcalf. The transactions at issue began when Bartrand was denied a bank loan. Id. at 748. Her friend, Metcalf, offered to buy part of Bartrand's land for \$3,500, but allow her to keep possession of the land. Id. at 748-49. In return, Bartrand agreed to buy the land back from Metcalf for \$7,000 over three years. Id. When Bartrand later needed more money, Metcalf purchased another parcel of her land for \$5,000 and she agreed to buy it back from him for \$10,000 over two years. Id.

When Bartrand failed to keep up her purchase payments, Metcalf filed a foreclosure action claiming that Bartrand was in default on her contract payments. Id. Bartrand raised usury as a defense. Id. At trial, Metcalf testified that the transactions were sales and repurchases. Id. Bartrand testified that they were loans, and that she had intended to repay the money she had received. Id. The trial court found that the parties intended to make a loan, and that it was usurious and void. Id.

On appeal, we upheld the trial court's characterization of the transactions as disguised usurious loans. Id. at 750-51. We held that the court must look "not to the form but to the substance of the transactions." Id. at 751. We listed six factors for trial courts to consider in deciding whether a transaction is a disguised loan: (1) adequacy of consideration, (2) possession, (3) parties' conduct, (4) parties' financial status, (5) parties'

expectations, and (6) accuracy of documents. Id. at 750. We also held that Bartrand did not have to prove mutual intent to disguise a loan. Id. at 750-51. We concluded that the evidence presented at trial, including Bartrand's testimony of her intent to repay the money she received, was sufficient to support the trial court's finding of a disguised usurious loan. Id.

Our second disguised loan case was McGalliard v. Liberty Leasing Co., 534 P.2d 528 (Alaska 1975). The McGalliards desired to acquire trade fixtures. They selected what they wanted from a fixture supplier, Western Fixtures. It was arranged that Liberty Leasing would pay \$17,836.88 to Western for the fixtures and lease them to the McGalliards who would make thirty-six lease payments totalling \$24,721.92 to Liberty. Id. at 529. At the end of three years, Liberty would extend the lease indefinitely for annual payments of \$1,783.68. Id. After one extension Liberty would normally abandon leased property to its lessees. Id. at 532.

When the McGalliards defaulted after making nineteen payments, Liberty sued them for the balance of the lease. Id. at 529. The McGalliards raised usury as a defense. Id. The trial judge found that the usury statute did not cover the transaction and the McGalliards appealed. Id. In deciding McGalliard, we again listed several factors to consider in determining whether a transaction is a disguised loan: (1) the parties' intent, (2) the parties' discussion of alternatives, (3) the parties' relationship, (4) trade custom, (5) adequacy of consideration, and (6) computation of "charges in a manner in which loan interest is

usually computed." Id. at 530. We found that there was substantial evidence that both parties intended to treat the transaction as a loan. Id. at 530-33. We reversed the trial judge and held that the "transaction was a third-party loan," id. at 533, that is a loan by Liberty, the proceeds of which were used by the McGalliards to buy fixtures from Western.

These cases seem to illustrate that one constant element of a loan is that the borrower has an expectation to repay the money advanced unconditionally, and not merely in default of some other occurrence.¹³ See McGalliard, 534 P.2d at 530; Metcalf, 491 P.2d at 750; see also Kline v. Robinson, 428 P.2d 190, 194 (Nev. 1967) (holding that a loan is the transfer of money under a contract to repay, "and if such be the intent of the parties the transaction will be deemed a loan regardless of its form"). In both Metcalf and McGalliard the borrowers intended to repay the entity which had advanced money, not only because there was a legal obligation to do so, but because that was in their economic interest at the time each transaction was entered into. McGalliard, 534 P.2d at 529-30; Metcalf, 491 P.2d at 749-50.¹⁴

¹³ By contrast, the lender may not expect the borrower to repay the money advanced and, as in Metcalf, may hope that it is not repaid because the value of the security exceeds the amount owed. Metcalf, 491 P.2d at 749.

¹⁴ Repayment by the borrower in Metcalf was in the borrower's interest because the security was worth more than the amount owed. In the case of McGalliard, repayment was in the borrower's interest because the secured property was needed for the borrower's business.

In the present case, it is obvious from the structure of the questioned transactions that the PFD sellers did not have an unconditional repayment expectation, as distinct from knowledge that repayment might be forced upon them as a secondary remedy.¹⁵ To cast the transactions in the present case in lender/borrower terms, forfeiture of the security (the PFD) is what the borrower intends and expects. Payment of the whole amount of the PFD to the lender (Berger), as distinct from allowing the forfeiture of the security, has no particular advantage from the borrower's standpoint because the security is the exact equivalent of the amount owed and is not independently useful to the borrower. These transactions thus lack an essential element of disguised loans and are therefore not forbidden by ASLA.

