



DEPARTMENT OF THE INTERIOR

Office of the Secretary

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Reestablishment of the *Exxon Valdez* Oil Spill Public Advisory Committee

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of reestablishment.

SUMMARY: The U.S. Department of the Interior is reestablishing the *Exxon Valdez* Oil Spill Public Advisory Committee (Committee). The Secretary of the Interior, after consultation with the General Services Administration, is reestablishing the Committee charter for 2 years. The Committee provides advice related, and not limited to, commercial fishing, tourism, general season and subsistence hunting, outdoor recreation, wildlife conservation, and native land issues.

DATES: Comments regarding the reestablishment of the Committee must be submitted no later than [INSERT DATE 7 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: You may submit your comments to lisa_fox@ios.doi.gov.

FOR FURTHER INFORMATION CONTACT: Lisa Fox, U.S. Department of the Interior, Office of Environmental Policy and Compliance, 3801 Centerpoint Dr., Anchorage, Alaska 99503, (907) 227-3783, or by email at lisa_fox@ios.doi.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The Memorandum of Agreement and Consent Decree (settlement of *United States v. State of Alaska*, No. A91-081 CV, Section V.A.4.) (1991) (Consent Decree) establishing the *Exxon Valdez* Oil Spill Trustee Council (Trustee Council),

also required the creation of a public advisory group to advise the Trustee Council.

Consequently, the Committee was established and began functioning in October 1992. The Committee consists of 10 members representing the following principal interests:

aquaculture/mariculture, commercial fishing, commercial tourism, conservation/environmental, native land ownership, recreation, sport hunting/fishing, subsistence, science/technology, and public-at-large. In order to ensure that a broad range of public viewpoints continues to be available to the Trustee Council, and in keeping with the settlement agreement, the continuation of the Committee is recommended.

In accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C., Ch. 10), and in consultation with the General Services Administration, the Secretary of the Interior hereby reestablishes the charter for the *Exxon Valdez* Oil Spill Public Advisory Committee.

PUBLIC DISCLOSURE OF COMMENTS:

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

PUBLIC INTEREST DETERMINATION:

Pursuant to 41 U.S.C. 102-3.60(a) to establish, renew, reestablish, or merge a discretionary (agency discretion) advisory committee, an agency must first consult with the General Services Administration's Committee Management Secretariat (Secretariat) and, as part of the consultation, provide a written public interest determination approved by the head of the agency to the Secretariat with a copy to the Office of Management and Budget. In addition, pursuant to 41 U.S.C. 102-3.35, an agency shall follow the same consultation process and

document in writing the same determination of need before creating a subcommittee under a discretionary committee that is not made up entirely of members of a parent advisory committee.

Information on the following factors for the *Exxon Valdez* Oil Spill Public Advisory Committee (Committee) is provided to the Secretariat to demonstrate that establishing the Committee is in the public interest:

1. Annual budget

Up to \$25,337. All costs are paid by the *Exxon Valdez* settlement fund.

a. Federal personnel on a full-time equivalent (FTE) basis

0.05 FTEs

b. Other Federal internal costs

Approximately \$5,343

c. Proposed payments to members

\$0

d. Proposed number of members

10

e. Reimbursable costs

Approximately \$19,994

2. If applicable, the total dollar value of grants expected to be recommended during the fiscal year

N/A

3. Criteria for selecting members to ensure the committee has the necessary expertise and fairly balanced membership

Committee membership, balance, including individual/industry perspectives and expertise are primarily dictated by the Committee Charter. To obtain members in support of Committee Charter requirements for balanced perspective for ten seats, the Department of the Interior announces a 30-day open call for nominations period in the

Federal Register and the Designated Federal Officer solicits candidate names from the Federal and State agencies. The call for nominations is also announced on the *Exxon Valdez* Oil Spill Trustee Council website and the Trustee Council advertises vacancies on social media sites. Members will be selected from among all sources described above, as well as the interest groups listed in the Committee Charter. This membership model for the Committee assures a range of perspectives and expertise reflecting the breadth of its responsibilities as identified in the Committee Charter.

4. List of all other Federal advisory committees of the agency

Acadia National Park Advisory Commission

Advisory Committee on Landslides

Alaska Resource Advisory Council

Aquatic Nuisance Species Task Force

Arizona Resource Advisory Council

Avi Kwa Ame National Monument Advisory Committee

Baaj Nwaavjo I'tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument Advisory Committee

Bears Ears National Monument Advisory Committee

Boston Harbor Islands National Recreation Area Advisory Council

Bristol Bay Subsistence Regional Advisory Council

Bureau of Indian Affairs Advisory Board for Exceptional Children

California Desert District Advisory Council

Cape Cod National Seashore Advisory Commission

Cedar Creek and Belle Grove National Historical Park Advisory Commission

Central California Resource Advisory Council

Colorado River Basin Salinity Control Advisory Council

Committee for the Preservation of the White House

Eastern Interior Alaska Subsistence Regional Advisory Council

Eastern Washington Resource Advisory Council

Exxon Valdez Oil Spill Public Advisory Committee

Geologic Mapping Advisory Committee

Gettysburg National Military Park Advisory Commission

Gila Box Riparian National Conservation Area Advisory Committee

Glen Canyon Dam Adaptive Management Work Group

Grand Staircase-Escalante National Monument Advisory Committee

Hunting and Wildlife Conservation Council

Idaho Resource Advisory Council

Jimmy Carter National Historic Site Advisory Commission

John Day-Snake Resource Advisory Council

Kalaupapa National Historical Park Advisory Commission

Kodiak/Aleutians Subsistence Regional Advisory Council

Mary McLeod Bethune Council House National Historic Site Advisory Commission

McInnis Canyons National Conservation Area Advisory Council

Missouri Basin Resource Advisory Council

Mojave-Southern Great Basin Resource Advisory Council

National Geospatial Advisory Committee

National Park of American Samoa Advisory Board

National Park Service Subsistence Resource Commission-Aniakchak National
Monument

