

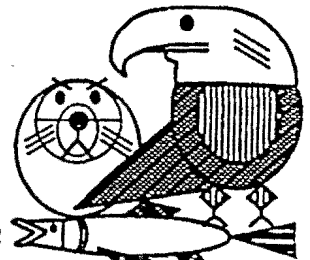
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# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

RECEIVED  
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November 30, 1993

By Dave R. Gibbons  
Interim Administrative Director

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

### Members Present:

#### Trustee Council

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

#### Restoration Team

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

- ♦ Chair
- Alternates:

George Frampton served as alternate for Paul Gates until 5:00 p.m.

### 1. Public Advisory Group Meeting Report

**APPROVED MOTION:** Approved elected officers of the Public Advisory Group for FY 1994. Chair: Brad Phillips, Vice-Chair: Donna Fischer

**APPROVED MOTION:** Form a small group of people flush out endowment options. Subsequently, ask Department of Justice to give legal opinion on endowment options.

**ACTION:** Add exchange document prepared by the Department of Interior to appendix and include exchange options to flow-chart, if appropriate. What do you do with Bark Beetle infested areas - need discussion of this point in document.

#### Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

2. Status Report of the 1993 Shoreline Assessment Project

3. Comprehensive Habitat Protection Evaluations

**APPROVED MOTION:** Move to send the appropriate habitat documents out to the public for information. **Amended:** Leave it up to the Executive Director to determine what to distribute. All documents that have been prepared are accessible to the public for information.

4. Habitat Protection Negotiations Options

**APPROVED MOTION:** Authorize Executive Director to determine whether to proceed with small parcel evaluation and if needed, move to proceed with development of the process and analysis of small parcels to bring back to the Trustee Council for review.

**APPROVED MOTION:** Executive Director be charged with defining negotiations options for each parcel identified by the Trustee Council for possible Habitat Protection actions.

5. Draft/Final Restoration Plan

**APPROVED MOTION:** Adopt Draft Restoration Plan as amended by inclusion of the Public Advisory Group comments that the staff has incorporated.

6. 1994 Draft Work Plan

**APPROVED MOTION:** Send out for public review the 1994 Draft Work Plan including all projects except for: 94025, 94273 and 94277.

**AMENDMENT:** Staff is to continue to work with Alaska Marine Research Institute personnel to re-format project proposal 94199, identifying no costs at this time (TBD).

**APPROVED MOTION:** Approve full yearly funding for projects:

94064 - Harbor Seals @ \$270.2

94166 - Herring Spawn Deposition @ \$466.3

**APPROVED MOTION:** Fund project 94159, Marine Boat Survey at \$107,000 which is to cover Spring survey costs only.

**APPROVED MOTION:** Move to provide funding for the Kodiak Artifact Repository at \$1.5 million.

**ACTION:** For the January Trustee Council meeting, prepare a document that displays the interrelationships of like species, projects, (i.e., Sockeye, Pink and Intertidal). Include:

- interrelationships
- recommendations by staff/project
- why this year?
- perhaps restructure projects if appropriate

Status report is needed for each project which is included in the 1994 Work Plan. This report is to capsulize the injury/restoration findings concerning this species or service and is due to the Trustee Council for their January 31, 1994 meeting.

7. Management Structure/Administrative Budget

**APPROVED MOTION:** Adopted the Mission Statement for the Exxon Valdez Oil Spill Trustee Council developed by Executive Director.

**APPROVED MOTION:** Adopted the organizational chart as developed by Executive Director. Also send the Administrative Budget out for public comment with the Draft 1994 Work Plan and identify that it is to be reduced by at least 15% during the remaining 9 months.

**APPROVED MOTION:** Transfer \$25,000 from the Department of Agriculture to Alaska Department of Environmental Conservation for publication of the Draft 1994 Work Plan.

8. NEPA Compliance

**APPROVED MOTION:** Have the federal attorneys and the Department of Justice look at Draft Restoration Plan and report back to Trustee Council ASAP, with an opinion on the ability to develop Environmental Impact Statement document from the approved draft Restoration Plan.

Next Trustee Council meeting will begin at 9:00 a.m. on January, 31, 1994.

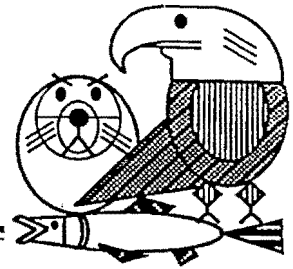
Next Public Advisory Group meeting will be on January 11 & 12, 1994.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

October 27, 1993

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)  
Paul Gates (USDOJ) ● ♦

### Restoration Team

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

♦ Chair

● Alternates:

Charles Meacham served as alternate for Carl Rosier.

George Frampton served as alternate and Chair for Paul Gates until 1:00 p.m.

John Sandor served as Chair after 1:00 p.m.

Ken Rice served as alternate for Mike Barton after 1:00 p.m.

### 1. Restoration Plan

**APPROVED MOTION:** Restoration Planning Group is to refine the Restoration Plan in the next 10 days, which will be used as interim guidance for the development of the 1994 Work Plan. Formal review of Restoration Plan is to be made during Environmental Impact Statement process.

### 2. Executive Director

**APPROVED MOTION:** Offer Executive Director position to Jim Ayers.

**ACTION:** Carl Rosier for the State and Steve Pennoyer for the federal Trustees are to talk to Mr. Ayers about the terms and conditions of employment.

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

**APPROVED MOTION:** The Trustee Council expresses its appreciation to Dave Gibbons for his role as Administrative Director for the past two years.

**APPROVED MOTION:** Another excellent candidate Molly McCammon is being considered for the position of Assistant to the Executive Director.

3. 1994 Work Plan

Format: Organize by category.  
Cross Reference like resource projects.  
Develop a matrix by resource.

**APPROVED MOTION:** Department of the Interior, National Oceanic & Atmospheric Administration and Alaska Department of Fish & Game are to develop several options in an outline for 1994 Work Plan, for review and decision to transmit to staff for development of Draft 1994 Work Plan by November 20, for the November 30, 1993, Trustee Council meeting. This plan should include the Ecosystem Study.

4. Kodiak Archeological Artifact Repository

**APPROVED MOTION:** Defer action on Kodiak Archeological Artifact Repository until the November 30, 1993 Trustee Council meeting.

5. Habitat Protection

**ACTION:** Group parcel analysis by geographic area (Prince William Sound, Kenai/Cook Inlet and Kodiak/Afognak).  
Group parcel analysis by owner.

6. Eyak

**ACTION:** Hold on Executive Session on November 30, 1993 to discuss further Eyak negotiations.

Meeting concluded at 1:55 p.m.

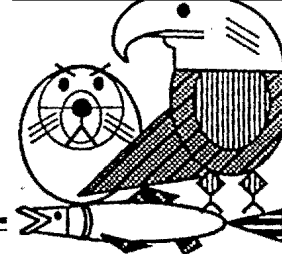
Next Trustee Council meeting will be in Anchorage and begin at 9:00 a.m. on November 30, 1993, to continue on December 1, 1993 at 8:00 a.m.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

September 16 & 17, 1993

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) ♦  
Paul Gates (USDOJ) ●

### Restoration Team

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

♦ Chair

● Alternates:

Jim Wolfe served as alternate for Mike Barton.

George Frampton served as alternate for Paul Gates.

