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ADMINISTRATIVE RECORD

PUBLIC MEETING BY TELECONFERENCE

RESTORATION OFFICE
645 G Street
Anchorage, Alaska

August 31, 1992

TRUSTEE COUNCIL MEMBERS:

State of Alaska	MR. CHARLES COLE Attorney General
State of Alaska Department of Environmental Conservation	MR. JOHN SANDOR Commissioner
Alaska Department of Fish and Game	MR. CARL ROSIER Commissioner Council Chairman
USDA Forest Service	MR. MICHAEL BARTON Regional Forester
National Oceanic and Atmospheric Administration	MR. STEVEN PENNOYER Regional Director
United States Department of the Interior	MR. CURTIS McVEE Special Assistant to the Secretary

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MR. ROSIER: I guess I've been elected Chairman by unanimous consent here on this and I thought I had learned about this business of arriving late early on, but I had a few subsistence issues that had to be dealt with this morning, so I guess I'm -- I'm elected as chairman here today.

MR. COLE: I'd like to say that I've had a quiet morning, so I was able to be here on time.

MR. ROSIER: All right. I guess we have John on the line?

MR. SANDOR: Yes, Chairman Rosier, I'm here.

MR. ROSIER: It sounds like we're all here ready to proceed with business here. I guess the first item is the selection of a public advisory group members, and do we have -- do we have any staff comments or staff briefings before we get into discussion of this?

DR. GIBBONS: No, on that. The package has been prepared, the public has copies of this in Anchorage, and there's copies here in Juneau.

MR. ROSIER: All right. Members of the Trustee Council, what's your wishes in proceeding with -- with the public advisory group there? Yes, Mr. McVee?

MR. McVEE: I believe that the conflict of interest admissions (ph) were sent to some of the legal staff to review. Do we have any (indiscernible) or any information

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1 back from them?

2 MS. EVANS: Mr. McVee, you're cutting out a
3 little bit. I'm not sure just why. Perhaps it would help if
4 you would get a little closer to your microphone?

5 MR. McVEE: Okay. I'll move a little closer.
6 Can you hear me now?

7 MS. EVANS: That's fine. Thank you very much.

8 DR. GIBBONS: Yes, the conflict of interest
9 statements were sent to the Department of Law, the Solicitor's
10 Office for the Department of the Interior, and the Office of
11 General Council of the Department of Agriculture. I've not
12 heard anything back on -- from those concerning this package
13 yet.

14 MR. ROSIER: Any comments? Attorney General's
15 Office? Mr. Pennoyer?

16 MR. PENNOYER: Thank you, Mr. Rosier. Yeah,
17 I'm sure you asked the question for a reason. What -- what
18 does the lack of a response from lawyers mean?

19 MR. McVEE: Well, before we get to that, there
20 wasn't any problems with any of the -- of the nominations of
21 any of the candidates, but I knew they had been given the
22 opportunity to make comments, and I wanted to make sure that --
23 of hearing their comments if they had submitted such.

24 MR. ROSIER: Mr. Pennoyer?

25 MR. PENNOYER: Mr. McVee, so I would assume

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1 since they've been given a chance to review, the assumption is
2 there's nothing on this list that should cause us concern?

3 MR. McVEE: That would be the way I would read
4 it, if there's been no comment. Trustee Council members have
5 other advice (ph) here.

6 MR. ROSIER: Mr. Pennoyer, do you think there's
7 a legal concern?

8 MR. PENNOYER: Yes, Mr. Chairman. I assume
9 each of us will review that list and take into account
10 individual statements relative to their qualifications to serve
11 on the committee, but I meant there were no legal concerns
12 though.

13 MR. SANDOR: Mr. Chairman, I have a question to
14 sug- -- to ask.

15 MR. ROSIER: Go ahead, Mr. Sandor?

16 MR. SANDOR: The question is I saw nothing on
17 the summary I have that suggested that anyone would be
18 disqualified, that they'd simply excuse themselves on any issue
19 that arose where there was a personal or affiliation conflict
20 of issue. Is that a correct assumption?

21 MR. ROSIER: Comments?

22 MR. McVEE: Mr. Chairman, that was my
23 assumption also, John. I also felt like that following the
24 appointments that there would be a briefing provided to the --
25 to the board members concerning the ethics ramifications and

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1 the operation of the P.A.G., and I thought at that briefing
2 that what -- what your suggesting would be brought out.

3 MR. COLE: Mr. Chairman?

4 MR. ROSIER: Mr. Cole?

5 MR. COLE: I should think, Commission Sandor,
6 that this subject of conflicts can also be addressed in, for
7 lack of a better term, I shall refer to as the operating
8 procedures prepared by the Trustee Council for the function of
9 the Public Advisory Group. And let me say for the record that
10 I think prompting Commissioner Sandor's reflection of concerns
11 is that if you look at the data prepared by the Executive
12 Director, we see that a number of the nominees either
13 themselves have claims against Exxon and/or Alyeska and on
14 occasions it's members of their family or members of the firm
15 of -- with which they're associated. That is, I think, the
16 reason that we have some concern about some of the nominees.

17 MR. ROSIER: Further comment? Are -- are you
18 satisfied with that response, John?

19 MR. SANDOR: Yes, Mr. Chairman, and I think
20 that with all of the individuals with -- with which we do not
21 have a response for whatever reason, if in fact they were
22 chosen, it seems like their selection could still be
23 conditional upon the receipt of satisfactory conflict of
24 interest information.

25 MR. ROSIER: I would assume so, but --

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1 Mr. Cole?

2 MR. COLE: Well, I would say that we should fix
3 at -- at this meeting a date by which if there are such
4 instances -- well, we can ignore that I'm told by the Executive
5 Director, because he now reports that they've all responded.
6 Thank you.

7 MR. SANDOR: Thank you.

8 MR. ROSIER: All right. How do we want to
9 proceed here at the present time?

10 MR. SANDOR: Mr. Chairman, I would suggest we
11 simply begin going down the interest group list in the format
12 in which they're presented and -- and discuss them individually
13 collectively. Most of them, there's either a six or a five
14 nomination consensus, or close to a consensus. But I think it
15 -- it might be worth while just going down the list.

16 MR. ROSIER: All right. That's fine. We'll --
17 hearing consent of the group, that's the way we will proceed,
18 and we'll start of first with the -- with the aquaculture group
19 here. We've got six candidates there on this: John McMullen,
20 Ken Adams, Doug Coughenower, Jan Van Hyning, Floyd Heimbuch and
21 Karl Pulliam. Discussion from the Trustee Council?

22 MR. SANDOR: I would move selection of John
23 McMullen as the representative of the aquaculture group.

24 MR. PENNOYER: Mr. Chairman, I would second
25 that nomination.

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1 MR. ROSIER: Motion made by -- by Trustee John
2 Sandor, seconded by Steve Pennoyer for John McMullen. Other
3 comments?

4 MR. PENNOYER: Mr. Chairman, I'd simply note
5 that other aquaculture associations and concerned groups have
6 indicated Fiswack (ph) would work on their behalf, seemed
7 satisfied with the nomination of Fiswack and John McMullen
8 who's currently in Fiswack, and president of the organization,
9 so it makes sense, especially when he's an oil-affected
10 community.

11 MR. ROSIER: Other -- other comments? Stand
12 by, John, Mr. Cole is looking for some further information here
13 in regards to the -- the individuals in the aquaculture group
14 here. Stand by one minute.

15 MR. COLE: Mr. Chairman, what I'm looking for
16 is the tabulation that shows by interest group the voting by
17 members of the Trustee Council with respect to first place,
18 second place, third place votes. The -- Mr. Pennoyer is
19 handing -- handing me something which I don't think is what I'm
20 looking for. Somebody help me. I've seen that.

21 MR. PENNOYER: I believe -- I believe it was
22 that particular document put together by your shop, Dave?

23 DR. GIBBONS: If it was, then I -- I believe
24 it's in the package that was passed out at the last Trustee
25 Council meeting, called Public Advisory

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1 MR. SANDOR: Well, I have the listing, all
2 right, and -- and it shows that ADF&G vote McMullen one, Adams
3 two. And Department of Environmental Conservation had McMullen
4 one, Adams two. Department of Interior had Adams one, McMullen
5 two. NOAA had McMullen one. And USDA had Adams one and
6 McMullen one.

7 MR. COLE: Mr. Chairman?

8 MR. ROSIER: Yes, Mr. Cole?

9 MR. COLE: Mr. Barton has located this
10 compilation among his papers and copies are being made now. So
11 if we could stand by for a moment until each of us has that,
12 because I think that the tabulation which we have in our
13 notebook, while interesting and certainly helpful, is not quite
14 as good as this other tabulation.

15 MR. ROSIER: Okay. We'll stand by here. John,
16 we're having some copies run of the document that was produced
17 by the -- by the staff that -- and handed out at the last
18 meeting, so that material is being copied here right now, so if
19 you would stand by for just a moment, we'll be right back.

20 MR. SANDOR: Thank you.

21 MS. EVANS: Anchorage is standing by.

22 MR. COLE: While we're -- Mr. Chairman, while
23 we're standing by, you see the information that's in the
24 notebook shows that the number of votes each of the nominees
25 within the separate categories received, it does not show the

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1 number of first place votes which each nominee received. For
2 example, in this instance Mr. McMullen may have received six
3 third place votes and some other member of this interest group
4 may have received five first place votes, but no second or
5 third place votes. I'd just like to take one pass at this
6 other tabulation, and thank you (indiscernible).

7 MR. SANDOR: I think that point is well made,
8 Mr. Chairman, and that -- it is helpful, and although in this
9 instance I think that McMullen had four first place votes and
10 two second place votes, but I may be -- that's -- that's what I
11 have.

12 MR. ROSIER: Yeah, I'm not sure here, but I
13 think it is an excellent point as well on this, and -- and we
14 should have that information before us here shortly.

15 (Pause)

16 MS. EVANS: This is L.J. in Anchorage.

17 MR. ROSIER: Yes, go ahead, Anchorage?

18 MS. EVANS: Would you please fax the document
19 that you gentlemen are discussing to us at the Anchorage
20 Restoration Office at 276-7178 so that we can make sure that we
21 have that available here as well?

22 MR. ROSIER: Yes. Was that fax number 276-
23 7178?

24 MS. EVANS: That's correct. Thank you.

25 MR. ROSIER: We now have some very high priced

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1 help out there trying to operate the copy machine. That may be
2 why -- where the problem is.

3 (Pause)

4 MR. ROSIER: John, Attorney General Cole just
5 indicated to me that we had received your fax and there's now
6 copies of that fax being -- being made available to all of the
7 Trustee Council.

8 MR. SANDOR: Okay. Thank you, Mr. Chairman.
9 That's just sort of a summary that -- that I was analyzing when
10 I got down to the public at large group, as you note, there's
11 -- that the largest number that one individual received was
12 four and -- and then in the fish -- sports hunting and fishing
13 group, two nominations that -- that were the most were three
14 and three, and it -- the question I've tried to raise by this
15 fax was is there enough nominations or enough support indicated
16 for sports hunting and fishing and public at large categories,
17 and I think as we go through the individual interest groups
18 we're going to find that some of the individuals that may have
19 received proposed nominations or four might have more
20 recognition or more representation than those remaining at the
21 public at large. On the other hand those are special interest
22 groups, and it may be that we do not have adequate
23 representation of the public at large group and sport hunting
24 and fishing group, and one option, you know, is to defer
25 actually making those selections until the next meeting,

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1 soliciting more nominations or at least analyzing and studying
2 these to see how many is in our sport hunting and fishing and
3 public at large group, so I was troubled by that. But we will
4 get down to that at a -- later in the meeting.

5 MR. ROSIER: Yes, John, we'll -- we'll come
6 back to that particular point.

7 I would like to point out that on the document that we
8 have before us here, we are missing the comment of I believe
9 it's the Department of Law here in terms of the -- Mr. Cole?
10 Stand by, John, we've -- we're now getting a copy of the
11 compilation of the Department of Law's selections as well here.

12 MR. SANDOR: And I have that. I -- I believe
13 I've got the total package.

14 MR. ROSIER: We're -- all right. You think
15 that you have -- have that with you there?

16 MR. ROSIER: Yes, I do. I have Law's July 14
17 summary, unless that was changed?

18 MR. ROSIER: Is that your -- is that you
19 document, Mr. Cole? He's checking that at the present time,
20 John.

21 MR. COLE: Commissioner Sandor, this is me. We
22 have now disseminated to all of the members of the Trustee
23 Council that are present your August 31 memorandum.

24 MR. SANDOR: Thank you.

25 MR. ROSIER: John, we're still waiting on the

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1 second document here, so just stand by, please.

2 (Pause)

3 MR. ROSIER: We're getting victimized by that
4 rapid copy machine here, John.

5 MR. SANDOR: Yeah, they must be freezing there?

6 MR. COLE: No, it's simply that Senator
7 Kertulla managed to slash our budget enough so that we're
8 limping along with this archaic copier.

9 MR. ROSIER: I'm sure that the Senator will get
10 back at you at -- on that particular point.

11 MR. SANDOR: Yeah. While we're waiting for the
12 fax, I guess that, Mr. Chairman, I would observe that, you
13 know, there's a remarkable -- although there's problems in some
14 areas and differences, that by and large it seems like the
15 total group of people nominated give us a chance to make good
16 selections in most categories. The only two I'm concerned
17 about is sport hunting and fishing and the public at large
18 group.

19 And I notice in looking at that list of nominees for
20 the public at large, I made nominations believing there would
21 be three positions filled, three people selected, and so in our
22 instructions that we could select, you know, at least one, but
23 -- and up to three, I selected more on that basis. Others did
24 not do that, and I think that may warrant, you know, some
25 reflection on how we actually pick that group.

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1 I first thought that those were, you know, not picked
2 in the aquaculture or special interest category could be placed
3 in public at large and on the other hand, the fact that they
4 represent specific interest and not the public at large, you
5 know, may argue against that, so that's -- that's the only
6 troubling thing that really bothers me are those two
7 categories. But I think we have a really good group of
8 nominees.

9 MR. COLE: Mr. Chairman?

10 MR. ROSIER: Mr. Cole?

11 MR. COLE: First let me say that Senator
12 Kertulla has been a long-time good friend of the Department of
13 Law and my remarks about our budget are not really directed to
14 him.

15 I call for the question on the motion to appoint Mr.
16 McMullen in the agricultural (ph) category. He's been -- five
17 first place votes and he -- at

18 MR. ROSIER: Four.

19 MR. COLE: certainly -- know, you get the
20 Department of Law in there yet.

21 MR. ROSIER: I see.

22 MR. COLE: And the other Trustee Council member
23 which did not nominate him first choice, nominated him the
24 second, so at least -- you know, there's -- second.

25 MR. ROSIER: As I see it, it's four and two

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1 here, Mr. Cole.

2 MR. COLE: Yes, it's four and two. You're
3 right. It's just -- to make it clear here, it's four first
4 place votes and two second place.

5 MR. ROSIER: That's correct, that's the way I
6 read it. (Indiscernible) as the aquaculture representative on
7 the Public Advisory Committee? Hearing no objection, Mr.
8 McMullen is unanimously selected as the representative of the
9 aquaculture group.

10 The commercial fisheries group is the next group. The
11 list of candidates, and again we had a good -- good cross
12 section of people. Gerald McCune, Ken Adams, Craig Matkin,
13 Doug Coughenower, Donna Fischer and John French. Comments from
14 the Trustees?

15 MR. SANDOR: Mr. Chairman, I nominate Mr.
16 McCune be selected as our commercial fish representative.

17 MR. ROSIER: Motion by Mr. Sandor. Is there a
18 second to that motion?

19 MR. PENNOYER: Mr. Chairman, I second that
20 motion.

21 MR. ROSIER: Seconded by Steve Pennoyer.
22 Further discussion?

23 MR. PENNOYER: Mr. Chairman, I note the -- in
24 the process of selection Mr. McCune had five -- gets five
25 first-place votes. I also note that he's current president of

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1 the Cordova District Fishermen United and president of the
2 United Fisherman of Alaska. So his credentials in terms of
3 representing (indiscernible).

4 MR. ROSIER: Further comments? Hearing none,
5 could I ask for unanimous consent of the -- the group for the
6 appointment of Mr. Jerry McCune as the commercial fish
7 representative on the Public Advisory Committee? I see nodding
8 of the heads here and hearing no further comments, Mr. McCune
9 is selected as the representative of the commercial fisheries
10 group on the Public Advisory Committee.

11 Commercial tourism. That particular group involves
12 also a fine group of people. Brad Phillips, Carl Cox, James
13 Lethcoe, Diane McBride, Donna Fischer, John Merrick and Jules
14 Tileston. Comments from the Council?

15 MR. PENNOYER: Mr. Chairman, I would like to
16 nominate Brad Phillips for that position.

17 MR. ROSIER: The motion by Steve Pennoyer to
18 nominate Mr. Brad Phillips. Is there a second to that motion?

19 MR. BARTON: Second, Mr. Chairman.

20 MR. ROSIER: Seconded by Mike. Comments?

21 MR. PENNOYER: Mr. Chairman, this is a
22 difficult choice. As you stated, there are a lot of good
23 people in all these selections. Mr. Phillips had
24 (indiscernible) in two first place (indiscernible) on the --
25 this position, and three second place votes. I think Mr.

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1 Phillips' background is (indiscernible) in terms of tourism in
2 the state, would represent that -- that interest
3 (indiscernible).

4 MR. ROSIER: Further comment?

5 MR. SANDOR: I move unanimous consent.

6 MR. ROSIER: Hearing no -- no objection to the
7 motion on this, we'll assume (ph) (indiscernible) and Mr. Brad
8 Phillips will be the individual representing the commercial
9 tourism group.

10 The fourth group is the conservation group, and the
11 door is open for nominations for the combina- -- the
12 conservation

13 MR. SANDOR: Mr. Chairman, I move the
14 nomination of Mr. Jim King.

15 MR. BARTON: Second, Mr. Chairman.

16 MR. ROSIER: Motion made and -- by -- by
17 Mr. Sandor, seconded by Mr. Barton for the nomination of James
18 King. Comments, please?

19 MR. PENNOYER: Mr. Chairman, again there were
20 many people in this category I think that are known for
21 conservation interests. Mr. King has a very long reputation in
22 the State of Alaska as a conservationist. He's well known.
23 He's (indiscernible) many groups, and is a professional in the
24 field, so I think Mr. King would very adequately represent this
25 group.