¹⁵ In the accounts receivable financing cases cited by the dissent, the "seller" of the accounts receivable continued to collect the proceeds due under the accounts from the account debtors and forward them to the "buyer" of the accounts receivable. Brierley v. Commercial Credit Co., 43 F.2d 724, 726 (E.D. Pa. 1929); Milana v. Credit Discount Co., 163 P.2d 869, 871 (Calif. 1945); Dorothy v. Commonwealth Commercial Co., 116 N.E. 143, 147 (Ill. 1917); Mercantile Trust Co. v. Kastor, 112 N.E. 988, 989 (Ill. 1916); Western Auto Supply Co. v. Vick, 277 S.E.2d 360, 366 (N.C. 1981). Thus the "seller" expected to repay the buyer (by forwarding payments from account debtors) if the transaction proceeded as the seller expected that it would; the obligation to repay the buyer was thus not merely activated in default of receipt of payments by account debtors. Thus these cases are consistent with our decision in the present case. Further, unlike the present case, the accounts receivable financing cases involve continuing business relationships between the parties which are in substance indistinguishable from traditional lender/borrower roles.

III. CONCLUSION

Because Berger did not loan or forbear money, ASLA does not cover his purchase of PFD rights, and the State cannot successfully raise ASLA as a defense to paying Berger. Therefore, we REVERSE the decision of the superior court and REMAND for proceedings consistent with this opinion.

COMPTON, Justice, with whom RABINOWITZ, Justice, joins, dissenting in part.

I conclude that the transactions at issue were disguised loans subject to the interest rate limitation of the Alaska Small Loans Act. Since the monetary return to Berger exceeded that limitation, the loan may not be enforced. AS 06.20.310. Thus, I dissent from Section II(B)(3) of the opinion.

The court concludes that the transactions were not disguised loans because the "sellers did not have an unconditional repayment expectation, as distinct from knowledge that repayment might be forced upon them as a secondary remedy." A fair reading of the record, however, reveals that the sellers did have an unconditional repayment expectation.¹ By signing the Purchase Agreement the sellers knew that there was no condition under which the money represented by the permanent fund dividend would not be paid to Berger. Furthermore, the sellers knew that they were ultimately responsible for this payment.

While the court minimizes the importance of the repayment

¹ The "Purchase Agreement" provided,

In the event that the Seller's Alaska Permanent Fund Dividend or cash equivalent thereof is not transferred to the Buyer by January 1, 1990, due to the Seller's failure to qualify for an Alaska Permanent Fund Dividend, non-delivery of the Alaska Permanent Fund Dividend to the Buyer, or a claim to the Seller's Alaska Permanent Fund Dividend paramount to the Buyer's then the Seller shall be in material breach of this agreement.

This clause was followed by a confession of judgment.

guarantees, I consider them crucial to resolving the sale/loan question. An appropriate analogy, given the sui generis nature of permanent fund dividends, is to the sale of accounts receivable at a discount. Parties holding accounts receivable often sell them at less than their face value to obtain immediate cash in hand. If the seller of the accounts is "absolutely released from the obligations imposed by the instrument upon its discount and subsequent transfer," Western Auto Supply Co. v. Vick, 277 S.E.2d 360, 369 (N.C. 1981), aff'd on rehearing, 283 S.E.2d 101 (1981), then the transfer is considered a true sale not subject to usury laws. See Milana v. Credit Discount Co., 163 P.2d 869, 871 (Cal. 1945) ("Contractors are free to buy and sell their property, and this may include promissory notes and other instruments, at a price agreed upon, and when the bona fides of the parties is established the percentage of profit has no relation to the usury law.").

Conversely, if the seller of the accounts remains ultimately responsible for repayment, by means of an endorsement or guarantee, then such transfers are considered loans subject to usury laws, regardless of how the parties describe the transaction. See, e.g., Western Auto Supply, 277 S.E.2d at 368 ("[I]f the purchaser of a note requires the endorsement of the seller as a guaranty of payment . . . the transaction is, in effect, a loan."); Dorothy v. Commonwealth Commercial Co., 116 N.E. 143 (Ill. 1917) (a purported sale of discounted accounts receivable was actually a pledge of those accounts for a loan of money, due to the fact that the seller guaranteed payment of the accounts); Mercantile

Trust Co. v. Kastor, 112 N.E. 988, 991 (Ill. 1916) ("Calling the transaction a sale of accounts does not alter the fact that the transaction is merely an advancement of money, to be repaid by the borrower with a rate of interest greater than that allowed by law."); Brierley v. Commercial Credit Co., 43 F.2d 724, 727 (E.D.Pa. 1929) ("[The seller] got money from the credit company and was bound to see that money in the same amount was returned to the credit company when the accounts came due. What it paid for the accommodation of getting the money from the credit company, instead of having to wait to collect it from its customers, was really interest, though it was called by another name."); Milana v. Credit Discount Co., 163 P.2d at 872 ("The significant fact is that if the defendants had really purchased the accounts and had taken absolute title there would be no occasion for the provision or practice relating to guarantees of payment within specified periods. . . .").

