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Exxon Valdez Oil Spill Trustee Council

441 W. 5th Ave., Suite 500 • Anchorage, Alaska 99501-2340 • 907/278-8012 • fax 907/276-7178

TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

October 29, 2002

By Molly McCammon
Executive Director



Trustee Council Members Present:

● Dave Gibbons, USFS
Drue Pearce, DOI
* James Balsiger, NMFS

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

* Chair

In Anchorage: Lisowski, Tillery, Brown, Balsiger, Pearce
By teleconference: Gibbons, (during executive session)

● Alternates

Maria Lisowski served as alternate for Dave Gibbons or the entire meeting.

Meeting convened at 8:09 a.m., October 29, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION: Approved the October 29, 2002 agenda with changes to item number 5, by adding a motion to approve designated contracts for STAC members.
(Attachment A)

Motion by Pearce, second by Brown.

2. Approval of Meeting Notes

APPROVED MOTION: Approved the August 6, 2002 meeting notes.
(Attachment B)

Motion by Tillery, second by Rue.

Public comment period began at 8:15 a.m.

Public comment received by teleconference from one person in Anchorage.

Public comment period closed at 8:18 a.m.

3. Executive session

APPROVED MOTION: Approved a motion to move to an Executive Session for the purpose of discussing legal issues, personnel issues and habitat protection negotiations.

Motion by Tillery, second by Brown.

EXECUTIVE SESSION

Off Record at (8:20 a.m.)

On Record at (10:09 a.m.)

Public comment period re-opened at 10:10 a.m.

Public comment received by one individual in Anchorage.

Public comment period closed at 10:13 a.m.

4. PWS 05 Duck Flats

APPROVED MOTION: Approved a motion to amend Section 3 (B) of the Trustee Council's resolution 01-12, by extending until December 31, 2002 the purchase agreement and the approval for funding for the acquisition of PWS 05 (Valdez Duck Flats).

Motion by Rue, second by Brown.

5. PWS 1010 Jack Bay

APPROVED MOTION: Approved a motion to amend Section 4 (B) of the Trustee Council's resolution 02-03, by extending until December 31, 2002 the purchase agreement and the approval for funding for the acquisition of PWS 1010 (Jack Bay).

Motion by Rue, second by Brown.

6. Scientific and Technical Advisory Committee

APPROVED MOTION: Approved a motion to initiate named recipient contracts with members of the Scientific and Technical Advisory Committee (Stephen Braund, Brenda Norcross, Charles Miller, Ronald O'Dor, and Warren Wooster).

Motion by Brown, second by Rue.

Meeting recessed at 10:30 a.m. until November 4, 2002 at 8:00 a.m.

10:30 a.m. - 12:30 p.m. Informal discussion held between the Trustee Council and four tribal representatives.

1:00 p.m. - 5:30 p.m. Joint Meeting between *Exxon Valdez* Oil Spill Trustee Council, North Pacific Research Board, University of Alaska, and the Pacific Salmon Commission's Northern Fund.

TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

November 4, 2002

(Continuation of the October 29, 2002 meeting)

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
Drue Pearce, DOI
*James Balsiger, NMFS

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

*** Chair**

In Anchorage: Tillery, Pearce

By teleconference: Balsiger, Gibbons, Rue, Brown

● Alternates

Meeting reconvened at 8:09 a.m., November 4, 2002, in Anchorage.

7. Northern Afognak Island Acquisition package

APPROVED MOTION:

Adopted resolution 03-01 of the *Exxon Valdez* Oil Spill Trustee Council regarding the Northern Afognak conservation package purchase (Attachment C).

Motion by Rue, second by Brown.

8. Subcommittee Nominations

APPROVED MOTION:

Habitat Subcommittee:

The Trustee Council approved a motion to accept the recommendation of the STAC for the Habitat Subcommittee with exception of substituting Bob Clark for Robyn Hannigan, all for two year terms: Vern Byrd, Bob Clark, Mimi Hogan, Henry Huntington, Eric Knudsen, Lyman McDonald, Bern Megrey, Jennifer Nielsen, Susan Saupe, Tom Weingartner, Doug Woodby and Kate Wynne.