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1 MR. ROSIER: I would certainly concur with the
2 comments about Mr. King.

3 Anything further from the Council?

4 MR. COLE: Mr. Chairman?

5 MR. ROSIER: Mr. Cole?

6 MR. COLE: I would like to say we start getting
7 in this selection a split. We have one first place votes --
8 vote, two second place votes and, what, two third place votes?
9 And that's not quite unanimity there. I don't know Mr. King
10 personally, and therefore I (indiscernible) judgment
11 (indiscernible) the Council who know him and (indiscernible).

12 MS. EVANS: Mr. Cole, you're breaking up.
13 Could you please repeat that last statement? Thank you.

14 MR. COLE: I said I do not know Mr. King
15 personally and therefore I will rely with respect to his
16 appointment upon the good judgment of my fellow members of the
17 Trustee Council who know him (indiscernible).

18 MR. McVEE: Mr. Chairman?

19 MR. ROSIER: Mr. McVee?

20 MR. McVEE: I think I would state as you and I
21 would agree that you have several well-qualified people. I
22 would support Mr. King's appointment.

23 MR. ROSIER: Further discussion? Mr. Cole, are
24 you comfortable with (indiscernible)?

25 MR. COLE: Yes.

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1 MR. ROSIER: Thank you. I would ask for
2 unanimous consent to appoint Mr. Jim King as the conservation
3 representative on the Public Advisory Committee?

4 MR. SANDOR: I agree.

5 MR. ROSIER: Hearing no adverse comment there,
6 Mr. King is the individual selected from the conservation
7 group.

8 The environmental group. Again a lot of good people
9 have their name in the -- in the list to represent the
10 environmental interests. Many of these people have
11 participated in our -- in our Council meetings here over the
12 last -- last six months, and I would ask for a motion from the
13 -- from the Council at this time? Mr. Barton?

14 MR. BARTON: Mr. Chairman, I nominate Pam
15 Brodie.

16 MR. ROSIER: Pam Brodie has been nominated by
17 Mr. Barton. Is there a second to the motion?

18 MR. McVEE: I'll second the motion.

19 MR. ROSIER: The motion was seconded by
20 Mr. McVee. Comments?

21 MR. COLE: Mr. Chairman?

22 MR. ROSIER: Mr. Cole?

23 MR. COLE: Let's see, Ms. Brodie received four
24 first place votes as I read the compilation and two second
25 place votes. We should note that her nomination was endorsed

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1 by the Wilderness Society, Sierra Club, Alaska Center for the
2 Environment, Greenpeace, Northern Alaska Environmental Center,
3 National Audubon Society, Kachemak Bay Conservation Society,
4 Kodiak Environmental Network, Natural Resources Defense
5 Council, Sierra Club Legal Defense Fund, and the Alaska
6 Wildlife Alliance.

7 MR. ROSIER: That's a very impressive list,
8 Mr. Cole. Additional comments?

9 MR. SANDOR: I ask unanimous consent.

10 MR. ROSIER: Unanimous consent has been asked
11 for. Is there any comments to the contrary? Hearing none, Pam
12 Brodie will be the environmental representative on the Public
13 Advisory Group.

14 The next group is the forest products industry, and we
15 have Mr. John Sturgeon, John Merrick and Gail Evanoff as the
16 three -- three representatives. All strong candidates, this --
17 this particular group. A motion from the -- from the Council?
18 Yes, Mr. Barton?

19 MR. BARTON: I nominate John Sturgeon,
20 (indiscernible) Alaska State Forester and he (indiscernible)
21 have (indiscernible).

22 MS. EVANS: Mr. Barton, you were breaking up
23 there a little bit. Could you perhaps try once more?

24 MR. BARTON: I said Mr. Sturgeon has been --
25 has served as Alaska -- the Alaska State Forester for a couple

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1 years. He has four first place votes and two second place
2 votes by my tally here. I think he'd do a good job.

3 MS. EVANS: Thank you very much. That was very
4 clear.

5 MR. PENNOYER: Second the nomination.

6 MR. ROSIER: The nomination of Mr. Sturgeon was
7 -- was second by Mr. Pennoyer. Further comments? Hearing
8 none, I would ask for the unanimous consent of the group to
9 appoint Mr. Sturgeon as the forest products representative on
10 the Public Advisory Committee? Mr. Sturgeon will be the -- the
11 individual selected for the Public Advisory Committee
12 representing forest products.

13 The next group is the local government group. We have
14 -- have four candidates there: Donna Fischer, Jerome Selby,
15 Gail Evanoff, and Karl Pulliam. A motion from the Trustees?

16 MR. BARTON: Mr. Chairman,

17 MR. SANDOR: Donna Fischer as the local
18 government representative.

19 MR. ROSIER: John, we didn't get all of that.
20 Would you -- were you making a motion, please?

21 MR. SANDOR: Yeah, this is John Sandor
22 nominating Donna Fischer as the local government
23 representative. I do so, she represents Valdez and as I see on
24 my listing, she has one, two, three, four first place votes and
25 one second place vote.

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1 MR. ROSIER: Yes. Further comment?

2 Mr. Barton?

3 MR. BARTON: I second that nomination.

4 MR. ROSIER: Motion by John Sandor for the
5 appointment of Donna Fischer, and seconded by Mike Barton.

6 Mr. Pennoyer?

7 MR. PENNOYER: Mr. Chairman, before we go any
8 further with this particular nomination, I agree that the
9 nomination is a good one, the person (indiscernible) admirably.
10 I want to ask a question about the direction we're going here
11 that relates to Mr. Sandor's comments later on about the public
12 at large, and sort of the philosophy of how we're going to
13 proceed here. I think that we're interested in at least a
14 couple of areas.

15 We sort of want a broad representation of interests on
16 the Public Advisory Group. I don't expect -- expect any one of
17 these members to simply focus on that one interest, but rather
18 to comment on the issues broadly across all -- all interests,
19 not -- not representing just one. So they have to take an
20 interest in (indiscernible) discussions.

21 The public at large group, for example, -- I'm not sure
22 the people on the list, if those (indiscernible) in more -- in
23 more than one place, necessarily can presume be presumed not to
24 be somebody who could serve as public at large.

25 The second part of that is I think we're interested in

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1 a broad representation geographically through the spill area,
2 and Ms. Fischer is from Valdez, and that is I think important
3 to get somebody from Valdez in the -- on committee. Mr.
4 Selby's also -- is from Kodiak, and I think it's equally
5 important to have a leader from Kodiak (indiscernible)
6 committee.

7 The only reason I bring that up is that I notice that
8 Ms. Fischer is the second place person receiving votes from the
9 Trustee Council on the public at large. I had originally put
10 Mr. Selby down. Actually that's not the way the list reflects,
11 but on reflection I had decided Mr. Selby would (indiscernible)
12 candidate to represent Kodiak local government and Ms. Fischer
13 would do the public at large. I don't know how we feel about
14 the public at large and maybe we should talk briefly about that
15 before we go further.

16 MR. ROSIER: Yes, I would agree. I think that
17 it's important here, and certainly from -- from my standpoint,
18 it seemed to me that, John, you mentioned the recreational
19 sport hunting and fishing (indiscernible). Of course, any of
20 the individuals as I see it on the list are people that -- that
21 have got multiple interests and are involved -- and are
22 involved in a lot of -- a lot of community activities as well
23 as their -- their private -- private businesses in the State.
24 But certainly in the case of the case of the sport hunting and
25 fishing group, certainly I have no problem with -- with Jerome

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1 Selby as a representative in that area as he is a -- he's a
2 guide that has been very active in recreational groups and --
3 and there in the Kodiak area. I certainly think that he would
4 bring a dual -- dual capabilities to the group. That -- that's
5 my personal view.

6 Other comments from the group?

7 MR. COLE: Mr. Chairman?

8 MR. ROSIER: Mr. Cole?

9 MR. COLE: I think that we should continue with
10 our selection of nominees from various categories which will be
11 selected, and if we do not do that, we are backing off of our
12 selection of the 15 different categories. And I would object
13 to taking a nominee, for example, local government and then if
14 not selected for the local government category, then simply
15 switching that nominee to some other category. Then we do not
16 truly receive a nominee from the public at large, and that's
17 the concept. It would really destroy the public at large
18 category if we select someone who is closely tied to some other
19 (indiscernible).

20 For example, let me just talk plainly about Mr. Selby.
21 I mean, as I recall it, he came before the Trustee Council and
22 gave us a proposal for \$325 million or something like that for
23 the Kodiak area. I find it hard that he would be an acceptable
24 selection to the public at large group.

25 MR. ROSIER: Mr. Pennoyer and then Mr. Barton.

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1 MR. PENNOYER: Mr. Chairman, many of these
2 candidates appear in more than one place, and I presume that at
3 least somebody feels they could represent that interest, either
4 one of two or three interests. I had (indiscernible) must
5 suggest that Mr. Selby or as I suggested in my (indiscernible)
6 he might make a (indiscernible) government. But not -- I'll
7 (indiscernible) now that (indiscernible) is a group that maybe
8 after we get done with this list we can see where we ended up,
9 come back and revisit some things if we (indiscernible)
10 necessary.

11 MR. ROSIER: Mr. Barton?

12 MR. BARTON: I don't believe the suggestion
13 (indiscernible) that Mr. Selby should represent the public at
14 large. I don't (indiscernible) he was nominated in the
15 category. He was, however, nominated in sport hunting and
16 fishing.

17 MR. ROSIER: That's -- that's correct. Thank
18 you, Mr. Barton, (indiscernible) on that.

19 I would add also at least as I understood the -- the
20 proposal that came forth from Mr. Selby, that it was not
21 necessarily Mr. Selby's proposal. He was speaking for the -- a
22 number of groups that had met to carve out some kind of a
23 proposal to the council (indiscernible). It seemed to me
24 that

25 Anyway, what's the wishes of the group? Further

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1 comments?

2 MR. McVEE: Mr. Chairman?

3 MR. ROSIER: Mr. McVee?

4 MR. McVEE: Yes, I feel like we should proceed
5 with the individual category considerations and then -- then
6 take a look at (indiscernible) to see that we have
7 (indiscernible) the areas, the different communities
8 represented would be the best (indiscernible).

9 MR. COLE: Mr. Chairman?

10 MR. ROSIER: Mr. Cole?

11 MR. COLE: I would (indiscernible).

12 MR. ROSIER: I think -- think that's -- that's
13 certainly (indiscernible). I think that -- that -- proceed
14 then with the local government motion before us. It's been
15 seconded and -- and is there further discussion on the motion
16 to appoint Donna Fischer at this time?

17 MR. SANDOR: I would note, Mr. Chairman, that
18 Donna Fischer was formally nominated under formal resolution of
19 -- of Valdez City Council or Assembly, and (indiscernible). I
20 move unanimous consent.

21 MR. ROSIER: All right. Comments on the -- the
22 motion for unanimous consent? Hearing none, Donna Fischer is
23 -- is the local government representative on the Public
24 Advisory Group.

25 The next group is native land owners. We've got

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1 Charles Totemoff, John Merrick, Richard Knecht, Gail Evanoff.
2 And I would notice (ph) on this that -- that Mr. Totemoff is
3 also -- he appears in two spots here on this in the number one
4 position, one subsistence and also one on the native
5 landowners. Are there motions from the -- the Council members?

6 MR. SANDOR: Mr. Chairman, I move the
7 nomination of Charles Totemoff for this native landowner group.
8 And I do so, Mr. Chairman, because not only does he represent
9 the native landowner, but because he was very active as a
10 landowner in the clean-up work, and actually has worked,
11 physically worked on the clean-up the last three years on the
12 Exxon Valdez, and has a very strong first-hand knowledge of --
13 of the issues as a landowner. He is from Chenega Bay.

14 MR. ROSIER: Yes. Those are excellent
15 observations, Mr. Sandor, and certainly again reiterating your
16 point, Mr. Totemoff has got a lot of expertise in a number of
17 areas here on this and I'm sure that he would bring a lot of --
18 a lot of positive things to the -- to the Public Advisory
19 Group.

20 Comments? Mr. Barton?

21 MR. BARTON: Yes, Mr. Chairman. I agree that
22 Mr. Totemoff would contribute a great deal in the category he's
23 selected, but he is also the favorite in the subsistence
24 category. That I'm sure that (indiscernible).

25 MR. ROSIER: That's -- yes. Did you -- did you

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1 hear that, Mr. Sandor?

2 MR. SANDOR: Yes, I did. In fact I recognize
3 that. The rationale, Mr. Chairman, and members of the Trustee
4 Council that I went that route is because (indiscernible) he's
5 a native landowner participation and -- and participation as a
6 landowner in cleanup.

7 Another reason or rationale is that Richard Knecht, K-
8 n-e-c-h-t, who is the so-called number two nomination for the
9 subsistence category is I believe uniquely qualified as a
10 subsistence representative in his unique qualifications.

11 I would concur that -- and then Mr. Knecht is not --
12 does not (sic) have an over-lap but I completely concur that in
13 either category he would represent either group very well, but
14 the rationale for nominating him as a landowner is his role as
15 a landowner and -- in that instance.

16 MR. ROSIER: Yes. We've got into -- kind of
17 into the -- the -- back into the discussion that we held here
18 just a little while ago on this. Certainly the -- the second
19 place individual in terms of native landowner (indiscernible),
20 Mr. John Merrick. Mr. Merrick is also a very strong individual
21 in terms of land for Koniag on -- but what's the wishes of the
22 group here at the present time?

23 MR. SANDOR: Mr. Chairman, I don't want to
24 bring ethnicity in this and -- and I'm certainly not suggesting
25 a bias, but it's clear to me that Mr. -- that Mr. Merrick

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1 representative of a native corporation, as a native landowner,
2 and I -- I really wasn't certain whether or not he was an
3 Alaskan native and I don't know how relevant that is. I must
4 confess that was a factor in my nominations and selections.

5 MR. COLE: Could we have just a moment, please?

6 MR. ROSIER: Attorney General Cole has asked
7 for a moment here. Take five minutes?

8 MR. COLE: No, no, I -- I'm prepared. Here's
9 what I've done: I've given these categories nominees a
10 numerical system. If you give three votes or three points for
11 a first place voice, two -- two points for a second place vote
12 and one point for a third place vote, I think that Charles
13 Totemoff clearly is the majority nominee of the Trustee
14 Council, substantially ahead of Mr. Knecht. And I think
15 perhaps the reverse is true on the subsistence. I want to
16 check my math slightly. I sometimes get (indiscernible).

17 MR. ROSIER: Okay. Thank you, Mr. Cole. Do
18 you have your tally about there on those -- that
19 (indiscernible)? The reverse is not (indiscernible).

20 MR. PENNOYER: Mr. Chairman, Mr. Merrick does
21 not appear on the subsistence list, so Mr. Totemoff I think
22 wins both categories, clearly with the selection of the Trustee
23 Council, (indiscernible) both categories in the samples we just
24 now filled (ph) (indiscernible) capacity, so -- although we
25 haven't (indiscernible) representing interest. So we have

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1 Mr. Totemoff (indiscernible) landowner (indiscernible) clearly.
2 (Indiscernible) subsistence, the next choice was Mr. Knecht to
3 Mr. Totemoff. Mr. Knecht (indiscernible) Mr. Totemoff
4 (indiscernible) charts (indiscernible).

5 MR. ROSIER: That's correct. Thank you.

6 MS. EVANS: Mr. Chairman?

7 MR. ROSIER: Yes?

8 MS. EVANS: We're getting you volume very well,
9 but we didn't hear Mr. Pennoyer's comments. His -- he was
10 broken up a little bit. And

11 MR. ROSIER: Mr. Pennoyer indicated that --
12 that the choices on first and second with native landowners and
13 the subsistence involved in the case of native landowner, it
14 was Mr. -- Mr. Totemoff and Mr. Merrick. In the case of the
15 subsistence, it was Mr. Totemoff and Mr. Knecht, and that was
16 basically the two choices that we're faced with.

17 MS. EVANS: Thank you.

18 MR. COLE: Mr. Chairman?

19 MR. ROSIER: Mr. Cole?

20 MR. COLE: If you look at my numerical rating
21 system, Mr. Merrick would have six votes or six points for
22 native landowner, Mr. Knecht though would have (indiscernible).
23 It just seems to me that it's not a strong enough
24 (indiscernible) to warrant the appointment of Mr. Merrick or
25 Mr. Knecht in the native landowner category.

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1 MR. ROSIER: Yeah, I don't think we're talking
2 about Mr. Knecht I don't believe in the -- in the native
3 landowner -- landowner situation. As I understood
4 Mr. Pennoyer, basically we would have a choice of Mr. Merrick
5 or Totemoff in native landowner. Mr. Knecht would be third if
6 I understood Mr. Pennoyer's analysis on (indiscernible).

7 Mr. Barton?

8 MR. BARTON: I've worked this out
9 mathematically. Totemoff would have nine -- ten votes as
10 native landowner, Merrick eight, and Knecht six.

11 MR. SANDOR: Mr. Chairman, since we are wanting
12 to look ahead as well, I guess I repeat with reference to
13 Mr. Knecht not only in this category of landowner, but in the
14 subsistence category, he as I understand it is the director of
15 the Cultural Center there at -- at Kodiak, and actually has
16 interest in both scientific, academic and subsistence,
17 aquaculture, tourism. He's nominated incidentally by the Mayor
18 as well as the Kodiak Area Natives Association. I'd simply --
19 I think we need to look at the native landowner category itself
20 and -- as well as this subsistence category.

21 I don't know again how crucial it is, or how
22 appropriate it is to give weight to members of the native
23 community, an Alaska native being represented, but my belief is
24 that in -- in both of the categories, native landowners and
25 subsistence, should be given some consideration, although

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1 certainly subsistence applies across the board.

2 I was looking ahead to making a case for Richard Knecht
3 and -- and because of his not only scientific and -- and
4 academic and cultural background, but also his -- you know his
5 nomination itself.

