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To: Trustee Council
From: Dave R. Gibbons
Interim Administrative Director
Date: December 16, 1992
Subj: Trustee Council Meeting Notes

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

The following are my notes from our meeting last Friday:

TRUSTEE COUNCIL MEETING NOTES

12/11/92

By Dave R. Gibbons
Interim Administrative Director

Members Present:

Trustee Council

John Sandor♦ (ADEC)
Mike Barton (USFS)
Charlie Cole (ADOL)
Carl Rosier (ADF&G)
Steve Pennoyer (NMFS)
Curt McVee (USDOJ)

♦ Chair

Restoration Team

Dave Gibbons (IAD)
Mark Brodersen (ADEC)
Marty Rutherford (ADNR)
Jerome Montague (ADF&G)
Byron Morris (NOAA)
Pamela Bergmann (USDOJ)
Ken Rice (USFS)

MOTION: Trustee Council (TC) moved to approve the election of officers made by the Public Advisory Group (PAG) (Resolution #4).

Administrative Director (AD) will convey the following TC actions to the PAG concerning their four Resolutions:

1. Operating Procedures resolution (Resolution #1) tabled until next meeting.
2. Tabled resolution #2 until next TC to work with Native land owners and other residents in oil spill affected area.

3. Resolution #3 - Approved to Delay Approval 1993 Work Plan until after their January 6-7, 1993 meeting.
4. Resolution #4 - Approved officers.

On all Resolutions tabled; staff will do further background work to assist TC (with much lead time). Restoration Team members check with their respective agencies on the adoption of resolution #2.

1993 Work Plan

Time Critical - Projects TC approved NEPA Compliance funding only:

1. 93032 - \$5,000 approved (Pink & Cold Creek Pink Salmon ladders).
2. 93019 - Tabled until January 19, 1993 meeting.
3. 93030 - No motion to approve.
4. 93031 - No second on motion to approve.
5. 93046 - \$3,000 approved Harbor Seals.
6. 93026 - Tabled until January 19, 1993 meeting.

Time Critical project with NEPA Compliance that TC approved:

1. 93045- Boat Survey \$262.4 approved.

Timeline

- Comments on proposed timeline due from TC by mid-week. No comments will be accepted to lengthen this timeline.

Strengthening Process

- Trustee Council will solicit comments for all fronts to improve organization.
- State approved position description available now.
- Advertise Administrative Director position.

MOTION: Mr. Barton and Mr. Rosier will coordinate the announcement for application of Executive Director using applicable agency guidelines.

MOTION: I move that the Trustee Council agrees that the acquisition of approximately 7,500 imminently threatened land in Kachemak Bay State Park meets our restoration criteria. The TC approves the expenditure of up to \$75,000 for the completion of NEPA documentation for spending \$7.5 million to acquire approximately 7,500 imminently threatened lands in Kachemak Bay State Park. The TC approves the designation of the U.S. Forest Service as the lead agency for ensuring that appropriate NEPA documentation is completed. The TC requests that appropriate NEPA compliance be completed as soon as practicable so the TC may then take final action.

Next Meeting

Continuation meeting is scheduled for January 19 @ 8:00 a.m.

MOTION: Under the circumstance that the Trustee Council member or their first alternate is not available, the TC member can appoint a second alternate.

MOTION: Administrative Director draft milestone meeting schedule for next TC meeting for calendar years 1993 and 1994.

Each member of the TC requests to receive a copy of the TC meeting transcript.

TRUSTEE COUNCIL MEETING MINUTES

6/29/92

BY DAVE GIBBONS

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ADMINISTRATIVE RECORD

Members Present:

Trustee Council

Curt McVee (USDO I)
Charlie Cole (ADOL)
•Don Collingsworth (NMFS)
•Doug Wolfe (USFS)
Carl Rosier (ADF&G)
John Sandor (ADEC)

Restoration Team

Dave Gibbons (IAD)
Mark Brodersen (ADEC)
•Doug Mutter (USDO I)
Ken Rice (USFS)
Jerome Montague (ADF&G)
Marty Rutherford (ADNR)
Byron Morris (NOAA)

•Alternates

- 8:00 a.m. is too early to start Trustee Council (TC) meetings.
- Curt McVee chaired meeting.
- No public comment from 8:00 - 9:00 a.m.

AGENDA ITEMS

1. Public Advisory Group

- Discussion of nominees.
- Defer selection to Executive Session.

2. 1992 Work Plan

- 98 commenters (letters & public meetings).
- Summarized comments.

MOTION: Move to accept 1992 Work Plan as developed and specific new projects be forwarded to 1993 Work Plan and Habitat Acquisition proposals to Habitat Protection Working Group.

- Jerome Montague's agency projects:
 - F/S 27 Sockeye add \$ 47,000
 - R60c Pink Salmon add \$103,000
- RT did not discuss these - RT will meet on 6/30

MOTION: Send out final comment package to commenters.

MOTION: To approve additional monies for F/S 27 (\$47K) and R60c (\$103K) with revised work plans to reflect these changes.

3. Financial Operating Procedures

- Changes to text

- A. Equipment language to reflect all dollars being spent for Restoration activities. All equipment over \$500 and/or sensitive equipment under \$500 will be tracked.
- B. Finance Committee (FC)
 - concern for role of FC
 - cost & procedures only role of FC (Gentry)
 - limited time standing committee (Gentry)
 - **Sandor** wants charter to articulate this role in writing on page 8
 - **Cole** page 4 change remove FC reference in 1st section
 - page 4 delete 1 sentence, 3rd paragraph
 - page 4 delete FC reference 4th paragraph
 - page 4 4th paragraph last sentence
 - page 5 last paragraph 1st & 2nd sentence
 - need written documentation from OMB on 1st paragraph, page 5 "transfer of Exxon settlement funds..."

MOTION: Table FOP until next meeting reviewing standard authorities and suggested changes to charter, page 4 etc.

4. 1993 Work Plan

- Reword assumption Habitat Protection last sentence to: "TC recognizes..."
- We are preparing scientific approval and will move to acquire & protect critical habitat.
- "recognizes importance of these activities" and will move to acquire these in 1993."
- Endowment needs discussion as 6th item on assumption. Endowment part of 1993 program pursue concept of endowment. Want analysis.
- Focused attention with options, Work Groups?
- Collingsworth supports acquisition/Habitat protection (changing position of TC).
- Cole steady course of Habitat protection.
- Curt revise OMB 8/31 reference.

MOTION: To approve 1993 schedule in concept with changes in PAG involvement, OMB, etc. and when to initiate 1993 projects (request funds for court).

- TC to request funds for 1993 projects on December 1 with others that must start before January 1994. This applies only to new 1993 projects...Guidance to RT.
- Reimbursement schedule? Reimbursements to agencies in 1993?
- 1992 Scientific review of 1993.
- Spies - Insure agencies are not tailoring studies to their needs.
- **Cole** - Dr. Spies & Peer Review Group be active participants (independent advice).

Put more involvement of Chief Scientist & Peer Reviewer
in schedule of 1993.

5. Habitat Protection

- Grand plan for Habitat Protection (long range point of view).
- By January framework of plan?
- Get someone on board "and planner."
- Review The Nature Conservancy Options book.

MOTION: August 31st write-up to TC an outline for Grand Plan for Habitat Protection on Spill Affected Area including mapping of oil spill area (viewsheds, veg., wildlife, etc.).

- Level of detail to TC (description of detail and holes in data).
- Integrated plan = option package.
- Id critical Habitat for imminent threat (level of detail?).
- Bring info together now.

6. Symposium

- TC approves of direction RT is proceeding with concerning the symposium.

7. EIS Options

MOTION: Proceed with Walcoff EIS option.

NOT AUGUST 10TH

Carl - 8/5 - 6

July 20th - 1993 Work Plan overview - PAG process.