The distinction these cases draw between sales and loans, a distinction which focuses on the alleged seller's continuing obligations to the buyer, offers a more meaningful method of rooting out disguised loans than the rule established by the court today. I would apply this authority to the present case. By requiring permanent fund dividend "sellers" to guarantee repayment unconditionally, the Purchase Agreement "create[d] a debit and credit relationship which [was] not terminated until replacement of the sum borrowed with agreed interest." Id. at 871. In other words, the Purchase Agreement created a loan. I would so hold.



IN THE SUPREME COURT FOR THE STATE OF ALASKA

ROGER BERGER, d/b/a FRONTIER FINANCIAL
SERVICES,

Appellant,

vs.

THE STATE OF ALASKA, Department
of Revenue,

Appellee.

Supreme Ct. No. S-6078 Civil

PETITION FOR REHEARING

The State of Alaska respectfully seeks a rehearing of the decision in this case on the grounds that the Court has misperceived the essential elements of a loan and overlooked the applicability of AS 06.20.290.

The Court has held that an essential element of a loan is that "the borrower has an expectation to repay the money advanced unconditionally, and not merely in default of some other occurrence." Slip Op. at 14-15. From this holding, the Court derives the proposition that the value of the security must exceed the amount of the loan, thus inducing in the borrower the economic motivation to repay, rather than allow a forfeiture of the security. Slip Op. at 15-16.

These holdings were neither advanced nor advocated by Berger in this appeal. Accordingly, the State has not had an opportunity to address this unique restatement of the law concerning small loans, or alert the Court to the pitfalls of adopting this narrow definition of "loan." The State requests an

opportunity to brief and argue this question.

A. No legal authorities that define the term "loan" support the holdings that subjective expectation of unconditional repayment and that the value of collateral exceed that of principal are essential elements of a loan.

The State has found no support for the holding of *Berger* that a transaction is not a loan if the value of the security does not exceed the principal of the loan. None of the authorities cited in the opinion or consulted by the State mention this requirement as an element of a loan, much less the linchpin of the analysis. The following definition, on the other hand, appears in a leading treatise on banking law and is echoed in virtually every authority consulted by the State:

A loan of money is a contract by which one delivers a sum of money to another and the latter agrees to return at a future time a sum equivalent to that which he borrows. In order to constitute a loan there must be a contract whereby, in substance one party transfers to the other a sum of money which that other agrees to repay absolutely, together with such additional sums as may be agreed upon for its use.

6A MICHIE ON BANKS AND BANKING ch. 11, § 1 (1995).¹

1.. The State has researched authorities which define and discuss the elements of loans. In none is there even an allusion to the proposition that the value of the collateral is a determinant of whether a transaction is a loan or a sale. The following authorities either define "loan" or discuss the elements of a loan in various contexts, some finding a loan to exist, others finding in the negative. None support the *Berger* test. See *In Re Bellanca Aircraft Corp.*, 850 F.2d 1275, 1277 (8th Cir. 1988); *Ghirardo v. Antonioli*, 883 P.2d 960, 967 (Cal. 1994); *Southwest Concrete Prods. v. Gosh Constr. Corp.*, 798 P.2d 1247, 1249 (Cal. 1990); *Baxter v. Stevens*, 773 P.2d 890, 892 (Wash. 1989); *Tyrcha v. Wesolek*, 543 N.E.2d 222, 224 (Ill. App. 1 Dist. 1989); *Halco Fin. Serv., Inc. v. Foster*, 770 S.W.2d 554 (Tenn. App. 1989); *Edwards v. Alabama Farm Bureau Mutual Casualty Co.*, 509 So.2d 232, 235 (Ala. Civ. App. 1986); *Brown v. Loveland*, 678 P.2d 292, 296 (Utah 1984); *Rouse v. People's Leasing Co., Inc.*, 638 P.2d 1245, 1247 (Wash. 1982) citing *Hafer v. Spaeth*, 156 P.2d 408 (Wash. 1945); *Rinyu v. Teal*, 593 S.W.2d 759, 761 (Tex. (continued...))

Under this definition, the key elements of a loan are the transfer of money and an agreement for repayment. The difficult cases are those like *McGalliard* and *Metcalf*, where the loans were disguised as a sale of a res. *McGalliard v. Liberty Leasing Co.*, 534 P.2d 528 (Alaska 1975); *Metcalf v. Bartrand*, 491 P.2d 747 (Alaska 1971). Here, the case is easy, because no res was transferred. Money was transferred; money was to be repaid. In the superior court, Berger himself admitted that this transaction was a loan.²

1.(...continued)