## September 16, 1993

### 1. Eyak Negotiation

**APPROVED MOTION:** Hold an Executive Session from 12:00 - 1:30 p.m. to deal with the selection of the Executive Director and further Eyak negotiations.

**APPROVED MOTION:** Postpone any further discussions of the Eyak proposal until Executive Session at noon.

**APPROVED MOTION:** Forest Service and Department of Law representatives meet with Eyak Corporation to develop a presentation for a Monday September 20th Trustee Council Executive Session.

**AMENDED MOTION:** Have the Department of Law work with the Forest Service on negotiations with Eyak by providing their legal expertise.

### Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

2. Report on Prince William Sound Fisheries Problems by Carl Rosier

- See handout attached

3. Restoration Plan

**APPROVED MOTION:** Appoint a Restoration Plan Planning Team led by one State and one Federal member, to develop a draft Final Restoration Plan before November 1, 1993, not to exceed 65 pages in length excluding appendices for Trustee Council review. (No preferred Alternative is to be prepared)

**APPROVED MOTION:** Fund the 1993 report preparation costs at the identified level of \$3,273,000.

September 17, 1993

4. 1994 Work Plan & Budget

**APPROVED MOTION:** A status report of the 93038 Shoreline Assessment project is to be presented at the next Trustee Council meeting.

**APPROVED MOTION:** Teleconference the September 17, 1993 Trustee Council Meeting.

**APPROVED MOTION:** Approved proposed Interim Budget for 94110 - Habitat Protection Data Acquisition and Support for a three month period, as requested:

Alaska Department of	
Environmental Conservation	\$ 6,400
Alaska Department of Fish & Game	71,500
Alaska Department of Natural Resources	176,600
U.S. Forest Service	10,600
U.S. Department of Interior	<u>8,500</u>
Total	\$273,600

**APPROVED MOTION:** Approve funding for project 94064 - Harbor Seals at \$2,500 for Alaska Department of Fish & Game travel only.

**APPROVED MOTION:** Project 94166 - Herring Spawn Deposition \$37,100 approved for Alaska Department of Fish & Game; \$25,900 not approved for National Oceanic & Atmospheric Administration.

**APPROVED MOTION:** Project 94185 - Coded Wire Tagging of Wild Pink Salmon approved \$40,800 less 6.0 for weir site leases for Alaska Department of Fish & Game \$34,800.

**APPROVED MOTION:** Fund project 94191 - Pink Salmon Oil and Egg Oil Related Mortalities:

Alaska Department of Fish & Game	\$67,100
National Oceanic & Atmospheric Administration	<u>18,300</u>
Total	\$85,400

**APPROVED MOTION:** Project 94258 - Sockeye Salmon Overescapement approved Alaska Department of Fish & Game funding for \$141,000.

**APPROVED MOTION:** Project 94126 - Habitat Protection and Acquisition approved funding for:

Alaska Department of Natural Resources	\$ 99,600
Department of Interior	81,600
Forest Service	<u>103,700</u>
Total	\$284,900

**APPROVED MOTION:** Project 94217 - Prince William Sound Recreation Implementation Plan approved funding for:

Forest Service	\$14,900
Alaska Department of Natural Resources	<u>15,100</u>
Total	\$30,000

Project 94007 - Site-Specific Archeological Restoration, Forest Service **Withdrew interim funding request.**

Project 94159 - Boat Surveys, Department of Interior \$107,700 **Withdrew interim funding request.**

**APPROVED MOTION:** Federal attorneys are to report in writing on which proposed 1994 projects need NEPA documentation and why.

**APPROVED MOTION:** Funding of three months of CACI \$215,500; U.S. Forest Service. Twelve months funding for Simpson Building \$192,000, Alaska Department Environmental Conservation.

**APPROVED MOTION:** \$25,000 for a workshop in November organized jointly by National Oceanic & Atmospheric Administration, Alaska

Department of Fish & Game, Chief Scientist, & U.S. Forest Service.

\$75,000 funding to reimburse Prince William Sound Coalition of Interested Parties and The Nature Conservancy for involvement in plan development.

**ACTION:** Discuss at next Trustee Council meeting the planned steps of designing an ecosystem study.

**APPROVED MOTION:** Reduce Administrative costs by 17% for the first quarter. Interim Administrative Director has discretion of where cuts should be made (excluding CACI and Simpson Building which are fully funded for a three month and twelve month period respectively).

5. Draft General Account Office Report Reply

**ACTION:** Prepare separate cover letters in response to the General Accounting Office report, one State and three Federal letters, one by each agency. However, the content of the comments is to be essentially the same.

6. Exxon Valdez Oil Spill Symposium Proceedings

**APPROVED MOTION:** Charge \$35.00 per copy of Oil Spill Symposium proceedings when printed. 4000 copies are authorized by the Trustee Council to be printed. The Trustee Council has authorized \$69,000 to cover printing costs.

**APPROVED MOTION:** Request missing documents from Eyak be supplied to the Trustee Council.

Recessed Trustee Council meeting at 12:15 p.m., on September 17, until Executive Session at 1:00 p.m. on September 20, 1993.

September 17, 1993

94217 Prince William Sound Area Recreation Implement Plan

New Budget (Approved by the Trustee Council)

	<u>Interim*</u>	<u>Remaining</u>	<u>Total</u>
Total	\$ 30.0	\$ 46.3	\$ 76.3
<hr/>			
U.S. Forest Service	14.9	17.5	32.4
Alaska Department of Natural Resources	15.1	28.8	43.9

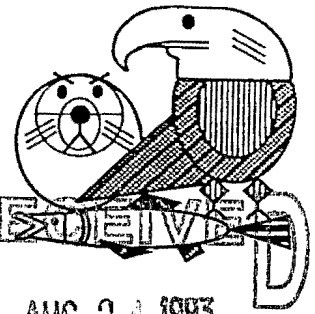
\* Approved

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

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## TRUSTEE COUNCIL MEETING NOTES

AUG 24 1993

August 23, 1993

By Dave R. Gibbons  
Interim Administrative Director

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

### Members Present:

#### Trustee Council

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

#### Restoration Team

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

#### ♦ Chair

#### ● Alternates:

George Frampton served as alternate for Paul Gates until 4:00 p.m.  
Ken Holbrook served as alternate for Ken Rice.

Announcement: Cellular phones should be used outside, as they interfere with the recording of the meeting.

### 1. Public Advisory Group

Next Public Advisory Group meeting is scheduled for September 14, 1993

**ACTION:** Supply the Public Advisory Group with the Chief Scientist comments and 1994 Budget/3-5 page description documents before their upcoming meeting.

**ACTION:** Legal advice by the Department of Justice is requested concerning the concept of an endowment by the September 14, 1993 Public Advisory Group meeting. George Frampton will forward this request for legal advice to the Department of Justice.

#### Trustee Agencies

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

2. Eyak

- a) Timber harvest on Orca Narrows with approved plan.
  - b) Option of a conservation easement for Power Creek, Eyak Lake and River.
  - c) Another conservation easement North and West of Sheppard Point if option (b) above is accepted.
- This is not a proposal but what is being presently discussed.

**APPROVED MOTION:** Encourage Forest Service to continue discussions with Eyak on land issues to facilitate a presentation at the September 16, 1993 Trustee Council meeting.

**APPROVED AMENDMENT:** When the above discussions take place, any timber harvesting on Orca Narrows should be limited as much as possible while maintaining visual qualities.