6 Anyway, actually they're all nice and outstanding
7 individuals. It's a very difficult choice and appropriate to
8 -- to examine. I could go anywhere, Mr. Chairman, I -- I just
9 believe that Charles Totemoff's participation in -- in the
10 clean up as a landowner and his very close dedication to this
11 -- this activity and -- and the impact of the spill and being
12 right in the midst of the spill makes it imperative and
13 entirely desirable, let me put it that way, that he be
14 represented on the Public Advisory Group. I would be less
15 supportive of subsistence, but if he was not picked as the
16 native landowner and not picked ask subsistence, that would
17 really be disturbing.

18 Thank you, Mr. Chairman.

19 MR. ROSIER: Thank you very much, John.

20 Mr. Cole?

21 MR. COLE: Thank you, Mr. Chairman. I'm not
22 familiar with Mr. Knecht. I know Mr. Totemoff because of his
23 repeated and consistent appearance at Trustee Council meetings.
24 But if -- if you just look at the point system as a means of
25 expressing the feelings of members of the Trustee Council under

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1 my point system, whatever that's worth, we really get 12 points
2 for Mr. Totemoff, about six for Merrick, six for Mr. Knecht. I
3 think (indiscernible) eight for Merrick. And -- and it seems
4 to me that Mr. Totemoff is strongly favored by that system in
5 any event by the Trustee Council. It's a (indiscernible) then
6 we can deal with the subsistence category when we reach it.

7 MR. ROSIER: Mr. Pennoyer?

8 MR. PENNOYER: Mr. Chairman, I think it's clear
9 that Mr. Totemoff was a clear selection for two categories, and
10 certainly needs to be represented on at least one. I think --
11 we haven't gotten to subsistence yet, (indiscernible)
12 Commissioner Sandor's comments, and so I think we ought to go
13 ahead as Mr. Cole suggests and deal with the nomination of
14 native landowner. I think Mr. Totemoff obviously
15 (indiscernible).

16 MR. ROSIER: Further comments? Mr. Beacham?

17 MR. BEACHAM: Just looking at the categories,
18 it appears that Totemoff is an incredibly popular person, but
19 he -- he does seem to be more popular for subsistence than he
20 does for the -- the native landowner category (indiscernible)
21 reasonable (ph) (indiscernible) to me.

22 MR. ROSIER: As I read -- as I read, Totemoff
23 gets four -- gets four first place votes and two second places
24 in subsistence category (indiscernible).

25 MR. PENNOYER: Mr. Chairman, I think

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1 Commissioner Beacham was talking about the -- (indiscernible)
2 the number of (indiscernible). And I guess I would say that
3 we're going to have Mr. Totemoff on the (indiscernible)
4 through. I don't expect any one of these people
5 (indiscernible) just to represent one particular interest.
6 They bring in expertise from that interest group to this group,
7 but I presume we're going to get their -- their insight in all
8 these (indiscernible) categories and interests.

9 MR. ROSIER: Okay. Further comments at this
10 time?

11 We have a motion before us at the present time for
12 Mr. Totemoff to be the representative for the native land owner
13 group. I would ask for unanimous consent from Council for
14 appointment of Mr. Totemoff as native landowner
15 (indiscernible).

16 MR. SANDOR: No objection.

17 MR. ROSIER: Hearing no objection, Mr. Totemoff
18 is the native landowner representative.

19 The next group is the recreational users. We've got
20 Mr. James Diehl, Jules Tileston, James Lethcoe, Doug
21 Coughenower, James King, John Merrick and Charles Totemoff.
22 Mr. Barton?

23 MR. BARTON: Mr. Chairman, I nominate
24 Mr. Tileston (indiscernible) seat for the simple reason that
25 Mr. Diehl also has been nominated for public at large seat. I

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1 think he and Mr. Tileston are highly deserving individuals,
2 (indiscernible) nominated for public

3 MR. ROSIER: You've heard the motion for
4 Mr. Tileston and (indiscernible) as part of that the
5 consideration of Mr. Diehl as the public -- a member of the
6 public at large group, and is there a second?

7 MR. McVEE: Mr. Chairman?

8 MR. ROSIER: Mr. McVee?

9 MR. McVEE: Second.

10 MR. ROSIER: The motion has been seconded by
11 Mr. McVee. Comments, please?

12 MR. COLE: Mr. Chairman?

13 MR. ROSIER: Mr. Cole?

14 MR. COLE: First I would like to look at this
15 compilation prepared by the staff and dealing with Mr. Diehl,
16 there is -- it shows that he was nominated among others by
17 Joyce Bamburger, Special Counsel to Walter Hickel. I think
18 that's a little bit inaccurate, so that minor correction.

19 I would also like to add that if you look at the votes
20 for recreational users, Mr. Diehl here gets the greatest number
21 of points in my points system I think of virtually anybody
22 among the nominees. He gets five first place votes in this
23 category, and his rating in the point system is far ahead of
24 Mr. Tileston's, so I could not in good conscious substitute
25 Mr. Tileston for Mr. Diehl. And (indiscernible) public at

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1 large I think we should address that when we come to it.

2 MR. ROSIER: Further comments? Mr. Pennoyer?

3 MR. PENNOYER: Mr. Chairman, I have done the
4 same look and I'd put Mr. Diehl at the top of the list. I
5 guess I still have to -- as we go through these, regardless of
6 these separate numerical ratings, I think we need to consider
7 what we're trying to accomplish here in getting a broad
8 spectrum of interest across this committee in both the public
9 at large and in these special interest groups. Again, they're
10 people who are going to comment on all proposals, not just from
11 the perspective of a kayaker or a conservation (indiscernible),
12 a forest products person.

13 I would point out that Mr. Tileston's nominations and
14 endorsements. He has a rather impressive list of endorsements
15 of people who are -- are supporting his position on the
16 committee.

17 I realize that we've put these names in to start with,
18 we basically went at it without this level of discussion. I
19 think that -- I think Mr. Diehl would be -- well, he is
20 represented here as -- in (indiscernible) category as being a
21 recreational user, but he also could represent the public at
22 large, and I think nearly anybody at large is going to have
23 some interest and something to do (indiscernible). So I think
24 it could go either way.

25 At least I'm persuaded to go along with Mr. Barton. I

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1 don't know how we get around the question we've got here.
2 Certainly the initial votes did -- did put Mr. Diehl clearly at
3 the top of the list with five first place votes. Mr. Tileston
4 had one first place (indiscernible). Mr. Tileston had three
5 seconds and one third place (indiscernible) I don't know what
6 was in people's mind when they did that, but clearly Mr. Diehl
7 was the top choice initially. I am persuaded by Mr. Barton's
8 arguments, so I'll (indiscernible).

9 MR. ROSIER: Mr. Barton?

10 MR. BARTON: Yes, Mr. Chair, I -- you know, I
11 think we need to look at the advisory group as a whole, at the
12 strongest (indiscernible). (Indiscernible) efficiencies in
13 either one of those two individuals, so (indiscernible) hope
14 we'd have them both up (indiscernible).

15 MR. COLE: Mr. Chairman?

16 MR. ROSIER: Yes, Mr. Cole?

17 MR. COLE: But if you look at the voting
18 system, we have Mr. Diehl is first for Fish and Game, first
19 with Environmental, first with the Department of Interior,
20 first with NOAA and first with the Department of Law. He gets
21 zero votes -- votes from the USDA. And, you know, I just don't
22 see how we can support Mr. Barton's view that (indiscernible)
23 you know, when you get five first place votes for this
24 particular category, then we say, "Well, let's nominate someone
25 else." And I'm telling you, gentlemen, I just can't go with

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1 that. And then say, "Well, we can put him down in the public
2 at large. But the fact of the matter is he got no first place
3 votes for the department (ph) of -- for membership in the
4 public at large, and I just can't understand how we could be
5 doing this double-take here after you vote five first place
6 votes for recreational user. I tell you, I just can't fathom
7 that.

8 MR. SANDOR: Mr. Chairman, there may be another
9 factor to consider. Well, I guess I don't have (indiscernible)
10 as the record would reflect, I've -- I nominated Tileston as
11 the number one candidate in -- I think that's with the
12 environmental group, Brodie number two and then I
13 (indiscernible) have chosen, or nominated or included in the
14 public at large.

15 But I think that the -- the public at large grouping is
16 flawed. It's flawed either by the inaccurate -- or an
17 inadequate number of public at large candidates or it's flawed
18 by the way in which the public at large group was tallied,
19 because it bothers me that in the public at large group, when
20 -- when I summarized them, and -- and then chose, you know,
21 insofar as the nominations by the Trustees Karl Pulliam four,
22 Donna Fischer three, James Diehl two, Walt Parker two, Brad
23 Phillips two, and the others one, partly representing my
24 multiple elimination (ph) fund (ph).

25 But then when you look at the fact that Jerome Selby

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1 has five, Ken Adams has four in one category, aquaculture four
2 and commercial fisheries, comm fish, four votes in tourism;
3 Merrick has four votes in forest products, four in -- in native
4 landowners, and, of course, also in this sport (ph) group and
5 -- and he has four and then Calvin Lensink has five in science
6 and academic.

7 And then it -- it troubles me that -- that we may be
8 reaching the conclusion prematurely, that -- that the pool of
9 people that we have that are shown in public at large adequate.
10 And -- but I supported Diehl and believe that he was -- as well
11 as Tileston.

12 I think we really should follow -- look at these
13 categories by the category, because as I understood this whole
14 process, we deliberately chose to make this -- have these 12 --
15 11 I guess it is -- yeah, 12 public -- or specific special
16 interest groups. Twelve specific special interest groups. And
17 I think we should try to pick the best one for that group.

18 Then when we come to the public at large, I think we
19 need to debate whether or not, you know, all of these can be
20 shifted over, and I do agree that you cannot have somebody
21 public at large that doesn't have some special interest. I
22 think there needs to be a mechanism, that it wasn't clear.

23 I'm not so sure that the public at large grouping that
24 we have, you know, really adequately reflects the
25 qualifications of any one of these people to pick -- to be

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1 picked for public at large if in fact we're going to say that
2 anyone in any one of these other categories can serve public at
3 large. If that's the case, then we should assume that and then
4 re-do the compilation to see how we're going to tally up these
5 -- these votes.

6 So I guess I would argue in favor of giving the first
7 priority to really selecting the best person for the individual
8 category that's being represented and then deal with this
9 public at large separately. I -- I

10 In summary, I think public at large information that we
11 now presently have tabulated may be -- it may be inadequate to
12 make those selections today, and we may have to defer that
13 until a meeting of the 14th, at which -- during which time we
14 can sort out and perhaps even open up nominations, or at least
15 make the determination whether all of these people in these
16 other specific categories can also be considered for public at
17 large.

18 Mr. Chairman, I don't know that I'm making sense, but
19 that's -- I guess I'm -- I'm suggesting that we stick this
20 recreation user group without prejudging how we're going to
21 pick on the public at large group.

22 MR. ROSIER: Thank you, John. I don't want to
23 confuse the issue more here on this, but in terms of the public
24 at large group, it was kind of my understanding that -- that at
25 the time that we set up these groups, we were talking about a

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1 group of up to 15 with the public at large group kind of -- it
2 was not clear exactly how we were going to deal with the public
3 at large group. But at least at the time that we were voting
4 on this, at least considering what our votes might be on this,
5 we had only put one individual in, you know, under our -- under
6 -- under my name on this in anticipation that perhaps we would
7 perhaps be going out looking for a couple of additional
8 candidates. Am I wrong in that? I notice that -- that in --
9 in terms of the listing here, each of us has treated this
10 particular group totally differently.

11 Mr. Barton?

12 MR. BARTON: Mr. Chairman, I would like to see
13 us decide what we're going to do with the public at large
14 category (indiscernible) further. (Indiscernible) this could
15 influence how I might vote on some of these.

16 MR. ROSIER: Further comments?

17 MR. SANDOR: I think that's a good idea,
18 because it's -- it's important to -- to know that basic ground
19 rule, and -- and I -- and so I guess I would table the
20 resolution of this recreation user one until we deal first with
21 the question of how is the public at large candidate or
22 candidates to -- or positions to be handled.

23 MR. COLE: Mr. Chairman?

24 MR. ROSIER: Mr. Cole?

25 MR. COLE: I need a little help here as usual,

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1 but are we having one member of the public at large or two
2 members of the public at large?

3 MR. ROSIER: Three members.

4 MR. COLE: Oh, is it three? I'm told it's
5 three, three members of the public at large, and therefore, you
6 know, it's I think not good process when as Commissioner Rosier
7 points out, he only nominated one person for this three member
8 group and so did the Department of the Interior. NOAA only
9 nominated two, others -- Commissioner Rosier (sic), he
10 nominated eight -- not Commissioner Rosier, Commissioner
11 Sandor. But it -- it seems to me that the process has broken
12 down in the Department of -- in the -- in the public at large
13 category, and I think that we should today defer appointment,
14 selection, or whatever you want to call it of people in the
15 public at large category.

16 My concept of the public at large category was to
17 select three people -- actually however number there were,
18 people who are not closely allied with any of these other
19 special interest groups, because if we put people in the public
20 at large category who are closely allied with some of the
21 special interest groups, then we're giving those members of
22 that special interest group sort of a double vote, more than
23 the others. And I think we should be very careful not to do
24 that. We should simply have, you know, truly public at large
25 rather than, you know, people like Mr. Diehl if we put him in

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1 public at large and he gets five first place votes for
2 recreational user, and then we appoint someone else as a
3 recreational user, well, then we've really I think unfairly
4 perhaps, or maybe not unfairly, but whatever, given emphasis to
5 members of the recreational group, so

6 Thank you.

7 MR. McVEE: Mr. Chairman?

8 MR. ROSIER: Yes, Mr. McVee?

9 MR. McVEE: I guess when I was putting together
10 the DOI recommendations for the public at large group, I was
11 dealing with it on the basis that considering those that were
12 nominated and therefore as a probable (ph) one person I felt
13 like met those criteria that -- that Attorney General Cole has
14 mentioned, and therefore submitted (indiscernible) name. So it
15 might be in my mind necessary to -- to delay and go back out
16 and acquire (indiscernible) nominations or solicit nominations
17 or I think that we have the prerogative of (indiscernible)
18 making nominations. We ought to exercise that.

19 MR. ROSIER: Thank you, Mr. McVee.

20 Mr. Pennoyer?

21 MR. PENNOYER: Mr. Chairman, when we get down
22 to it, I don't have any problem adding people to -- to the
23 advisory group as we go along. I would hope the delay doesn't
24 mean delay in starting this process. I would like to finish
25 today, make a selection, get started, have the first meeting,

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1 get this going, and if we have to come back and add some people
2 later, if we feel like to doing that. It's hard (ph) to expand
3 this committee or whatever, I think we have that -- that
4 possibility in the future. So I went down, and I had two that
5 I thought (indiscernible) when I (indiscernible) nominations
6 that I felt (indiscernible) public at large.

7 I guess I assumed that we weren't going to be able to
8 find anybody that somebody wouldn't think had some interest in
9 one direction of another. And, however, I did assume as I
10 think Attorney General Cole pointed out, that we were trying to
11 pick people who would be (indiscernible) interest or another.
12 So I think as -- as staff characterized these people, they --
13 nearly all of them fall in more than one category. There's
14 just no way around it.

15 And I guess I feel that we're trying now in the public
16 at large category to have (indiscernible) coming (ph) up with
17 one interest or another, so from that standpoint -- at least to
18 that degree Mr. Diehl might be (indiscernible) a reasonable
19 recreational and public at large group, and still come back and
20 consider what we do with the public at large group.

21 Our purpose here is to get a broad cross section of
22 input to us not necessarily just to have any one interest
23 represented. Early on we even thought that one person might
24 represent more than one interest, have somebody who is a sport
25 fisherman and a recreational user and that, so I think the door

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1 was open to us to choose as we (indiscernible), but the public
2 at large (indiscernible) it's my feeling (indiscernible)
3 wanting to go out and ask for something extra. Let's not stop
4 the process though (indiscernible) today in the selection, have
5 the first meeting and get things going.

6 MR. ROSIER: Yes, Mr. Barton?

7 MR. BARTON: I still feel strongly that we need
8 to have a whole slate of candidates laid out (indiscernible).
9 (Indiscernible) puzzled as to how now we're to develop
10 candidates for public at large, (indiscernible).
11 (Indiscernible) the whole nomination process, (indiscernible)
12 if so, given Mr. (indiscernible) comments, do we then exclude
13 people that have been nominated for specific seats? I, too,
14 would like to see people (indiscernible) representing the
15 public at large who truly represent the public at large. But
16 I'm not sure how you identify them.

17 MR. SANDOR: Mr. Chairman?

18 MR. ROSIER: Mr. Sandor?

19 MR. SANDOR: I would speak in favor of the
20 motion if there's one on the floor of deferring the action on
21 the public at large group, but I believe it is absolutely
22 essential that we define the ground rules under which the
23 public at large people are to be selected and -- and who is on
24 the list, and in that regard while I favor the deferral of
25 action on this public at large group today, and to the 14th, I

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1 would also favor that we conclude that any of these people on
2 the total list be considered as public at large if they had
3 expressed an interest in that and -- and if the staff had
4 identified them that way. I'm even in favor of frankly making
5 it all inclusive.

6 But I would also believe that between now and August
7 (sic) 14 we ought to solicit, you know, additional public at
8 large nominees and if we do not reach a conclusion on the
9 subsistence or sport fishing or recreation group that would be
10 another, we could add -- add that, but I believe what we're
11 going to do is -- is probably reach a conclusion that we just
12 can't deal with this public at large today.

13 But, one, I favor deferral of action on this, but, two,
14 only if we can define what the ground rules are for -- for
15 having the list and whether or not nominees are going to be
16 open for additional candidates.

17 MR. ROSIER: Thank you, John. I guess I've got
18 a question for the Staff. We have a fairly significant group
19 of people that are characterized under the principal interest
20 categories as public, and what does this principle interest
21 represent? Just people that were in fact nominated for the
22 public at large, or was this something -- where did this
23 category come from and how does the description apply?

24 MR. RICE: Mr. Chairman, this is Ken Rice.
25 I'll -- I'm not sure I fully understand your question. Are you

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1 trying to find out how the public at large category came about?

2 MR. ROSIER: Yes. In the -- in the legal
3 sheets that we've been given here, the summary of the various
4 individuals on this, there's a number of these people that --
5 that are listed as under principle interest "public". Are
6 these people that were nominated for the public at large group,
7 or -- or are they -- where does this principle interest
8 category come from and -- and how were people put into that
9 particular category?