Civ. App. 1980); *Boerner v. Colwell Co.*, 577 P.2d 200, 204 (Cal. 1978); *Florence v. New York Life Ins. Co.*, 357 N.E.2d 35, 37 (Ohio 1976); *Lenes v. Dean*, 135 Cal. Rptr. 14, 15 (Cal. App. 1976) quoting *Milana v. Credit Discount Co.*, 163 P.2d 869, 871 (Cal. 1945); *Johns v. Jaeb*, 518 S.W.2d 857, 860 (Tex. Civ. App. 1974); *Carper v. Kanawha Banking and Trust Co.*, 207 S.E.2d 897, 909 (W. Va. 1974); *State v. J. C. Penney Co.*, 179 N.W.2d 641, 645 (Wis. 1970); *Kline v. Robinson*, 428 P.2d 190, 194 (1967); *Whittemore Homes, Inc. v. Fleishman*, 12 Cal. Rptr. 235, 236 (Cal App. 1961); Debora L. Threedy, *Loan Participations - Sales or Loans? Or is that the questions?*, 68 OR. L. REV. 649 (1989); Barry J. Dichter, *Bankruptcy and Insolvency Considerations in Structured Finance Transactions*, 314 Practising Law Institute - Real Estate 89 (1988); Jack M. Feder, *Either A Partner or A Lender Be: Emerging Tax Issues in Real Estate Finance*, 36 Tax Law. 191 (1983); Justin T. Toth, *Texas Usury Law: When is A Borrower's Promise to Repay Absolute?*, 32-Oct. Hous. L. Rev. 42 (1994); Joseph W. Gelb and James F. Lerner, *Update By Subcommittee on Interest Rate Regulation*, 46 Bus. Law. 1255 (1991); BLACK'S LAW DICTIONARY 936 (6th ed. 1990); BALLENTINE'S LAW DICTIONARY 748 (3rd ed. 1969); 25 PROOF OF FACTS 2D 521, 528.

2. The Court's holding that "the borrower [must have] an expectation to repay the money advanced unconditionally, and not merely in default of some other occurrence" does not lead to a finding that these assignments of rights to receive permanent fund dividends were not loans. Here, as the dissent points out, the overwhelming evidence--including a personal guarantee and a confession of judgment--demonstrates that the assignors fully expected to repay the loan with substantial interest. This case turns on the Court's holding that the value of the security must exceed the principal of the loan, which, as the state argues in this petition, is neither a universal nor necessary feature of a loan.

(continued...)

1
2 B. Under the rule of law announced in *Berger*, many usurious transactions will
3 now not be considered loans

4 The law concerning loans in Alaska is now at odds with the rest of
5 the country. Under *Berger*, a usurious loan made with no collateral, or collateral
6 with a value equal to the principal, is no longer a loan. Thus, a typical signature
7 loan, secured only by the borrower's good credit standing, would no longer be a
8 loan and usury laws would not apply. Perhaps most anomalous is the result that
9 a "handshake" loan--a loan secured only by word of mouth, or, perhaps, threat of
10 physical harm--could no longer be considered a loan. As the Court acknowl-
11 edged, it is this very practice of loansharking that usury ceilings and small loans
12 acts were meant to curb. Slip Op. at 3-4.

13
14
15 C. The Court has overlooked that, by analogy, AS 06.20.290 establishes the
16 general principle that money advanced against an assignment of a right to
17 receive a payment of money is a loan

18 In its analysis, the Court has overlooked the implications of
19 AS 06.20.290, which provides that money advanced against an assignment of

20 2.(...continued)

21 Yet, many problems exist with the Court's expression of the requirement of
22 an "intent to repay." Slip Op. at 15. A loan may remain a loan even if the borrower
23 intends to welsh. A better test would focus on the degree of risk. A transaction
24 involving the sale of a right to receive money is a loan if the right is unconditional or
25 guaranteed. Where the right is conditional or otherwise risky, however, the
26 transaction looks more like a sale. See, e.g., *Ghirardo v. Antonioli*, 883 P.2d 960,
967 (Cal. 1994); *Rinyu v. Teal*, 593 S.W.2d 759, 761 (Tex. Civ. App. 1980);
Boerner v. Colwell Co., 577 P.2d 200, 204 (Cal. 1978).

This expression of the test retains the feature seized upon by the Court in
Berger, an "expectation" of repayment. When, as here, the transaction is relatively
risk-free, the parties clearly expect repayment to occur. Focussing on degree of risk,
however, switches the analysis from a focus on subjective intent to quantifiable
market indicators that the courts can more easily and accurately evaluate.

wages, salary, commissions, or other compensation for services is a loan for purposes of the Small Loans Act.³ Although the Permanent Fund Dividend (PFD) technically may not be governed by this statute, the transactions here are highly analogous to the assignment of wages or compensation.⁴ Alaska Statute 06.20.290 states a general policy that assignments of vested rights to receive money should be considered loans, not sales. Because the PFD is so akin to the payments covered by AS 06.20.290, it should receive the same treatment.⁵

3. Were it not for AS 06.20.290, under *Berger*, an assignment of wages could never be considered a loan.

4. Further, the legislature views the PFD as "compensation" to the people of Alaska for use of their natural resources. The PFD was initiated for three purposes, the first two of which are germane to this discussion:

(1) provide a mechanism for equitable distribution to the people of Alaska of at least a portion of the state's energy wealth derived from the development and production of the natural resources *belonging to them as Alaskans*; [and] (2) to encourage persons to maintain their residence in Alaska and to reduce turnover in the state[.]