Motion by Rue, second by Tillery.

APPROVED MOTION:

Data Management Subcommittee:

The Trustee Council approved a motion to accept the Data Management and Information Subcommittee members as recommended by the STAC for two year terms, with the addition of Bob Walker to the committee: Rob Cermak, Carol Fries, Jay Johnson, Russell Kunibe, Mark Shasby, Hank Statscewich, and Bob Walker.

Moved by Rue, second by Brown.

APPROVED MOTION:

Lingering Oil Effects Subcommittee:

The Trustee Council approved a motion to accept the recommendations for the Lingering Oil Effects Subcommittee as recommended by the STAC for two year terms, adding Pat Norman if he is willing, (or another village representative): Jim Bodkin, Walter Cox, Judy McDowell, Alan Mearns, Stanley Rice, Jeff Short, Pat Norman, and Bob Spies as Chair.

Motion by Pearce, second by Rue.

9. PAC Nominations

APPROVED MOTION:

Public Advisory Committee:

The Trustee Council approved a motion to select the following for two year terms to the Public Advisory Committee: Torie Baker (Commercial Fisheries), John Devens (Regional Monitoring), Gary Fandrei (Aquaculture and Mariculture), Dr. John Gester (Public at Large), Charlie Hughey (Subsistence), Brett Huber (Sport Hunting and Fishing), Robert Kopchak (Public at Large), Patrick Lavin (Conservation and Environment), Charles Meacham (Science and Technical), Brenda Norcross (Science and Technical), Pat Norman (Native Landowner), Captain Ed Page (Marine Transportation), Martin Robards (Conservation and Environment), Gerald Sanger (Commercial Tourism), Stan Senner (Conservation and Environment), Scott Smiley (Public at Large), Stacy Studebaker (Recreational Users), Mike Vigil (Tribal Government), Kate Williams (Science and Technical), and Ed Zeine (Local Government).

Motion by Pearce, second by Rue.

Meeting adjourned at 8:47 a.m.

Exxon Valdez Oil Spill Trustee Council

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

August 6, 2002

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
●Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Tillery, and Brown

By teleconference: Balsiger (DC), Rue (Juneau), Toohey (Anchorage)

●Alternates

Cam Toohey served as alternate for Drue Pearce for the entire meeting.

Meeting convened at 2:06 p.m., August 6, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION:

Approved the August 6, 2002 agenda.
(Attachment A)

Motion by Brown, second by Gibbons.

2. Approval of Meeting Notes

APPROVED MOTION:

Approved the July 9, 2002 meeting notes.
(Attachment B)

Motion by Gibbons, second by Brown.

Public comment period began at 2:10 p.m.

No public comment received.

Public comment period closed at 2:12 p.m.

3. Investment Fund Fees

APPROVED MOTION:

Approved a motion to adjust the investment fund fees as outlined in the memo to the Trustee Council dated August 6, 2002 regarding the Investment Fund Fees (Attachment C), with a correction on page 4 changing 1/12 to 12.

Motion by Brown, second by Gibbons.

Public comment period re-opened at 2:26 p.m.

No public comment received.

Public comment period closed at 2:27 p.m.

4. FY 03 Work Plan Phase I

ADOPTED RESOLUTION:

Adopted resolution 02-07 approving funding of \$3,725,200 for FY 03 Phase I projects as outlined in resolution 02-07(Attachment D).

Motion by Brown, second by Gibbons.

5. FY 02 Amendment to Project 02126

APPROVED MOTION:

Approved a motion to provide \$18,800 for the Alaska Department of Natural Resources under Project 02126 for the unanticipated contractual expenses outlined on page 3 of the memo dated July 12, 2002 from Carol Fries to Molly McCammon, including a general administrative fee of 7% (Attachment E).

Motion by Brown, second by Gibbons.

6. Afognak Island Acquisition Support

APPROVED MOTION:

Approved a motion to provide \$37,700 in funds for the Alaska Department of Natural Resources to provide the following services in regard to the proposed protection of coastal habitat in Perenosa Bay and other coastal habitat on northern Afognak Island: review land and timber appraisals, review title, and conduct a hazardous materials survey and site inspection.