10 MR. RICE: Mr. Chairman, when we went out to
11 the public, we sent out a letter that identified the 12
12 principle interests and said, "Please let us know which ones of
13 these you would -- you would fall within," but in the letter we
14 also identified that we were soliciting nominations from the
15 public at large, in other words, not directly affiliated with
16 any one of the principle interests. And the name that appear
17 on this list are those that we were able to identify as being
18 nominated for a public at large group.

19 MR. ROSIER: Mr. Cole?

20 MR. COLE: Mr. Chairman, I remain uneasy about
21 the public at large category. If you look at the names under
22 nominations by Trustee, you essentially see almost exclusively
23 names of people who were nominated in other categories. And I
24 just think that somehow the process for selection of public at
25 large members has broken down and is inadequate, and I think

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1 that we should defer the appointment or election of public at
2 large category members today, but I do think that it's
3 imperative that we continue to get as many people appointed to
4 the various categories as we are able today so we can get on
5 with this process.

6 MR. ROSIER: Mr. Pennoyer?

7 MR. PENNOYER: Mr. Chairman, I second Attorney
8 General Cole's comments about getting on with the process. I
9 think there may be one or two names under the public at large
10 when we get to it that would fit the concept of somebody who
11 doesn't clearly fit in one of these other interest groups and
12 perhaps when we get to that category we could maybe defer it if
13 we can't find enough people to fill the category, but there may
14 be one or two names we could start on (indiscernible) may
15 appear in other categories just because somebody listed down
16 that they have a strong interest in one or another
17 (indiscernible) category, but really more general interest, and
18 I -- when we get to it, there a couple of names on it that fit
19 that concept, so maybe we should go ahead and proceed with the
20 categories one at a time, and when we get to public at large,
21 make the decision when we get to that.

22 MR. ROSIER: Mr. Barton?

23 MR. BARTON: Mr. Chairman, I repeat, I think we
24 need to determine what (indiscernible) public at large
25 (indiscernible).

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1 MR. SANDOR: I'd like to -- Mr. Chairman?

2 MR. ROSIER: Yes, go ahead, John.

3 MR. SANDOR: I'm not sure, was Mr. Cole's
4 motion seconded by -- was that a motion, and -- and, Steve
5 Pennoyer, you said you seconded his comments. Was that as an
6 actual motion?

7 MR. COLE: Mr. Chairman, it was a back-handed
8 motion.

9 MR. SANDOR: Okay. I would move to amend the
10 motion to take care of Mike Barton's concerns hopefully, which
11 as I understand it are, and which I share, that we really do
12 need to know how we're dealing with this public at large group
13 and how the selections are -- are going to -- to be made. It
14 seems apparent to me that -- that even the way the -- the
15 announcements went out for nominations, that we had 12
16 categories plus the public at large group, how these were given
17 to the Trustees, that there was not clarity on the part of the
18 Trustees to realize that there were three positions to be
19 filled in the public at large group, and as a consequence the
20 array of votes that we have are not equitably presented.

21 And it seems to me it isn't clear that -- whether or
22 not we ought to include or exclude these special interest
23 groups from consideration of the -- in the public at large
24 group. It may well be that we do not want to exclude them, if
25 our pool of public at large candidates are -- is inadequate.

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1 So my amendment is as follows: I move to amend the
2 motion that this be deferred, but that the -- that -- and that
3 this announcement request additional nominees for public at
4 large and include those for our August (sic) 14 meeting -- or,
5 excuse me, September 14 meeting; that we also include any other
6 individuals nominated for the special interest groups at least
7 for consideration provided that it's understood that -- that in
8 our final selections we would not put into the public at large
9 category anyone that had a dominant interest in -- in one
10 category. In short then, the motion is to -- the amendment is
11 to -- to make the public at large group all-inclusive, request
12 additional nominations and defer the decision until the
13 September 14 meeting.

14 MR. ROSIER: Mr. -- John, I guess -- yes, thank
15 you very much. Mr. Barton, I don't -- well, do I have a second
16 to the motion?

17 MR. COLE: Mr. Chairman, I'll second the motion
18 although is it understood that members of the Trustee Council
19 themselves can nominate members during this two-week period? I
20 mean, it just seems to me that out of the 550,000 people
21 (indiscernible) ought to be able to find some disinterested
22 people who would be interested in serving, performing this
23 public service (indiscernible).

24 MR. ROSIER: Mr. McVee?

25 MR. McVEE: Yes. Mr. Chairman, I'm interested

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1 in that option also, and I think that it would be worthwhile to
2 the public at large category for us to exercise it.

3 MR. RICE: Mr. Chairman?

4 MR. ROSIER: Yes? I'm not sure

5 MR. RICE: This is Ken Rice.

6 MR. ROSIER: Yes, Ken, go ahead.

7 MR. RICE: Yes. I'd just like to point out
8 that staff is going to have a very difficult time within the
9 next two weeks to go out and solicit nominations from the
10 public and -- and receive replies by the next Trustee Council
11 meeting.

12 MR. ROSIER: Thank you, Ken. Yeah, I think
13 you've raised a -- raised a point there on this, and that will
14 be part of the consideration, but I think Mr. Barton had -- is
15 asking for the floor.

16 MR. BARTON: Well, yes, and it was somewhat
17 along the same line, what (indiscernible) time necessary to get
18 the necessary disclosure documents, (indiscernible).

19 MS. EVANS: Mr. Chairman?

20 MR. ROSIER: Yes?

21 MS. EVANS: We're not hearing Mr. Barton.
22 Could he repeat his comments, please?

23 MR. BARTON: What I said was I wondered if we
24 could get the necessary disclosure comments back -- disclosure
25 comments back from the nominees in time to have them reviewed

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1 prior to the 14th meeting.

2 MR. ROSIER: Staff comments?

3 MR. RICE: Okay. Mr. Chairman, this is Ken
4 Rice. I'm not sure we can even get the nominations, or the --
5 the request for nominations out and back in time. We've got
6 roughly two weeks to do that, and even if we mailed something
7 out today, put notices in the paper, it would be a day or two
8 before it got in there. If we requested a seven-day turn-
9 around, we might be able to get something, but I don't think
10 we'd be able to reach the audience that we're -- we're trying
11 to reach.

12 MR. ROSIER: Other comments from the Council?

13 I guess I have a question. With regards to the -- to
14 the public at large, again it was my impression we're talking
15 about up to 15 members, three coming from the public. Do we in
16 fact need all three appointments at this time?

17 MR. COLE: Mr. Chairman?

18 MR. ROSIER: Mr. Cole?

19 MR. COLE: Yes.

20 MR. SANDOR: Mr. Chairman?

21 MR. ROSIER: Yes?

22 MR. SANDOR: I do also think we should get the
23 Public Advisory Group on board all at once. But it was my
24 thought that -- that we could act, or consider acting on the
25 14th of September based on whatever information we had, and

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1 that even so far as the conflict of interest statements are
2 concerned, appointments could be conditional upon the -- the
3 submission of -- of appropriate conflict of interest
4 information -- conflicts of interest information, but obviously
5 we can request that simultaneously with the nomination.
6 Anyway, I believe that with this discussion I'm more than ever
7 convinced that -- that we cannot select the public at large
8 positions today, but I hope we can reconfirm, or at least get
9 agreement that, one, there will be three public at large
10 positions, that they will represent public at large, although
11 they may be aligned in one or more special interests, not have
12 a dominant interest in -- in one area, and -- and that we make
13 this as broadly inclusive as possible.

14 MR. ROSIER: Thank you, Mr. Sandor.

15 Mr. Pennoyer?

16 MR. PENNOYER: Mr. Chairman, I think if one
17 thing is very clear, it's this Trustee Council is not going to
18 get a unanimous agreement on the public at large group at this
19 meeting, and I personally think there are at least one or two
20 names on it, I may -- it may not fill the total number we want,
21 that we could pick now to adequately represent public at large
22 and then maybe defer the selection of others until the 14th
23 when we can look at as broad a representation as possible. But
24 given that I don't think we're going to do that, I suggest we
25 go through the categories. As Mr. Barton said, we will leave

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1 open the question of public at large, but I would hope that we
2 could get on with formulation of the group and getting people
3 on board. I would hate to come to the 14th, not have all the
4 documents, not have it there again and say we can't have this
5 group meet, because we haven't completed our selection process.
6 I do think there are one or two names on this list that
7 appeared in other categories, but they clearly were more public
8 at large than they were any specific interest group.

9 If we wanted to today, I think we could pick one or two
10 names out of that public at large group, maybe leaving the last
11 one or two open, but that doesn't seem to be the will of the
12 group. I suggest we get on with business, pick the other
13 people out and come back on the 14th and finalize our
14 selections.

15 MR. COLE: Mr. Chairman?

16 MR. ROSIER: Mr. Cole?

17 MR. SANDOR: (Indiscernible) amendment to the
18 motion on the floor.

19 MR. ROSIER: I'm sorry, John, we had you
20 covered up there. Would you speak again, please?

21 MR. SANDOR: Mr. Chairman, I withdraw the
22 amendment of the motion on the floor, so the motion on the
23 floor remains as -- without proposed amendment.

24 MR. ROSIER: As (indiscernible). Yes, as I
25 understand it at this point then, with the withdrawal of your

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1 -- your motion, John, that we are back now to deferring -- a
2 motion to defer the selection of the public at large members
3 until the 14th.

4 MR. SANDOR: Mr. Chairman, as I understood it,
5 Mr. Cole's motion, I think seconded by Pennoyer or -- or McVee
6 said we would defer, but without having the rules defining the
7 public at large group, and I think we ought to take this one
8 step at a time and go back to the recreation users, science and
9 academic and the individual, and then -- groups, and then
10 consider this -- these ground rules later.

11 MR. ROSIER: Mr. Chairman, I believe -- or,
12 excuse me, Mr. Sandor, I believe that that's -- that's the
13 point at which we entered this particular conversation here,
14 and it's the point that Mr. Barton raised originally, but --
15 Mr. Barton?

16 MR. BARTON: Yes. I still think before we go
17 any further we ought to know how we're going to deal with the
18 public at large category.

19 MR. ROSIER: Mr. Pennoyer?

20 MR. PENNOYER: Mr. Barton, do you have any
21 suggestions? We have -- I think we have some people on the
22 list now that are -- are conceptually public at large if we buy
23 the definition that it's people who don't have a dominant
24 interest group that they represent, that they come from a broad
25 array of interest background, broad experience, maybe

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1 disinterested as the Attorney General said, or maybe broadly
2 interested, but don't have a specific thing that you could pick
3 them out as dominantly representing. Now, if you buy that
4 definition, I think there are one or two people on this list
5 that may fit it, and then if there aren't enough, we could go
6 on, finish our selection process, but leave the number of extra
7 nominations open. Deal with this category with maybe one
8 person or two persons -- people, and agree on them if we can,
9 and still have one or two seats open that we'd leave until the
10 14th or whenever we can get it done. But I'm concerned that
11 like on so many things here, that we ought to get something
12 started. I'd like to see us have a Public Advisory Group in
13 place and functioning. If we add to it, that's fine.

14 MR. ROSIER: Mr. Barton?

15 MR. BARTON: Yes. I'd -- I'd suggest that we
16 just move right on through and vote on the public at large
17 category and complete the business of the day.

18 MR. COLE: Mr. Chairman?

19 MR. ROSIER: Yes, Mr. Cole?

20 MR. COLE: I would object to that. The -- if
21 you look through those public at large names, every member of
22 the 16 names there has been principally considered for
23 appointment in one of the other categories. And so therefore
24 I'm skittish about their disinterest (indiscernible), one
25 thought.

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1 The second thought is that if we elect one or two
2 members now as a public at large out of these names here, then
3 we're limiting the breadth of our ability to select from what I
4 would (indiscernible) is truly the public at large. I think
5 that we should leave that public at large category wide open so
6 that we can get the best possible nominees or selection.

7 MR. ROSIER: Mr. Barton?

8 MR. BARTON: It was wide open earlier. Why do
9 we think we'd get a different people applying this time around?

10 MR. COLE: Mr. Chairman?

11 MR. ROSIER: Yes, Mr. Cole?

12 MR. COLE: It -- it seems to me that perhaps
13 the system, the process which we used was inadequate. And I
14 cannot believe, like I say, out of 550,000 people
15 (indiscernible) sense (ph) in the public at large that there's
16 only 16 people who -- who are interested in appointment or
17 serving, taking this pounding which one takes for serving the
18 public interest, and we're (ph) not interest (indiscernible).
19 We just haven't been broadly enough soliciting membership in
20 the public at large. I don't say that with respect to any
21 fault of the staff, but somehow the process hasn't worked.

22 MR. ROSIER: Mr. McVee?

23 MR. McVEE: Mr. Chairman, I guess -- I guess I
24 feel like that we could postpone the -- acting on the public at
25 large nominations at this time, and do some things to -- to see

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1 if we can't (indiscernible) the list that we have.

2 I didn't do a great deal in terms of -- of promoting --
3 promoting nominations, and I feel like I could probably do some
4 more things there, and possibly other members (indiscernible)
5 may have similar feelings to -- to expand that list to
6 (indiscernible) additional candidates for consideration.

7 MR. ROSIER: Thank you, Mr. McVee. Further
8 comments?

9 MR. SANDOR: Mr. Chairman?

10 MR. ROSIER: Mr. Sandor?

11 MR. SANDOR: Yeah, I agree with Mr. McVee's
12 comments, and (indiscernible) as well. Although the thing may
13 have been wide open, it was not clearly understood, hence the
14 different, you know, level of numbers of nominations and so
15 forth. So I think we should err on the side of making this
16 more all-inclusive, and not elect public at large individuals
17 at this meeting today.

18 Is there a motion on the floor?

19 MR. ROSIER: There is a motion on the floor at
20 the present time as I understand it. That motion is currently
21 to defer the public at large group (indiscernible). It's been
22 a while back. I think it -- September 14th. That's -- that's
23 my understanding of the motion that's on the floor at the
24 present time.

25 MR. BARTON: Just the public at large group or

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1 any further activity on (indiscernible)?

2 MR. ROSIER: It was only the public at large
3 group.

4 MR. BARTON: Mr. Chairman, I move to amend that
5 motion to just suspend further work on this list until we can
6 deal with it at (indiscernible).

7 MR. COLE: Mr. Chairman?

8 MR. ROSIER: Mr. Cole?

9 MR. COLE: Well, why would we suspend work on
10 dealing with the appointment of the remaining (indiscernible)?
11 It seems to me that logically therefore we should
12 (indiscernible) everything else we've done this morning, say
13 that doesn't count, because of the fact there's three more
14 unfilled. It seems to me we ought to either do them all except
15 the public at large, or we ought to do none of them, except --
16 you know, period.

17 MR. ROSIER: Mr. Barton?

18 MR. BARTON: Well, I'm in favor of doing them
19 all, including public at large. I don't think it's correct to
20 do them all except public at large because some of the
21 individuals may vote differently from the slate of possible
22 candidates we have before us, (indiscernible) some of us have
23 changed our vote on some of the seats that we're currently
24 dealing with, because of actions (indiscernible) on seats that
25 we have (indiscernible).

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1 MR. ROSIER: Let's take a five minute break.

2 (Off record)

3 (On record)

4 MR. ROSIER: Now, John, are you there?

5 MR. SANDOR: Yes, I am, Mr. Chairman.

6 MR. ROSIER: Thank you. I'm not sure -- I'm
7 not sure if we've made progress or not, but I think we might as
8 well get this on the table at the present time.

9 At this point we -- we do have a motion before us, and
10 I guess the first item of business would be to get that motion
11 out of the -- out of the way or amend it in some manner. So we
12 -- Mr. Pennoyer?

13 MR. PENNOYER: Mr. Chairman, the motion is
14 simply to defer the public at large selection until the
15 September 14th meeting, is that correct?

16 MR. ROSIER: That's -- that's correct.

17 MR. PENNOYER: Okay. The implications of that
18 motion are that technically, legally I guess from our own
19 guidelines, we can't have a meeting of the Public Advisory
20 Group until we have 15 members. So in essence we're deferring
21 any possible meeting of the Public Advisory Group until after
22 the 14th of September.

23 MR. ROSIER: Well, that's my understanding, but
24 let's -- let's get a -- do you want to come up to the mike
25 here?

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1 MS. LISOWSKI: Yeah, this is Maria Lisowski
2 with OGC for Department of Agriculture. The -- the charter
3 says that the Public Advisory Group shall consist of 15
4 members, so in my opinion while they could meet, I don't
5 believe that they could take any action until the -- the group
6 actually consisted of 15 members.

7 MR. PENNOYER: Mr. Chairman, that in essence
8 means there's not (indiscernible) meeting, because they'd
9 certainly have to initially start to set out guidelines and
10 ground rules and so if they couldn't take any actions, I
11 (indiscernible).

12 MR. ROSIER: Mr. McVee?

13 MR. McVEE: Mr. Chairman, does that mean,
14 Maria, that when there are resignations in the future, which
15 I'm sure that we will get from people, that until we make --
16 fill that vacancy, fill that slot, that (indiscernible) have an
17 advisory (indiscernible)?

18 MS. LISOWSKI: In my view that's something that
19 should be taken care of, maybe operating procedures of the
20 Public Advisory Group (indiscernible).

21 MR. ROSIER: Mr. Pennoyer?

22 MR. PENNOYER: Mr. Chairman, I guess it's
23 fairly clear that we're not going to get any type of consensus
24 on the Public Advisory Group at this meeting. Lacking that,
25 we're not going to appoint one. The choice now seems to be do

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1 we simply wait until September 14th to deal with the whole
2 balance of this list, or do we try and go through two or three
3 more categories, lacking the Public Advisory Group -- cannot
4 have a group that (indiscernible) function until we appoint 15
5 people, so do we select two or three more now or not? We
6 haven't gotten an up and functioning Public Advisory Group. I
7 guess I would (indiscernible). If we do go for the motion and
8 defer that as I suspect we're going to, I really hope we can
9 get it done on the 14th.

10 And we really need to have this group up and
11 functioning. (Indiscernible) a response into the court that
12 says we're getting there, we have various work plans to
13 consider, there are already (ph) some already done and some
14 that are in process. All of these things require a public --
15 functioning Public Advisory Group, so if we do defer to the
16 14th, that's two week, I would hope that we don't come to
17 another meeting and have again the inability to appoint a
18 group, even if it's changed in the future, or even if we expand
19 it in the future, (indiscernible) to get started.