Williams v. Zobel, 619 P.2d 448, 458 (Alaska 1980) quoting § 1(b), ch. 21 SLA 1980.

5. By contrast, the Georgia State Legislature has adopted a different view and policy regarding assignments of certain rights to receive money. See *Cullen v. Bragg*, 350 S.E. 2d 798, 799-800 (Ga. App. 1987) (Georgia statute requires that assignment of expected tax refund in exchange for immediate payment is a sale, not a loan). To the extent that the Court relied on *Cullen* in *Berger*, the Court must have overlooked that *Cullen* was based on statute, not a common law definition of "loan." To the extent that the Court is examining statutes to determine the definition of "loan," the State submits that AS 06.20.290 is a better indicator of Alaska policy than the Georgia statute that governed the decision in *Cullen*.

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DATED this 11th day of December, 1995 at Juneau, Alaska.

BRUCE M. BOTELHO
ATTORNEY GENERAL

By: 
Vincent L. Usera
Assistant Attorney General

The undersigned certifies that on this date,
a true and correct copy of the foregoing was
served by mail on:

Mark Sandberg, Esq.

12/11/1995

Rebecca J. Baxter

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ROGER BERGER d/b/a FRONTIER
FINANCIAL SERVICES,

Appellant,

vs.

STATE OF ALASKA, D.O.R.,

Appellee.

Supreme Court No. S-6078 CIV

Superior Court No. 3AN-89-8710 CV

OFFER OF JUDGMENT

Pursuant to Civil Rule 68, plaintiff hereby offers to allow entry of judgment in the amount of \$3,500,000 in favor of the plaintiff against the State of Alaska. This amount is inclusive of all costs, interest and attorney fees accrued through February 15, 1996. Any judgment entered upon this offer shall bear interest at legal rate from February 16, 1996 until satisfied.

DATED this 15 day of February, 1996, at Anchorage, Alaska.SANDBERG, WUESTENFELD & COREY
Attorneys for AppellantBy: 

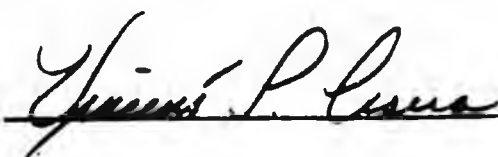
Mark A. Sandberg

ACCEPTANCE

The State of Alaska accepts the offer described above and stipulates to entry of a final judgment on those terms.

DATED this 15 day of February, 1996.

STATE OF ALASKA

By: 

CSHB 468
FY 96 SUPPLEMENTAL APPROPRIATIONS

Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
1	(a)	DOA	Admin Services	Reduce Finance to Fund Public Defender	(49.0)				(49.0)	(49.0)				(49.0)	1	(a)
1	(a)	DOA	Public Defender	Public Defender Bethel Caseload	49.0				49.0	49.0				49.0	1	(a)
1	(b)	DOA	Public Defender	Increased operating costs		195.0			195.0		217.0			217.0	1	(b)
1	(c)	DOA	Office of Public Advocacy	Increased Operating costs	356.4				356.4	356.4				356.4	1	(c)
1	(d)	DOA	Leasing	Increased Operating costs	870.0				870.0	870.0				870.0	1	(d)
1	(c)	DOA	Retirement & Benefits	Increased investment management & record keeping fees				450.0	450.0				450.0	450.0	1	(c)
1	(f)	DOA	Longevity Bonus Grants	Ratify FY 95 xfer of auth from Senior Services	Accepted										1	(f)
2		DCED		Tokyo office lease space	61.2				61.2	61.2				61.2	2	
3	(a)	C&RA	Local Government Assist	Revenue sharing for Kluti-Kaah	(8.3)				(8.3)	(8.3)				(8.3)	3	(a)
3	(a)	C&RA	Municipal Revenue Sharing	Revenue sharing for Kluti-Kaah	8.3				8.3	8.3				8.3	3	(a)
3	(b)	C&RA	Employment Training/Rural Development	Extend lapse date for Rural Development grants June 30, 1997	Accepted										3	(b)
		C&RA	Community & Rural Development	RDLF loans to AIDEA	Not Accepted								650.0	650.0	3	(c)
		C&RA	Community & Rural Development	Recapitalize Rural Dev Initiative Fund	Not Accepted					650.0				650.0	3	(d)
		DCED	AIDEA	Section (c) & (d) contingent on payment to general fund to purchase loans	Not Accepted										3	(e)
3	(c)	C&RA	Commissioner's Office	Grant to Alaska Legal Services Corp.	200.0				200.0	200.0				200.0	3	(f)
3	(d)	C&RA	Commissioner's Office	(f) Contingent on payment of attorney's fees	Accepted										3	(g)
4	(a)	DOC	Admin & Support/ Commissioner's Office	Clearly fines for FY 95 & FY 96	936.6				936.6	936.6				936.6	4	(a)
4	(b)	DOC		(a) Contingent on payment of attorney's fees	Accepted										4	(b)
5	(a)	DOE	Foundation Program	Lapse balance	(1,225.0)				(1,225.0)	(1,225.0)				(1,225.0)	5	(a)
5	(a)	DOE	Foundation Program	Reappropriate lapse to fund disparity	1,225.0				1,225.0	1,225.0				1,225.0	5	(a)