3. Habitat Protection Approach

**APPROVED MOTION:** Affirm the report presented on the progress of the Habitat Protection comprehensive process.

**ACTION:** Staff prepare paper on possible options concerning negotiations for future Habitat Protection actions.

4. Seal Bay

- Resolution signed and attached.

5. General Accounting Office Study

**APPROVED MOTION:** Proceed with requesting General Accounting Office to review the report as a draft and consider written comments from the Trustee Council before finalizing the report following normal procedures.

**APPROVED AMENDMENT:** Recommend the General Accounting Office report be withdrawn and re-issued following report procedures incorporating written responses from the Trustee Council.

**ACTION:** Letter of transmittal to General Accounting Office be prepared by Trustee Council saying we are going to comment. Interim Administrative Director to draft letter. Trustee Council comments are to be subsequently sent to General Accounting

Office. Department of Interior Trustee Council member abstained from vote.

6. 1994 Work Plan

- 1994 Work Plan should include a project for \$5 million dollar as a placeholder for a comprehensive study of biological resources ("Ecosystem Based study") of Prince William Sound and other spill affected areas as needed (giving priority to Prince William Sound). Also \$5 million for the 1995 Work Plan. This is a commitment in principle for status/trend monitoring.

7. Bark Beetle Infestation

**APPROVED MOTION:**

Submit the beetle kill infestation report to the habitat protection work group for inclusion in the future analysis of lands. Habitat protection work group is requested to factor in beetle infestation into future analysis.

8. Interim Restoration Funding

**APPROVED MOTION:** Approve funding for the CACI contract and Simpson Building and take up remainder of 1994 budget during September 16, 1993 Trustee Council meeting.

9. Exxon Valdez Oil Spill Symposium Proceedings

**APPROVED MOTION:** Table the decision on printing Exxon Valdez Oil Spill proceedings in order to determine the cost of printing 3,500 - 4,00 copies until the September 16, 1993 Trustee Council meeting.

10. Public Advisory Group Alternates

**APPROVED MOTION:** Approve the selection of the Public Advisory Group alternatives as proposed by the Public Advisory Group.

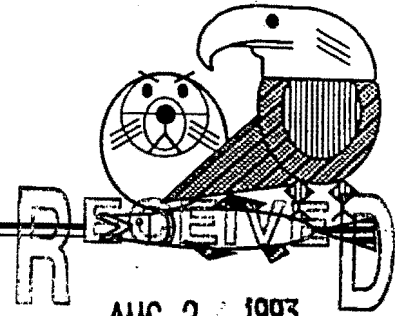
Next Trustee Council meeting will begin at 8:30 a.m. on September 16, 1993.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

August 23, 1993

By Dave R. Gibbons  
Interim Administrative Director

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

### Members Present:

#### Trustee Council

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

#### Restoration Team

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

#### ♦ Chair

#### ● Alternates:

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Ken Holbrook served as alternate for Ken Rice.

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United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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10. Public Advisory Group Alternates

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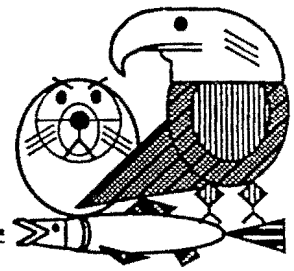
Next Trustee Council meeting will begin at 8:30 a.m. on September 16, 1993.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

August 6 & 9, 1993

By Dave R. Gibbons  
Interim Administrative Director

Members Present:

RECEIVED  
NOV 29 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

### Trustee Council

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

### Restoration Team

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

♦ Chair

● Alternates:

Veronica Gilbert served as alternate for Marty Rutherford.  
Frank Rue served as alternate for Jerome Montague.

August 6, 1993

### 1. Restoration Plan

**APPROVED MOTION:** Prepare draft Restoration Plan to include injury statement, policies and Restoration objectives by Thanksgiving. This is intended to include all items through 5a of the attached outline. Also include item 6 concerning amendment of plan.

**ACTION:** Restoration Team will prepare several objectives for Trustee Council review at the August 23, 1993 meeting.

Trustee Agencies

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

2. Eyak

- What areas have been previously logged?
- identify all specific area

**APPROVED MOTION:** Recess until 1:00 p.m. August 9, 1993.

August 9, 1993 @ 1:15 p.m.

**APPROVED MOTION:** - See attached letter.

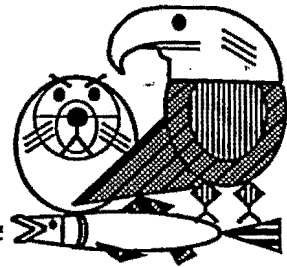
Next public Trustee Council meeting will begin at 8:30 a.m. on August 23, 1993.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 402, Anchorage, Alaska 99501

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



## TRUSTEE COUNCIL MEETING NOTES

June 1 & 2, 1993

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)  
Paul Gates (USDOJ) ●

### Restoration Team

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

♦ Chair

● Alternates:

Walter Stieglitz served as alternate for Paul Gates.

June 1, 1993

### 1. Public Advisory Group

**ACTION:** Distribute the three options for endowments presently being prepared by Public Advisory Group to Trustee Council and the Restoration Team when they are completed.

### 2. Draft Restoration Plan

**ACTION:** Fax new verbiage developed for the Draft Restoration Plan requested by the Trustee Council to the Trustee Council ASAP for comment.

### MODIFICATIONS REQUESTED:

- 1) Qualifier on legal basis.
- 2) Qualifier also that not all Trustee Council agree with everything in Draft Restoration Plan.

---

### Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

- 3) Improved introduction linking Brochure to Draft Restoration Plan to Draft Environmental Impact Statement to the Annual Work Plan (New verbiage requested).

**APPROVED MOTION:** Table any decisions on Draft Restoration Plan until June 2nd.

**APPROVED MOTION:** Combine the pertinent parts of the Draft Environmental Impact Statement and Draft Restoration Plan (This motion was superseded on June 2, 1993).

### 3. Draft Environmental Impact Statement

**ACTION:** If the decision is to combine the Draft Restoration Plan and Draft Environmental Impact Statement, the questions to the Restoration Team are, what are the ramifications to:

- 1) Funds expended?
- 2) Is an Environmental Impact Statement required for Draft Restoration Plan (legal -DOJ question not Restoration Team question).
- 3) Any contract penalties in stopping Environmental Impact Statement contract?
- 4) Report back to Trustee Council on June 2nd.

**APPROVED MOTION:** By June 14th, the Trustee Council is to get a copy of a highly edited version of Draft Environmental Impact Statement from contractor which has been reviewed by Restoration Team for content. A one week turn-around review by Trustee Council is requested. (This motion was subsequently superseded on June 2, 1993)

### 4. 1994 Work Plan

**APPROVED MOTION:** Trustee Council is to be provided with a copy of Executive Summary of each study funded in 1992 and 1993 as soon as possible.

**APPROVED MOTION:** Use the 2 page list of assumptions developed by Restoration Team as a working draft for the purpose of developing a set of assumptions for the development of the 1994 draft Work Plan, from which items from the second set of assumptions will be inserted.

**ACTION:** Trustee Council has developed a combined list of assumptions and will review this new version on June 2nd.

**ACTION:** John Johnson (Chugach Alaska Corporation) is to work with Dave Gibbons to develop a 1993 project for repatriation of Native remains and associated artifacts at a cost of \$6,000.

June 2, 1993

1. Draft Environmental Impact Statement

**APPROVED MOTION:** Do not send out the Draft Environmental Impact Statement at this time without further discussion and decision by the Trustee Council. Suspend the contract & conduct no further work.