National Park Service Subsistence Resource Commission-Cape Krusenstern National
Monument

National Park Service Subsistence Resource Commission-Denali National Park

National Park Service Subsistence Resource Commission-Gates of the Arctic National

Park

National Park Service Subsistence Resource Commission-Kobuk Valley National Park

National Park Service Subsistence Resource Commission-Lake Clark National Park

National Park Service Subsistence Resource Commission-Wrangell-St. Elias National

Park

National Volcano Early Warning System Advisory Committee

Native American Graves Protection and Repatriation Review Committee

North Slope Science Initiative Science Technical Advisory Panel

North Slope Subsistence Regional Advisory Council

Northern California District Resource Advisory Council

Northern New Mexico Resource Advisory Council

Northwest Arctic Subsistence Regional Advisory Council

Northwest Resource Advisory Council

Preservation Technology and Training Board

Rio Puerco Management Committee

Rocky Mountain Resource Advisory Council

San Rafael Swell Recreation Advisory Council

Santa Rosa and San Jacinto Mountains National Monument Advisory Committee

Scientific Earthquake Studies Advisory Committee

Seward Peninsula Subsistence Regional Advisory Council

Sierra Front Northern Great Basin Resource Advisory Council

Southcentral Alaska Subsistence Regional Advisory Council

Southeast Alaska Subsistence Regional Advisory Council

Southeast Oregon Resource Advisory Council

Southern New Mexico Resource Advisory Council

Southwest Resource Advisory Council

Sport Fishing and Boating Partnership Council

Steens Mountain Advisory Council

Tallgrass Prairie National Preserve Advisory Committee

The Wyoming Resource Advisory Council

Tule Springs Fossil Beds National Monument Advisory Council

Utah Resource Advisory Council

Wekiva River System Advisory Management Committee

Western Interior Alaska Subsistence Regional Advisory Council

Western Montana Resource Advisory Council

Western Oregon Resource Advisory Council

Wild Horse and Burro Advisory Board

Yukon/Kuskokwim Delta Subsistence Regional Advisory Council

5. Justification that the information or advice provided by the Federal advisory committee or subcommittee is not available from another Federal advisory committee, another Federal Government source, or any other more cost-effective and less burdensome source

The Committee provides unique and substantive input to the Trustee Council based on the subject matter expertise, professional affiliations, and professional and personal experiences of Committee members. The Committee provides advice related, and not limited to, commercial fishing, tourism, general season and subsistence hunting, outdoor recreation, wildlife conservation, and native land issues. Members of the Committee typically have years of professional experience as business owners, managers, participants in the wildlife conservation and recreation field, or as leaders on other regionally based public boards, councils or interest groups. There is no equivalent body of advisers empaneled to address the specific set of issues the Committee is tasked with, or to assist the Trustee Council with the specific subject matter by providing consensus,

group advice. The Department of the Interior is obligated by the Consent Decree to solicit Committee members and facilitate meetings. Any costs incurred by the Department of the Interior for these purposes are paid by *Exxon Valdez* Oil Spill funds.

6. If the consultation is a committee renewal, a summary of the previous accomplishments of the committee and the reasons it needs to continue

The Committee has been in existence since it was required by the Consent Decree and subsequently established in October 1992. The Committee has provided consistent expertise and consolidated advice to the Trustee Council for over 30 years. Specifically, the Committee has successfully advised the Trustee Council in decisions regarding planning, evaluation and allocation of available funds; planning, evaluation and conduct of injury assessments; restoration activities; long term monitoring; and research activities.

7. Explanation of why the committee/subcommittee is essential to the conduct of agency business

The Trustee Council was established to manage the funds obtained from the civil settlement of the *Exxon Valdez* Oil Spill. The Trustee Council is composed of three Federal representatives (Secretary, U.S. Department of Agriculture; Administrator, National Oceanic and Atmospheric Administration; and Secretary, U.S. Department of the Interior) and three State of Alaska trustees (Attorney General; Commissioner, Department of Environmental Conservation; and Commissioner, Department of Fish and Game). The Committee is a requirement of the Consent Decree, and the Committee Charter identifies the Department of the Interior, Alaska, as the Designated Federal Officer. Trustee Council administration of *Exxon Valdez* oil spill funds dedicated to the recovery of resources injured by the oil spill, as well as long term research and monitoring, are of tremendous public benefit. The Committee serves the public interest as the sole advisory body to the Trustee Council by providing expertise and professional

knowledge essential to the Trustee Council in decisions regarding administration of these funds.

In conclusion, this public interest determination documents that reestablishing the Committee is in the public interest, essential to the conduct of agency business, and that the information to be obtained is not already available through another advisory committee or source within the Federal Government.

CERTIFICATION STATEMENT:

I hereby certify that the reestablishment of the charter for the *Exxon Valdez* Oil Spill Public Advisory Committee is necessary and in the public interest in connection with the performance of duties mandated by the settlement of *United States v. State of Alaska*, No. A91-081 CV, and is in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended and supplemented.

(*Authority*: 5 U.S.C. Ch. 10)

Doug Burgum,

Secretary of the Interior.

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