CSHB 468
FY 96 SUPPLEMENTAL APPROPRIATIONS

Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
		DOE	K-12	Extend lapse from sec 104(a), ch. 103, SLA 1995, page 28, line 6 to June 30, 1997	Not Accepted										5	(b)
6	(a)	DEC	Spill Prevention & Response/Underground Storage Tanks	Sec. 47, ch. 94, SLA 1995 page 38, line 18 and sec 47, ch. 95, SLA 1995, page 38, line 22 extend lapse to June 30, 1998	Extended Lapse through June 30, 1997										6	(a)
6	(b)	DEC	Storage Tanks Assistance	Reapp encumbrances through June 30, 1997	Accepted										6	(b)
7		DFG	Admin Services	Increased sale of fish & game licenses				32.7	32.7				32.7	32.7	8	(a)
		DFG		Title Change Section 10, ch. 4. FSSLA 1994 Arctic Yukon Kuskokwim Salmon Fisheries Stock Assessment <u>Projects</u> [EQUIPMENT]	Not Accepted									0.0	8	(b)
8	(a)	HSS	Assistance Payments	Lapse balance	Match	(4,000.0)		(500.0)	(4,500.0)	(4,000.0)			(500.0)	(4,500.0)	9	(a)
8	(a)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of welfare reform	Match	500.0		500.0	1,000.0	500.0			500.0	1,000.0	9	(a)
8	(b)	HSS	Public Assistance Admin	Reappropriate lapse to fund costs of welfare reform		1,900.0		1,600.0	3,500.0	3,500.0				3,500.0	9	(b)
8	(c)	HSS	Family & Youth Services	Lapse balance		(250.0)			(250.0)	(250.0)				(250.0)	9	(c)
8	(c)	HSS	Youth Facility Services	Reappropriate lapse to fund increased operating costs for youth facilities		250.0			250.0	250.0				250.0	9	(c)
8	(c)	HSS	Medical Assistance	Lapse balance	Match	(3,500.0)			(3,500.0)	(3,500.0)				(3,500.0)	9	(c)
		HSS		Reappropriate lapse from Medical Assistance to Alaska Family Independence Program	Not Accepted					3,500.0				3,500.0	9	(d)
8	(d)	HSS	API	Judgment - Helmut v. API			426.9		426.9			426.9		426.9	9	(e)
9	(a)	Law	Legal Services Operations	Judgments & Claims		130.4	13.6	225.3	369.3	130.4		13.6	225.3	369.3	10	(a)
9	(b)	Law	Legal Services Operations	Judgment - Toksook Bay		1,285.0			1,285.0	1,285.0				1,285.0	10	(b)
9	(c)	Law	Oil & Gas Litigation	Reduce to fund Bethel D.A.				(66.6)	(66.6)				(66.6)	(66.6)	10	(d)
9	(c)	Law	Prosecution	Increased caseload-Bethel		66.6			66.6	66.6				66.6	10	(d)

