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Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178

TRUSTEE COUNCIL MEETING ACTIONS

December 30, 1998 @ 9:30 a.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

*James A. Wolfe, USFS
Robert Anderson, USDOJ
Steve Pennoyer, NMFS

Frank Rue, ADF&G
•Dan Easton, ADEC
•Craig Tillery, ADOL

* Chair

In Anchorage: Tillery

In Juneau: Wolfe, Pennoyer, Rue, Easton

In Seattle: Anderson

• Alternates:

Dan Easton served as an alternate for Michele Brown for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 9:37 a.m.

1. Executive Session

APPROVED MOTION: Adjourned into executive session to discuss legal issues relating to the Eyak transaction. Motion by Tillery, second by Rue.

Off Record 9:40 a.m.

On Record 9:56 a.m.

2. Eyak

APPROVED MOTION: Authorized an amount not exceed \$100,000 in additional funds as needed for documented expenses incurred by Eyak Corporation for the additional ratification vote required by the purchase agreement and necessary for the closing of the land transaction with Eyak previously approved by the Trustee Council. This payment to be considered part of the purchase price and will be paid following closing and upon submittal of the expenses and their review and approval by the Executive Director. Motion by Tillery, second by Pennoyer.

Meeting adjourned at 10:00 a.m.

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

December 15, 1998 @ 8 a.m.

By Molly McCammon
Executive Director.

Trustee Council Members Present:

James A. Wolfe, USFS
Robert Anderson, USDOJ
• Bruce Wright, NMFS

* Frank Rue, ADF&G
• Dan Easton, ADEC
• Craig Tillery, ADOL

* Chair

In Anchorage: Frank Rue and Craig Tillery.

In Juneau: Jim Wolfe, Bruce Wright and Dan Easton.

In Seattle: Robert Anderson.

• Alternates:

Dan Easton served as an alternate for Michele Brown for the entire meeting.
Bruce Wright served as an alternate for Steve Pennoyer for the entire meeting.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 8:06 a.m.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Tillery, second by Wright.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved the November 30, 1998 Trustee Council meeting notes.
Motion by Wolfe, second by Wright.

Public comments received from 3 individuals from Anchorage, Juneau and Valdez.

3. FY99 Work Plan (Deferred Projects)

APPROVED MOTION: Adopted the recommendations for FY99 projects as outlined in the two spreadsheets dated December 8, 1998, including the revisions agreed to during the Trustee Council discussion today, with the following conditions: (1) if a Principal Investigator has an overdue

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U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

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Alaska Department of Environmental Conservation
Alaska Department of Law

report from a previous year, no funds may be expended on a project involving the PI unless the report is submitted or a schedule for submission is approved by the Executive Director, and (2) a project's lead agency must demonstrate to the Executive Director that requirements of NEPA are met before any project funds may be expended (with the exception of funds spent to prepare NEPA documentation). The funds approved for project 99405/Port Graham Salmon Hatchery Reconstruction are for a capital project and do not lapse on September 30, 1999. Motion by Tillery, second by Wright.

4. Alaska SeaLife Center Bench Fees

APPROVED MOTION: Amend the FY99 budget to pay for the full non-subsidized cost of *Exxon Valdez* Oil Spill research at the Alaska SeaLife Center in the amount of \$412,400. Motion by Tillery, second by Wright.

5. Kodiak Tax Parcels

APPROVED MOTION: Authorized the expenditure of \$59,000 for four small parcels known as KAP 1089, KAP 1090, KAP 1091 and KAP 2012. Motion by Tillery, second by Wright.

6. Small Parcels Meriting Special Consideration

APPROVED MOTION: Designated KEN 1084 and KEN 1086 as Parcels Meriting Special Consideration to go forward for appraisals. Motion by Wolfe, second by Tillery.

Meeting adjourned at 9:42 a.m.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

November 30, 1998 @ 9:30 a.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

* Jim Wolfe, USFS
Deborah Williams, USDO
• Bruce Wright, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
• Craig Tillery, ADOL

* Chair

In Anchorage: Jim Wolfe, Deborah Williams, Bruce Wright, & Craig Tillery
In Juneau: Frank Rue & Michele Brown

• Alternates:

Bruce Wright served as an alternate for Steve Pennoyer for the entire meeting.
Rob Bosworth served as an alternate for Frank Rue until 10:30 a.m.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 9:37 a.m.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Tillery.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved September 29, October 15 and November 10, 1998 Trustee Council meeting notes. Motion by Williams, second by Tillery.