August 3rd - Teleconference - Administrative Budget and final Operating Procedures.

August 31st - Habitat Protection and 1993 Work Plan.

POLL TC MEMBERS

8. PAG

FAILED MOTION Table the selection of PAG members until process developed and interpretation on Executive vs. public session. <CHARLIE COLE>

MOTION: Table final selection with understanding that each TC independently nominate up to 3 members in each category by next TC meeting--composite list at TC meeting (not by individual TC member) then majority selection of member by TC (by 7/23).

TRUSTEE COUNCIL MEETING

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A. General Comment

1. Federal/State Process Issues

Follow State and Federal Processes (Curt McVee)

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B. Public Advisory Group Operating Procedures

1. PAG Operating Procedures

Make changes to text identified by Curt McVee

Motion:

- Approve draft operating procedures with changes in text (See text for changes).
- Draft Operating Procedures will be used to inform the public nominee of the Trustee Council thoughts.

C. Financial Committee

Changes to the following sections of the Financial Operating Procedures (FOP)

1. FOP - add: In accordance with the procedures of each respective agency financial management systems (2 paragraphs).
2. Finance Committee role, add to flow chart, etc.
3. Project Costs
 - Add basis for \$50,000 in footnote.
4. Budget Implementation
 - \$25,000 not to effect intent of the project, if so Trustee Council must approve change.

Motion:

- 10% / \$25,000 to responsible agency and not to Administrative Director (AD).

Rewrite Paragraph to say:

- One time change only.
- Not to change intent of project.
- Delegate to agency leading project not A.D.(only lead agency in consultation with other cooperating agency).

5. Audits

- Build in to Financial Committee an audit process but also have independent audits on a periodic basis.
- Insure independent audit (rewrite paragraph to

say this).

6. Prepare annual accomplishment report of activities to be added to Operating Procedures

7. Equipment

- Rewrite to include just policy with legal interpretation.

Motion:

- Approve conditionally with changes identified
- Rewrite, send to Trustee Council, if no problems they will approve them.

D. Budget

- Before going to court, we have not completed PAG, and thus, not all requirements of the MOA (Curt McVee).

Motion:

- Approve package with:
 - 1) Request from court for yearly budget in total (3/1/92 - 2/28/93).
 - 2) Prepare 7 month budget FY92 (ASAP).
 - 3) FY93 budget to Trustee Council in late August or early September.
- Level of detail in 7 month budget RT/FC work out.

Passed

E. Personal Property

- Equipment belongs to Trustee Council and does not become property of agency.

Motion:

- 6 party agreement to be explored by Trustee Council.
- Equipment will be used only on Trustee Council business. Provide lists to Administrative Director when Operating Procedures developed.

F. Provide for Public Review of Administrative Budget

- Send out notice of availability of budget.
- Send detailed budget to teleconference sites and libraries.
- Re-send notice of public meeting in June 29th specifying review of Administrative budget.

Motion:

- Approved formal public review process Option 2 with availability notice and some of Option 3.

G. Miscellaneous

- 6 way agreement (MOU) establishing FC before

- signing court petition.
- 1st prepare package which is to go to court, simultaneously with informing OMB.
- 2nd Trustee council finalize MOU.
- 3rd Circulate for signature to court.
- Also look into Secretary of Interior signing court petition.

NEXT TRUSTEE COUNCIL MEETING:

Monday June 29, at the Simpson Building at 8:00 a.m.

EXXON VALDEZ OIL SPILL RESTORATION
AND DAMAGE ASSESSMENT
TRUSTEE COUNCIL MEETING
PUBLIC UTILITIES HEARING ROOM
JANUARY 10, 1992
6:30 P.M.

ATTENDEES:

Name	Affiliation
Barbara Iseah	CACI
W. Neil Anderson	Chugach Alaska Corporation
Jerry Dale Rusher	Rusher Services
Shep Dale	DEC
Howard Janneck	Fisherman
Blaine Hollis	USCG
Joe Sullivan	ADF&G
Sheila Bowe	ADF&G
Joe Westfall	Anchorage
Tami Mauro	CACI
Ken Yockey	Eagle River
Meredith Downing	R & R Court Reporters
Tom Starr	Meadow Lakes Community
Theresa Day	Valdez
Conrad Holler	Wasilla
Valerie Payne	NPS
Sue Lattin	CACI
Lisa Polisar	U.S. DOJ
Steve Rehnby	Eyak Corporation
Don Brovero	U.S. DOJ
Ken Chalk	ADF&G
Bob Guenther	CACI
Carrie Holba	OSPIC
Peg Thompson	OSPIC
Mary McGee	OSPIC
David Sale	ADEC
Ernie Piper	ADEC
John McMullen	PWS Aquaculture Corporation
Susan Bishop	Anchorage
Doug McBride	ADF&G
Kelly Hepler	ADF&G
Susan McCurron	ADF&G
Nancy L. Neslund	USFWS
Chip Thoma	Juneau
Terri Bristow	CACI
Darrell Totemoff	Village of Chenega Bay
Torie Baker	Cordova
Rebecca Williams	CACI
Philip Totemoff	Chenega Bay
Charles Totemoff	Chenega Bay
Ivan Nance	Anchorage
Louisa Rand Moore	Jamestown, RI

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Bill Waller	Anchorage
Myron Rosenberg	Anchorage
Laura Mendola	Anchorage
Pamela Brodie	Sierra Club
Kathy Hess	The Nature Conservancy
Cliff Groh	Ellamar Property, Inc.
Steve Planchon	The Nature Conservancy
Karen Wood	Alaska Center for the Environment
James Winchisoen	Radio KHLV
Andree McLeod	OSIAR
Sandra King	Cordova
Mark King	Cordova
Kathryn Andersen	Cordova Eyak
Bob Andersen	Cordova Eyak
Sam Shorr	Cordova
Rick Steiner	Cordova
Bud Stevan	Cordova
R. Meyer	Homer
M. Galginaitis	Anchorage
James Brady	ADF&G
Brian Bue	Palmer
Dean W. Haynes	OSIAR
Rita Miraglia	Elmendorf
Art Weiner	Anchorage
Carol Fries	Anchorage
Chris Woolery	Anchorage
Connie Taylor	Anchorage
Susan L. Ruddy	The Nature Conservancy
Doug Miller	National Wildlife Federation
Pam Miller	Greenpeace
Dorrie Smith	Greenpeace
Jeff Parker	AK Sportfishing Association
Chris R. Casati	Alaska Newspapers, Inc.

Trustee Council

Charles Cole	AK Attorney General
John Sandor	Commissioner, DEC
Steven Pennoyer	Reg. Director, NOAA
Carl Rosier	Commissioner, AK Fish and Game
Curtis McVee	Special Assistant, Dept. of Interior
Michael Barton	Reg. Forester, USDA Forest Service

RRCG Members

Ernie Piper
 Ken Rice
 Marty Rutherford
 Jerome Montague
 Cordell Roy

Dave Gibbons
Byron Morris

The following handouts were distributed:

Agenda

EVOS Trustee Council Operating Procedures
Proposed Oil Year 4 Damage Assessment and Restoration Work Plan
Memo re: Public Meetings on Exxon Valdez Restoration

Opening Statements

Pennoyer - Trustee Council members were introduced

Gibbons - members of RRCG were introduced

Pennoyer - the agenda was read and any additions were requested; a public comment segment was added to the agenda; RRCG had been requested to do a lot of interim work; Dave Gibbons will lead through the agenda

Gibbons - minutes and transcripts are available at 645 G Street; items one and two on the agenda will be combined; Jerome Montague will discuss the Proposed Oil Year 4 Damage Assessment and Restoration Work Plan

1. NRDA Studies

2. Restoration Projects for 1992

Montague - he prepared a revised program broken into two components, injury assessment activities and restoration activities; it contains projects that will be continued and ones that will be closed out; new damage assessment projects may be available in the future; 31 damage assessment projects are proposed for this year; these include: 9 bird, 8 subtidal, 8 fish and shellfish, 3 marine mammal, 2 coastal habitat and 1 archaeological; recovery monitoring includes ten projects proposed which cover subtidal, and coastal environments, anadromous fish, sea and river otters, sea birds and bald eagles at a cost of \$4.5 million; under restoration implementation, there are 7 projects at a cost of \$2.1 million including anadromous fish, rockfish, herring, archaeology, and harbor seals; under manipulation/enhancement, there are two projects proposed for pink and chum salmon at a cost of \$426,000; other projects now being developed may be added in the future

Pennoyer - what action is needed to go forward?