CSHB 468
FY 96 SUPPLEMENTAL APPROPRIATIONS

Hse Sec #		DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #	
					GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds		
9	(d)	Law	Legal Services Operations	Judgment - Berger v. State	3,605.8				3,605.8	3,605.8				3,605.8	10	(c)
10	(a)	MilVets	Military retirement trust fund	Increased costs National Guard Retirement	6,500.0				6,500.0	1,480.5				1,480.5	11	(a)
10	(b)	MilVets	Disaster Relief Fund	Costs of declared disasters	1,557.3				1,557.3	557.3				557.3	11	(b)
11		DNR	Fire Suppression	FY 96 Fire suppression	5,258.6				5,258.6	5,258.6				5,258.6	12	
		DPS	Capital Appropriation	Section 10, ch. 4, FSSLA 94, page 12, line 13 License Plates/Driver Manuals/Equipment												
							Not Accepted							0.0	13	
12	(a)	REV	AIHFC	Lease costs				198.2	198.2				198.2	198.2	14	(a)
12	(b)	REV	Rev Ops/Ak State Pension Investment Board - Benefits Systems Receipts	Change fund sources				67.0	67.0				67.0	67.0	14	(b)
12	(b)	REV	Rev Ops/Ak State Pension Investment Board -PERS	Change fund sources				(67.0)	(67.0)				(67.0)	(67.0)	14	(b)
13	(a)	DOTPF	M&O	Hwy & bridge repair southcentral flood disaster	1,010.0			3,000.0	4,010.0	1,010.0			3,000.0	4,010.0	15	(a)
13	(b)	DOTPF	M&O	Copper River Highway Restoration	720.0				720.0	720.0				720.0	15	(b)
		UofA	Statewide	Monetary terms - CEA			Not Accepted			455.6			6.7	462.3	16	(a)
		UofA	Statewide	Monetary terms - ACCIT			Not Accepted			473.0			33.4	506.4	16	(b)
		GOV	OMB	Emergency disaster & fires FY 96 & FY 97			Not Accepted			1,500.0				1,500.0	17	
14	(a)	DOA	Admin Services	Misc claims, stale date warrants	12.6				12.6	12.6				12.6	18	(a)
14	(a)	C&RA	Admin Services	Misc claims, stale date warrants	0.5				0.5	0.5				0.5	18	(a)
14	(a)	DOC	Admin Services	Misc claims, stale date warrants	11.2				11.2	11.2				11.2	18	(a)
14	(a)	DOE	Admin Services	Misc claims, stale date warrants	0.5				0.5	0.5				0.5	18	(a)
14	(a)	DFG	Admin Services	Misc claims, stale date warrants	1.6				1.6	1.6				1.6	18	(a)
14	(a)	HSS	Admin Services	Misc claims, stale date warrants	64.3				64.3	64.3				64.3	18	(a)
14	(a)	LABOR	Admin Services	Misc claims, stale date warrants	0.1				0.1	0.1				0.1	18	(a)
14	(a)	LAW	Admin Services	Misc claims, stale date warrants	0.1				0.1	0.1				0.1	18	(a)
14	(a)	DPS	Admin Services	Misc claims, stale date warrants	1.6				1.6	1.6				1.6	18	(a)
14	(a)	DOTPF	Admin Services	Misc claims, stale date warrants	2.9				2.9	2.9				2.9	18	(a)
14	(b)	DOTPF	Admin Services	Misc claims, stale date warrants				6.3	6.3				6.3	6.3	18	(b)
14	(c)	DEC	Admin Services	Misc claims, stale date warrants				0.3	0.3				0.3	0.3	18	(c)

CSHB 468
FY 96 SUPPLEMENTAL APPROPRIATIONS

Hse Sec #	DEPT.	BRU/ COMPONENT	DESCRIPTION	CSHB 468 (Fin) am 2/22/96					Governor's Request (Am thru 2/16/96)					Gov's Sec #
				GF	GF/PR	GF/ Mental Health	Other	Total Funds	GF	GF/PR	GF/ Mental Health	Other	Total Funds	
15	DCED		Ratify overexpenditures:	35.1										19
	DOC			94.5										
	C&RA			1.3										
	DOE			42.1										
	DEC			8.5										
	DFG			1.6										
	Law			499.6										
	DNR			233.2										
	REV			37.3										
	DOTPF			5,923.4										
	UofA			0.9										
				6,877.5										
16		Exxon Valdez Oil Spill Trustee Council	Extend lapse re RP 11-6-9990											7
17 (a)			Sections 8(b) & 13 are capital projects											20 (a)
17 (b)			Section 10 capitalizes funds											20 (b)
18			Providing for effective dates											21
			Totals	17,553.3	195.0	440.5	5,446.2	23,635.0	19,712.4	217.0	440.5	4,536.3	24,906.2	
			GF Only	17,553.3	195.0	440.5		18,188.8	19,712.4	217.0	440.5		20,369.9	

SENATE BILL NO. 260

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/2/96

Referred: Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act making supplemental appropriations for the expenses of state
2 government and making and amending appropriations; ratifying certain state
3 expenditures; and providing for an effective date."

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

5 * Section 1. DEPARTMENT OF ADMINISTRATION. (a) To meet increased caseloads
6 at the public defender agency in Bethel, the following are amended to read:

7 (1) Section 47, ch. 94, SLA 1995, page 16, line 5:

8	APPROPRIATION	GENERAL	OTHER
9	ITEMS	FUND	FUNDS
10	Centralized Administrative <u>26,146,200</u>	<u>14,765,000</u>	11,381,200
11	Services [26,195,200]	[14,814,000]	

12 (2) Section 47, ch. 94, SLA 1995, page 15, line 38:

13	APPROPRIATION	GENERAL
14	ITEMS	FUND

1	Public Defender Agency	<u>8,153,300</u>	<u>8,153,300</u>
2		[8,104,300]	[8,104,300]

3 (b) The sum of \$217,000 is appropriated from general fund/program receipts to the
 4 Department of Administration, public defender agency, for increased operating costs for the
 5 fiscal year ending June 30, 1996.

6 (c) The sum of \$356,400 is appropriated from the general fund to the Department of
 7 Administration office of public advocacy, for increased operating costs for the fiscal year
 8 ending June 30, 1996.