Public comments received from seventeen individuals from Anchorage, Homer, Cordova, and Fairbanks.

3. Executive Session

APPROVED MOTION: Adjourned into executive session to discuss the archaeology proposals, the Alaska SeaLife Center operations and habitat protection. Motion by Williams, second by Wright.

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National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Off Record 12:15 p.m.
On Record 3:08 p.m.

4. Restoration Reserve

The Council held a work session on this topic from 3 to 5 p.m. No action was taken.

5. Eyak Amendment

APPROVED MOTION: Authorized minor boundary adjustments to the July 2, 1997 resolution as described in the attached resolution. Motion by Williams, second by Wright.

6. Affirmation of Council Actions

APPROVED MOTION: Reaffirmed approved action items from the October 15 and November 10, 1998 Trustee Council meeting notes. Motion by Tillery, second by Williams.

Meeting adjourned at 5:10.

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

November 10, 1998 @ 2 p.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

Jim Wolfe, USFS
● Barry Roth, USDO
● Bruce Wright, NMFS

Frank Rue, ADF&G
● Al Ewing, ADEC
* ● Craig Tillery, ADOL

* Chair

In Anchorage via teleconference: Craig Tillery

In Juneau via teleconference: Jim Wolfe, Frank Rue, Al Ewing

In Seattle via teleconference: Bruce Wright

In Washington D.C. via teleconference: Barry Roth

● Alternates:

Barry Roth served as an alternate for Deborah Williams for the entire meeting.

Bruce Wright served as an alternate for Steve Pennoyer for the entire meeting.

Al Ewing served as an alternate for Michele Brown for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 2:05 p.m.

1. Afognak Joint Venture Resolution Amendment

APPROVED MOTION: Moved that the AJV acquisition be adjusted as follows: (1) the total purchase price is reduced by \$104,000; (2) the lands shown at no. 1 on the map of AJV 8 are added to the acquisition; and (3) the lands shown at no. 2 on the map of AJV are deleted from the acquisition. Further adjustments in the AJV acquisition are authorized but not required as follows: (1) the lands shown at number 3 on the map of AJV 8 may be removed from the acquisition so long as the purchase price is reduced by \$431 per acre removed; (2) the lands shown at number 4 on the map of AJV 1b may be removed from the acquisition so long as the purchase price is reduced by \$431 per acre removed; and (3) the lands shown at number 5 on the map of AJV 3a may be removed from the acquisition so long as the purchase price is reduced by \$3793 per acre removed. Motion by Roth, second by Wolfe.

Meeting adjourned at 2:25.

raw

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National Oceanic and Atmospheric Administration

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Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

October 15, 1998 @ 3:15 p.m

By Molly McCammon
Executive Director

Trustee Council Members Present:

Jim Wolfe, USFS
Deborah Williams, USDO
● Jim Balsiger, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
● Craig Tillery, ADOL

* Chair

In Anchorage: Brown, Tillery, Williams

In Juneau: Rue, Wolfe, Balsiger

● Alternates:

Jim Balsiger served as an alternate for Steve Pennoyer for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 3:15 p.m.

1. Revised Afognak Resolution

APPROVED MOTION: Approved amending the December 18, 1997, July 1, 1998, August 13, 1998, and September 29, 1998, resolutions to allow funds to be withdrawn prior to execution of the purchase agreements as long as the funds are not expended until purchase agreements in accordance with the terms and conditions of the resolutions are executed and so certified by the State of Alaska, United States Department of the Interior and the Executive Director (Attachment A). Motion by Williams, second by Brown.

Meeting adjourned at 3:28 p.m.

raw

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U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

September 29, 1998 @ 10:30 a.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

Jim Wolfe, USFS
Deborah Williams, USDO
● Jim Balsiger, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
* ● Craig Tillery, ADOL

* Chair

In Juneau: Wolfe, Williams, Balsiger, Rue, Brown, & Tillery

● Alternates:

Jim Balsiger served as an alternate for Steve Pennoyer for the entire meeting.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 10:42 a.m.