Gibbons - approval was requested for the development of detailed study plans for further analysis

Pennoyer - these will need further peer review

Gibbons - we are getting more information and insight for the public's review

Barton - the detailed study plans should be developed

McVee - are there funds to prepare documents if the work was done in 1989?

Montague - the projects presented are for 1992

Sandor - what is the timetable for getting this out for public review?

Gibbons - we are shooting for the middle of March for public review; the detailed study plans will be available by the next meeting

Sandor - how do you expect to integrate public comments?

Gibbons - we are shooting for the middle of March to get the framework out and get full public involvement on it

Piper - public meetings on participation should be complete by the first week of February; the goal is to have the public review body in place so the public isn't behind the curve

Sandor - there should be a plan of action, specifically what time we might take action on restoration proposals

Pennoyer - timing depends on how fast you get to work on them

Cole - he would like more information on closeout studies - how long have the studies been going on, what work has been done on these projects in the last six months and has work been continuing on them or has effort been made to wrap them up

Gibbons - most projects were started in 1989; activities have been going on constantly; he does not have the exact numbers but activities are continuing to occur; some activities proposed for closeout include data analysis and final reports; a few projects require additional field work

Cole - have people been working on these studies this past week?

Gibbons - yes

Cole - \$5 million dollars seems like a lot of money to wrap up these studies; he would like to see why and what's been going on; also he would like to see hard numbers; to get his vote on the other studies, he would like to see some pretty hard numbers with

some detail as to what the cost of the various projects is such as transportation, secretarial, etc.; why does each particular study need to be done at this time? some detailed information and hard data are needed

Gibbons - he expects to see this in the detailed studies; could we have a short break to check the problems with the electronic equipment?

Pennoyer - we will take a five minute break

McVee - some of the closeout costs appear to be pretty substantial; he assumes this includes something more than writing a report; is there some lab analysis?

Montague - there is a lot of comprehensive assessment of coastal habitat; closeout on this involves analysis of a large number of samples

Gibbons - this is contracted to the University of Alaska Fairbanks and is probably the largest project attempted; data needs to be sorted and analyzed; they gave us a report that was about 900 pages long; there is no field work but they are trying to wrap this up into a useful package

Cole - if there is \$18 million dollars in a study, completion is pretty far along; he would like justification for why a study must be "completed" and how much further does the study have to go before we can effectively utilize it

Pennoyer - do we need a review of individual studies? need to know the framework and will determine what the studies have and haven't shown

Gibbons - we have the criteria by which they were reviewed

McVee - we need to think where in this process we can make a general notice to the public of anything that we haven't been doing; it may not be timely in terms of the 1992 field season, restoration year 1

Pennoyer - the RRCG was asked to develop the detailed study plans

Cole - will this information be available to the public for their comments on these proposed completions?

Gibbons - that is a difficult sequence of events; we are getting detailed study plans for review and then will come back to the council; some of this information could be involved in litigation so the presentation may have to be tailored

Cole - a presentation should be made to the public so we can

reach a final decision

3. Fiscal Issues

Summary of Status of the Joint Fund

McVee - he has a short presentation and felt it would be worthwhile to present information from a federal prospective on the joint fund; Exxon deposited \$90 million dollars into an escrow; in mid-December the money left escrow; \$29 million went to the State of Alaska and \$25 million to federal government for cost reimbursement; on December 6, Judge Holland directed funds be placed in the court registry investment system, Dallas-Houston Branch; settlement monies are in a separate account; weekly reports are made; Judge Holland's order is needed to remove funds; a minimum of five days is needed for withdrawal of funds; Judge Holland has to determine that the terms of the MOA have been complied with; by request of the court a breakdown should be provided of where the money goes; Congress has required the appropriations committee be given 30 days advance notice of any withdrawal of monies

Cole - it should be made clear that when reference is made to the federal funds and congressional veto, it deals with only monies which go to the United States or any federal agencies; are there any records of how much interest we are getting?

4. Organization

Administrative Structure Financial Management/Process

Pennoyer - Dave Gibbons will make comments regarding structure

Gibbons - approval was requested for a small staff for the restoration process and he would like to have authority to establish the administrative record in one central location; it was found that the dispersed method was not as efficient as evidenced by the RPWG; he would like to get a centralized working record and a place where NRDA and restoration materials can be found without having it scattered all over; greater public access would be gained and it would provide some financial control such as teleconferencing; he would also like to create a small staff to respond to letters from the public

Pennoyer - how do the issues of the Simpson Building relate to the support staff?

Gibbons - the Department of Justice wants to step away from the Simpson Building; he suggests remaining on the 4th floor of the Simpson, otherwise the work may be delayed

Pennoyer - does this give us step one?

Gibbons - yes, which is to get the plan out to the public for review; this staff would be a mixture of new hires and Simpson support staff; he has a person in mind for public information officer, L.J. Evans

McVee - new hires would require several processes such as resolving where the staff will be based

Gibbons - he is not proposing the RRCG be housed there

Cole - where is the money currently coming from?

Gibbons - it is presently coming from the agencies; the Simpson Building is under the DOJ

Pennoyer - you need support staff; what is the size?

Gibbons - some support staff is at CACI; he would like to develop the whole picture at the next meeting; DOJ is going to move away from this process and we will be faced with a dilemma

Barton - will the contract be out in February?

Craig O'Connor - this issue has more to do with Justice involvement and state funding; Justice feels it doesn't have a direct role until something else is put into place that is more acceptable

Pennoyer - how many additional positions do you need?

Gibbons - the support is already there and the Public Information Officer needs to be moved there

Sandor - we are going through a transition period; we are not sure what our budgets will be; he is opposed to hiring any new people; people should be used who have worked on this project for some time; suggests that you give executive director the authority to utilize people from other agencies

McVee - he can appreciate mobilizing a new organization; we should try to find some support necessary to get the job done

Barton - we need to get on with getting a permanent organization established; he thinks there is a 90 day charge in the MOA; some options should be laid out for a permanent organization; this group has been working day and night to put this together and they need some help; letters from the public are piling up; we should offer Dave the opportunity to identify individuals who can be detailed in the short term and identify others for long term needs

Pennoyer - Dave has indicated a short term need for support; what action is needed?

Cole - what is the need for a Public Information Officer?

Gibbons - part of the duties are development of a public participation chart and activities; this person would also conduct scoping sessions in January, February and March

Sandor - DEC has mechanisms in place to detail someone; it would be premature to permanently detail someone

Gibbons - funding runs out the end of February

Pennoyer - is the DEC individual adequate to cover short term needs?

Gibbons - if we could stay in the Simpson Building, he thinks there is some carry over funding to cover support staff

Lisa Polisar - funding would run out sometime in February, some additional funding is needed to allow more development

Cole - consideration should be given to drawing down some money from the registry

Barton - he agrees that this would be a perfectly legitimate use of funds

Piper - he has authorization to keep some layoffs on and can reassign some people if it is acceptable to cover the support needs

Sandor - he moved that this be a short-term, temporary arrangement

Barton - we should authorize Dave to use his own good judgement and agree that we remain in the Simpson Building during this interim situation and go to the court registry to remain in the Simpson Building

Cole - how long are we talking about remaining in the Simpson Building?