20 Fifteen was picked as a good number. The interest
21 groups we have here (indiscernible) picked (ph) to give us a
22 broad representation of people. Public in large was to fill in
23 behind that with people who weren't necessarily of any single
24 interest group. But those are all ground rules we set up to
25 facilitate getting a functioning Public Advisory Group. It

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1 shouldn't stand in the way of doing it.

2 So I would hope that if we do pass this motion and
3 defer it, that we can on the 14th act. And if staff hasn't had
4 time to do it, and we would have had time to individually bring
5 names in or something, because we really cannot delay this too
6 much longer.

7 MR. ROSIER: I would certainly like to echo
8 those words as well, Steve. I just -- yeah, I would hope that
9 we go as far as we could here today on this, I think just in
10 terms of making the decisions to support the people that did
11 come forward here. I think that's an important thing. People
12 have been pushing on the Public Advisory Group. We certainly
13 want to do it right, but in my view the people have in fact
14 come forward here and we've gone through a process here on
15 this, and I would certainly hope that we could go at least
16 through the various groups here down to the public at large
17 group anyway. So I would certainly hope also that -- that
18 (indiscernible) would have a Public Advisory Group final --
19 final decision at our meeting of the 14th.

20 Any other comments? Mr. Barton?

21 MR. BARTON: Yes, Mr. Chairman, I would object
22 to any (indiscernible).

23 MR. COLE: Mr. Chairman?

24 MR. ROSIER: Yes, Mr. Cole?

25 MR. COLE: I support the Chairman's views. I

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1 think we should go as far as we can today and since we have not
2 consensus on the public at large, we should defer that and we
3 should make all the appointments which we can today, because
4 there's no logical reason we should (indiscernible), what, ten
5 or 11 of them, plugging (ph) them in so to speak, and then
6 (indiscernible) finishing up naming the three.

7 MR. ROSIER: Mr. Barton?

8 MR. BARTON: I agree with Mr. Cole's
9 frustration. I wouldn't have started this with -- had I not
10 (indiscernible) finish it.

11 MS. EVANS: Mr. Chairman?

12 MR. ROSIER: Yes?

13 MS. EVANS: I'm sorry to interrupt, but
14 Mr. Barton's comments before Mr. Cole's just now were not -- we
15 could not hear them in Anchorage, which means the court
16 reporter could not get them down.

17 MR. ROSIER: Yes, Mr. Barton, could you repeat
18 that, please?

19 MR. BARTON: I said that I would not have
20 started this list had I known we weren't going to finish it
21 today.

22 MR. SANDOR: Mr. Chairman?

23 MR. ROSIER: Yes, Mr. Sandor?

24 MR. SANDOR: During the five-minute break, I
25 re-read the Public Advisory Group principle interest

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1 definitions, and a summary of action taken at our March 9
2 meeting, which stated at the Trustee Council meeting on March
3 9, 1992, it was decided to approve 12 principal interests to
4 use when choosing the 15 members of the Public Advisory Group.
5 In addition, it was decided to have two ex officio members, one
6 each from the Alaska State House and the Senate.

7 And it goes on to discuss that this public at large
8 group, you know, is -- is different from these 12 special
9 interest categories, and I would suggest that -- in my reading,
10 doesn't suggest that these individuals couldn't be on both, but
11 it clearly shows that -- that the intent was to select --
12 select specifically people to these 12 groups, and therefore I
13 support the motion on the floor to proceed with the filling of
14 those 12 positions, and then deal with this public at large
15 group separately. It would have been more ideal, and I agree
16 with Mr. Barton, that it would it would have been preferable to
17 have the public at large group. But since the process is
18 flawed, or at least not clearly understood, I don't believe
19 it's feasible to do that.

20 Thank you, Mr. Chairman.

21 MR. ROSIER: Thank you, John, for that
22 clarification. And, yes, that was a review.

23 Further discussion? Ready for the question? My
24 understanding is at -- at this point the motion before us is a
25 motion to in fact defer the selection of the public at large

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1 group of individuals until our September 14th meeting.

2 MR. SANDOR: That's my understanding,
3 Mr. Chairman.

4 MR. ROSIER: Yes, Mr. Barton?

5 MR. BARTON: Mr. Chairman, I'd amend that
6 motion. In addition to suspending any action on the public at
7 large, I would also suspend action on any of the public
8 interest groups not yet dealt with today.

9 MR. ROSIER: We have an amendment to the motion
10 at this time to -- by Mr. Barton, to suspend action on the
11 remaining groups that we have not taken action on so far today.
12 Do I have a second to that motion -- the amendment to the
13 motion?

14 MR. PENNOYER: Mr. Chairman, I'll second that.

15 MR. ROSIER: We have a second from Mr. Pennoyer
16 to amend the motion. Mr. Pennoyer?

17 MR. PENNOYER: Mr. Chairman, I'm seconding it
18 not because I don't think we should proceed. If I thought
19 there was a chance here to proceed and get a Public Advisory
20 Group started over the next weeks and start to function, I
21 would say let's go ahead and do it. I'm not clear (ph) that it
22 makes sense to plow through categories just because we
23 (indiscernible) categories. We can do that just as well on
24 September 14th.

25 I don't know what we want to do with the Public

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1 Advisory Group yet. I'm not clear what boundaries (ph) we're
2 going to think of. It's not clear what extra nominations may
3 come in by the 14th. Here I'd just as soon have finished. If
4 we can't finish, maybe the appropriate thing to do is to delay
5 action until we have a slate of candidates in front of us,
6 until we know what we're going to do (indiscernible) total
7 Public Advisory Group.

8 MR. ROSIER: Thank you.

9 MR. COLE: Mr. Chairman?

10 MR. ROSIER: Mr. Cole?

11 MR. COLE: I remain frustrated, because I think
12 we ought to accomplish as much today as we can. You know, time
13 slips by, we get criticized for not getting our work done, and
14 here when we could finish this off I think except for
15 appointment of the public interest group, we say, "Well, let's
16 put off until the 13th or 14th, whenever we next meet." We've
17 got some other things to do at that time. Let's know (ph) we
18 will get done then. We just have to make some decisions and
19 get on with our business, and I think we're being too slow
20 about things generally and we ought to make some decisions and
21 (indiscernible). Thank you.

22 MR. ROSIER: Yes, Mr. Barton?

23 MR. BARTON: Yes, Mr. Chairman, I agree with
24 Mr. Cole. I would prefer to go ahead and deal with the public
25 at large today. I think (indiscernible) we do need to get on

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1 with (indiscernible) put off several times and (indiscernible),
2 prefer to go ahead and deal with all the categories including
3 the public at large. If we cannot deal with the public at
4 large, then I don't think (indiscernible).

5 MR. COLE: Mr. Chairman?

6 MR. ROSIER: Yes, Mr. Cole?

7 MR. COLE: I want to say that the reason that I
8 am resisting the appointment of the public at large, I think
9 that the appointment of the public at large members of this
10 (indiscernible) is very, very important because I would hope
11 that they be, you might say, a moderating influence on all
12 these special interest groups and truly reflect views of the
13 public at large, and that they should be broadly based. Maybe
14 someone from Southeastern Alaska, maybe someone from Nome,
15 maybe someone from Fairbanks, maybe someone from Anchorage, so
16 we have people who represent, you know, the broad public
17 interest and not have special attachment to the Exxon Valdez
18 episode. Now, I realize that there's arguments on the other
19 side that those people who have particular interest there,
20 flowing from the spill, should be representative of this Public
21 Advisory Group, but we have 12 people for that. I think that
22 it's very important that we get (indiscernible) right people on
23 this public interest group, well balanced, broad minded about
24 this process and that's the reason that I have (indiscernible)
25 feelings about getting a well balanced public interest member.

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1 MR. SANDOR: Mr. Chairman?

2 MR. ROSIER: Yes, Mr. Sandor?

3 MR. SANDOR: This is a question for the --
4 Mr. Barton and Pennoyer who made the motion to amend. Would --
5 as I understand it, the spirit of the motion is that you do not
6 want to act on these 12 until you know the outcome of the three
7 public at large. We've already proceeded and have made
8 selections on I guess seven or eight of the -- yeah, eight of
9 the 12. It was my understanding that even as we made these 12
10 selections, whether we make the public at large selections
11 today or the 14th, that -- that the total group will not be
12 constituted until the 15 appointments are made. If that
13 assumption is correct, then it would seem to me that all we'd
14 have to is to see that the August 14 segment of our next
15 Trustee Council meeting is a continuation of this meeting, and
16 that although action had been taken on the 12 separate
17 categories that the Council would still have the prerogative of
18 -- of seeing how the 15 total or three additional Public
19 Advisory Group members were made before the total appointments
20 were made simultaneously.

21 So, you know, I think we're talking partly process, and
22 I can see arguments on both sides of the issue, but, you know,
23 even if we were to adjourn for lunch and -- and the meeting
24 continues and -- and all (indiscernible).

25 I guess the question to Mr. Barton and Mr. Pennoyer is

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1 if we pick these 12 special interest group people now, identify
2 them as -- as selections, make the three on August the 14th,
3 and the Public Advisory Group, re-examine the total group of 15
4 at that time, does this in any way allay your -- would this in
5 any way allay your concerns?

6 MR. COLE: Mr. Chairman?

7 MR. ROSIER: Yes, Mr. Cole?

8 MR. COLE: Well, I would object to that, and
9 let me tell you why: When we walk out of this meeting having
10 voted on eight of these people, I -- I would like to be able to
11 say, "Look, that's done and behind us." Otherwise we'll have
12 people coming to us and say "Well, why did you vote for this
13 person here in the environmental section," or something like
14 that, and then I'll have to account to that. And then, "Well,
15 you better change that vote at the next meeting, because blah-
16 blah-blah," or the agricultural (sic), or commercial fishing or
17 tourism, or what have you, you know. Then we'll say, "Well, we
18 better start back and go through this again," and that's very,
19 very dangerous, you know, from the standpoint of getting things
20 done. (Indiscernible) my vote, you know, and as far as I'm
21 concerned that's the way it is, and I would object to rehashing
22 all of these eight again on the 14th (indiscernible).

23 MR. ROSIER: Absolutely. I would -- I would
24 have problems with that also. I hope that certainly the eight
25 that we have in fact selected, that is now behind us.

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1 (Indiscernible)

2 Mr. Pennoyer?

3 MR. PENNOYER: Mr. Chairman, I think that's --
4 that's true. And I initially said, you know, when we get done
5 with this list we should go back and look at it on balance. It
6 was within the context of this meeting and this two and a half
7 hours. It wasn't waiting two weeks and do it.

8 I, too, think that once we make the eight, that's done,
9 and I think that may be why Mr. Barton made his motion.
10 There's still four more open. I think we can do those and
11 they're, quote, done, too. And I think the motion was to allow
12 -- allow us a little flexibility in terms of who is in or not
13 in the Public Advisory Group. I don't know how many more
14 nominations we're going to get.

15 I agree with Mr. (indiscernible) we need to get this
16 done. I'm sure the presence or absence of making that choice
17 (indiscernible) people is going to make a big difference on
18 September 14th. I'm getting the feeling we just can't complete
19 the process here, and it's because in terms of one -- some
20 people's view, one category, some people's view, another
21 category.

22 Other than spending more time arguing about, my feeling
23 was we could just do the whole thing and wrap it up on the 14th
24 and get it done. I wish we could have done it today. I don't
25 think now that's possible. I don't know that we could select

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1 15 even if we were to pick one or two out of the
2 (indiscernible) advisory (indiscernible), so we can't have the
3 group selected (indiscernible) eight until after the 14th. The
4 motion is, okay, that's fine. Let's just make those selections
5 on the 14th and do the whole thing and finish.

6 MR. SANDOR: Mr. Chairman?

7 MR. ROSIER: Yes, Mr. Sandor?

8 MR. SANDOR: Just a question of Mr. Pennoyer.
9 And I agree that -- that it would make sense to, of course,
10 make these selections final. But if in fact we adjourn with
11 the -- just the eight selections, are we saying -- or can we
12 confirm that indeed those selections are the ones that are made
13 regardless of the actions that were taken -- that is to be
14 taken on the 14th?

15 MR. ROSIER: Yes, Mr. Pennoyer?

16 MR. PENNOYER: Mr. Chairman, I agree with
17 Mr. Cole, there's no way to walk away from this meeting and
18 wait two weeks, and then come back and change things. I think
19 if you've done that -- unless we right now in the next few
20 minutes make it clear that there's -- that we're not doing that
21 those selections -- or go back and rethink about one of them,
22 which I don't think we're going to do, I don't think you can
23 walk away for two weeks and have the word out that you've made
24 those selections and come back and (indiscernible). So I think
25 the eight are -- are (indiscernible).

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1 MR. ROSIER: Mr. McVee?

2 MR. McVEE: Yes, I would concur with that.

3 MR. ROSIER: Yes, Mr. Barton?

4 MR. BARTON: Yes, I think that's right.

5 MR. ROSIER: I believe that we're unanimous on
6 that particular point then.

7 MR. SANDOR: Could you repeat the point on
8 which we're unanimous?

9 MR. ROSIER: That the eight -- that the eight
10 that we have in fact taken action on, unless there's
11 reconsideration of that at the present time, there will --
12 those eight are in fact to be the representatives for those
13 groups.

14 MR. SANDOR: I concur heartily with that
15 position.

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Yes, Mr. Cole?

18 MR. COLE: Well, you mention reconsideration,
19 that worries me a little bit. I mean

20 MR. ROSIER: At this meeting. Is that -- are
21 we clear now on where we are with -- with regard to the eight
22 in everyone's mind? I see a nodding of the heads around here
23 on this, so I think that at this point then the issue before us
24 is still the amended motion.

25 MR. SANDOR: I call for the question.

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1 MR. ROSIER: That's -- okay. The -- the
2 amendment -- we're voting on the amendment at the present time.
3 I sense that we do not have consensus on this, but we do have
4 the amendment before us, and that amendment is to -- is to --
5 of the original motion to defer the -- the public at large
6 consideration at this meeting until the 14th. The amendment
7 was to in fact modify that to terminate all action on the
8 remaining four positions -- for the four user groups plus the
9 public at large at this meeting. Is that correct?

10 Ready for the question? Dave, would you
11 (indiscernible) on this?

12 Mr. McVee?

13 MR. McVEE: I'll vote in favor.

14 MR. BARTON: Yes.

15 MR. ROSIER: Mr. Pennoyer?

16 MR. PENNOYER: Yes.

17 MR. ROSIER: Mr. Cole?

18 MR. COLE: No.

19 MR. ROSIER: Mr. Sandor?

20 MR. SANDOR: No.

21 MR. ROSIER: Mr. Rosier will vote no.

22 The amendment fails. We're at the main motion at the
23 present time. The main motion is to defer only the -- only the
24 public at large consideration at this meeting. (Indiscernible)
25

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1 MR. COLE: Mr. Chairman?

2 MR. ROSIER: Yes, Mr. Cole?

3 MR. COLE: I think that when you say "only"
4 that it misstates the motion slightly. I think the question is
5 should we defer public at large selection at this time.

6 MR. ROSIER: The Chairman stands corrected here
7 on this. Mr. Pennoyer?

8 MR. PENNOYER: Mr. Chairman, then what's the
9 effect of the vote to do that? If we vote to defer the public
10 at large, then we continue to plow through this category by
11 category individually and reach consensus?

12 MR. ROSIER: That would be my understanding.

13 Mr Barton?

14 MR. BARTON: When the Chairman was corrected,
15 there was such a subtle distinction there I wasn't able to pick
16 it up.

17 MR. ROSIER: Yeah, please, Mr. -- Mr. Cole?

18 MR. COLE: Well, the Chairman said to defer
19 only the public at large, and, you know, I think that the
20 previous vote on the amendment took care of the other process,
21 and that (indiscernible) we go to the next (indiscernible). So
22 I asked (indiscernible).

23 MR. SANDOR: Mr. Chairman?

24 MR. ROSIER: Mr. Sandor?

25 MR. SANDOR: I couldn't hear the last comment.

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1 Could it be repeated?

2 MR. ROSIER: Yes, Mr. Cole, would you please
3 repeat that?

4 MR. COLE: I thought implicit in the vote on
5 the amendment was the fact that we deferred only the public at
6 large, and that this vote is to defer the public at large, and
7 I think that's a distinction when you put "only" in there, and
8 I was -- I -- I thought that this vote should be shall we defer
9 public at large selection.

10 MR. SANDOR: Mr. Chairman?

11 MR. ROSIER: Yes, Mr. Sandor?

12 MR. SANDOR: I -- that's the way I understood
13 the motion, but I did want to point out that I have concerns
14 about the sport fish and hunting category and depending on the
15 discussion and -- and how we come out on that, there is a
16 possibility that -- that I might move that action on that
17 category be deferred until September 14 as well. So I'm glad
18 that -- that this clarification was made.

19 MR. ROSIER: Yes, and, Mr. Sandor, the reason
20 that I used the term "only" in my (indiscernible) statement
21 that -- was that it's my -- my feeling that where we are at
22 this point is that we are voting on the public at large and
23 whether to consider deferring the public at large category
24 until the September 14th meeting. We would then go back in
25 each of the four entities that we have not selected for on an

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1 individual basis.

2 MR. SANDOR: Thank you.

3 MR. ROSIER: Mr. Pennoyer?

4 MR. PENNOYER: Mr. Chairman, if we vote to
5 delay the public at large -- if we voted to delay the public at
6 large, but we haven't yet taken action on any of the four
7 categories, so we'd do them on a case-by-case basis I assume,
8 is that correct?

9 MR. ROSIER: Mr. Chair -- yes, that's -- that's
10 my understanding, and that's where I thought we were in fact
11 headed here. The amendment -- the amendment by Mr. Barton was
12 to defer consideration of all remaining action on the list at
13 the present time. The original motion was to in fact defer
14 only on the -- on the public at large. That's the motion
15 before us at the present time, and certainly if someone is --
16 is more adept at Robert's Rules of Order here on this
17 particular issue, I would appreciate them stepping forward, but
18 that would be my -- my approach.