Public comments received from eleven individuals from Kodiak, Washington, Anchorage, and Juneau.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Rue.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved August 13 and September 4, 1998 Trustee Council meeting notes. Motion by Williams, second by Balsiger.

3. KAP 95 & Larsen Bay 10 Acre Parcel

APPROVED MOTION: Authorized the U.S. Department of the Interior, Fish and Wildlife Service to offer \$84,000 for 80 acres on Sitkalidak Strait, Kodiak Island and \$13,000 for 10 acres in Uyak Bay, Kodiak Island. Motion by Williams, second by Balsiger.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. Project 99291

APPROVED MOTION: Authorized an additional \$9,235 to the Alaska Department of Environmental Conservation for Project 99291, Chenega Beach Restoration Project, final report and printing costs. Motion by Brown, second by Balsiger.

5. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on the Public Advisory Group nominations, habitat protection negotiation strategies, status of the archaeology repository RFP and the reopener clause. Motion by Williams, second by Brown.

Off Record at 11:44 a.m.

On Record at 1:51 p.m.

6. Public Advisory Group Nominations

APPROVED MOTION: Nominated the following individuals to sit on the Public Advisory Group for the 1998 - 2000 term:

Rupert Andrews, hunting and fishing
Torie Baker, resident commercial fishing
Christopher Beck, public at large
Pamela Brodie, environmental
Dan Hull, public at large
Ed Zeine, local government
Chip Dennerlein, conservation
Eleanor Huffines, commercial tourism
James King, public at large
Mary McBurney, aquaculture
Dave Cobb, public at large
Charles Meacham, science/academic
Brenda Schwantes, public at large
Stacey Studebaker, recreation users
Charles Totemoff, Native land owners
Howard Valley, forest products
Sheri Buretta, subsistence
Motion by Rue, second by Williams.

7. Restoration Reserve

Work session and discussion on future uses of the Restoration Reserve.

8. Koniag Subsurface Rights

APPROVED MOTION: Authorized the purchase from Koniag Inc., of the subsurface rights to approximately 41,000 acres on Afognak Island for \$750,000.
Motion by Williams, second by Brown.

Meeting adjourned at 4:56 p.m.

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

September 4, 1998 @ 9 a.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

James A. Wolfe, USFS
* Deborah Williams, USDOl
● Bruce Wright, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
● Craig Tillery, ADOL

* Chair

In Anchorage: Williams, Tillery

In Juneau: Wolfe, Wright, Rue, and Brown

● Alternates:

Bruce Wright served as an alternate for Steve Pennoyer for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Meeting convened at 9:05 a.m.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Brown, second by Rue.

Public comments received from three individuals from Anchorage and Cordova.

2. Eyak

APPROVED MOTION: Approved Eyak's request to selectively harvest approximately 80 to 100 trees, in the vicinity of the Humpback Creek hydroelectric facility, to construct a replacement dam. Motion by Wolfe, second by Brown.

Meeting adjourned at 9:56 a.m.

raw

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

August 13, 1998 @ 10:30 a.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

Jim Wolfe, USFS
● Barry Roth, USDO
Steve Pennoyer, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
*● Craig Tillery, ADOL

* Chair

In Anchorage: Jim Wolfe, Steve Pennoyer, Michele Brown, and Craig Tillery

In Juneau: Frank Rue

In Idaho: Barry Roth

● Alternates:

Barry Roth served as an alternate for Deborah Williams for the entire meeting.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Pennoyer, second by Wolfe.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved June 8, 1998 and July 1, 1998 Trustee Council meeting notes. Motion by Pennoyer, second by Wolfe.

Public comments received from twelve individuals from Chenega, Cordova and Anchorage.

3. Executive Session

APPROVED MOTION: Adjourned into Executive Session for the purpose of discussing habitat protection issues. Motion by Pennoyer, second by Brown.

Off Record 12:10 p.m.