**APPROVED MOTION:** Trustee Council directs the Department of Agriculture to review the Draft Environmental Impact Statement contract/contractor status as to costs and expected product.

2. Draft Restoration Plan

- Spell out objectives by resource!
- Organization of Draft Restoration Plan:
  - 1) Injury Statement
  - 2) Objective of injury
  - 3) Acts. to get there
  - 4) Constraints of expenditures (MOA)
  - 5) Restoration end point
- Appendix B good, but trim
- Appendix C good, but trim
- Objective: To answer policy questions
- Move policy questions to first of document (cover letter then questions)
- Appendix D - limit it to "safe" examples

**APPROVED MOTION:** Restoration Team is to revise Draft Restoration Plan to:

- 1) Clarifying changes from June 1st input by Trustee Council
- 2) Include no appendices but specify that they are available upon request
- 3) Examples in appendix D only
- 4) Make changes and give to Trustee Council by June 15, 1993
- 5) Members of Trustee Council are to work with Restoration Team/Restoration Planning Work Group members directly to convey changes.
- 6) Return to Trustee Council for review and approval by June 15, 1993.
- 7) What to include:
  - cover letter
  - linkage statement etc.
  - policy questions - tell us what future actions you think

- appendices available upon request with brief information on each appendix

Amendment: Nothing in the mail out should contain substantive information contained in the Brochure.

Develop proposed Final Draft Restoration Plan after August 6, 1993 with an associated Draft Environmental Impact Statement for public comment.

- Final Restoration Plan and Environmental Impact Statement, Spring 1994.

### 3. 1994 Work Plan

**APPROVED MOTION:** Adopt the 1994 Work Plan assumptions as modified on June 1 & 2, 1993 (see attached).

**APPROVED MOTION:** Direct Restoration Team to develop a proposed 1994 Work Plan Project list with the 50 highest priority projects using all Trustee Council direction and all public comments (consistent with guidelines in the MOA) but also include a 2nd tiered 50 (Force rank top 100 projects). Utilize Dr. Spies opinion to develop top 50 projects. Projects previously rejected in the development of the 1992 and 1993 Work Plans by Trustee Council should not be in top 50 unless there is good reason. Restoration Team is to develop 5 - 6 lines per study as a brief explanation and complete ASAP.

**APPROVED MOTION:** Proceed with the development of monitoring studies in the 1994 Work Plan but integrate these into a comprehensive monitoring plan if such is completed before implementation of 1994 projects.

### 4. 1993 Work Plan

**APPROVED MOTION:** Amend the Pink Salmon coded wire tag study (93067) from \$150,000 to \$220,000.

**APPROVED MOTION:** Approve the coded-wire tag recovering study for Chinook, Coho, Chum and Sockeye at a cost of \$126,400.

**APPROVED MOTION:** Include a Spring Pacific Herring Spawn Deposition study in the 1994 Work Plan top 50 priorities.

**APPROVED MOTION:** Include the Chenega Bay Chinook and Coho study (93016) in the 1994 Work Plan top 50.

Check transcript on actions concerning Red Lake study.

5. Habitat Protection

**APPROVED MOTION:** Trustee Council recommends with regards to any possible future action with EYAK Corp. -- USFS negotiations that the Trustee Council continue this meeting via teleconference or other means as necessary.

Costs: \$32,000 for appraisal for Seal Bay & Tonki Peninsula.  
- \$26,000 for Seal Bay  
- \$6,000 for Tonki Peninsula

6. Simpson Building

**APPROVED MOTION:** 1) Negotiate for a lease up to 2 years on the Simpson Building and if not acceptable, Administrative Director is authorized to advertise for new space.

7. Symposium

**APPROVED MOTION:** Move ahead with the publication of the proceedings of the Exxon Valdez Oil Spill Symposium.

8. Oil Spill Recovery Institute

**ACTION:** Tabled the Oil Spill Recovery Institute MOU pending further legal and other consideration.

9. Other

**ACTION:** Write letter to Prince William Sound Communities Organized to Restore the Sound (PWSCOR) to thank them for their efforts and indicate that we support them.

Next Trustee Council meetings will be on August 23, and September 15, 1993.

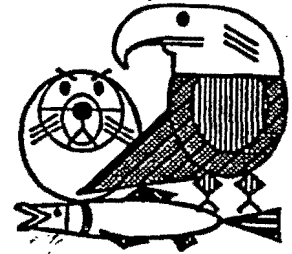
# **Exxon Valdez Oil Spill Trustee Council**

Restoration Office

645 "G" Street, Anchorage, AK 99501

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

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## **1994 EXXON VALDEZ RESTORATION WORK PLAN ASSUMPTIONS**

1. A Restoration Plan will not be completed by the time the 1994 Work Plan needs to be approved, however, a draft Restoration Plan will be completed by the time the 1994 Work Plan is implemented. The Trustee Council can approve for implementation any appropriate restoration action prior to having a draft Restoration Plan in place if that action is time critical or represents a lost opportunity. Other approved restoration projects to be implemented must be consistent with the draft Restoration Plan.
2. The 1994 Work Plan will be required to include projects contained in the 1993 Work Plan which have not been completed.
3. Direct restoration and applied studies supporting restoration will be emphasized.
4. Identification and protection of critical habitat should proceed as rapidly as possible giving priority consideration to the habitat of species directly or consequentially injured by the spill.
5. Agencies will not be funded for projects unrelated to the Exxon Valdez Oil Spill or for costs that agencies would normally fund if the Exxon Valdez Oil Spill had not occurred.
6. Restoration projects will be limited to resources that have suffered injury, which is defined as:
  - 1) direct mortality: animals killed by contact with oil or by the cleanup;
  - 2) sublethal and chronic effects: injuries to a life stage such as eggs or larvae, but that may not result in mortality;
  - 3) degradation of habitat: alteration or contamination of flora, fauna, and the physical components of the habitat;
  - 4) reduction in the physical or biological functions performed by natural

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### **Trustee Agencies**

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

June 2, 1993

resources; or

5) the aesthetic , intrinsic, or other indirect uses provided by natural resources that have been significantly reduced.

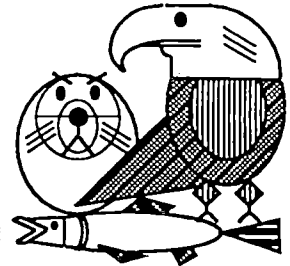
7. Restoration activities will be restricted to the oil spill affected area.
8. National Environmental Policy Act (NEPA) compliance, if required, must be completed on all projects prior to approval by the Trustee Council.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



## TRUSTEE COUNCIL MEETING NOTES

May 13, 1993

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)  
Walter Stieglitz (DOI)

### Restoration Team

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

♦ Chair

### 1. Budget

**APPROVED MOTION:** Approved a 4 month Administrative Support Budget for 6/1/93 - 9/30/93 presented by the Administrative Director and Restoration Team.

### 2. Seal Bay

**APPROVED MOTION:** Attached is the Seal Bay properties motion which was passed.

**APPROVED MOTION:** Alaska Department of Law will work with subsurface owners of Seal Bay and Tonki Peninsula properties to explore the possibility of acquiring rights.

**APPROVED MOTION:** Approve the funding for an appraisal, Title Search and hazardous material survey for the Seal Bay properties to be paid from the \$12.5 million remaining in the Habitat Protection fund.