Barton - we could make that decision when permanent organization is decided

Cole - how much money will be drawn down? we should approach the economic problems directly and get this on a sound keel

Pennoyer - what would be an interim timetable?

Gibbons - April; he would like to lay that out in a package covering the whole organization

Pennoyer - can the Simpson Building question wait?

Gibbons - hopefully, this will carry through February

Pennoyer - the council should let Dave use his good judgement and prepare a more detailed organization structure at the next meeting

McVee - we should clarify that we mean the Fourth floor of the Simpson Building?

Gibbons - that is correct; the fourth floor

Pennoyer - it will continue through April

Gibbons - we developed an interim subgroup on financial management and are requesting authorization to proceed; people should be brought up to speed and the interim budgetary group be expanded

Pennoyer - you may proceed

Gibbons - the public participation plan has been revised

Piper - (he decided to stand and face the audience to present the plan directly to the public)

1. Schedule and conduct public meetings - 90% are scheduled; meetings will begin the 20th in Cordova; a list has been prepared of all the meetings; the goal is to get these done before the middle of February; we want to make sure we have everyone ready to review by the middle of March
2. FACA - there doesn't appear to be anything difficult about complying with this act; it doesn't appear to hamper abilities to get something into place quickly; a charter needs to be filed; open meetings and paperwork regarding federal register notice are needed; the important thing in reading the act is most of the time it applies; a charter should be drafted but doesn't see this as a problem; there is a three month plan for public participation and approval; comment should be solicited both through meetings and in written form in January and February; we need to make sure we have the capabilities to answer replies and that records are being kept properly; people should be reassigned from the oil spill group and other agencies; concurrent with this request is authorization to seek nominations for the public advisory group, possibly 10 to 15; a list of criteria should be adopted; nominations should be solicited and then personnel reassigned; staff work has been done in terms of

goals and how the group would work; public needs to be consulted to see what models work for them; the public has no shortage of views of how they would like to see things; it is clear that a public advisory group is not necessarily going to serve all of the needs of the public; there needs to be a way to make sure comments get to trustees and are tracked; a charter should be developed and a process by which members would be selected; some drafts currently exist; in general, the criteria for selection would be:

- 1) knowledge of the region
- 2) knowledge of areas affected by cleanup
- 3) affiliation
- 4) expertise
- 5) credibility
- 6) ability to analyze restoration information
- 7) ability to communicate information clearly both ways

this group needs to be given the access that the trustees have to the RRCG; a liaison might be needed; how much would all this cost -- currently they are covered out of existing agency budgets; we are looking at \$12,000 for travel for 8 or 10 meetings; overall budget depends on components and staff in terms of public information in each of the first two years; the interim expense should not be looked at as an annual expense and will probably decrease over time

McVee - he has questions regarding the charter and recommends keeping the charter very simple; the roles and responsibilities should be discussed; regarding the resource center, is there some relationship?

Piper - regarding the resource center, with this type of operation the cost involved is mostly people; Dave will have more detail at the next meeting

Barton - how does the restoration resource center relate to OSPIC?

Piper - some of the things they do now are the same

Barton - does your proposal essentially just rename the OSPIC?

Piper - this will be part of Dave's plan

Gibbons - we will analyze the needs of the group

O'Connor - he is concerned about disenfranchising the public in the lower 48; it might be appropriate to expand the scope of the meetings to include those living outside the State of Alaska who have an interest in the restoration plan

Cole - it has been his observation that outsiders always find a way to tell us how to manage our affairs; he is not overly concerned; he is concerned about the \$50,000 per month; it sounds like a lot of money; we should get a sharp pencil and scale the numbers down; the money should be put back into the restoration of the damaged resources; we have to scale back to a leaner operation to be more productive

McVee - he is confused; is the Public Information Officer a short term answer to the need?

Gibbons - there is some duplication between the people Ernie refers to

Pennoyer - there is tremendous interest outside Alaska and he presumes mailouts will encompass a larger distribution

Barton - we could look at covering this through the register

Cole - he received a call from the Attorney General of Louisiana and doesn't see those people giving us public notice of what is going on with their oil spill; this process should be rooted in equity

Pennoyer - this issue may be discussed at some point later

Sandor - appreciation was expressed for the presentation by Mr. Piper

Gibbons - he will identify the needs and have that in the plan at the next meeting

McVee - some expenses could be decided now; it is not necessary to wait until next meeting to decide on possibilities for the OSPIC collection

Barton - he is confused about location of OSPIC or the new center; analysis of that has been done; he thought it was concluded to place the OSPIC collection in several other libraries across the state or with the Department of Interior

McVee - this should be pursued in some detail

Barton - he recalls that cost was looked at which is what led to the conclusion to put the collection with interior

Gibbons - our proposal will not be for a library

Barton - is it a public resource center or OSPIC?

Gibbons - a public resource center

Pennoyer - some clarification is needed; OSPIC contains a lot of information

Piper - we are not proposing picking up OSPIC and slapping a new name on it, but clearly the public receives a lot of benefits; it is not being proposed to expand this into another state library; some functions of OSPIC are useful and should be continued

Barton - what are the materials being considered?

Piper - we expect that we would keep the materials

Barton - do you envision picking up that body?

Piper - we propose putting them under the executive director so that this body of knowledge will not be lost

Barton - is the existing OSPIC being dealt with?

Piper - this is correct

McVee - we will see the next chapter at the next meeting

Pennoyer - we would like to deal with the OSPIC issue

Montague - is there any guidance on keeping the existing facility or moving?

McVee - this is just part of the natural resource information in the area; this collection might be consolidated with other information

Sandor - these papers need professional attention

Cole - a place should be found which is convenient to the public and where you don't have to spend \$10,000 to \$15,000 to house it

Barton - he thought this is what we had gone through previously; the earlier decision should be followed through on which places the OSPIC collection with the Department of Interior in the Anchorage Federal Building; he suggests writing a letter with a proposal

McVee - a letter should be drafted to BLM to find out how they feel and to get their technical people to take a look at it

Gibbons - if those are the wishes, he will proceed with that

Craig Tillery - unanimous agreement is needed to take money out for the fourth floor but what about the first floor

Barton - Piper and Gibbons will get back with information on this

Cole - we should draw down extra money and establish a bank account to use for necessities as they arise or we will have to constantly go to Judge Holland

7. Permanent Executive Director

Gibbons - should we initiate recruitment for a permanent executive director?

Sandor - he moves that we do so

8. Formal Adoption of the Operating Procedures

Gibbons - changes have been incorporated into the procedures document and he moves that it be adopted

Pennoyer - he motioned to adopt operating procedures

McVee - another set of operating procedures was suggested for the RRCG, such as when agendas will be developed

Cole - he suggested that the group change the name from RRCG; it could be called the restoration group

Pennoyer - a simpler more concise name was suggested

Gibbons - the Chief Scientist issue needs to be discussed; he has been very valuable to the group in providing unbiased review of the proposals and in the synthesis phase of the reports; we need the chief scientist past February 8; an analysis of the needs of the chief scientist need to be provided to the Trustee Council

Cole - he is concerned about negotiations; a series of options should be used; this will be much cleaner

Barton - is there a termination clause in the current contract?

O'Connor - the contract is currently held by NOAA and can be terminated at the convenience of the government; we do not have the option to extend; we could on an incremental basis go through the negotiation process; there would potentially be termination costs prior to expiration such as severance pay to employees retained by Dr. Spies; there are certain obligations

Cole - does this contract expire in February?

O'Connor - if not funded by the end of this month, it will expire

Cole - why don't we go to Dr. Spies with some four month options?