On Record 1:20 p.m.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. FY 99 Draft Work Plan

Off Record 2:58 p.m.

On Record 3:16 p.m.

APPROVED MOTION: Approved the recommendations for FY99 projects as outlined in Spreadsheet A and Spreadsheet B, both dated August 13, 1998. Motion by Pennoyer, second by Brown.

5. FY99 Restoration Reserve Transfer

APPROVED MOTION: Approved the transfer of \$12,000,000 from the CRIS - Liquidity Account to the *Exxon Valdez* Oil Spill Settlement Account - CRIS Reserve Fund. In the event the transfer is not completed by September 15, 1998, interest against these funds shall also be transferred. Interest shall be accrued from September 15, 1998, until the time of transfer from the CRIS - Liquidity Account. Motion by Pennoyer, second by Brown.

6. Afognak Joint Venture Payment Schedule

APPROVED MOTION: Approved a resolution dated August 13, 1998, describing a payment schedule for the acquisition of Afognak Joint Venture (AJV) lands providing that \$70,500,000 plus an additional adjustment for deferred payments would be made in three parts. The resolution further provided that this authorization for funding was subject to the inclusion of terms and conditions to be incorporated into the purchase agreement including certain conservation easements to be granted by AJV at no additional cost as specified in the resolution. Motion by Pennoyer, second by Brown.

7. Eyak

APPROVED MOTION: Approved a resolution dated August 13, 1998, amending the prior July 2, 1997 Eyak land resolution, exempting certain remaining land selections from relinquishment. Motion by Wolfe, second by Brown.

Meeting adjourned at 4:57 p.m.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

July 1, 1998 @ 1:30 p.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

Jim Wolfe, USFS
* Deborah Williams, USDOJ
• Bill Hines, NMFS

• Geron Bruce, ADF&G
Michele Brown, ADEC
• Craig Tillery, ADOL

* Chair

In Anchorage (telephonically): Deborah Williams & Craig Tillery

In Juneau (telephonically): Geron Bruce, Jim Wolfe, Bill Hines & Michele Brown

• Alternates:

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.

Geron Bruce served as an alternate for Frank Rue for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Al Ewing served as an alternate for Michele Brown starting at 2:30 p.m.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda with the addition of an informational briefing on the Kenai Natives Association small parcel package.
Unanimously approved.

2. Project 98468

APPROVED MOTION: Approve \$19,000 for Project 98468, Fundamental Estimations of Acoustic Target Strength. Motion by Hines, second by Bruce.

3. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on appraisal issues. Motion by Wolfe, second by Tillery.

Off Record 2:11 p.m.

On Record 2:30 p.m.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. Patson Parcel KEN 1034

APPROVED MOTION: Adopt the proposed resolution to purchase the Patson/KEN 1034 small parcel, as amended. Motion by Tillery, second by Wolfe.

Meeting adjourned at 2:33 p.m.

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

June 8, 1998 @ 10:30 a.m.

By Eric Myers
Director of Operations

Trustee Council Members Present:

• Jim Wolfe, USFS
* Deborah Williams, USDOJ
Steve Pennoyer, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
• Craig Tillery, ADOL

* Chair

In Anchorage: Craig Tillery, Deborah Williams and Jim Wolfe

In Juneau: Frank Rue, Steve Pennoyer and Michele Brown

• Alternates:

Jim Wolfe served as an alternate for the U.S. Forest Service the entire meeting.

Bill Hines served as an alternate for Steve Pennoyer starting at 2:15 p.m. for the rest of the meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Pennoyer, second by Brown.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved December 18 and December 23, 1997, March 9, March 20 and April 2, 1998 Trustee Council meeting notes. Motion by Rue, second by Brown.

3. Ratification of APEX Funding Reallocation

APPROVED MOTION: Ratified the Council's written approval of the reallocation the APEX funds. Motion by Tillery, second by Wolfe.

Public comments received from eight individuals from Homer and Anchorage.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. Public Advisory Group Membership Terms

APPROVED MOTION: Approved the extension of the Public Advisory Group as a Federal Advisory Committee Act entity for an additional two years and directed that staff should proceed with the solicitation of nominations for membership. Motion by Tillery, second by Wolfe.