Motion by Brown, second by Gibbons.

7. Habitat Grant Extension

ADOPTED RESOLUTION:

Adopted resolution 02-08 approving an extension of the termination date of the United States Fish and Wildlife Service grants to The Conservation Fund and The Nature Conservancy from September 30, 2002 to September 30, 2003, an extension of due date for the grant recipients' activity report to the Council from December 31, 2002 to December 31, 2003, and a revision to the schedule for funding recipients' indirect costs from quarterly disbursement to upon request for reimbursement occurring no more frequently than every 30 days (Attachment F)

Motion by Gibbons, second by Brown.

8. Injured Resources Update

APPROVED MOTION:

Approved a motion to adopt the Status of Injured Resources and Services dated July 29, 2002 with a motion to amend by Gibbons, seconded by Balsiger, approving the following changes: move Subtidal Communities from "Recovered" to "Recovery Unknown" and include corresponding language changes in the recovery description of subtidal communities.

Motion by Brown, second by Gibbons.

Public comment period re-opened at 4:23 p.m.

Public comment received from one individual in Anchorage.

Public comment period closed at 4:27 p.m.

Meeting adjourned 4:28 p.m.

Motion by Gibbons, second by Brown.

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska
July 9, 2002

By Molly McCammon
Executive Director

DRAFT

Trustee Council Members Present:

• Dave Gibbons, USFS
* Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Lisowski, Pearce, Balsiger, Rue, Brown and Tillery

• Alternates

Maria Lisowski served as alternate for Dave Gibbons for the entire meeting.

Meeting convened at 10:45 a.m., July 9, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION:

Approved the July 9, 2002 agenda, amended by removing the small parcel KEN 310/Swartzes (Attachment A.)

Motion by Tillery, second by Brown.

2. Approval of Meeting Notes

APPROVED MOTION:

Approved the June 14, 2002 meeting notes (Attachment B).

Motion by Tillery, second by Brown.

Public comment period began at 10:53 a.m.

Public comment received from one individual in Anchorage.

Public comment period closed at 11:10 a.m.

3. GEM Program Document

APPROVED MOTION:

Approved a motion to approve the GEM Program Document Final Draft dated July 1, 2002 in its entirety.

Motion by Rue, second by Brown.

4. Revised Operating and Report Procedures

APPROVED MOTION:

Approved a motion to approve the revised Trustee Council Procedures, review draft dated June 24, 2002, with minor language revisions.

Motion by Brown, second by Rue.

5. Trustee Council Data Policy

APPROVED MOTION:

Approved motion to approve the revised Trustee Council/GEM data policy with revised language indicating it refers to all Trustee Council projects and is effective October 1, 2002.

Motion by Tillery, second by Rue

6. Executive Session

APPROVED MOTION:

Approved a motion to move to an Executive Session.

Motion by Tillery, second by Rue.

BREAK

Off Record at (11:39 a.m.)

On Record at (11:45 p.m.)

EXECUTIVE SESSION

Off record at (11:45 a.m.)

On record at (1:53 p.m.)

7. Injured Resource Update

Deferred action on Injured Resources Update until the August 6, 2002 meeting.

APPROVED MOTION:

Approved a motion to provide \$41,000 to the Alaska Department of Natural Resources to be used to equalize the values of the lands on Sitkalidak Island to be conveyed by the State of Alaska to the Old Harbor Native Corporation for lands in Kiliuda Bay to be conveyed to the State by OHNC.

Motion by Tillery, second by Rue.

ADOPTED RESOLUTION:

Adopted a resolution to provide \$160,000 in funds to the Alaska Department of the Interior for the State of Alaska to acquire all of the seller's rights and interests in the small parcel KAP 1087/Chokwak pursuant to the conditions outlined in the Resolution 02-06 (Attachment C).

Motion by Tillery, second by Rue.

Meeting adjourned 2:48 p.m.