O'Connor - if it is in the interest that the contract does not lapse, a decision has to be made

McVee - there is a need through the remainder of the 1992 programs; beyond that it is not known what will be needed from Dr. Spies

Rosier - regarding the contract extension, is that a fixed cost?

O'Connor - it is a payment for services contracted and what is necessary is to provide sufficient resources for the balance of the term of the contract; he doesn't know if all the money has been fully utilized; one chunk is \$190,000 for Dr. Spies and his staff and expenses

Cole - he proposes Mr. Tillery calling Dr. Spies to see what can be negotiated

Pennoyer - we don't want to preclude our options with Dr. Spies; he believes Dr. Spies is needed and should proceed on an interim basis

Gibbons - he moves to modify the agenda by adding the Chief Scientist issue

Sandor - it should be discussed how we are dealing with restoration suggestions

Gibbons - he proposed that letters be addressed to 645 G Street, Anchorage, Alaska; if there are specific questions to Trustee Council members, then they should be addressed to the council directly

Sandor - regarding specific projects proposed by public entities, he proposes that the restoration group evaluate the proposals and set up a process

Gibbons - there are two he is aware of and this issue needs incorporation

McVee - regarding taking proposals from the public, we need to get word out that we are considering this; the Attorney General was asked to give some guidance on open meetings so that we don't make any major errors

Cole - the Department of Law will furnish a memo to the council on the open meeting law and how it applies; regarding the call to Dr. Spies, Mr. O'Connor should also participate in this

Pennoyer - we will take a short break before the public comment segment

9. Public Comment

Pennoyer - there was a request to start the public comment

segment in the field; is Chenega Bay on line?

L.J. Evans - no

Pennoyer - Cordova?

Jack Lamb - he is speaking on behalf of the Cordova Fishermen United regarding 1) purchase of three year options on timber assets, negotiating a timber buy back agreement and making sure that existing fisheries are not jeopardized 2) would like to propose a subgroup under the RRCG similar to the one proposed by the Nature Conservancy Group

Pennoyer - Homer?

Doug Hill - he would like to encourage efforts in acquisition of habitat and buying back timber rights; it seems there are a lot of hidden agendas being addressed

Pennoyer - he hopes that all concerns are satisfied as we go

Doug Hill - he would like to see information regarding break down of monies and the public information center location

Comment - he is in favor of land acquisition; money should be funded for general ocean studies and breakthroughs in technology should be used

Pennoyer - Kodiak?

Jerome Selby - mayor of Kodiak Island Borough, he looks forward to the meeting there and hopes we can move ahead and get some meaningful results; a working group of resource managers was suggested; agencies sitting down at the local levels will get a lot more input and will insure that what we do helps address the effects of the spill; he is of the opinion that those that can get us the most distance for the dollars are the people down there who have the first hand working knowledge; guidelines are requested for suggestions for things that are going to be funded

Pennoyer - these suggestions will be taken into account

Sandor - the mayor was asked for his suggestions on restoration proposals

Kelly Shockler - seine permit holders - one area of concern is the Fognak Island; agrees with Mr. Lamb regarding the restoration subgroup establishment and realizes defining restoration might be difficult; too many requests for funds are blatantly self-serving; increasing wildlife and fisheries habitats are important

Cole - regarding the suggestion that habitat be purchased, would

you favor purchasing standing timber or the land itself?

Shockler - the land itself would be best

Comment - the three month fishing season was canceled and he would like appropriations to be made; timber buy backs or purchased timber land should be looked at; it is better to look at acquisition of land itself; there is the possibility of pollution; he would like decisions reflecting fairness in appropriations; there is some dismay on the unanimous decision clause in the decision to appropriate; this may cause some back room politicking

Cole - the unanimous requirement was designed to protect the state and it is a fine provision

Gibbons - it should be clarified that public meetings will be performed by members of the restoration group and not the Trustee Council

Pennoyer - we will attend some meetings as time allows

Trisha Garland - she would like to express where money should be directed and thinks the lack of training and equipment contributed to spill; the greatest tragedy would be not to come out with a program to protect the coastline; Alaska has a great opportunity; money could change our ability to respond to a spill; it is recognized that the response improvements are taking place in PWS and all the attention is being focused there; what about the other areas? it is now almost three years and the only training on water was considered a joke; maintaining preparedness will ensure that the coastal areas are ready to respond to any spill; the concept is the development of the Alaska Coastal Communities Cooperative and will build on existing people and training them to deal with the every day Alaska spill

Sandor - regarding the need for local preparedness, some groups are being formed for emergency planning to develop a concept to see that oil spills are properly handled; this is another mechanism being explored

Pennoyer - are there any other Kodiak comments?

Mike Milligan - due to the activities of Exxon, there was great risk to archaeological sites; there was a great amount of exposure to these sites; we should not forget the value of these sites; they are totally irreplaceable; cultural resources can not be replaced; this body should continue to consider this and the importance of these sites

Tracey Akers - regarding Trustee Council members not coming to the public meetings but sending the RRCG, would like to see

council at some point and some face to face meetings

Pennoyer - decisions have not be made regarding this

Jerome Selby - he officially invited the council

Pennoyer - Seward?

Operator - Sharon Anderson had to leave but will mail her comments

Christopher Gates - Seward would also like to invite the council; Mr. Piper has had some excellent input such as public comment being taken; regarding project funding, he encourages a process being put in place for expenditures of funds and everyone should be acting with the same ground rules; we have a very valuable piece of land called the Kenai Fjord National Park and there are holdings that need to be addressed; local Alaskans can do an excellent job in response action; support of nearshore response is encouraged in addition to training; there are rumors that the trustees will be focusing on PWS as opposed to the impacted areas; he would like some thought on the impacted areas

Charlie Krangle - his concern is about the public meeting process and feels very concerned that there was not adequate lead time; in Seward it was not advertised until yesterday; Friday night is not a good night for meetings; Monday through Thursday night were suggested; regional trustee meetings would be very helpful as face to face contact is needed; regarding science data, Cole's comments regarding money being spent on the studies was very disturbing; he favors raw science data being interpreted; regarding Kenai Fjord Park, we should be sensitive that Kenai National Park is trying to restore some cultural resources; it is his belief that we settled too quickly and feels we are moving too quickly in expending these monies and should insure quality suggestions are considered for their merits to get the best use of our dollars

Pennoyer - more attention will be paid to time in noticing for meetings; Valdez?

David Jenko - he looks forward to input on public participation; the acquisition question is very complicated and will be very difficult; he suggests along with the other subgroups that a land subgroup be formed to decided some acquisition questions; some quick action to protect habitat will go a long way to heal; the goal is to examine how does it help the damage that was done, while other damage is happening to these lands

Nancy Lethco - Alaska Wilderness and Tourism Association - their purpose is to promote the recognition of tourism; she would like to comment on the public advisory group draft interest list;

recreation is not mentioned on the list and she feels they should have representation; the tourism industry should be split between developed tourism and dispersed tourism; she supports acquisition of habitats; regarding restoration projects, long term studies should be continued; criteria for selecting advisory groups should be mailed out for review and comment by the participants before the council comes down; she is concerned about topics the RRCG would like to hear about when they visit; local advisory committees worked well during the spill and felt they benefitted from the opportunity to discuss with the agencies their concerns and the pros and cons of various approaches; she is concerned about so many groups

Pennoyer - the initial concerns regarding tourism on the list may have been taken care of; Whittier?

Kelly Carlyle - mayor of Whittier - scientific studies need to be released; would like to know who determines what studies should be closed?

Linda Hines - she requested having handouts mailed to those on teleconference so they could follow along with what is happening and also requested that the speakers identify themselves; she agrees with the mayor that decisions should be based on good sound judgement and studies should be released

Pennoyer - someone tried to fax the handouts

Cole - he thought the mayor had a legitimate inquiry regarding the closeout of studies

Montague - six members representing restoration are needed to vote on which studies to continue and which are recommended for closeout; the council makes the final decision whether to accept their recommendation

Pennoyer - Anchorage?