5. Archaeology RFP

APPROVED MOTION: Approved the extension of the Archaeological RFP deadline to Friday, August 7, 1998. Motion by Brown, second by Wolfe.

6. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purposes of discussion on the Executive Director's evaluation and habitat protection negotiations. Motion by Tillery, second by Pennoyer.

Off Record at 12:34 p.m.

On Record at 2:15 p.m.

7. Termination Point Small Parcel

APPROVED MOTION: Authorized the State of Alaska to offer Leisnoi Corporation \$1,865,000 for Termination Point which includes 1,028 acres adjacent to Monashka Bay on Kodiak Island. Motion by Tillery, second by Brown.

8. Kodiak Tax Parcels

APPROVED MOTION: Authorized the U.S. Fish and Wildlife to offer \$102,000 for seven tax parcels on Kodiak Island. Motion by Tillery, second by Hines.

9. Small Parcels Meriting Special Consideration

APPROVED MOTION: Authorized the use of up to \$645,000 from within the \$1,000,000 previously allocated for Kodiak Tax Parcels for the purchase of approximately 42 small, generally 10 acre parcels, within the large parcel previously purchased from Koniag, in Uyak Bay. Any acquisitions are to be made only from willing sellers and the Council will address parcels individually by specific resolution following appraisals and an indication of willingness to sell. Motion by Wolfe, second by Rue.

10. KAP 95, KAP 126 and KAP 134

APPROVED MOTION: Rescind the authorization to purchase KAP 1055/Abston small parcel and authorize the U.S. Fish & Wildlife to proceed with efforts to acquire three parcels (KAP 95, KAP 126 and KAP 134) located in Three Saints Bay as parcels meriting special consideration. The three parcels are estimated to have a value of \$264,000 but the Council will address the individual parcels by specific resolution following approval of appraisals and an indicator of the owners' willingness to sell. Motion by Tillery, second by Wolfe.

11. Restoration of Services

APPROVED MOTION: Approved \$8,700 for Alaska Department of Fish and Game, Subsistence Division, to conduct a planning workshop (scheduled for July 1998) for a subsistence use survey. Motion by Rue, second by Brown.

Meeting recessed at 3:46 p.m..

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



MEMORANDUM

To: Trustee Council

From: Molly McCammon
Executive Director

Date: May 5, 1998

Subject: Proposed Reallocation with FY 98 APEX Funds

RECEIVED

MAY 14 1998

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

McCammon
SE

The Alaska Predator Ecosystem Experiment project (APEX, 98163) was reviewed by the Chief Scientist this past January. In response to that review and discussions internal to the APEX project, the Project Leader has recommended reduction of component A, forage fish in Prince William Sound (Halderson), by \$117.3K and reallocation of those funds to increase funding for components E, kittiwakes as indicators of change (Irons), and Q, modeling, and to provide funding for a new component T, aerial surveys of forage fish (Brown). Substantively, the main change is to reduce hydroacoustic assessments of forage fish and to increase aerial surveys of forage fish and link those survey data to the modeling component of APEX. A memorandum from the project leader, Dr. David Duffy, is attached.

Dr. Robert Spies, the Chief Scientist, supports the substantive intent of the proposed reallocation of funds. This is a good example of adaptive management within one of the three ecosystem-scale research projects, and I also support the change.

Although these changes do not involve additional FY 98 funds, they do involve changes in the underlying scope or objectives of a project previously approved by the Trustee Council. Thus, consistent with the *Procedures* adopted by the Trustee Council in 1996, the reallocation requires your approval before it can be implemented. The *Procedures* are silent regarding how to obtain Trustee Council action on a proposed revision in the event that a meeting is not scheduled in the near future. There is, however, a process for polling individual Trustees in the event that emergency action is required. Since it is essential that the proposed APEX reallocation be authorized quickly so that plans for the rapidly approaching field season are not derailed, I propose to use the emergency authority to obtain your consideration and action.