9 (d) The sum of \$870,000 is appropriated from the general fund to the Department of
 10 Administration for the leasing program for the fiscal year ending June 30, 1996.

11 (e) The sum of \$450,000 is appropriated from benefits systems receipts to the
 12 Department of Administration, retirement and benefits program, for increased investment
 13 management and record keeping fees due to higher than projected growth in retirement system
 14 assets, for the fiscal year ending June 30, 1996.

15 (f) To meet increased costs of the longevity bonus program for the fiscal year ending
 16 June 30, 1995, the following are amended to read:

17 (1) Section 42, ch. 3, FSSLA 1994, page 13, line 34, as amended by sec. 44,
 18 ch. 4, SLA 1995:

19		APPROPRIATION	GENERAL
20		ITEMS	FUND
21	Longevity Bonus Grants	<u>72,733,000</u>	<u>72,733,000</u>
22		[72,709,900]	[72,709,900]

23 (2) Section 42, ch. 3, FSSLA 1994, page 13, line 35:

24		APPROPRIATION	GENERAL	OTHER
25		ITEMS	FUND	FUNDS
26	Senior Services	<u>43,905,100</u>	<u>36,983,900</u>	6,921,200
27		[43,928,200]	[37,007,000]	

28 * Sec. 2. DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT. The
 29 sum of \$61,200 is appropriated from the general fund to the Department of Commerce and
 30 Economic Development to lease less expensive office space in Tokyo, for the fiscal years
 31 ending June 30, 1996 and June 30, 1997.

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

HB 4168
P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

February 1, 1996

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Phillips:

In the first two weeks of my administration, I made a public commitment not to play the supplemental game. The FY96 supplemental request I am submitting to you now makes good on that promise. It falls within the \$20 million level anticipated in the FY96 budget plan approved by the legislature last May and signed by me. I have insisted that agencies manage their resources in a manner consistent with overall appropriations. This is the lowest supplemental request in nearly ten years, a far cry from the \$37 million to \$168 million requests of recent years.

You will find requests which are customary and entirely appropriate for the supplemental process such as legal judgments and claims, ratifications of past year expenditures, extensions of lapse dates and miscellaneous claims and stale-dated warrants. Three categories -- wild land fire fighting activities, flood disasters, and facility leases -- were identified in the last appropriation cycle as expenditures which the Legislature explicitly preferred to fund through supplementals.

In a few cases, we propose adjusting appropriations within a department to meet needs that were unanticipated when the budget was passed last May. In keeping with responsible budget discipline, I asked agencies to find ways to cover these needs within their existing appropriations if at all possible. As a result of this effort, you will find several net-zero proposals that realign projected savings within an agency to cover anticipated shortfalls for FY96.

We have encountered several problems as a result of the Legislature's decision to fund fire and disaster activities in supplementals. It was sometimes difficult during the interim to reach legislative leaders to get their approval for disaster relief. We are anticipating that the extremely low temperatures and snowfall in Alaska this year may mean worse than usual fire and disaster seasons. The Department of Natural Resources must begin negotiations with contractors very soon on contracts for the upcoming fire season and

emergency fire fighter wages. We do not have funding authorization for these contracts; it will be needed by March so final agreements can be signed. Despite working diligently to close out past disaster accounts, as it stands now, the Department of Military and Veterans Affairs will not have sufficient general fund authorization for this spring's floods.

To rectify these problems, I am recommending that the supplemental budget include approximately \$2 million to restore an appropriate funding mechanism for the types of disasters and fires that occur every year. Since we have kept other supplementals to a minimum, we can fix this problem within the \$20 million projected for total supplementals. My Office of Management and Budget would like to work with the finance committees to address the Legislature's concerns about cost control, timely close-out of past disaster accounts and the ability to respond quickly to disasters and fires.

This supplemental proposes investing in three important components of welfare reform using anticipated lapses due to reduced caseloads in Medicaid and Aid to Families with Dependent Children. To meet new federal requirements, we absolutely must revamp our eligibility determination computer systems. We can get a head start on this two to three year project using AFDC funds that would otherwise lapse. Additional child care funds will enable us to help even more parents move from welfare to work this year. The family independence emergency fund would allow us to keep future AFDC appropriations lower by providing a back-stop in case the number of families on welfare does not drop as quickly as we project.

To ensure budget discipline, I urge your early consideration of this supplemental bill. Additional information about these requests will be provided by the Office of Management and Budget.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tony Knowles', written over a horizontal line.

Tony Knowles
Governor

Department of Community and Regional Affairs						
Rural Development Grants						
Fiscal Year carryforward balances						
Front section (3b) in supplemental bill (HB468)						
FY	GF Auth	GF Carryforward	GF Grant Carryfrwd	Fed Auth	Fed Carryfrwd	Comments
94	1,595,200	209,857	196,436	0	0	
95	1,518,100	1,091,145	1,089,936	600,000	407,201	Federal carryforward is all grants
96	1,042,100	100,000	100,000	400,000	0	Estimated total carryforward