Dr. John Piatt - he is upset with Mr. Cole regarding cutting back; the process has been hashed out; his main concern is the delays and not knowing if the project will be fielded; some accounting of the administrative costs is needed and it would be appropriate to consider a ceiling on the cost to see that the majority of the money goes to restoration; there should be some range of cost; it is important that data already collected should be released to the public and it might be appropriate for various agencies to put their information out

Bob Anderson - Cordova - substantial timber owner, commercial fisherman, participated in land selections, founding member of the Aquaculture Corporation - his affiliations demonstrate his experience and commitment to Cordova and PWS; it came to his

attention that there was no framework to address proposals; he appreciates the benefits of the moratorium concept, but wants to stress that due to prior obligations, they cannot delay; he requested this be addressed immediately

Sandy King - Cordova - regarding money for contingency plans, Alyeska has already set in motion financing for early response teams; she is for habitat acquisition and it is good news that the corporation is willing to listen to the public; there is a cry for the well-being of PWS from all Alaskans who find it as a refuge; tourists do not like to come into a place and see cuts; logging practices are detrimental to the tourist trade

Pamela Brodie - Sierra Club - she appreciates the concern for the importance of keeping down administrative cost but is concerned about cutting the science; it is important that decisions about cutting be peer reviewed; regarding is it enough to just buy timber rights, often timber is owned by a separate corporation from the land; if we just buy timber rights, we only have it for a few years; she would like to see total acquisition; however, this depends on the owners; there are other options; regarding some money up front for options, it would be good use of early money; species and recreation values are existing beyond where the oil hit the beaches; the RRCG should have a special subcommittee for land acquisition

Cole - installments by Exxon will be \$90 million; how much should be spent for land acquisition?

Brodie - The Sierra Club doesn't have a policy but would like to see a large amount spent for land acquisition

Cole - how much is for sale?

Brodie - only in Katchemak Bay; prices would vary tremendously; there is such a wide range that she does not know

Cole - would you give us a sense of how much money we are talking about at the next meeting?

Brodie - Rick Steiner could answer, but it depends on the owners of the land

Jerry Rusher - Rusher's Services - he would like to introduce a pamphlet on restoration which has been out for two years; Ernie Piper was asked what has been the amount of public participation generated by the pamphlet

Gibbons - this pamphlet was incorporated into another document

Rusher - we are talking about duplication of a lot of dollars

Jeff Parker - Alaska Sport Fishermen Association - he supports using money from the settlement to endow the trust fund; the fundamental question is what sort of lands to acquire in terms of equivalent resources, such as: 1) equivalent in ecosystem type 2) equivalent in non-use value 3) equivalent in use value (recreational use value); The following are ways to avoid wasting money: 1) excessive studies that are narrowly focused 2) excessive attempts to restore what can't be restored (intertidal zone); The areas to spend money should be standard to acquire valuable habitat lands for resource use purposes and where those lands bear some relationship to the injuries occasioned by the spill; Some items for discussion are: 1) what areas are reasonable for spending money for acquiring lands? 2) what is the area affected by the spill? the critters affected are migratory in nature 3) what does restoration mean? 4) if you should spend money early, what should you spend it on? 5) timber rights - \$1,000 to \$2,000 per acre; regarding spending for resource acquisition, he would spend more than \$75 million; 6) how do you make decisions when science and economics are not public?

Sandor - he would appreciate the specificity of the thought that went into this; regarding the endowment of the trustee fund, can you elaborate?

Parker - a level of endowment would be anything we don't need urgently to spend

Sandor - what is your definition of urgent?

Parker - the thing continually held up to the public is timber harvest; where the resource conservation issue is being threatened, you should go out and buy fast; the process of negotiations is one that intimidates government

Cole - how many acres would you get for 90 million?

Parker - 45,000 at \$2,000 per acre; buying trees that provide habitat is more expensive than buying other lands that are untreed

Susan Ruddy - The Nature Conservancy - she believes in establishing the process, developing the information and taking action within that context; she suggests establishing a subgroup; some threats are very imminent to logging and a subgroup needs to be established to deal with this; their charge might include the immediate development of a framework to buy time, the establishment of procedures for restoration on private lands, and determination of types of information for the trustees to make these kinds of decisions; the subgroups should take the form of a hit team in that the best of the best should be brought in; expertise should include an appraiser, attorney, realty specialist, biologist, and an economist; a message should be sent to the people by

taking immediate action

Barton - we should either establish a subgroup or a project within restoration; a deliberative process needs to be established; prior work needs to be recognized and built on; he is confused regarding private land which became private within the last 20 years and we are now talking about making it public again; we need to reconcile all this; critical spots need to be identified and how best to protect them

McVee - some type of habitat acquisition subgroup needs to be mobilized; criteria needs to be developed to be used in the acquisition program

Gibbons - the formation of a restoration habitat subgroup has been discussed; is there direction to do this?

Pennoyer - the previous statement to use good judgement encompasses this as well

Gibbons - it might be appropriate to look at the oil spill area first

Rosier - there were a lot of ideas put on the table regarding land acquisition; effort should be focused on the spill area itself

Cole - if we are going to look toward spending most of this money on habitat acquisition, we should give ourselves cause to spend money for these studies

Dr. Petit - he was talking about restoration studies; what are the critical habitats?

Cole - we should take a hard look at the studies we want to go forward with

Rosier - people have to realize we have to spend money on areas directly impacted

Comment - the concern is are we trying to restore PWS back to what it was before the spill or into a state park

Tom Starr - it is amazing that oil was spilled in PWS; restoration is very important; the importance is not how we accomplish it but that we do accomplish it; this is not just an impacted-area spill; this impacted everyone; we have to protect the areas that have already been impacted; we have to listen to Alaskans and ask their opinion about what should be done about restoration

Pennoyer - we need to discuss the time and location of the next meeting, possibly February 5th and 6th, to discuss closeout

plans, in addition to restoration projects and other projects assigned to the RRCG

Cole - out of deference to the people, the meeting should be held here

Sandor - we should consider Kodiak's invitation

Pennoyer - what is the group consensus?

Sandor - he moves that the meeting be held in Anchorage

Pennoyer - meeting schedule will be set at a later date

Meeting was adjourned at 11:00 p.m.

AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL

Alaska Public Utilities Commission
1016 West 6th Avenue
Suite 305
Anchorage, Alaska
January 10, 1992
6:30 p.m.

TRUSTEE COUNCIL MEMBERS:

Charles Cole, Attorney General
State of Alaska

Michael A. Barton, Regional Forester
USDA Forest Service

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

Steven Pennoyer, Regional Director
National Oceanic & Atmospheric
Administration

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

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

Opening Statements

NRDA Studies

Restoration Projects for 1992

Fiscal Issues

Summary of the status of the Joint Fund

Organization

Administrative Structure

Financial Management/Process

Public Participation

3 Month Plan

Advisory Group - Charter & Membership Process

Public Information Center Future Status

Simpson Bldg. with support staff (CACI)

Permanent Executive Director

Formal Adoption of the Operating Procedures

Public Comment

EXXON VALDEZ OIL SPILL SETTLEMENT

TRUSTEE COUNCIL

OPERATING PROCEDURES

1. BASIC GOVERNING PROCEDURES:

The current edition of Roberts Rules of Order Revised will be used as the basic governing procedures of the Council. All provisions of these rules of order will apply to Council deliberations except when they are amended by unanimous agreement of the Council.

2. MEMBERSHIP:

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

3. QUORUM:

A quorum of two-thirds (2/3) of the total Council membership, i.e. four Council members, including two state members and two federal members, shall be required to convene a meeting and conduct business. Provided, that all decisions as described in section 5, shall be made by the unanimous agreement of the Trustee Council members or their properly designated alternates who have not abstained.