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

Stan Pennoyer 5/8/98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

[April 17, 1998 e-mail message from Dave Duffy to Stan Senner]

Dear Stan,

Based on comments from the peer reviewers, Chief Scientist, and internal discussions in APEX, we would like to realign the APEX project to incorporate aerial surveys and reduce the offshore surveys, and increase the GIS work in 98163B to further fish/bird modeling. The project answers information needs identified by 97163 Q to give finer-scale information on kittiwake/fish interactions and it provides a second method of measuring fish biomass for comparison with seabird reproductive parameters such as foraging trip length and reproductive success. It also provides improved measurement of inshore fish abundance and increases our ability to model sand lance, one of our core forage fish species.

It would be very useful to have two years of combined aerial and boat surveys, so we propose to undertake in 1998 what we have also proposed in our DPD for 1999. Two years of data would presumably give us a wider range of environmental conditions and fish abundances, allowing us better data for the models. This would also reduce the risk inherent in any single-season project.

We propose to accomplish this without increasing the APEX total expenditures but by adjusting budgets within the project. The increase in the 98163B effort will be accomplished by a subcontract to USFWS with 98163I funds. The incorporation of the aerial survey work in FY98 will require increases in 98163E (vessel support), and 98163Q, and adding a new component (98163T, currently in the APEX DPD as 99163 T) in which Evelyn Brown will be the PI. The aerial survey funds will come from the funds saved by reducing the offshore survey in 98163A. The below table reflects the aerial survey budget changes to APEX:

project	approved budget	budget change	corrected budget
98163A	\$360.0K (contract only)	-\$117.3K	\$242.7K
98163E	\$181.3K	+\$060.8K	\$242.1K
98163T	\$000.0 (RSA + GA)	+\$054.4K	\$054.4K
98163Q	\$069.8K (contract + GA)	+\$002.1K	\$071.9K

98163I will subcontract USFWS to hire Lisa Joyal to supplement 98163B for \$20.0K.

I believe we will need to get approval from the Trustee Council to reduce 98163A, increase objectives to 98163E, and create 98163T, and to transfer these funds between agencies.

Bruce Wright has already begun negotiations with the University (98163A) for the NOAA/UAF contract by requesting a revised project description.

Dave Duffy

cc: Molly McCammon
Traci Cramer
Bruce Wright
Bob Spies

Page 2
Trustees
May 5, 1998

FAXED
5-7-98

Please check one of the following and add your signature and date:

X

I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

I object to the proposed reallocation.

Frank Rue 5-7-98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

Michael R 5/7/98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

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Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

FAX TRANSMITTAL

of pages 1

To	Molly McCammon	From	D. Williams
Dept./Agency		Phone #	271-5485
Fax #	276-7128	Fax #	
NSN 7540-01-317-7368		5099-101	GENERAL SERVICES ADMINISTRATION

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

Deborah Williams May 6, 1998
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

Craig Tilley 5/6/98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

Post-It® Fax Note	7671	Date	5-6-98	# of pages	1
To	Molly McCammon		From	Craig Tilley	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	276-7178		Fax #	278-2022	

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

James A. Wolfe 5/11/98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. Those funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Serner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

OPTIONAL FORM 38 (7-90)

FAX TRANSMITTAL

To	Molly McLammen	From	Jim Wolfe
Dept/Agency	EVO S	Phone #	
Fax #		Fax #	

NSN 7540-01 317-7368

5093-101

GENERAL SERVICES ADMINISTRATION

Page 2
Trustees
May 5, 1998

Please check one of the following and add your signature and date:

☒ I concur with the proposed reallocation of APEX funds as described above and in the attached memorandum from Dr. Duffy.

☐ I object to the proposed reallocation.

Stan Senner 5/8/98
signature date

Please fax this memorandum back to me at the Restoration Office (907-276-7178), preferably by close of business on Friday, May 8.

If approved, the Alaska Department of Fish and Game will administer the new component, T, through a Reimbursable Services Agreement with the University of Alaska Fairbanks. These funds previously went to UAF via a NOAA contract.

This action can be ratified at the next Trustee Council meeting. A few minor items are accumulating that could warrant a teleconferenced meeting in late May or early June.

Thank you. If you have any procedural questions about this matter, please call me or Traci Cramer (907-586-7238). If you have substantive questions, please call Stan Senner or Bruce Wright (907-789-6601).