**APPROVED MOTION:** U.S. Forest Service is designated lead federal agency for Seal Bay NEPA compliance work.

3. Habitat Protection

**ACTION:** Review habitat identification and acquisition coordination and approval process guidelines at the June 1 - 2, 1993 Trustee Council meeting.

4. Changes to the 1993 Restoration Work Plan

**APPROVED MOTION:** Approved up to \$15,000 to cover Coast Guard participation (travel costs) in the shoreline assessment project 93038.

**APPROVED MOTION:** Approved \$150,000 for a pink salmon coded-wire tag study to be used with other State and private funding sources for 1993. Funds are to be transferred from project 93015.

**APPROVED MOTION:** Include as an agenda item on the June 1 - 2, 1993 Trustee Council meeting a discussion of a coded-wire tag study for other than pink salmon and Herring study proposed in a Resolution 93-25 by the city of Cordova.

**APPROVED MOTION:** Include the listing of beaches identified in the Chenega Bay petition attached to those already identified to be considered as part of the shoreline assessment Project 93038.

Next Trustee Council meeting will begin at 10:00 a.m. on June 1, 1993.

5/13/93

Motion

Trustee Council will agree to accept Seal Bay's proposal No. 3 for \$38.7 million. *17,391 Acres*

Seal Bay will donate its approximate 25,000 acres on Tonki Cape.

*equals x 42,000 Acres*

Sales price subject to appraisal:

1. If appraisal is less than \$38.7 million, Seal Bay has option to sell at appraised price and Council will buy at sales price.
2. If appraisal is more than \$38.7 million:
  - (a) If more than \$38.7 million and less than \$42 million, Seal Bay agrees to sell and Council agrees to buy at sales price of \$38.7 million.
  - (b) If appraisal is more than \$42 million, Seal Bay has option to rescind.

Agreement also subject to:

- (a) Seal Bay board approval;
- (b) Satisfaction of:
  1. Hazard waste survey
  2. Title search
  3. NEPA compliance/exemption

All conditions subsequent will be completed within 60 days - which can be extended by mutual agreement.

JKW/cl  
2020-1\Proposal 1

*3 year Term agreement at the Federally Determined Interest Rate*

*2. Trustee Council will not pay more than \$38.7 million*

*3. Further Substantive activity to the Seal Bay Project*

*4. The Council Acquisition will include the Bay*

PETITION  
REQUESTING OIL SPILL TRUST  
TO REMOVE SUBSURFACE OIL  
FROM SUBSISTENCE BEACHES

To: Exxon Valdez Oil Spill Restoration Trustees

From: Undersigned Citizens of Chenega

Our subsistence hunters and gatherers have reported very poor hunting and shellfish gathering in areas adjacent to beaches containing subsurface oil. Clicks have appeared near these beaches as oil is released from within them. As discussed in your 1993 February Exxon Valdez symposium, this has significantly altered our village's normal food supply and has harmed numerous living creatures.

We request you to expand "General Restoration" to include restoring significant subsistence beaches to as close to pre-spill conditions as is reasonable during the balance of the restoration process. Many of these beaches are listed in the attached table. We are particularly concerned about dealing with subsurface oil seepage into the environment as well as surface oil deposits.

This petition is part of our commentary on the '93 and '94 Work Plans as well as the overall Restoration Plan. We call your attention to and support the letter from the Pacific Rim Villages Coalition to you addressing this issue.

CANDIDATE LIST OF SUBSISTENCE BEACHES FOR RESTORATION

Local Beach Name	ADEC Beach Number	Subsistence Species Present	Beach Composition
Bettles Island	EV-50 thru EV-54	Seals, <i>Deer</i>	Varied
Bishop Rock	EV-37 thru EV-39	Clams, Seals, Sealions, <i>Deer</i>	Sandy to boulders
Sleepy Bay	LA-15 thru LA-20	Seals, Ducks, Sealions, <i>Deer</i>	Gravel to boulders
Shelter Bay	EV-19 thru EV-24 12 & 28	Clams, Seals, Ducks, <i>Deer</i>	Fine gravel to boulders
Guguak Bay	EV-60 thru EV-70	Seals, Ducks, <i>Deer</i>	Fine gravel to boulders
North Chenega Island	CH-01 thru CH-13 22 & 23	Seals, Ducks, Sealions, <i>Deer</i>	Fine gravel to boulders
Point Helen	KN-405	Seals, Sealions, <i>Deer</i>	Gravel to boulders
Delaney Island	CH100	Seals, Eggs, <i>Deer</i>	Sandy to Boulders
Flemming Island	FL-01, 02, 04	Seals, Clams, <i>Deer</i>	Sandy to Boulders
Bainbridge	BA-02	Seals, Ducks, <i>Deer</i>	Sandy to Boulders
Elrington	ER-20	Seals, Ducks, <i>Deer</i>	Sandy to Boulders

# PETITION SIGN UP LIST

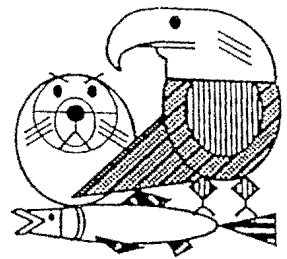
SIGNATURE	DATE	PRINTED NAME	ADDRESS	VILLAGE	TELEPHONE
Alex P. Kompkoff	5/11/93	ALEX Kompkoff	Box 54	CHENECA	N/A
Paul Kompkoff	5/11/93	Paul Kompkoff Jr	Box 8054	Chenega	N/A
Norma J. Selanoff	5/11/93	Norma J. Selanoff	Box 8014	Chenega Bay	573-511
Charles P. Selanoff	5-11-93	CHARLES P. SELANOFF	Box 8014	CHENECA Bay	573-511
Mary A. Kompkoff	5-11-93	MARY A. KOMPKEFF	Box 8002	CHENECA	573-511
Patrick Selanoff	5-11-93	Patrick Selanoff	Box 8022	Chenega	573-5124
Eddie Lerchakoff	5/11/93	Eddie Lerchakoff	Box 8025	Chenega	573-5124
Doreen Elechasky	5/11-93	Doreen Elechasky	Box 8021	Chenega	573-511
Cheryl Elechasky	5-11-93	Cheryl Elechasky	Box 8031	Chenega	573-5142
George Elechasky	5-11-93	George Elechasky	Box 8021	Chenega	573-511
Carol A. Wilson	5/11/93	CAROL A. WILSON	PO Box 8005	Chenega Bay	573-513
Lydia Turner	5/11/93	Lydia Turner	Box 8023	Chenega Bay	N/A
Stephanie Kompkoff	5/11/93	Stephanie Kompkoff	Box 8053	Chenega Bay	none
John Totemoff	5/11-93	JOHN TOTEMOFF	Box 8021	Chenega Bay	573-535
Maggie Totemoff	5/11-93	MAGGIE TOTEMOFF	Box 8021	Chenega Bay	573-536
Charles W. Totemoff	5-11-93	Charles W. Totemoff	Box 8043	Chenega Bay	573-5118
Patricia Barker	5-11-93	Patricia Barker	Box 8065	Chenega Bay	573-5112
Donnell Totemoff	5-11-93	Donnell Totemoff	Box 8066	Chenega	573-530
Donald P. Kompkoff	5/11/93	Donald P. Kompkoff	Est Box 8034	Chenega	573-511
Joyce L. Kompkoff	5-11-93	Joyce L. Kompkoff	Box 8056	Chenega Bay	573-520
Gail A. Kompkoff	5-11-93	Gail A. Kompkoff	Box 8034	Chenega Bay	573-513
Frank Gurske	5-11-93	FRANK GURSK	Box 8012	Chenega	574-30-4354
Susan Gurske	5-11-93	SUSAN GURSK	Box 8012	Chenega	574-30-4354
Sally Gurske	5-11-93	Sally Gurske	P.O. Box 8012	Chenega	N/A
Steve Ward	5-11-93	Steve Ward	P.O. Box 8024	Chenega	573-5152
Verna Ward	5-11-93	Verna Ward	P.O. Box 8024	Chenega	573-5152
Donna Totemoff	5-11-93	Donna Totemoff	P.O. Box 8024	Chenega	573-5152
Verna Totemoff	5-11-93	Verna Totemoff	P.O. Box 8024	Chenega	573-5152
Larry Evanoff	5-11-93	LARRY EVANOFF	Box 8003	CHENECA BAY	573-531