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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

June 14, 2002

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons Pearce, Balsiger, Klein and Tillery
By teleconference: Rue

● Alternates

Ron Klein served as alternate for Michele Brown for the entire meeting.
Jim Balsiger joined the meeting at 10:12 a.m.

Meeting convened at 10:05 a.m., June 14, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION: Approved the June 14, 2002 agenda
(Attachment A)

Motion by Pearce, second by Klein.

2. Approval of Meeting Notes

APPROVED MOTION: Approved April 18, 2002 meeting notes
(Attachment B).

Motion by Pearce, second by Klein.

Public comment period began at 10:16 a.m.

Public comments received from six individuals, five in Anchorage, one on-line from Homer (at 1:45 p.m. to 1:47 p.m.). Five of these comments were on the Draft Update on Injured Resources.

Public comment period closed at 11:15 a.m.

3. Old Harbor Land Exchange

APPROVED MOTION: Approved a motion to delete the requirement that the Old Harbor Native Corporation convey a conservation easement on Sitkalidak Island to the United States Fish and Wildlife Service, imposed as a condition upon the funding provided for the Sitkalidak land exchange.

Motion by Pearce, second by Rue.

4. PAC Charter Revisions

APPROVED MOTION: Approved a motion to add revisions to the following sections of the PAC Charter: Membership, Selection and Service; Expenses; Authority (Attachment C), and replace the references to "Program Advisory Committee" with "Public Advisory Committee" and adopt the June 4, 2002 draft PAC Charter.

Motion by Pearce, second by Rue.

BREAK

Off the record at (11:58 a.m.)

On the record at (12:06 p.m.)

5. GEM

DISCUSSION: Discussion concerning revisions to the GEM Program Document. The GEM Program Document is to be presented to the Trustee Council for approval at the July 9, 2002 Trustee Council meeting.

6. NRC Report

BRIEFING: Mike Roman, chair of the National Research Council's review committee, briefed the Trustee Council on the committee's final report on GEM (Attachment D).

BREAK

Off the record at (12:50 p.m.)

On the record at (1:05 p.m.)

7. Procedures and Policies

DISCUSSION:

Discussion on the proposed changes to the Trustee Council's Procedures (Attachment E). The proposed revisions are to be presented to the Trustee Council for action at the July 9, 2002 meeting.

8. FY 03 Draft Phase II Invitation

BRIEFING:

The Trustee Council was briefed on the draft FY 03 Phase II invitation. Phase I recommendations (approximately \$4 million) are currently out for public review. The Trustee Council will act on them on August 6, 2002. The Phase II invitation is scheduled to be issued on July 15, 2002 with proposals due on September 4, 2002.

Meeting adjourned 2:01 p.m.

Motion by Balsiger, second by Pearce.

DRAFT

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

April 18, 2002

By Molly McCammon
Executive Director

Trustee Council Members Present:

*Dave Gibbons, USFS
Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons and Tillery

By teleconference: Pearce, Balsiger, Rue, and Brown

Meeting convened at 2:32 p.m., April 18, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION: Approved the April 18, 2002 agenda
Amended by adding FY 02 Work Plan Modifications
Projects 02556/02681 and 02423 (Attachment A).

Motion by Tillery, second by Brown.

2. Approval of Meeting Notes

APPROVED MOTION: Approved February 25, 2002 meeting notes
(Attachment B).

Motion by Brown, second by Tillery.

Public comment period began at 2:50 p.m.

Public comments received by two individuals from Anchorage and two people by teleconference.

Public comment period closed at 3:38 p.m.

3. FY 02 Work Plan Modifications

APPROVED MOTION: Approved the following modifications to the FY 02 Work Plan:

Project 02052: Approved a motion to approve an additional \$86,400.

Motion by Balsiger, second by Rue.

Project 02423: Approved a motion to approve an additional \$24,300 to contract with the Alaska SeaLife Center for the purposes described in the 4/15/02 memo from Shannon Atkinson. (Attachment C).

Motion by Rue, second by Brown.