MM/kh

encl: (1)

cc: Dr. David Duffy
Mr. Bruce Wright
Dr. Robert Spies
Ms. Sandra Schubert
Ms. Traci Cramer

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

Continuation Meeting

April 2, 1998 @ 2 p.m.

By Molly McCammon
Executive Director

Trustee Council Members Present:

● Jim Wolfe, USFS
Deborah Williams, USDO
● Bill Hines, NMFS

Frank Rue, ADF&G
● Al Ewing, ADEC
* ● Craig Tillery, ADOL

* Chair

In Anchorage: Craig Tillery

In Juneau: Frank Rue, Al Ewing, Bill Hines

In Washington D.C.: Deborah Williams

In New Mexico: Jim Wolfe

● Alternates:

Al Ewing served as an alternate for Michele Brown for the entire meeting.

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Rue, second by Ewing.

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session to discuss the habitat protection package for Afognak Joint Venture. Motion by Wolfe, second by Williams.

Off Record 2:26 p.m.

On Record 3:16 p.m.

Public comments received from six individuals from Homer, Juneau, Anchorage, and Kodiak.

Federal Trustees

U.S. Department of the Interior

U.S. Department of Agriculture

National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game

Alaska Department of Environmental Conservation

Alaska Department of Law

3. Afognak Joint Venture (AJV)

APPROVED MOTION: Authorized the State of Alaska and the U.S. Department of the Interior to offer \$70,500,000 for approximately 41,750 acres on northern Afognak Island owned by Afognak Joint Ventures. Motion by Williams, second by Rue.

Meeting adjourned at 3:40 p.m.

raw

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

**Continuation Meeting
March 20, 1998 @ 12:00 p.m**

By Molly McCammon
Executive Director

Trustee Council Members Present:

• Jim Wolfe, USFS
Deborah Williams, USDOJ
Steve Pennoyer, NMFS

Frank Rue, ADF&G
• Ginny Fay, ADEC
*• Craig Tillery, ADOL

* Chair

In Anchorage: Craig Tillery.

In Juneau: Jim Wolfe, Steve Pennoyer, Frank Rue, and Ginny Fay.

In Hawaii: Deborah Williams.

• Alternates:

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Ginny Fay served as an alternate for Michele Brown for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

Comments were heard from Howard Valley in Kodiak, Greg Petrich in Juneau and Tim Mahoney in Virginia concerning the Afognak Joint Venture Negotiations.

1. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on habitat protection negotiations. Motion by Williams, second by Rue.

Off Record 12:30 p.m.

On Record 1:19 p.m.

Meeting recessed at 1:20 p.m.

raw

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

March 9, 1998 @ 2:30 p.m

By Molly McCammon
Executive Director

Trustee Council Members Present (all telephonically):

- Jim Wolfe, USFS
- Deborah Williams, USDO
- Bill Hines, NMFS

Frank Rue, ADF&G
● Ginny Fay, ADEC
*● Craig Tillery, ADOL

* Chair

In Anchorage: Craig Tillery and Deborah Williams.

In Juneau: Jim Wolfe, Bill Hines, Frank Rue, and Ginny Fay.

● Alternates:

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.

Ginny Fay served as an alternate for Michele Brown for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Wolfe.

2. Review of Emergency Action

APPROVED MOTION: Reaffirmed emergency action poll taken on February 25, 1998 regarding the release of interest the Council may have in all insurance claims arising from damages to the aviary canopy at the Alaska SeaLife Center.

Reaffirmed emergency action poll taken on February 25, 1998 regarding the date change to the Archaeological Restoration RFP.

3. Revision to the Homer Spit Small Parcel Resolution

APPROVED MOTION: Approved amending the October 3, 1997 Homer Spit small parcel resolution with respect to lots 6-A and 6-B such that conveyance of an appropriate conservation easement is mandatory with respect to

the State of Alaska and is at the option of the United States.
Motion by Williams, second by Wolfe.

4. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on habitat protection negotiations. Motion by Williams, second by Hines.

Off Record 2:55 p.m.

On Record 4:00 p.m.

Meeting recessed at 4:01 p.m.

raw