SIGNATURE	DATE	PRINTED NAME	ADDRESS	VILLAGE	TELEPHONE
✓ William Evans	5-11-93	WILLIAM EVANS	Box 8003	CHENEGA BAY	573-531
✓ John Pipkin	5-11-93	John Pipkin	P.O. Box 8033	Chenega Bay	573-531
✓ Shirley J. Totemoff	5-12-93	Shirley H. Totemoff	P.O. Box 8065	Chenega Bay	573-5112
✓ Philip Totemoff	5-12-93	Philip Totemoff	P.O. Box 8065	Chenega Bay	573-5112
✓ Phyllis Pipkin	5/11-93	PHYLLIS PIPKIN	P.O. Box 8033	Chenega Bay	573-531
✓ Gail K. Evans	5/12/93	GAIL K. EVANS	P.O. Box 8023	Chenega Bay	573-531

# Exxon Valdez Oil Spill Trustee Council

Restoration Office  
645 "G" Street, Anchorage, AK 99501  
Phone: (907) 278-8012 Fax: (907) 276-7178



## TRUSTEE COUNCIL MEETING NOTES

March 29, 1993 Continuation Meeting

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) ♦  
Paul Gates (USDOl)

### Restoration Team

Dave Gibbons (IAD)  
Mark Brodersen (ADEC)  
Ken Rice (USFS)  
Marty Rutherford (ADNR)  
Jerome Montague (ADF&G) •  
Pamela Bergmann (USDOl)

- ♦ Chair
- Alternates:  
Frank Rue served as an alternate for J. Montague.

### 1. Merchant Marine & Fisheries Committee Hearing

**ACTION:** Statements submitted by Trustee Council members to the Merchant Marine and Fisheries Committee Hearing on March 24, 1993, will be entered into the Trustee Council Record.

**ACTION:** Administrative Director is to obtain a copy of the transcript of the March 24 Merchant Marine & Fisheries Committee Hearing. After review, recommend to the Trustee Council if any action is needed in response to testimony presented (Circulate copy to Trustee Council after highlighting specific portions).

**ACTION:** Administrative Director and Restoration Team are requested to develop a proposal for improving communication (Newsletter, etc.) with the public and bring back this proposal to the Trustee Council for next meeting on May 13, 1993.

**MOTION:** The Trustee Council endorses insitu burning as a concept and hopes that it can be moved forward as soon as possible. No funding was authorized.

3. 1993 Work Plan

- a) Kodiak Fishery Industrial Technology Center

**ACTION:** Kodiak Fishery Industrial Technology Center deferred to 1994 Work Plan.

- b) Kodiak Alutiiq Museum and Cultural Center (Administrative Costs & NEPA)

**MOTION:** Before funds are spent on the Kodiak Alutiiq Museum, a detailed study plan and NEPA document are to be presented to the Trustee Council for approval. Further discussion of general administration costs will be discussed at that time. NEPA compliance preparation and general administration costs are to be covered in the \$1,500,000 (NOAA will be the lead federal agency for NEPA compliance).

- c) 93030 - Red Lake Restoration Project

**MOTION:** 93030 Red Lake deferred until next Trustee Council meeting on May 13, 1993.

**MOTION:** Kachemak Bay Resolution letter approved (enclosed).

4. 1992 & 1993 Work Plan

**MOTION:** Each agency is to review the status of 1992 final reports on a case by case basis and provide a summary of status of final reports. Draft final reports should be to Chief Scientist for Peer Review by June 15, 1993. If this cannot be accomplished, the Trustee Council must approve date extensions on a case by case basis at the May 13, 1993 meeting. Additional funds for 1993 Projects may be withheld by the Trustee Council if 1992 final report progress is deemed unsatisfactory.

**MOTION:** 1993 Draft final reports are due to the Chief Scientist for peer review by April 1, 1994.

**MOTION:** The Trustee Council agrees to adopt the 1994 Work Plan format presented by NOAA as a stand alone document (not tied to Draft Restoration Plan) to be prepared by mid-April 1993 for mail out and review at the April 1993 public meetings. Circulate (fax) the introductory statement to the Trustee Council members before going out with 1994 Work Plan document. If a Comprehensive Ecosystem Study of resources in the Oil Spill Affected Area is not included, add this to the potential project list for 1994.

**ACTION:** Circulate to the Trustee Council the Draft Restoration Plan annotated outline, and chapters as they are completed and reviewed by the Restoration Team.

**ACTION:** Report back to the Trustee Council if something happens between now and May 13th on Imminently Threatened Lands or put on the May 13, 1993 Trustee Council meeting agenda for status report.

5. Restoration Organization

**MOTION:** Make changes (redraft) the Administrative Director's job description and have the federal personnel/classification people review changes to the job description and determine if the job description needs to be re-advertised and re-classified. Reflect an Executive Director with more authority, reporting directly to the Trustee Council.

If redraft does not cause re-advertisement or re-classification, then the Trustee Council members should each identify one person for a Screening Committee to evaluate the on-hand applicants. Restoration Team members should not be selected due to their present workload.

**MOTION:** The Restoration Team meetings will be open to the public, however, no advertisement other than a public posting of the meeting schedule, or no public comment period is needed.

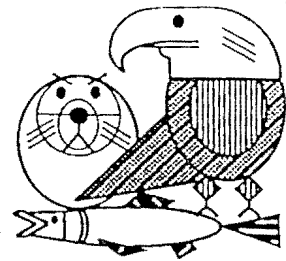
Next Trustee Council meetings will be: May 13, 1993 and June 1 & 2, 1993

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



## TRUSTEE COUNCIL MEETING NOTES

March 10, 1993 Continuation Meeting

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) ♦  
Paul Gates (USDOJ)

### Restoration Team

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

♦ Chair

● Alternates:

Mark Brodersen served as an alternate for J. Sandor, until 10:30 a.m.

### 1. Public Advisory Group

a) Alternates:

**APPROVED MOTION:** Charter needs to be amended to provide for the designation of voting alternates for each member of the Public Advisory Group and each alternate must be subsequently reviewed and approved by the Trustee Council.

**ACTION:** Designated lead Federal Agency representative is to also designate an alternate. Approve alternates at a continuation meeting of the Trustee Council on 3/29/93.

**APPROVED MOTION:** The Trustee Council approves a fact finding boat trip by Public Advisory Group for a total of about \$2,000 to Prince William Sound pending legal review. Cost will cover boat fuel and travel of Public Advisory Group members.