Project 02556: Approve a motion to approve \$62,200 to ADF&G, contingent on receipt of a memo acknowledging that the funds are for mapping only, with no commitment at this time by the GEM Program to future nearshore monitoring, and receipt of the final report for Project 01385.

Motion by Rue, second by Balsiger.

Project 02613: Approved a motion to approve \$80,000 to ADF&G for a contract with Coastal & Oceans Resources Inc., for ShoreZone Mapping in Prince William Sound.

Motion by Balsiger, second by Rue.

Project 02619: Approved a motion to approve \$70,000 to ADF&G for a contract with the University of Alaska for low resolution mapping in the Kodiak region.

Motion by Balsiger, second by Rue.

4. PAG Charter:

APPROVED MOTION: Approved a motion to adopt the attached draft charter for the *Exxon Valdez* Oil Spill Program Advisory Committee (dated 2-26-02). (Attachment D)

Motion by Tillery, second by Brown.

5. STAC:

APPROVED MOTION: Approved the nominees listed in the memo from Henry Huntington dated April 11, 2002 (Attachment E) for the Scientific and Technical Advisory Committee.

Motion by Pearce, second by Balsiger.

6. Injured Resources and Services:

Briefing by Bob Spies, discussion and recommendation by the Trustee Council to improve the explanations in the subtidal, common loon, and pink salmon sections regarding their categorization status. A copy of the report with the revised language will be circulated to the Trustee Council for review prior to being distributed for public review.

Meeting adjourned 5:15 p.m.

Motion by Rue, second by Tillery.

Exxon Valdez Oil Spill Trustee Council

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

February 25, 2002

By Molly McCammon
Executive Director

Trustee Council Members Present:

● Dave Gibbons, USFS
Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Pearce, Balsiger, Rue, Kent, Brown and Tillery.

● Alternates:

Maria Lisowski served as an alternate for Dave Gibbons for the entire meeting.

Meeting convened at 9:48 a.m., February 25, 2002, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION: Approved the February 25, 2002 agenda
(Attachment A).

Motion by Pearce, second by Lisowski.

2. Approval of Meeting Notes

APPROVED MOTION: Approved December 11, 2001 meeting notes
(Attachment B).

Motion by Brown, second by Pearce.

3. Asset Allocation Policy

Discussion - No changes made to the Asset Allocation Policy.

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

Public comment period began at 11:05 a.m.

No Public comments received

Public comment period closed at 11:06 a.m.

4. Project 02360 Amendment:

APPROVED MOTION: Approved a motion to amend project 02630, Planning for Long-Term Research and Monitoring Program, by authorizing an additional \$16,100 be added to the budget to develop a report summary of strategies and approaches that other state agencies have developed to fund their surface water quality monitoring programs. (Attachment C)

Motion by Rue, second by Balsiger.

Public comment period re-opened 11:32 a.m.

Public comments received by 1 individual from Anchorage.

Public comment period closed 11:51 a.m.

BREAK

Off the record at (11:51 a.m.)

On the record at (12:19 p.m.)

5. STAC Process

APPROVED MOTION: Approved a motion to approve the Scientific and Technical Advisory Committee (STAC) process (Attachment D).

Motion by Rue, second by Pearce.

6. Support for PICES

APPROVED MOTION: Approved a motion to approve \$14,000 of Project 02630 (Restoration Office portion) contractual costs be give to PICES for travel and report expenses.

Motion by Brown, second by Rue.

7. Bonus awards

APPROVED MOTION: Approved a motion to disallow the allocation of EVOS funds to be used for bonuses given out of Project 00159 (\$5000), Project 00163 (\$2500), and Project 01423 (\$2796).

Motion by Rue, second by Pearce.

8. Small Parcel KEN 309

APPROVED MOTION: Adopted resolution 02-05 (Attachment E) to provide funds for the State of Alaska to purchase all of the seller's rights and interests in small parcel KEN 309.

Motion by Rue, second by Brown.

9. Small Parcel KAP 285

Discussion regarding concerns about how the purchase of KAP 285 would impact local economic potential. No formal action taken.

Meeting adjourned 2:02 p.m.

Motion by Rue, second by Lisowski.