19 Mr. Pennoyer?

20 MR. PENNOYER: So if there is any negative vote
21 on this motion, we simply go back and deal with each category
22 one at a time as we get to it?

23 MR. ROSIER: That's correct. (Indiscernible).
24 Ready for the question?

25 MR. BARTON: Mr. Chairman?

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1 MR. ROSIER: Mr. Barton?

2 MR. BARTON: I wonder if we all might not
3 benefit from lunch before we vote on this?

4 MR. ROSIER: We have differences of opinion
5 here. I don't know whether that's understood to everyone on
6 the system here at the present time.

7 Mr. Pennoyer?

8 MR. PENNOYER: (Indiscernible) consensus vote
9 before we get done, because if we vote no on this motion now,
10 then we'd have to consider the public at large as a category
11 later, but obviously you're not going to get any type of
12 unanimous vote on public at large later, so it's doomed (ph) to
13 be delayed. I guess -- I guess it means we're going to go
14 through these one category at a time, and get to public at
15 large, Mr. Barton, it seems to me you won't have consensus just
16 looking at the vote. We'll probably end up delaying it, so I
17 guess we just ought to proceed and start down the category
18 list.

19 MR. ROSIER: Further comments? Let's go ahead
20 with a vote at this point in time and then break for lunch.

21 Mr. McVee?

22 MR. McVEE: Favor.

23 MR. ROSIER: Mr. Barton?

24 MR. BARTON: No.

25 MR. ROSIER: Mr. Pennoyer?

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1 MR. PENNOYER: Yes.

2 MR. COLE: Yes.

3 MR. ROSIER: Mr. Cole? I apologize.

4 Mr. Sandor?

5 MR. SANDOR: Yes.

6 MR. ROSIER: The CHairman votes yes also.

7 MS. EVANS: Mr. Chairman? Would you repeat

8 Mr. McVee's vote, please?

9 MR. ROSIER: Yes. Mr. McVee?

10 MR. McVEE: A yes vote.

11 MS. EVANS: Thank you.

12 MR. ROSIER: Well, lacking consensus, that
13 motion fails also. Shall we start back with the -- with the
14 category of recreational users? Let's -- let's at this time
15 then adjourn for lunch, is that the agreement of the -- of the
16 group?

17 MR. COLE: I would suggest we see if we can't
18 go through the remaining (indiscernible) groups (indiscernible)
19 see what we can do. Maybe we can do this quickly
20 (indiscernible) or stalemate quickly and then we would have us
21 behind us before lunch.

22 MR. ROSIER: What's the wishes of the group?

23 MR. SANDOR: Let's proceed.

24 MR. ROSIER: Any other comments? At this point
25 people are wishing to proceed, is that the -- is that the vote

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1 here? All right. Let's proceed then.

2 The next category is the -- do we have a motion on the
3 recreational users? We have a motion to appoint Mr. James
4 Diehl as the -- the -- oh. Oh, okay. I'm sorry. I stand
5 corrected. We have a motion before us to appoint Mr. Jules
6 Tileston as the recreational user representative. That motion
7 was made by Mike Barton, seconded by Curt. Comments?

8 MR. SANDOR: Mr. Chairman?

9 MR. ROSIER: Yes, Mr. Sandor?

10 MR. SANDOR: I speak in opposition to the
11 motion, and that Mr. Diehl has one, two, three, four, five
12 nominations for first place in that category, and he is clearly
13 higher ranked by the Trustee Council members in that recreation
14 user category.

15 MR. ROSIER: Other comments? I detect less
16 than consensus on this one at the present time.

17 Mr. Pennoyer?

18 MR. PENNOYER: Mr. Chairman, I assume if we
19 can't reach consensus that this would -- I guess I can't
20 assume, but I was going to assume it would be delayed until
21 September 14th. I guess I would going to make -- seeing no
22 consensus, I would going to move to amend the motion to delay
23 this category until September 14th.

24 MR. ROSIER: Thank you, Mr. Pennoyer. Second
25 to that -- that motion?

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1 MR. SANDOR: Point of order.

2 MR. ROSIER: Mr. Sandor?

3 MR. SANDOR: My memory may have failed me, but
4 I believe if my memory is correct that the -- that the previous
5 Trustee Council minutes will reflect that the Trustee Council
6 dealt with the question of having to have complete consensus on
7 an individual category selection as not requiring complete
8 consensus but as a majority, four out of six. My memory may be
9 faulty, but perhaps at the lunch break we can have that point
10 researched, or perhaps Dave Gibbons or a member of staff can
11 recall that -- that action of the Trustee Council or verify it
12 if my memory is indeed failing me.

13 MR. ROSIER: Mr. Sandor, I see a lot of raised
14 eyebrows around the table about your point of order here, and,
15 Dave, do you have the thing on that at this time?

16 DR. GIBBONS: I'll get (indiscernible).

17 MR. ROSIER: All right. That will be
18 researched then, John, and -- and we'll come back to it then.

19 Mr. Cole, did you have something?

20 MR. COLE: (indiscernible)

21 MR. ROSIER: I did not hear a second.

22 MR. SANDOR: I did not hear the motion.

23 MR. ROSIER: At this point, John, we do not
24 have a unanimous unanimity on Mr. Tileston and so we're back
25 now to consideration of the list and -- and I would entertain a

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1 motion in regards to the recreational user by members of the
2 Council.

3 MR. SANDOR: Mr. Chairman, I move that James
4 Diehl be designated at the recreation user representative.

5 MR. ROSIER: There's a motion naming Mr. James
6 Diehl as the -- as the nominee to the Public Advisory Group.
7 Is there a second?

8 MR. COLE: Second.

9 MR. ROSIER: Seconded by Mr. Cole. Comments
10 from the -- from the group?

11 UNIDENTIFIED: Mr. Chairman, I have a question.
12 I hate to ask, but my interpretation of all the (indiscernible)
13 things before (indiscernible) votes that we just took,
14 procedure, am I correct in assuming that we are now going to
15 look at the public at large today?

16 MR. ROSIER: Mr. Chairman (sic), that's
17 correct. It would be my feeling that we would in fact
18 following the consideration of the -- of the other three -- the
19 other four user groups, that we would in fact take another look
20 at public at large.

21 UNIDENTIFIED: (Indiscernible) Diehl or
22 Tileston?

23 MR. ROSIER: The motion on the floor is for --
24 is for Diehl at the present time, correct.

25 MR. BARTON: Amendment.

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1 MR. ROSIER: Yes, the amendment to the original
2 (indiscernible). Yes, it was seconded by Mr. Cole.

3 MR. SANDOR: Call for the question.

4 MR. ROSIER: The question has been called for.
5 Mr. Cole?

6 MR. COLE: Yes.

7 MR. ROSIER: Mr. Pennoyer?

8 MR. PENNOYER: No.

9 MR. ROSIER: Mr. Barton?

10 MR. BARTON: No.

11 MR. ROSIER: Mr. McVee?

12 MR. McVEE: No.

13 MR. ROSIER: Mr. Sandor?

14 MR. SANDOR: Yes.

15 MR. ROSIER: The Chairman votes -- votes yes.

16 MR. SANDOR: Mr. Chairman?

17 MR. ROSIER: Mr. Sandor?

18 MR. SANDOR: I nominate John French as the
19 science and academic category representative on the council --
20 on the Public Advisory Group.

21 MR. ROSIER: Motion by Mr. Sandor to appoint
22 Mr. John French as the -- the (indiscernible) representative on
23 the Public Advisory Group. Do I have a second?

24 MR. BARTON: Mr. Chairman, a point of order. I
25 don't believe we've voted on the main motion, (indiscernible).

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1 MR. ROSIER: Thank you.

2 MR. COLE: Mr. Chairman, where are we on
3 (indiscernible)?

4 MR. ROSIER: It was my understanding we in fact
5 -- we in fact had denied Mr. Tileston, Mr. Diehl. And at this
6 point I guess we come back to the main motion then of -- of
7 (indiscernible).

8 MS. EVANS: I'm sorry, Mr. Chairman?

9 MR. ROSIER: Yes?

10 MS. EVANS: Would you repeat that last bit?
11 The main motion is again?

12 MR. ROSIER: That's what we're -- I'm trying to
13 sort out here at the present time. What have you got here?
14 (Indiscernible) Okay. The main motion on the recreational
15 users is -- is for the appointment of Mr. Jules Tileston as the
16 public -- as the recreational user to the Public Advisory
17 Group.

18 MR. COLE: Mr. Chairman?

19 MR. ROSIER: Mr. Cole?

20 MR. COLE: Let me see if I've got this
21 straight. The Department of the Interior and NOAA both listed
22 Mr. Diehl as their number one selection for appointment as a
23 recreational user. Then when we take a vote, you vote against
24 him. I mean, is that happening here? I'm -- and I'm a little
25 bewildered as to what's going on here.

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1 MR. ROSIER: Mr. Pennoyer?

2 MR. PENNOYER: Mr. Chairman, I'm not voting
3 against Mr. Diehl. I think Mr. Diehl would be a very good
4 representative. Mr. Barton made the point that Mr. Tileston
5 would be a good person to have on the Public Advisory Group.
6 Since he's not even listed under the public at large category,
7 if he doesn't -- isn't appointed here, he would not be
8 available. His other point was Mr. Diehl would make a -- could
9 be appointed under the public at large group. We have not --
10 we've decided not to deal with the public at large group, and
11 so the question of how you choose between Mr. Tileston and
12 Mr. Diehl on some category is -- is very confused. For that
13 reason Mr. Barton made the motion to defer all these categories
14 until after we had dealt with them as a group, including the
15 public at large at the September meeting, and we chose not to
16 do that, but we're still faced with the same dilemma
17 (indiscernible) the recreational users.

18 MR. COLE: Mr. Chairman?

19 MR. ROSIER: Yes, Mr. Cole?

20 MR. COLE: Well, we've gone through, what,
21 seven of these appointments now (indiscernible) before the
22 recreation (indiscernible) debate (ph), and I know we've gone
23 pretty much according to (indiscernible) votes, the consensus.
24 All of a sudden the whole process gets thrown out of kilter,
25 and the federal representatives failing to support their number

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1 one picks. You know, I just have a lot of trouble with that,
2 you know, and -- and I don't know, I must say I've got to say
3 plainly I'm disappointed (indiscernible).

4 MR. ROSIER: Mr. Barton?

5 MR. BARTON: Let me just say that I, too, am
6 disappointed that we're not going to deal with the entire
7 (indiscernible) today. I came -- I thought we came prepared to
8 do that.

9 The second thing is if we were not going to benefit
10 from any discussion, we didn't even need to meet today. We
11 could have just tallied up the sheet that we have. I think
12 there have been some arguments being made from earlier
13 selections that are influencing subsequent votes.
14 (Indiscernible) not at all (indiscernible) people that
15 (indiscernible) changing.

16 MR. ROSIER: Mr. McVee?

17 MR. McVEE: Yes, Mr. Chairman, I felt like
18 Mr. Diehl and Mr. Tileston were both eminently qualified, and
19 (indiscernible) I put the names down, I felt like that either
20 -- either basically would serve at (indiscernible) the process
21 ahead, willing to (indiscernible) either. (Indiscernible)
22 seconded the motion for Mr. Tileston. I would like -- like to
23 stay with that (indiscernible).

24 MR. COLE: Mr. Chairman?

25 MR. ROSIER: Yes, Mr. Cole?

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1 MR. COLE: Well, I think I should respond to
2 Mr. Barton. You know, if -- if it were simply a matter of
3 discussing who is the best selection of these various
4 (indiscernible), I would agree that we should have discussion
5 and certainly one might change (indiscernible) view based upon
6 discussion. But when the decision to change from number one
7 selection is made not because the number one selection is not
8 the best person for that category, but as a mechanism to maybe
9 put the number one selection down in the public at large
10 category, that's a horse of a different color.

11 MR. ROSIER: Yes, Mr. Barton?

12 MR. BARTON: Yes. I think -- you know, I think
13 you could look at this as a means of perhaps strengthening the
14 entire Public Advisory Group, perhaps like a ball team. The
15 best second baseman (indiscernible) necessarily playing second
16 base, but (indiscernible) try to select (indiscernible) the
17 team.

18 MR. ROSIER: Thank you, Mr. Barton. Further --
19 further debate?

20 MR. SANDOR: Mr. Chairman?

21 MR. ROSIER: Yes, Mr. Sandor?

22 MR. SANDOR: It was my understanding that the
23 vote on Jules Tileston was three to three and hence I made the
24 motion on James Diehl which also turned out to be three to
25 three. And since that was a surprise in that five of --

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1 individuals had identified him as number one that I -- you
2 know, I was surprised, but I'm willing to accept that as a
3 change in the -- in the dialogue and discussion. My motion to
4 move on to science and academic, John French, was simply to get
5 on with the process and get as much of this done as -- today as
6 possible. We are now still discussing recreation users or do
7 you want to go on to science and academic? I'd suggest that if
8 James -- Jim Diehl is -- and Jules Tileston, if we cannot make
9 ak selection on those, that category today, we ought to move on
10 to science and academic.

11 MR. ROSIER: It was my understanding that the
12 main motion was not voted on. There was the attempt to amend
13 the motion and (indiscernible) -- yeah, and the amendment --
14 the vote on the amendment was as I understood it three to
15 three? Three to three. So then we went on to the main motion
16 of Mr. Tileston as the replacement for Mr. Diehl, and that had
17 not been voted on.

18 MR. SANDOR: Mr. Chairman, I apologize.
19 Perhaps the transmission isn't clear. I had thought we had
20 both voted three/three on -- on Tileston and Diehl. Maybe we
21 -- we ought to repeat or at least pick it up again wherever you
22 -- wherever you deem it appropriate, and my motion for moving
23 on to science and academic with John French I would withdraw.

24 MR. ROSIER: Okay. At this point I would -- I
25 would go back to the main motion here of voting on Mr. Tileston

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1 as the -- as the nominee for the -- representing the
2 recreational user groups for the Public Advisory Group. Ask
3 for a re-vote on that particular issue.

4 Yes, Mr. McVee?

5 MR. McVEE: I'd call for the question, if
6 that's what you were (indiscernible).

7 MR. ROSIER: That's what I'm getting -- that's
8 what I'm getting to, yes. Thank you very much. Yes.

9 Mr. McVee?

10 MR. McVEE: Yes.

11 MR. ROSIER: Mr. Barton?

12 MR. BARTON: Yes.

13 MR. ROSIER: Mr. Pennoyer?

14 MR. PENNOYER: Yes.

15 MR. COLE: No.

16 MR. ROSIER: Mr. Sandor?

17 MR. SANDOR: No.

18 MR. ROSIER: The Chairman votes no.

19 I would entertain now the -- the vote on the --
20 Mr. James Diehl as the recreational user. That was the --
21 okay.

22 At this point -- at this point then it appears that we
23 have reached the decision of deferring the recreational user
24 group until the -- at least the September 14th meeting.

25 MR. SANDOR: I agree.

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1 MR. ROSIER: Mr. Sandor, your motion on the
2 science and academic group of Mr. French is now -- now before
3 us.

4 MR. SANDOR: I so move.

5 MR. ROSIER: Mr. Barton?

6 MR. BARTON: I second that.

7 MR. ROSIER: We now have a motion by
8 Mr. Sandor, seconded by Mr. Barton for Mr. John French as the
9 representative on the science and academic group. Comments?

10 MR. SANDOR: Call for the question.

11 MR. ROSIER: The question has been called for.

12 Mr. Cole?

13 MR. COLE: Yes.

14 MR. ROSIER: Mr. Pennoyer?

15 MR. PENNOYER: Yes.

16 MR. ROSIER: Mr. Barton?

17 MR. BARTON: Yes.

18 MR. ROSIER: Mr. McVee?

19 MR. McVEE: Yes.

20 MR. ROSIER: Mr. Sandor?

21 MR. SANDOR: Yes.

22 MR. ROSIER: And the Chairman votes yes.

23 Going on to the sport hunting and fishing group, I
24 would appreciate a motion for the representative from that
25 particular group.

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1 MR. SANDOR: Mr. Chairman?

2 MR. ROSIER: Mr. Sandor?

3 MR. SANDOR: Move this category be deferred
4 until September 14.

5 MR. COLE: Second.

6 MR. ROSIER: Motion made, seconded by Mr. Cole
7 to defer this category until the September 14th meeting. Do I
8 have unanimous agreement from the body on that? We have
9 unanimous agreement from the body on deferring that particular
10 group.

11 MR. SANDOR: Yes here.

12 MR. ROSIER: Yes, thank you, John. We've got
13 unanimity here.

14 So moving on to subsistence, the Chair would entertain
15 a motion here for a recommendation on the subsistence category?

16 MR. SANDOR: Mr. Chairman, I move the
17 nomination of Richard Knecht.

18 MR. ROSIER: Motion before us nominating
19 Mr. Richard Knecht for

20 MR. PENNOYER: Second.

21 MR. ROSIER: Seconded by Mr. Pennoyer.
22 Comments?

23 MR. SANDOR: Mr. Chairman, I previously made
24 reference to -- to Mr. Knecht's being director of the cultural
25 center and although Totemoff received more votes in the display

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1 of -- of the two candidates here, Mr. Totemoff was selected as
2 native landowner group, so that would I think for the record
3 explain that difference.

4 MR. ROSIER: Yes. Thank you, Mr. Sandor.
5 Other comments? Hearing none, do we have unanimous consent
6 that -- that Mr. Richard Knecht would be the representative on
7 the subsistence body for the Public Advisory Group?

8 Mr. Cole has asked for a moment here on this.

9 MR. COLE: I'm looking at the nomination of
10 Mr. Knecht by the Kodiak Area Native Association, and also his
11 resume. It certainly appears impressive, but if I could have
12 just a?

13 MR. ROSIER: Yes. We'll give you a moment .
14 here, Mr. Cole.

15 (Pause)

16 MR. COLE: Thank you, Mr. Chairman, it
17 (indiscernible).

18 MR. ROSIER: Thank you. Mr. Barton is away
19 from the table here at the present time, so be at ease here for
20 a few moments.

21 (Pause)

22 MR. ROSIER: Anchorage, are you there?

23 MR. RICE: Yes, we are.

24 MS. EVANS: Yes, sir, we're on line.

25 MR. ROSIER: A question. Could you give us

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1 some idea of how many people are there that may want to -- may
2 want to comment during the public -- public comment period?