4. PRESIDING OFFICER:

The presiding officer of Council meetings shall alternate between two Co-chairs, one selected by the federal Council members and one selected by the state Council members. The Co-chairs, including the Co-chair presiding at a meeting, may participate in discussion and debate at Council meetings and shall vote on all questions coming before the Council.

5. ACTION/RULES OF VOTING:

All matters coming before the Council which require a vote of the Council to take an action, make a recommendation, approve or disapprove an item or otherwise render a decision shall require the unanimous approval of all of the Council members or their properly designated alternates who have not abstained pursuant to this paragraph. Council action shall be taken at a duly convened meeting, except as provided in Paragraph 11.

Abstaining from voting shall not be permitted by any Council member unless there is an affirmative vote of all members of the Council and either of the following conditions exists: (a) there is an apparent, or declared, conflict of financial interest on the part of a Council member or (b) voting by the member would constitute a violation of applicable federal or state law. In the event a Council member believes he or she must abstain from participating in a Council decision, the Council member may request that the decision be deferred until that member has an opportunity to designate an alternate who is eligible to vote.

6. MEETINGS:

Meetings of the Council shall be held at times and locations determined by the Council.

The Council Co-chair who will chair the next meeting shall prepare a proposed agenda and circulate it to the Council at least three weeks prior to the meeting. The final agenda for the meeting will be determined at the meeting by the Council. The agenda for each meeting will include a reasonable opportunity for public comment.

Notice of each meeting and the proposed agenda shall be given to the public prior to the meeting by publication of a notice and the proposed agenda in one or more newspapers of general circulation in at least the following cities: Anchorage, Chenega, Cordova, Fairbanks, Homer, Juneau, Kenai, Kodiak, Seward, and Valdez and

Whittier and by distribution of the notice and proposed agenda to one or more radio stations in each of these cities.

Meetings of the Council shall be open to the public, except for matters considered in executive session. Teleconferencing will be used to the extent feasible to allow public participation in the cities listed above.

7. EXECUTIVE SESSIONS:

Executive sessions shall be kept to a minimum and shall be used only for discussion of matters concerning confidential personnel issues, litigation or legal advice, confidential archaeological information, confidential fisheries information or such other matters included under AS 44.62.310(c) or other applicable laws.

8. COUNCIL MINUTES:

Council minutes shall be maintained by the Co-chairs, at the direction of the Co-chair who chairs a particular meeting. All meetings of the Council shall be recorded electronically or by court reporter, and said recordings shall, along with the written, approved minutes, constitute the official record of the Council's actions.

9. MAILING LIST AND PUBLIC NOTIFICATION:

The Council shall maintain a basic mailing list including each member of the Council, each Council staff member and each member of the Public Advisory Group. In addition, the Co-chairs shall

develop a listing of other interested government agency officials, Native organizations, private and public interest groups, and individuals. This general mailing list shall be organized and used to facilitate participation in Council decisions and recommendations by those parties who are directly affected by Council decisions and actions.

10. WORK ASSIGNMENTS:

The Co-chairs, with the unanimous consent of the Council, shall determine appropriate means of accomplishing the work of the Council and shall employ its resources accordingly.

11. INTERIM EMERGENCY ACTION:

In the event of an emergency requiring Council action before a meeting can be held in accordance with the procedures described herein, the Co-chairs may poll the Council and take action by unanimous agreement. This shall be done jointly by the Co-chairs and may be accomplished by teleconference or other method of contacting each member.

12. JOINT TRUST FUND PROCEDURES:

A joint trust fund shall be established and administered by the Council. All settlement monies designated for the joint trust fund shall be deposited in the Court Registry Investment System (CRIS) and otherwise handled in compliance with applicable court orders.

13. RESOURCE RESTORATION COORDINATION GROUP:

There is established a Resource Restoration Coordination Group (RRCG). Each Council member shall designate one member of the RRCG. The duties of the group shall include:

- a. Restoration planning, including plan development and evaluation;
- b. Facilitation of public participation in planning and plan implementation;
- c. Oversight of scientific needs and scientific content of restoration, including peer review as needed;
- d. Through agency counsel, identification of legal requirements for project completion;
- e. Implementation, oversight, evaluation and monitoring of restoration activities;
- f. Oversight of Oil Spill Information Center (OSPIC), including, if appropriate, the transfer to an alternate facility;
- g. Maintenance of necessary administrative records;
- h. Budgetary assistance to the Council, including tracking internal and project costs and expenditures;
- i. Interaction and coordination with pertinent state and federal financial teams and agencies regarding fiscal matters; and
- j. Such other duties as are assigned by the Council.

The Council shall appoint an administrative director of the RRCG. The duties of the administrative director of the RRCG shall include:

- a. Coordination of budgetary and contractual matters with financial teams and the Council;
- b. Acting as liaison with the Council and the Public Advisory Committee;
- c. Supervision of administrative staff;
- d. Participation on the RRCG as non-voting chair;
- e. Interaction with the public and public officials; and
- f. Such other duties as are assigned by the Council.

14. AMENDMENT OF PROCEDURES:

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

PROPOSED OIL YEAR 4 (March 1992 - February 1993) DAMAGE
ASSESSMENT AND RESTORATION WORK PLAN

Our first formal meeting to begin decide on the contents of an oil year (OY) 4 work plan occupied two weeks in early December 1991. During that meeting a proposed list of projects totaling approximately \$30 million was reviewed. Some projects were eliminated or reduced in scope so that by the end of the meeting the proposed plan was reduced to about \$25 million. This figure was presented to the Trustee Council on December 19, 1991. Our interpretation of the Council's guidance was that the cost of the proposed OY4 program needed to be reduced further. On January 2 and 3, 1992, the group met to reevaluate the proposed plan. After many hours of intense review and discussion, we reduced the scope and eliminated projects resulting in a total of about \$17 million.

INJURY ASSESSMENT ACTIVITIES

Continuation

Full evaluation of the injuries to resources necessitates additional field efforts this year and will require closeout activities in 1993. Nine injury assessment projects are proposed to be continued with field and laboratory work costing \$2.8 million. These include projects on sockeye and pink salmon, mussels, shrimp, river otters, hydrocarbon contamination, with associated technical support for data base management and geographic information systems.

Closeout

Injury assessment studies need to be closed out to provide the results of multiyear studies to the public and the scientific community and to provide the basis upon which to plan and implement a restoration program. Thirty-one damage assessment projects are proposed to be completed, at a cost of \$4.9 million, with final reports due this year. These require analyzing existing data and writing reports. A few will need additional fieldwork. These projects include 9 bird, 8 subtidal, 8 fish and shellfish, 3 marine mammal, 2 coastal habitat and 1 archaeology study.

The costs reflect a concerted effort to conclude injury assessment and to synthesize the results of the approximately \$100 million in research into a form useable by the public, the scientific community, and management agencies.

RESTORATION ACTIVITIES

Restoration projects have been subdivided into the following categories: (1) monitoring recovery of injured resources; (2) providing information that will improve management of injured resources; (3) manipulating species populations and/or habitats to enhance recovery or productivity, and (4) identifying habitats that

require protection either through acquisition or changes in agency management action.

Recovery Monitoring

Monitoring includes those projects that monitor species or environments for which injury has been established and recovery or lack thereof can be measured. Ten projects have been proposed at a cost of \$4.5 million. These cover subtidal and coastal environments, anadromous fish, sea and river otters, sea birds, and bald eagles.

Restoration Implementation

A. Management Actions

These projects involve changes in management actions to restore injured resources. There are 7 projects at a cost of \$2.1 million cover anadromous fish, rockfish, herring, archaeology, and harbor seals.

