M/V *Selendang Ayu* Oil Spill
Natural Resource Damage Assessment and Restoration
Trustee Resolution 2025-01:
Reimbursement of Costs Incurred January 1, 2021, through December 31, 2024

1. *Whereas*, the United States Department of the Interior (DOI), acting through the United States Fish and Wildlife Service (USFWS), the United States Department of Commerce, acting through the National Oceanic and Atmospheric Administration, and the State of Alaska, acting through the Departments of Environmental Conservation (ADEC), Fish and Game (ADFG), Law (ADOL), and Natural Resources (ADNR), are the six Natural Resource Trustee agencies ("Trustees") responsible for the natural resource damage assessment and restoration (NRDAR) associated with the 2004 M/V *Selendang Ayu* oil spill that occurred along the northern shore of Unalaska Island, Alaska;

2. *Whereas*, on November 25, 2016, the Trustees submitted to the United States Coast Guard's National Pollution Funds Center (NPFC) a request for funding to reimburse the Trustees for past assessment costs and to support the Trustees' future efforts to complete the injury assessment and restoration planning work and to prepare a draft Restoration Plan (hereinafter, the "November 2016 claim");

3. *Whereas*, as a result of the November 2016 claim, the NPFC awarded funding to the Trustees in 2017 in the amounts of (a) $1,236,943.47 as reimbursement of the Trustees' past assessment costs up to October 20, 2015 and (b) $2,462,116.00 for the Trustees' future work on and after October 21, 2015 to complete the injury assessment and restoration planning work and to prepare a draft Restoration Plan (hereinafter "NPFC Award"); and all of these funds were deposited into the DOI NRDAR Fund, Account #0451, on behalf of the Trustees;[*]

4. *Whereas*, through Trustee Resolution 2017-01, the funds provided by the NPFC to reimburse the Trustees' past assessment costs through October 20, 2015 have been distributed to the Trustee agencies, except for the remaining[†] $37,851.46 belonging to the DOI/USFWS;

5. *Whereas*, through Trustee Resolutions 2018-01, 2018-02, and 2021-01, some of the funds provided by the NPFC for future work have been distributed to Trustee agencies, and $1,196,910.68 remained available in the DOI NRDAR Fund, Account #0451, for future work after those distributions (and no additional distributions have been made as of the date of this Resolution);

6. *Whereas*, the USFWS and ADEC have incurred costs during the period January 1, 2021 through December 31, 2024, for which these agencies seek reimbursement from their respective allotments of the NPFC Award for future work, in the amounts summarized in Table 1 and supported by the cost documentation provided to the Trustees for review;

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[*] The $1,236,943.47 value is consistent with the amount that the NPFC specified in its award letter for past assessment costs, but it is $1.00 more than the amount actually deposited into the NRDAR Fund. The $2,462,116.00 value is consistent with the amount that the NPFC specified in its award letter for future costs, but it is $1.00 less than the amount actually deposited into the NRDAR Fund.

[†] as of April 2, 2025

Table 1: Amounts requested by each Trustee agency as reimbursement for costs incurred January 1, 2021, through December 31, 2024.

NPFC Activity	**USFWS**	**ADEC**
1-Marine Resources Injury Assessment	$175.80	$3,668.37
2-Marine Mammal Injury Assessment	$0	$0
3-Marine Bird Injury Assessment	$0	$0
5-Restoration Planning	$21,787.99	$394.55
6-Trustee Coordination	$0	$0
7-Outreach / Administrative Record	$3,388.02	$317.74
Total	$25,351.81	$4,289.88

7. *Whereas*, from the funds provided by the NPFC for future work, the USFWS requests the release of $43,226.03 to support its case-related direct costs incurred and anticipated during Calendar Year 2025, as described in Table 2 (the associated indirect costs will be requested at a later time after the actual direct and indirect expenditures are known);

8. *Whereas*, after careful review of the cost documentation for costs incurred from January 1, 2021, through December 31, 2024, provided by each Trustee agency seeking reimbursement under this Resolution, the Trustees find that:

(a) the incurred and anticipated costs are reasonable and appropriate for the *Selendang* case,
(b) the incurred and anticipated costs are in accordance with the *Selendang* Assessment Plan and adhere or will adhere to the limitations imposed by the NPFC on the use of the 2017 award,
(c) the incurred costs are, and anticipated costs will be, sufficiently supported by cost documentation,
(d) cumulative expenditures within each Activity do not exceed the amount authorized by the NPFC, and
(e) cumulative expenditures of the NPFC award by each Trustee agency do not exceed the amounts budgeted for each Trustee agency and agreed to by the Trustees during the development of the November 2016 claim;

9. *NOW, THEREFORE, BE IT RESOLVED,* the Trustees request that the DOI NRDAR Fund perform fund transfers from Account #0451, sub-account "Future Damage Assessment" to the Trustee agencies, and in the amounts, shown in Table 2.

Table 2: Summary of fund transfers.

Receiving Trustee Agency	Requested Release of Funds
USFWS	$68,577.84
ADEC	$4,289.88
total	$72,867.72

CONCURRED IN by the following who are duly authorized:

FOR THE U.S. DEPARTMENT OF THE INTERIOR:

_____ _____
Veronica Varela, Trustee Representative Date
U.S. Fish and Wildlife Service

FOR THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

_____ _____
Sarah Allan, Trustee Representative Date
National Oceanic and Atmospheric Administration

FOR THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

Jody Barthlow Digitally signed by Jody Barthlow
Date: 2025.06.23 15:15:44 -08'00'

_____ _____
Jody Barthlow, Trustee Representative Date
Alaska Department of Environmental Conservation

FOR THE ALASKA DEPARTMENT OF FISH AND GAME:

_____ _____
Ben Mulligan, Deputy Commissioner Date
Alaska Department of Fish and Game

FOR THE ALASKA DEPARTMENT OF LAW:

_____ _____
Print name: Date
Print position title:
Alaska Department of Law

FOR THE ALASKA DEPARTMENT OF NATURAL RESOURCES:

_____ _____
Print name: Date
Print position title:
Alaska Department of Natural Resources