3 MS. EVANS: At the moment I see two hands
4 raised, sir.

5 MR. ROSIER: Okay. Thank you very much. I
6 think we're going to try to press on here and get the -- get
7 the agenda out of the way and get the whole -- get as much done
8 here as we possibly can, so people will have to -- have to go
9 to -- go to lunch a little late here today I guess, so

10 Anyway, Mr. Cole, you had asked for some time here on
11 this. Do you have something to speak to at this point?

12 MR. COLE: No.

13 MR. ROSIER: All right. I would ask for a
14 unanimous consent for the -- the appointment of Richard Knecht
15 as the -- as the representative for subsistence on the Public
16 Advisory Group? Hearing no objection on that, Mr. Knecht will
17 be the -- be the nominee.

18 MR. SANDOR: I agree.

19 MR. ROSIER: Thank you, John. (Indiscernible)
20 category is the public at large category. The Chair would
21 entertain a motion on the public at large category.

22 MR. BARTON: Mr. Chairman?

23 MR. ROSIER: Yes, Mr. Barton?

24 MR. BARTON: I would move that we nominate
25 Mr. Diehl, Mr. Pulliam and Mr. Parker to seats on the

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1 (indiscernible).

2 MR. ROSIER: We have a motion before us at this
3 point to -- nominating Mr. Karl Pulliam, Mr. James Diehl and
4 Mr. Walt Parker as the public at large members on the Public
5 Advisory Group. Do I have a second?

6 MR. PENNOYER: I'll second for purposes of
7 discussion.

8 MR. ROSIER: Mr. Pennoyer has seconded for
9 purposes of discussion. Comments from the Council?

10 MR. SANDOR: Mr. Chairman?

11 MR. ROSIER: Mr. Sandor?

12 MR. SANDOR: I do not believe that the listing
13 that I have of nominations by the different members of the
14 Trustees, I have from ADF&G just one, Pulliam; from the
15 Department of Interior, Fischer; from NOAA, Parker and McBride.
16 It does not appear to me that adequate consideration -- either
17 adequate consideration was given so that we could have the
18 benefit of what the one, two, three categories might be, or
19 six, so as I said earlier it seems to me this process at least
20 is flawed if not an understanding of the -- the way in which
21 this category is to be selected. Therefore I speak in
22 opposition to the motion to nominate these three people.

23 MR. COLE: Mr. Chairman?

24 MR. ROSIER: Yes, Mr. Cole?

25 MR. COLE: For the reasons I've previously

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1 state -- stated, I agree with the sentiments expressed by
2 Commissioner Sandor (indiscernible).

3 MR. ROSIER: At this time it's fairly obvious
4 we do not have consensus on this -- on this. What's the wishes
5 of the group?

6 MR. COLE: Move we adjourn.

7 MR. SANDOR: Mr. Chairman?

8 MR. ROSIER: Mr. Sandor?

9 MR. SANDOR: I know a motion to adjournment I
10 guess takes precedent, but with the indulgence of both the
11 Chair and the maker of the motion, may I suggest that
12 (indiscernible) understood as we've already discussed that
13 between now and -- and the 14th of September we will in -- in
14 effect receive additional nominations from -- for the remaining
15 categories to be filled, including the public at large? I say
16 that because the charter for the nomination and selection of --
17 of members of the Public Advisory Group, specifically section
18 6(b), states, quote, "Nomination and selection: Nominations
19 for membership may be submitted by any source. From these
20 nominations the Trustee Council will recommend membership to
21 the Trustees. Following selection by the Trustees, the
22 Secretary of the Interior appoints these -- those selected by
23 the Trustees." So I guess the question before adjournment, Mr.
24 Cole, is it understood that staff will have the discretion to
25 receive additional nominations? Thank you, Mr. Chairman.

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1 MR. ROSIER: Thank you, Mr. Sandor. I guess
2 the question (ph) on that is that we have left open also the --
3 the category of the -- of the recreational users. Is that --
4 is that where we are at the present time, does it mean that --
5 that you're satisfied with the representatives there, or is
6 that also open as part of the -- part of the -- the listing of
7 the Public Advisory Group?

8 MR. SANDOR: I presume that would be also open
9 if you take the -- the reference as -- as nominations as coming
10 from any source and the fact that our actions deferred until
11 September 14th.

12 MR. COLE: Mr. Chairman?

13 MR. ROSIER: Yes, Mr. Cole?

14 MR. COLE: Well, since the federal Trustees did
15 not vote to appoint Mr. Diehl, I think he's thereby
16 disqualified and rejected as an appointee from that category,
17 and we should look for new members, much to my regret.

18 MR. ROSIER: Yes, Mr. Barton?

19 MR. BARTON: I don't quite follow that line of
20 reasoning. I wouldn't disqualify him. However, if Mr. Cole
21 wants him disqualified, (indiscernible).

22 MR. COLE: Mr. Chairman, I wanted him
23 appointed, but it was the federal representatives who rejected
24 him here today when he was nominated, so I would say that let's
25 get on with business.

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1 MR. BARTON: Mr. Chairman, we, too, wanted him
2 appointed, only with (indiscernible) public at large.

3 UNIDENTIFIED: That's correct.

4 MR. ROSIER: Mr. Pennoyer?

5 MR. PENNOYER: Mr. Chairman, I -- I don't see
6 why we've disqualified anybody (indiscernible) recreational
7 users. Part of that discussion had to do with how we dealt
8 with the balance of the (indiscernible) public at large section
9 and the rec- -- and as well as the rec- -- sport hunting and
10 fishing section, so I think I think it's an open question.
11 I certainly wasn't voting to disqualify Mr. Diehl
12 (indiscernible).

13 MR. ROSIER: Thank you, Mr. Pennoyer. Okay.
14 Then it's -- at this point then our -- it's my understanding
15 that -- that as for the recreational users, the sport hunting
16 and fishing, and public at large then those areas continue to
17 be open for additional candidates to be nominated between now
18 and the September 14th meeting.

19 Mr. McVee?

20 MR. McVEE: Yes, I would agree with that,
21 (indiscernible) since we have delayed or have not taken any
22 action on -- on those three categories, that -- that we should
23 leave it open for nominations until that meeting.

24 MR. ROSIER: All right. Thank you. Any -- any
25 objection to that -- to that understanding?

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1 MR. SANDOR: No objection here.

2 MR. ROSIER: We reached consensus on something
3 here, gentlemen.

4 MR. SANDOR: Actually we reached consensus on
5 quite a bit. We got one, two, three, four, five, six, seven,
6 eight, nine, ten, 11. So we did a pretty good job.

7 MR. RICE: Mr. Chairman?

8 MR. ROSIER: Yes. Yes, go ahead.

9 MR. RICE: Yes, this is Ken Rice. A point of
10 clarification. Does the Trustee Council want staff to actively
11 solicit additional nominations for the public at large?

12 MR. ROSIER: I believe that that was -- that
13 was certainly inherent in the discussion that I heard around
14 the table here. I think that it's also incumbent upon the --
15 also incumbent upon the -- the Trustee Council members
16 themselves to in fact do some -- some beating of the bushes so
17 to speak for some additional candidates (indiscernible). Yes,
18 I believe that's the case.

19 MR. RICE: Okay. We will do what we can. I
20 doubt if we'll be able to get a package to you by the 8th, but
21 we may be able to get some names to you at least by the 14th.

22 MR. SANDOR: Mr. Chairman?

23 MR. ROSIER: Yes, Mr. Sandor?

24 MR. SANDOR: It might be helpful if the staff
25 would essentially do just a form that would have the correct

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1 working for conflict of interest requirements so that as bushes
2 are beaten and invitations are out, it could be clearly, they'd
3 all get the same information, namely that these three
4 categories are open and that this conflict of interest
5 statement or information, you know, ought to be solicited.

6 MR. RICE: I -- I think that would help shorten
7 up the time.

8 Do you also want us to solicit additional nominations
9 for the two unfilled slots, the sport hunting and fishing and
10 the recreation users?

11 MR. SANDOR: It was my interpretation that that
12 was our decision.

13 MR. ROSIER: Yeah, I believe that with those
14 three left open, we are in fact soliciting additional --
15 additional candidates.

16 MR. RICE: Okay.

17 MR. ROSIER: Okay. Further comments on that
18 subject? Dave? At -- at this point we have a motion before us
19 to adjourn, and

20 MR. COLE: Mr. Chairman, I'll withdraw the
21 motion, but I think that the people there in Anchorage who
22 wanted to comment should be given priority so that they can get
23 their comments out of way (indiscernible) lunch and then we can
24 deal with whatever remains.

25 MR. ROSIER: On the items that are left before

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1 us here on this is there -- I guess we should find out if
2 there's anyone who wishes on those two items, (indiscernible)
3 make that determination. Is there anyone in the Anchorage area
4 that wishes to comment on the last two -- the last two agenda
5 items, the -- the contract with Walcoff and the status of the
6 court petition before -- before we make a change in the agenda
7 here?

8 MR. RICE: Mr. Chairman, we have two people
9 that have raised their hands and would like to comment.

10 MS. EVANS: But not on those issues.

11 MR. ROSIER: Let's go ahead and take them here
12 at this point in time.

13 MR. RICE: Okay. One moment, please. I think
14 there's a little confusion as to what they're raising their
15 hands for.

16 MS. EVANS: Mr. Chair, when you asked if there
17 were -- earlier you just made a general statement as to what
18 people -- if there were folks who wanted to make comment at
19 all, and two people raised their hands. When you narrowed the
20 definition to just the last two items on the agenda, no one
21 raised their hand. Oh, one person did. I -- so there is one
22 person that would like to comment on one of the last two agenda
23 items.

24 MR. ROSIER: Okay. At this point then it would
25 seem to me that basically that person should have the benefit

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1 of the discussion here from the -- from the Trustees before
2 opening the public hearing. That was my question.

3 Let's proceed with the items then here within the
4 Trustees, and we will not make the modification until following
5 the discussion of the last two items here for the public
6 hearing. Thank you.

7 MR. SANDOR: Mr. Chairman?

8 MR. ROSIER: Yes?

9 MR. SANDOR: A point of clarification. Are
10 these last two items action items or -- or just informational
11 items?

12 MR. ROSIER: John, it's my understanding that
13 -- that one of these is an action item.

14 MR. SANDOR: I see. Thank you.

15 MR. ROSIER: Okay. Thank you.

16 Dave, do you want to provide us with the background on
17 the Walcoff contract?

18 DR. GIBBONS: Sure. This is Dave Gibbons. At
19 the -- the last Trustee Council meeting, the Trustee Council
20 approved moving ahead with a contract with Walcoff to do the
21 NEPA document that -- you know, the draft environmental
22 statement for the restoration plan, and the final.

23 There has been some discussion with the Justice
24 Department and amongst the various Trustee Council members on
25 maybe the -- to revisit that again at this -- at this time, and

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1 then we need to -- to make some progress (ph) on that.

2 MR. ROSIER: Comments from the Council?

3 Mr. McVee?

4 MR. McVEE: Yes. Some of the I guess concerns
5 expressed at least from Department of Interior concerns and --
6 and we had heard, of course, comments by Justice Department.
7 Also we were concerned about the -- the contracting procedures,
8 the stretch from the Department of Justice contract involved in
9 litigation to an EIS contract. I guess if -- you know, if the
10 contracting people looked at this and that would -- that would
11 reduce our concerns (indiscernible) that they have at this
12 time.

13 The other thing what we were -- we had some nervousness
14 about is the fact that there may be other competition, other
15 firms that would be interested in this kind of work, and -- and
16 if we're really testing the -- the market that well by going
17 through this negotiated type contract.

18 I guess those were -- those were our concerns. And a
19 letter (indiscernible) to Mike the other day here expressed the
20 fact that, you know, Forest Service is the lead agency involved
21 in -- in putting together this contractual arrangement, is --
22 is comfortable with the process (ph), with the interpretation
23 of the contracting office and so on, that -- that we would --
24 we would withdraw any -- any further reservations to proceeding
25 with (indiscernible).

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1 MR. ROSIER: Other comments from Council
2 members? Mr. Barton?

3 MR. BARTON: Mr. Chairman, I'm not sure where
4 that leaves us. In the note I sent to the Council members
5 earlier I laid out three alternatives. One was to continue
6 with the Walcoff contract, the other was for us to do it in-
7 house, and (indiscernible) new contract. I'm not sure at this
8 point whether (indiscernible) Department of Interior supports
9 staying with Walcoff's contract or whether we should go out
10 with a new contract.

11 I think we pretty well rejected the idea of doing it
12 (indiscernible). None of us have enough personnel to
13 (indiscernible).

14 It seems to me those are the two choices, to continue
15 with -- down the Walcoff route or go to a completely new
16 contract. Initially (indiscernible), of course, went with
17 Walcoff initially (indiscernible) the (indiscernible).
18 (Indiscernible) this out (indiscernible).

19 So at this point we're ready, willing and able to move
20 forward. We're just not sure which track the Council wants us
21 to (indiscernible).

22 MR. ROSIER: Okay. Further comments from
23 Council members? Yes, Mr. McVee?

24 MR. McVEE: I guess our -- our druthers and --
25 would -- would be to go the competitive route; however, if

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1 (indiscernible) fairly comfortable that we've got ourselves
2 covered, and I guess it's the Forest Service that has to -- has
3 to tell us that, since we did agree that they were to be the
4 lead agency, but (indiscernible) have ourselves covered, we --
5 I guess Interior would feel like we'd go (indiscernible). We
6 feel like, you know, that (indiscernible) probably competitive,
7 even though that it may take some time to get the competitive
8 contract out. I think we're some time away from -- from
9 needing an EIS contractor in that the product that they have to
10 deal with is the -- is the restoration plan, so they will have
11 to see, you know, some components of the plan, including the
12 alternatives, before they can actually start work, so I think
13 that there's some time or some distance yet to -- to travel in
14 terms of getting the restoration plan to the point where the
15 contractor could start to develop the EIS.

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Yes, Mr. Cole?

18 MR. COLE: Is there someone in Anchorage among
19 the public at large who wanted to comment on this item?

20 MR. ROSIER: This was the action item, so I'm
21 assuming that that's -- that's what someone had in mind.

22 MR. RICE: Mr. Chairman?

23 MR. ROSIER: Yes, Ken?

24 MR. RICE: That is correct. We do have one
25 member of the public that wanted to comment on this action

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1 item.

2 MR. ROSIER: Okay Fine. Could we have --
3 could you provide us with a little bit of background here,
4 Dave, in terms of what we're -- you know, what are the
5 ramifications of this in terms of full (ph) scheduling here,
6 (indiscernible) go competitive bidding situation? Provide us a
7 little background on it?

8 DR. GIBBONS: Sure. Last week the Restoration
9 Team met with the Restoration Planning Work Group and went over
10 again the areas of -- of (indiscernible). We -- we reviewed an
11 annotated outline of the plan and we looked at some tentative
12 alternatives for the plan, breakdowns, and so I -- I think
13 we're -- we're moving quickly on a restoration plan. And if --
14 my understanding, if we go to the CBD notice, which is Congress
15 Business -- Business Daily Notice, and then go the contract
16 route, that we could be delaying the developing of the
17 restoration plan for about three months. And our idea here is
18 that we would go out simultaneously with a draft restoration
19 plan and a draft environmental impact statement at the same
20 time so the public had both to work with.

21 MR. ROSIER: Mr. Pennoyer?

22 MR. PENNOYER: I'm still unclear as to what
23 Mr. McVee and Mr. Barton are saying about timing here. I -- I
24 think certainly if we can -- the route Interior proposed might
25 be the preferable route, but you have to weigh it against the

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1 cost. I don't think we can afford to delay this process three
2 more months. And if that is a real concern, and if doing it
3 with Walcoff as originally been proposed, (indiscernible) then
4 I think we ought (indiscernible) no other problems with
5 (indiscernible). I'm not clear on what the (indiscernible) if
6 no -- no change in the timing by not going (indiscernible), and
7 Dave's saying there may be a delay of three months. I'm -- I'm
8 not sure (indiscernible).

9 MR. ROSIER: Mr. McVee?

10 MR. McVEE: Mr. Chairman. Yes, I guess what I
11 was addressing is that -- that the EIS contract or an EIS team,
12 whatever, would have to have the plan at least developed to the
13 point where there -- there are alternatives that are
14 specifically described that they could start to deal with in
15 the EIS.

16 I guess what Dave is saying, that -- that that work is
17 -- is getting close. Maybe my impression of some time is wrong
18 (indiscernible) and it's closer to that than I realize.

19 MR. ROSIER: Other comments from the Council?
20 Mr. Cole?

21 MR. COLE: Mr. Chairman, I would like to hear
22 the views of the public at large at this time (indiscernible).

23 MR. ROSIER: Okay. Would the -- the Anchorage
24 public member that's -- that's in Anchorage there please come
25 forward at this time and provide us with the benefit of their

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1 thoughts on this item?

2 MR. HEMMING: My name is Jim Hemming. I'm
3 manager of Environmental Services for Dames and Moore
4 Consultants in Anchorage. Can you hear me?

5 MR. ROSIER: We certainly can, Mr. Hemming.
6 Thank you and please go ahead.

7 MR. HEMMING: Okay. Well, we specialize in --
8 or at least my group specializes in preparation of NEPA
9 documents and have done a great number of them in Alaska. We
10 were under the understanding initially that you folks were
11 considering a competitive process and we certainly would like
12 to compete in that process and do feel qualified to do so and
13 can respond fairly quickly. And I think a lot of other
14 consultants in the community would also be in the same
15 situation.

16 MR. ROSIER: Okay. Anything further?

17 MR. HEMMING: That's it.

18 MR. SANDOR: Mr. Chairman?

19 MR. ROSIER: Yes, Mr. Sandor?

20 MR. SANDOR: May I ask a question? Is it the
21 view of the -- Mr. Hemming, I guess his name is, that -- that
22 by opening this up, in their view would this take -- add three
23 months to the process?

24 MR. ROSIER: Yes, Mr. Hemming, can you answer
25 that?

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1 MR. HEMMING: Yes. I'm not sure how long it
2 would take you to go through the -- the public notice process
3 through the federal government. As far as response from the
4 consulting community, we could respond in a couple of weeks.