2. Habitat

**APPROVED MOTION:** Approved negotiation option A as an interim method to proceed with discussions with the imminently threatened privately held lands. Form as part of option A, a coordinating committee that reports directly to the Trustee Council, to coordinate the efforts of imminently threaten land negotiations with land owners by individual trust agencies.

**APPROVED MOTION:** Trustee Council agrees on 2 step-process for imminently threatened lands: (1) top four parcels that presently rank high in imminently threatened lands, proceed with the negotiation, (2) during the process of discussion with land-owners concerning the remaining 14 parcels, re-evaluate the possible re-ranking of these parcels with any new information obtained.

**APPROVED MOTION:** Have continuation Trustee Council meetings to complete appropriate actions concerning four of the top five remaining imminently threatened lands (exclusion of Kachemak Bay).

**APPROVED MOTION:** Approve ADEC proposed revisions (#1, 2, 3, 4, & 13 attached) to the Negotiation/Acquisition guidelines with the amendment that they be applicable to any proposed additions or deletions to the presently identified acreage in the imminent threat parcel ranking and acreage package (Modify to make clear that the Restoration Team is to conduct items # 1, 2, 3, 4, & 13).

**APPROVED MOTION:** Trustee Council recommends that legal review of the Negotiation/Acquisition guidelines be conducted but as to not delay the Habitat Protection process, by March 29th Trustee Council meeting.

**MOTION:** Trustee Council moves that the following agencies contact owner with respect to:

KAP 01 - State  
PWS 04 - USFS  
PWS 02 - USFS  
CIK 05 - State

**MOTION:** The Coordinating Committee is to be comprised of the Habitat Protection Work Group members.

**ACTION:**

Continue to review the progress of the preparation of the 1992 Final Reports working with the Chief Scientist.

3. 1993 Work Plan

**APPROVED MOTION:** 93016 - Chenega Coho and Chinook

Approve NEPA Compliance for \$10,000 (ADF&G lead agency).

**MOTION:**

93024 - Coghill Lake *fertilization*

NEPA Compliance is completed.

Approve \$191,900 for the project.

**MOTION:**

93030 - Red Lake Restoration

NEPA Compliance is complete but does not have USDI review.

Defer final decision until next Trustee Council meeting on 3/29/93.

4. Public Advisory Group 1993 Projects

**APPROVED MOTION:** Project 93066 - Approve the construction of the Alutiiq Museum and Cultural Center for \$1,500,000 (Kodiak).

NOAA - Y

USDI - Y

USDA - Y

ADEC - Y

ADFG - Y

ADOL - Y

ADEC to be lead agency  
is to be determined.

*NEPA still needed*  
*NOAA* Federal agency for NEPA compliance

**ACTION:**

Kodiak Fisheries Center - deferred to next Trustee Council meeting on 3/29/93.

**ACTION:**

Insitu Burn project (Alaska Clean-Seas) deferred until next Trustee Council meeting on 3/29/92.

5. Recreation Proposal

**APPROVED MOTION:** Project 93065 - Approve the Prince William Sound Recreation proposal for \$71,000.

ADNR & USFS cooperating agencies.

6. Public Advisory Group Operating Procedures

**APPROVED MOTION:** The transcript of the discussions this morning concerning Trustee Council direction to the Public Advisory Group should be included as an appendix - verbatim to the Public Advisory Group Operating Procedures.

**APPROVED MOTION:** Approved the intent statement as amended to be included in Public Advisory Group Operating Procedures.

**APPROVED MOTION:** Approve Public Advisory Group Operating Procedures as amended.

7. Pacific Rim Villages Coalition

**MOTION:**

Approve the Restoration Team proposal to develop the concept of a centralized logistics service in the 1994 Work Plan working with Pacific Rim Villages Coalition.

Next Trustee Council meeting will begin at 10:00 a.m. on March 29, 1993.

1. CLEARLY IDENTIFY THE RESTORATION OBJECTIVES THAT WILL BE ACHIEVED WITH THE ACQUISITION OF THE TRACT. 3. REFINE TRACT SIZE AND CONFIGURATION TO ASSURE RESTORATION OBJECTIVES WILL BE ACHIEVED AND EVALUATE
2. ~~DETERMINE ALTERNATIVE ACQUISITION OPTIONS~~ (EASEMENTS, EEE TITLE, MORATORIUMS, ETC) WHICH COULD BE USED TO ACHIEVE RESTORATION OBJECTIVES. 3/2/93

In order that acquisitions are conducted in a consistent and fair manner with all landowners in the spill affected area, the following guidelines for conducting acquisitions are proposed.

4. CONSIDER THE APPROPRIATENESS OF ALTERNATIVE FUNDING OR PROTECTION MECHANISMS (Land + Water Cons. Fund; Resour Regs)
5. Appraisals will be prepared in accordance with U.S. Dept. of Justice "Uniform Appraisal Standards for Federal Acquisitions," and will be reviewed by a qualified government review appraiser. An approved appraisal shall be the determination of Fair Market Value.

6B) If the purchase price of any acquisition is estimated to be in excess of \$1,000,000, at least two appraisals may be obtained. If more than one appraisal is prepared and approved for any acquisition, the review appraiser will select the appraisal that best supports its conclusion of value, and that appraisal shall be the determination of Fair Market Value.

7) The provisions of 49 CFR Part 24, the general acquisition procedures for the federal government, will be adhered to in acquisitions conducted by the State or federal government. Relocation expenses of landowners and tenants, if applicable, will be determined and paid according to these regulations.

8D) The U.S. Department of Justice publication "A Procedural Guide for the Acquisition of Real Property by Government Agencies," will be adhered to in acquisitions conducted by the State or federal government.

9E) Hazardous substances surveys will be conducted prior title passing to the state or federal government.

10) Title evidence will be obtained and utilized in accordance with the U.S. Dept. of Justice "Standards for Preparation of Title Evidence."

11) An opinion of sufficiency of title will be obtained from the respective federal or state legal counsel prior to title passing.

12) When negotiating/acquiring lands from corporations, personnel will deal with designated corporate officials only, not individual board members or shareholders.

In addition to the above described general guidelines and procedures for acquisition, procedures will be developed that explain the operational relationship of the personnel conducting acquisitions to the Trustee Council, Restoration Team and Habitat Protection Work Group. These procedures will address such topics as the role of the Habitat Protection Work Group in refining tract size and configuration to assure that restoration objectives would be achieved with acquisition of any subject tract. The procedures will also clarify reporting requirements to the Trustee Council and approval authority of the Trustee Council prior to entering into any binding contract.

13. Provide for a process of evaluating the validity of restoration assumptions & objectives as a guide for future habitat protection strategies. Adjust best professional judgement criteria.

Habitat Acquired

EXXON VALDEZ OIL SPILL  
PUBLIC ADVISORY GROUP

INTENT

The Trustee Council intends that the PAG be established as an important component of the Council's public involvement process. It is not the intent of the Council that the PAG be the Council's sole source of public involvement and public opinion. Nor is it the intent of the Council that the PAG seek public involvement except as specifically requested by the Council. The Council values the views of the PAG based on the individual and collective experiences of PAG members as an informed source of advice.

The Trustee Council carefully selected the members of the PAG so that a wide spectrum of views and interests are available for the Council to consider as it evaluates, develops, and implements restoration activities. It is the Council's intent that the diversity of interests and views held by the PAG members contribute to wide ranging discussions that will be of benefit to the Trustee Council. It is not the intent of the Council that individual PAG members be the only spokesperson for a specific interest or that the PAG filter or direct general public comment.