B. Manipulation/Enhancement

These projects are intended to increase in rates of production or total population size above that which would occur in an entirely natural environment. Two projects are proposed for pink and chum salmon at a cost of \$426,000. Additional implementation proposals are being developed and will be added in the near future.

C. Habitat Acquisition and/or Protection

These projects provide information on high-value habitats and habitat needs for injured resources. They will provide information needed to plan and implement habitat protection measures. Four projects at a cost of \$1.8 million are proposed to provide information on marbled murrelet, harlequin duck, anadromous fish, and general upland habitat to support restoration decisions.



Oil Spill Public Information Center

645 G Street ■ Anchorage, Alaska 99501 ■ (907) 278-8008 ■ Fax: (907) 276-7178

Date: January 10, 1992
Subject: Public Meetings on Exxon Valdez Restoration
Contact: L.J. Evans at 563-1126 or Mary McGee at 278-8008

Exxon Valdez Restoration Meetings Planned

A series of public meetings about restoration of natural resource damage from the Exxon Valdez oil spill will be held in January and February. The meetings will be led by staff to the Trustee Council, established to manage Exxon Valdez oil spill restoration programs following the settlement among Exxon and the state and federal governments.

The meetings will focus on development of a public participation program that optimizes the ability of the public to understand and provide comments regarding restoration program development and implementation. Among specific items on the agenda are the development of a charter for a public advisory group to the Trustees, which is required by the settlement.

Meetings are scheduled in Chenega Bay, Cordova, Homer, Kodiak, Seward, and Valdez, with teleconferencing to English Bay, Port Graham, Tatitlek, Seldovia, Whittier, and villages on Kodiak Island. A meeting is also scheduled in Juneau to facilitate input by state legislators, and meetings will be scheduled in Anchorage and Fairbanks for those who do not live in the spill area.

An initial series of meetings, concentrating on general restoration information, was held in 1990. The third round of meetings, scheduled for spring 1992, will be on the restoration programs themselves.

The meeting schedule:

Cordova **Monday, January 20, 7:00 p.m.**
Council Chambers, Cordova Public Library

Juneau **Wednesday, January 22, 7:00 p.m.**
Centennial Hall, Egan room

- More -



**EXXON VALDEZ TRUSTEE COUNCIL MEETING
JANUARY 10, 1992**

Attendees (please print)	Affiliation/Address	Mailing List (✓)
Barbara Tseah	CACI 645 G Street	
W. NEIL ANDERSON	CHUMCH ALASKA COOP 3000 A ST. STE 400	Anch 99508 ✓
Jeff Dale Rinkes	Rush Services	Wasilla, AK
Shay Dale	DEC Frontier Rd HC 33 Box 9890	ANCH ✓
Howard Tanneck	Fisherman	Wasilla
Baine Hollis	USCG	✓ (already on)
Joe Sullivan	ADFG 333 Raspberry Rd. Anchorage, AK	99518-1599 ✓
Shila Bowe	ADFG 333 Raspberry Rd. Anch AK	99578-1599 ✓
Joe Westfall	Self 6026 Cannery Cir Anch AK	99564 ✓
Jami Mauro	CACI 1045 G Street	99501 ✓
Ken Yockey	Self	
Meredith Downing	Rd R Court Dep'ts	
Tom Stark	Meadow Lakes Community Box 53 Wasilla AK	✓
Theresa Day	Valdez PO Box 870653 Wasilla AK	99617 ✓
Conrad Haller	Wasilla 675 W. Briar	Wasilla, 99487
Valerie Payne	NPS 2525 Gambell St	Anch. AK 99503 ✓
Sue Lattin	CACI 645 G St.	
Max Polgar	USDOT	
Steve Rinkes	EPA 4 City 4792-5 Business Park	Anch.
Don Brorero	USDOJ	
Ken Clark	ADFG 4311 Sunstone Cir. Anch	99576
Bob Guenther	CACI 645 G St	
Carrie Holba	OSPIC 645 G St.	99501 ✓
Reg Thompson	" "	
Mary M. Lee	" "	

EXXON VALDEZ TRUSTEE COUNCIL MEETING
JANUARY 10, 1992

Attendees (please print)	Affiliation/Address	Mailing List (✓)
DAVID SAGE	ADEC / OSAC	
ERNIE PIPER	" "	
John McMullen	Prince Wm Sd. Dev. Corp.	CORDOVA
Susan Bishop	P.O. Box 2233, Anch 99523	✓
Doug McVid	ADEC	
Kelly Hoyer	"	
Susan McQueen	"	
Nancy Libb	USFWS Anchorage	
Chip Thomas	#2 Marine Way Juneau 99801	
(please send all materials relative to these meetings)		
Terril Bristow	CACI 645 G St.	
Daniel Totemoff	Village of Chenega Bay	
TORIE BAKER	PO BOX 1159	CORDOVA ✓
Rebecca Williams	645 G Street Anch	✓
PHILIP TOTEMOFF	Box 8064 CHENEGA BAY, AK. 99574	
CHARLES TOTEMOFF	CHENEGA BAY, AK. 99574	
IVAN VANCE	7300 TICONDEROGA, AKC, 99507	✓
Louisa Rand Moore	13 Whale Rock Rd, Tustumena BE 02835	✓
Bill Walker	509 W 3rd Anch Ak-	
Myron Rosenberg	400 West 4th Ave Anchorage 99501	✓✓✓
Pamela Brodie	Sierra Club, 241 E. 5th Ave #205, 99501	✓
Kathy Hess	The Nature Conservancy 601 W. 5th Ave 99501	
CLIFF GROH	ELLAMAR PROP. INC. 2550 DENAGI ST	ANCH
Steve Planden	The Nature Conservancy 601 W 5th #530	ANCH
Karen Wood	AK Center for the Env. Anch 99501	ANCH 99503

EXXON VALDEZ TRUSTEE COUNCIL MEETING
JANUARY 10, 1992

Attendees
(please print)

Affiliation/Address

Mailing
List (✓)

Attendees (please print)	Affiliation/Address	Mailing List (✓)
James Winchissin	Radio KCHV	Valdez Box 462
ANDRE McLeod	OSIAP/FYA	
Sandra King	Cordova, AK	Box 965
Mark King	Cordova, AK	Box 965
Kathryn Andersen	Cordova Eyak	Box 340
Bob Andersen	" "	" "
Sgt. Shaw	Cordova	P.O. Box 514 ✓
Rick Steiner	Cordova	Box 2424 ✓
Bruce Steward	Cordova	Box 1350
P. J. Mayne	Hemel	Box 389
M. Galginitis	1652 Service Drive Anchorage AK 99508	yes please
Sam Brashley	ADF #6 - Anchorage	
Brian Bue	Palmer, AK	Box 641
Dean W. Dykes	OSIAP/ADTAG	
RITA MIRABELIA	1406 ELMENDORF, ANCH 99504 →	
Art Womler	Anchorage	
Carol Fries	Anchorage	
Chris Woolley	Anchorage	2073 Diamond Dr 99507
Connie Taylor	Anchorage 99520	Box 200 448
Susan L. Rudden	Nature Conservancy	
Steve Plachman	"	
Joe De Hess	"	
Greg Miller	National Wildlife Federation	
Pam Miller, Dorie Smith	Greenpeace	PO Box 104432 Anch AK 99510
Jeff Parker	AK Spontifry Assoc. Bldg. Columbia St. Anchorage, Anch. 99503	PO Box 104432 Anch AK 99510

EXXON VALDEZ TRUSTEE COUNCIL MEETING
JANUARY 10, 1992

Attendees
(please print)

Affiliation/Address

Mailing
List (✓)

Chris R. Casati

Alaska Newspapers Inc.

✓

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]

Exxon Valdez Trustee Council Meeting, Friday, January 10, 1992

[illegible]