Because of the desire of the Trustee Council to have this wide spectrum of views among the PAG members, it is essential that the formation of any subsets or subcommittees preserve the full spectrum of views and interests that are represented on the PAG. The Trustee Council believes that preserving this spectrum of views in any subset to be a difficult task and therefore, the use of subcommittees or subsets will be extremely limited and subject to the approval of the Trustee Council.

It is also the Trustee Council's intent to develop, with assistance from the PAG, and approve an annual budget allowing the PAG to meet prior to each Trustee Council meeting: PAG costs will be monitored to prevent expenditures in excess of the annual budget. Also, the Trustee Council will approve in advance all expenditures including those arising from the scheduling of meetings.

## TRUSTEE COUNCIL MEETING NOTES

February 16, 1993

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) ◆  
(USDOl) ●

◆ Chair

● Alternates:

Pamela Bergmann for USDOl

Craig Tillery for C. Cole, ADOL, until first break at 10:30 a.m.

### Restoration Team

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

### 1. Restoration Organization

**APPROVED MOTION:** Move ahead with screening Administrative Director applicants on State & Federal side to see if they all meet evaluation criteria in the job announcement. Forest Service will do this on Federal side and ADF&G will screen on the State side.

**APPROVED MOTION:** Defer further discussion of Restoration Organization until 3/10/93 Trustee Council meeting or soon thereafter.

### 2. Habitat Protection

**APPROVED MOTION:** Revisit willing seller threshold criteria and check Alaska Lands Settlement Act to see if it prevents this. Discuss at 3/10/93 Trustee Council meeting the pros and cons of possible condemnation of lands.

**APPROVED MOTION:** Send letter asking if land owners are willing to participate in the restoration process. Send the letter to all land owners, owning substantial acreage in the oil spill affected area, not just those presently identified in the 2/16/93 Habitat Protection notebook.

**APPROVED MOTION:** Continue to address the negotiations options paper and negotiation process development for the 3/10/93 Trustee Council meeting.

**APPROVED MOTION:** Begin comprehensive data collection and analysis for the oil spill affected area.

**APPROVED MOTION:** Keep working on a Restoration Plan with the five alternatives presently developed.

3. 1993 Projects

**APPROVED MOTION:** 93011 - Not recommended.

93016 - Deferred until 3/10/93 Trustee Council meeting.

93024 - Deferred until 3/10/93 Trustee Council meeting.

93030 - Deferred until 3/10/93 Trustee Council meeting.

4. Public Advisory Group (Projects)

**APPROVED MOTION:** Projects #1 and #2 deferred until 3/10/93, but also bring available information on other two projects ideas submitted for incorporation in the 1993 Work Plan.

**NOT APPROVED 2/16:** Project #3 (Herring) \$127,000 for data analysis only (boat time donated).

**NOT APPROVED:** Project #4 coded wire pink salmon project.  
Project #5 coded wire chum, coho, chinook, sockeye salmon.

5. 1992 Projects

Progress Report to Trustee Council on status of preparation of Final Reports at the 3/10/93.

**APPROVED MOTION:** Defer Financial Report discussion until 3/10/93 Trustee Council meeting.

**APPROVED MOTION:** Defer Operating Procedures of the Public Advisory Group until 3/10/93 Trustee Council meeting.

Restoration Team - 1994 Work Plan discussion, not what Restoration Team reviewed.

**APPROVED MOTION:** Defer Prince William Sound Recreation proposal until 3/10/93 Trustee Council meeting.

**APPROVED MOTION:** Administrative Director work with Acting Director of the Prince William Sound Oil Spill Recovery Institute to develop a cooperative agreement.

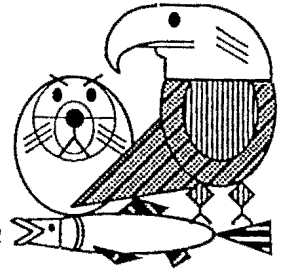
Verify by 3/10/93 Trustee Council meeting.

- 1) Review CRMA proposal for PL 93-638 at 3/10/93 Trustee Council meeting (must take some action).
- 2) Annuity concept letter.

Call Marla Atkins, Cordova, and ask how much money was spent on fisheries in Prince William Sound.



Exxon Valdez Oil Spill Restoration Team  
645 "G" Street, Anchorage, AK 99501  
Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING NOTES

January 19 - 20, 1993

By Dave R. Gibbons  
Interim Administrative Director

Members Present:

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EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

Trustee Council

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♦ Chair

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1/19/93

1. Habitat Protection

**APPROVED MOTION:** Move to accept the Restoration Team recommendation (set B with 9C) of the threshold criteria on an interim basis.

**APPROVED MOTION:** Move to reword set B #3 of the threshold criteria to: The seller acknowledges that the government can not purchase the parcel or property rights in excess of fair market value.

**APPROVED MOTION:** Adopt the interim VALUATION/RANKING criteria recommended by the Restoration Team.

**APPROVED MOTION:** Approved the Resolution concerning Kachemak Bay (Enclosed).

2. Public Advisory Group

- a. Defer Kodiak Museum decision until 2/16 Trustee Council meeting where more detail is requested.

- b. Defer Chugach Resource Management Agency proposal until next Trustee Council meeting on 2/16.

1/20/93

**APPROVED MOTION:** The Administrative Director is to work with the Trust agencies and spill affected communities to utilize as much as practicable, local labor and equipment.

Discussion Items

- \* Trustee Council wants to do restoration in 1994.
- \* Discussion by Trustee Council and Restoration Team on 1994 Work Plan process in March.
- \* Individual (federal) Trustee Council members should approach their legal council on need for EIS for the Restoration Plan.
- \* Alaska Department of Environmental Conservation and United States Forest Service Restoration Team members develop a Prince William Sound Recreation project.
- \* Restoration Team is to further review all PAG projects by the 2/16 TC meeting if possible.
- \* A project action table concerning the 1993 Work Plan is enclosed.

**APPROVED MOTION:** If funds are needed to do additional work on project 93061, these funds can be taken from project 93064 after Trustee Council approval.

**APPROVED MOTION:** Restoration Team needs to review Public Advisory Group recommended projects as soon as possible (for 2/16 Trustee Council meeting if possible) and report back to Trustee Council.

**APPROVED MOTION:** Delete proposed expenditures for Public Advisory Group Public Hearings.

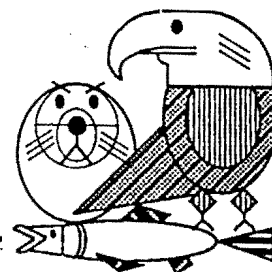
**APPROVED MOTION:** Approved 1st quarter (March 1 - May 31) Administrative Budget and, long-term contracting (i.e., CACI, Dr. Spies, EIS) for the period 3/1/93 - 9/30/93.

**APPROVED MOTION:** Charlie Cole and Mike Barton will represent the Trustee Council at the 2/2 Oil Spill Symposium.

Next Trustee Council meeting: 2/16 (thru 2/17 a.m. if required).



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 645 "G" Street, Anchorage, AK 99501  
 Phone: (907) 278-8012 Fax: (907) 276-7178



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January 19 - 20, 1993

**RECEIVED**  
 APR 01 1993

By Dave R. Gibbons  
 Interim Administrative Director

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EXXON VALDEZ OIL SPILL  
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