5 MR. SANDOR: Thank you, and -- and that's
6 reassuring. I am, like Mr. Pennoyer, am concerned with this
7 proposed potential three months delay, and -- and maybe the
8 (indiscernible) after Mr. Hemming's comments are through, we
9 could ask Dr. Gibbons if given the time response of perhaps
10 this kind of proposal or proposer and others, do -- do we
11 really believe that it will take three more months to do that
12 -- to get this project, this effort under way.

13 MR. RICE: Mr. Chairman?

14 MR. ROSIER: Yes, go ahead.

15 MR. RICE: Maybe I can respond to that. This
16 is Ken Rice.

17 We had -- our internal time line had shown a working
18 draft around -- sometime in early November with a draft plan
19 and draft EIS going out to the public in February. If we go
20 with a contract, I think we're working -- looking at 90 to a
21 maximum of 120 days before we could go out for the notice,
22 receive the bids, evaluate the proposals and issue a contract.
23 That puts a pretty short turn around on any contractor to meet
24 at least our original proposal. It -- it may be -- it may be
25 that it's possible to do that. I'm just not sure. It does

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1 though however not give us a contractor until November or
2 December.

3 MR. COLE: Mr. Chairman?

4 MR. ROSIER: Mr. Cole?

5 MR. COLE: Why does it take so long?

6 MR. RICE: We have -- our contracting
7 procedures require a 30-day notice, 45 days for it to go out to
8 bid, receive the proposals back in. There's some time that
9 goes into evaluating the proposals, any final negotiations
10 between the contractor and -- and the Agency and then award of
11 bid. I think the best we've been able to do is -- is normally
12 around 90 days.

13 MR. ROSIER: That sounds pretty significant.
14 Other comments?

15 MR. COLE: Mr. Chairman?

16 MR. ROSIER: Mr. Cole?

17 MR. COLE: One other question. Do we have
18 under federal statutes any legal problems with converting (ph)
19 this contract (indiscernible)?

20 MR. BARTON: I'm told the Department of Justice
21 says it's legal (indiscernible).

22 MR. ROSIER: Further comments?

23 As I understand it at this point, that there's nothing
24 legally that precludes us from moving ahead with -- with the
25 contractor Walcoff? I've heard from the Council members that a

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1 90- -- 90-day delay is in fact built in the process here if we
2 go to a competitive bid. What's the -- what's the wishes of
3 the Council?

4 MR. COLE: Mr. Chairman?

5 MR. ROSIER: Mr. Cole?

6 MR. COLE: One last question. What would a 90-
7 day delay do to the process?

8 MR. ROSIER: Dave, give us a feel for that?

9 DR. GIBBONS: Yes, Mr. Chairman. It was our
10 thought like -- like Ken Rice said, is to go to the public with
11 a draft environmental impact statement and draft restoration
12 plan in February. And like he also said, the initial first-cut
13 draft would be done in -- sometime in November.

14 It would set the process -- set the -- the process of
15 getting the restoration plan done back, and that's -- that
16 would be the consequences of delaying a restor- -- the -- the
17 development of a restoration plan.

18 MR. RICE: Mr. Chairman?

19 MR. ROSIER: Yes, Ken?

20 MR. RICE: Yeah, if I may add to that a little
21 bit. We had proposed that the draft would come out in
22 February, a final would come out roughly around May. If we
23 delay that and a draft doesn't come out until late spring, we
24 will run into the problem of -- of effective communications
25 with our -- our local publics when -- when the fishing season

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1 is starting. We may have ways to get around that, but it is a
2 problem.

3 If the final does not come out until -- until late
4 summer or early fall, we run into the problem of the 1994 work
5 plan being approved essentially prior to the final restoration
6 plan being completed. I think that's the major drawback with
7 -- with a significant delay.

8 DR. GIBBONS: Mr. Chairman, let me add to that,
9 too. We're -- we're developing the '93 plan with the -- with
10 the criteria of -- of go slow until we get a restoration plan
11 done and then -- then charge ahead. And we've heard from the
12 public that we need to get moving, you know, with some
13 restoration activities, so if -- if that plan was delayed long
14 enough, we would -- we would have to assume I guess that the
15 same criteria for the '94 plan, is -- is to go slow and --
16 and

17 MR. ROSIER: Okay. Further comments from the
18 Council members? Yes, Mr. Barton?

19 MR. BARTON: Mr. Chairman, I move that we
20 proceed down the track with the Walcoff contract
21 (indiscernible).

22 MR. PENNOYER: Mr. Chairman, I second that
23 motion.

24 MR. ROSIER: We have a motion to move ahead
25 with the -- the Walcoff contract extension, seconded by

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1 Mr. Pennoyer. Comments from the Council members?

2 MR. SANDOR: Mr. Chairman?

3 MR. ROSIER: Mr. Sandor?

4 MR. SANDOR: Just two questions, and I was
5 trying to follow the discussion that was made, and I think
6 Mr. Cole asked this question, but will a yes vote on this
7 motion and -- and the decision to proceed with this be in
8 complete accord with the law and -- and federal regulations?
9 That's the first question.

10 MR. ROSIER: Well, Mr. Cole asked that
11 particular question I thought, and certainly Mr. Barton
12 responded that there are no legal problems as far as
13 Agriculture was concerned, so I believe that was the response.

14 MR. SANDOR: What about the Interior counsel?
15 Or indeed -- or Department of Justice -- the Justice
16 Department?

17 MR. ROSIER: Mr. Barton?

18 MR. BARTON: Yes. My response to Mr. Cole's
19 question was the Department of Justice feels that the amendment
20 of the contract is legally permissible.

21 MR. SANDOR: I see. Okay.

22 MR. BARTON: I think for the benefit of all the
23 Council members, I think that you need to assume that any
24 action we take is preconditioned on it being legal and in
25 accordance with necessary regulations, laws, et cetera.

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1 MR. SANDOR: Okay. That -- and that's
2 assurance I guess that I wanted the record to reflect, that
3 this action is being taken on the assumption that -- and the
4 understanding that there's no legal cloud or regulatory
5 question that hangs over this issue.

6 The second question I guess I'd address to Mr. McVee.
7 Is there any -- are there any remaining objections to -- to
8 proceeding on this course?

9 MR. ROSIER: Mr. McVee?

10 MR. McVEE: Yes. Mr. Sandor, I don't have any
11 remaining objections.

12 MR. SANDOR: Thank you, Mr. Chairman.

13 MR. ROSIER: Okay. Mr. Pennoyer?

14 MR. PENNOYER: Mr. Chairman, I -- clearly I'm
15 going to vote in favor of this motion, and my reason is that I
16 don't think we can afford to go into the '94 season with some
17 uncertainty as to whether we're going to have a restoration
18 plan to work from in planning the 1994 work plan.
19 (Indiscernible) a lot of problems with people who are asking us
20 what we're going to do here, and rightly so. But the planning
21 process didn't enable us to get to the point of having a
22 restoration plan in place to guide our actions with full public
23 input to that plan until nearly preparation for the '94 season.
24 If we were to slip this thing, and it turned out we didn't have
25 it for the '94 season, I think we would be open to a lot of

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1 criticism, be will into this process and we still wouldn't have
2 decided how we were going to proceed with restoration, so I
3 think I'm going to (indiscernible) this.

4 MR. ROSIER: Thank you. Mr. Cole?

5 MR. COLE: For the record, along the lines of
6 Commissioner Sandor's thoughts, why did we get into this time
7 crunch and so be saying now here today the whole process would
8 be delayed unless we selected Walcoff (indiscernible) contract?
9 Could we not have addressed this issue a month or two ago and
10 avoided, quote, time crunch, close quotes? Maybe there's a
11 good explanation. I'm not saying there isn't, but I think we
12 should have it on the record.

13 MR. ROSIER: Mr. Barton?

14 MR. BARTON: I may need help in reconstructing
15 this, but in fact we did deal with this at the May meeting I
16 believe. Is that correct, the May meeting? The
17 (indiscernible) June 27 meeting, when -- and we examined the
18 three alternatives I laid out earlier, doing it in-house, doing
19 it through the Walcoff contract, or doing it with a new
20 contract, and selected the Walcoff contract at that time
21 because of time line, comparing Walcoff with a new contract,
22 and comparing Walcoff with in-house, that said (indiscernible)
23 none of us had the personnel necessary to produce such a
24 document in-house, so that -- that's how we settled on the
25 Walcoff option.

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1 MR. ROSIER: Yes, Mr. McVee?

2 MR. McVEE: And I think it was subsequent to
3 that that -- that the Department of Justice provided some
4 information in terms of (indiscernible), you know, that started
5 us thinking (indiscernible) problems of doing that. But I
6 think those have been pretty well aired and (indiscernible).

7 MR. ROSIER: Thank -- Thank you. Other
8 comments? Ready for the question?

9 MR. COLE: Mr. Chairman?

10 MR. ROSIER: Mr. Cole?

11 MR. COLE: I'd like to comment for the record.
12 If such were the case and these -- this subject was
13 (indiscernible) May or June, and appointed (ph) by
14 (indiscernible) you now say is the time crunch, (indiscernible)
15 us to (indiscernible) I think. But that's behind us and
16 (indiscernible) should be careful

17 MR. ROSIER: Yes. Dave?

18 MR. COLE: in the future, because we get
19 criticism when you're not having these things (indiscernible).

20 DR. GIBBONS: Mr. Chairman, yeah, back in May
21 we -- we approached the Trustee Council about doing this in-
22 house, and the Trustee Council members were going to go back
23 and check and see if we had the personnel to do that. And then
24 on the June meeting is when we had the three alternatives, and
25 we knew more about not having the staff to provide that NEPA --

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1 NEPA work, so we were thinking about this in -- in May. We
2 were -- we approached the Trustee Council in May on this.

3 MR. ROSIER: So -- Mr. Barton?

4 MR. BARTON: Let me just say that I'd hope that
5 the Council would provide its blessing for us to proceed
6 (indiscernible) Walcoff contract (indiscernible). If in the
7 course of doing that we discover that it's not as we understand
8 -- that route is not as we understand it to be, I would hope
9 I'd have the Council's blessing to pull back (indiscernible)
10 contract (indiscernible), not have to bring it back to the
11 Council.

12 MR. COLE: Mr. Chairman, I'll so move.

13 MR. ROSIER: We have a motion.

14 MR. SANDOR: Second. Hello?

15 MR. ROSIER: Seconded. We have a motion and
16 seconded by John Sandor to proceed with the -- as I understand
17 it, the -- the Walcoff project or, yeah, contract extension,
18 assuming no major problems are encountered, that -- and that
19 Mr. Barton would have the flexibility of proceeding with --
20 with going out with a competitive process without having to
21 come back to the Council. Comments? Hearing none, I take that
22 to be consensus on this particular point and -- and consider
23 that -- that item satisfied.

24 The next item on the -- I guess we have one -- one
25 additional person there in Anchorage to testify. Have you

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1 picked up some additional individuals there, Anchorage?

2 MS. EVANS: Is there anyone else who would like
3 to testify on this or other subjects? There is one other
4 person remaining who would like to testify.

5 MR. ROSIER: Let's take that person at the
6 present time.

7 MR. McKEE: My name is Charles McKee, and I'd
8 like to comment on this difficult position that you struggle
9 with, public at large, for a moment. You need to define or,
10 you know, bring about more of a definitive position of public
11 at large, and lo and behold, I have one. As a matter of fact
12 it's -- it's a lodged action, and -- which I'll be serving you
13 people, and it's Qui Tam Pro Domino Rege et Sequitor Pro Se
14 Ipse. And the definition of that in the terms that the general
15 public would understand is an informer or plaintiff, i.e., sues
16 in the name of the king, sues also for himself. And that's
17 people representing the people king or a people, a sovereign.
18 It's all based on the original Treasury seal, which is a
19 treaty. And I am that informer and -- and the plaintiff to the
20 suit.

21 I talked at length with an individual that's counter
22 intelligence, and to give you an idea of where I'm coming from,
23 I asked him, I says, when you were over in -- serving for the
24 military, what would happen when you had traitors infiltrate
25 your -- your camp, and he says, "Well, we'd call a fire on the

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1 pause." And I says, "What's that?" He says, "Well, you just
2 call in, you know, your position. Fire on your position." And
3 essentially that's what I'm doing.

4 I'm having difficulty with the judge in -- in question
5 that presided over this oil spill, and the amount determined as
6 recovery for restoration, in which case he's kicked my case
7 out. I'm appealing it. And primarily on the grounds that's
8 most important is the destruction of the Organic Act, which is,
9 of course, the Constitution of the United States of America.
10 The Treasury seal predates that. It's a treaty between the
11 people and this government that was formed, the Organic Act.

12 And the people -- people king shall I say, of whom made
13 an orderly arrangement of the Organic Act, that's how it was
14 established is through, such as today, a very orderly process.
15 And then I end the letter to this same judge, "Pray tell me,
16 isn't this order acting in favor of the orderly arrangement of
17 disorder by closing the case?" Rather than -- and force me
18 into an appeal process rather than submitting it to judicial
19 review with the Supreme Court, he's treating me as if I am a
20 professional pro se and I beg to differ with that.

21 But in this case, back to the definition of people at
22 large, it also encompasses the fact that we're dealing with a
23 necessary budgetary -- budget process, which I also underline
24 in this packet of information that you have available today,
25 and it's already been submitted to this commission, advisory --

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1 the Exxon Oil Spill Restoration Commission, that the damage was
2 in three billion -- or in excess of \$3 billion for restoration.
3 And this very same judge settled for nine -- 900 million, and
4 on a graduated basis utilizing a debt/credit system, interest
5 compounding on that sum.

6 So this suit, that I'm naming you as a defendant also
7 in, it was determined that is actually against the associated
8 government that we have which is through the Federal Reserve
9 Corporation, the banking and insurance industry, and it's
10 actually by what he termed, this lawyer working for Mr. Belli
11 said that it's a suit against the government, the associated
12 government that we're now dealing with and the Federal Reserve
13 Corporation process.

14 And I contend that indeed that is unlawful. It's a
15 process of -- it's an orderly process to bring about a
16 disorderly dissolution of the Organic Act and the original
17 Treasury seal, which by the way these people that founded this
18 Organic Act wanted to make sure that the money remained the
19 people's money and not a corporate institution through
20 association thereof of groups of corporations or business
21 entities.

22 And so it also encompasses the agricultural prospect of
23 our country and Interior organization that encompasses a
24 portion of our national government.

25 And I'll leave this information. The case is A90-0061,

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1 Miscellaneous. It's lodged -- it's lodge action, and that was
2 8/10/1992. I first filed it in 1990 under the same case
3 number. And it encompasses the State of Alaska, Executive
4 Branch, Legislative Branch, Judicial Branch, State Boards,
5 State Department Boards and Commission, et al., one to 100, but
6 also extends all the way back to the original Treasury seal
7 which I'd submitted you document- -- documentation to before,
8 and finally opened up the case -- or re-opened it up and then
9 he said that the information was unin- -- totally
10 unintelligible, and so with no further comment, I wish you
11 people would look at this and realize that it indeed is more
12 than just someone wishing to -- that has an ax to grind,
13 because indeed my reasons are valid and I do have a good reason
14 for grinding an ax.

15 Thank you. Have a nice day.

16 MR. ROSIER: Thank you very much, Mr. McKee.
17 We appreciate your comments.

18 Is there anyone else there in Anchorage?

19 MS. EVANS: Yes, there is.

20 MR. ROSIER: The next person, please?

21 MR. McCUTCHEON: For the record, my name is
22 Jerry McCutcheon. Get the mike adjusted.

23 I think your decision to postpone the public at large
24 was correct, but your decision to postpone the others I think
25 was unfortunate. I think you should have proceeded.

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1 I also think that you can appoint those -- or I'll put
2 it this way: I think that you should call those together that
3 you have already appointed and listing the other ones, such as
4 the public at large, vacant and get on with the business at
5 hand. To start with -- with the proposition that all must be
6 present means that if someone resigns their position on the
7 advisory group, the advisory group is dead in the water. Is
8 that really what you mean? I don't think so. When you've got
9 15 people in hand, you're going to have them coming and going
10 all the time, and do you want to get into this process all the
11 time? I don't think so.

12 Mr. Cole mentioned a time crunch and how did we get
13 into it on one subject. Well, you didn't do a critical path
14 and you should have had it done. That was a staff problem.
15 And at least one of you should have thought about asking and
16 you probably ought to do that, and other things of this nature.

17 As to the public at large, you have 20% or -- or three
18 members. I think that understates the public's interest. And
19 because you have aquaculture and comm fish as two separate
20 entities, they're the same for practical purposes in this -- in
21 this State. You have conservation and then environment. Now
22 tell me what's the difference if you went out to the public and
23 asked? You have commercial tourism and recreation, and the
24 recreation people are commercial tourists, only they diff- --
25 instead of having individual boats rather than large boats like

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1 Brad Phillips.

2 So it seem to me that maybe somewhere along the line
3 you ought to consider enlarging to the public at large. Where
4 you have special interest groups holding now 80%, maybe it
5 would be nice if they were only down to 60% and you doubled the
6 public at large. It would seem to be reasonable to me.

7 I think you need to take a look at the ones that you
8 have got in public at large and almost all of those are special
9 interest group people that are left over, and I think you ought
10 to kind of void that list if necessary and go out and get
11 yourself all new list even if it does take some time. And I
12 don't think you need to postpone the meeting of the group and
13 the functioning of the group in order to carry that out. I
14 think you can get on about your business. But you look at that
15 list and you start going down the line and seeing who sponsored
16 them and what repre- -- and what their interest is, they're
17 just shills, and is that what you really want for public with
18 interest at large?

19 Thank you.

20 MR. COLE: Mr. Chairman?

21 MR. ROSIER: Thank you, Mr. McCutcheon. Yes,
22 Mr. Cole?

23 MR. COLE: Mr. McCutcheon you expressed my
24 sentiments eloquently.

25 MR. McCUTCHEON: Thank you, sir.

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1 MS. EVANS: Is there anyone else?

2 MR. ROSIER: Mr. McVee?

3 MR. McVEE: If -- if that is all the public
4 comment we have, I have one more subject I want to touch on
5 very briefly.

6 MR. ROSIER: Any further questions? Are there
7 any -- any other individuals in the Anchorage office there that
8 wish to testi- -- members of the public that wish to testify at
9 this time?

10 MR. RICE: We have no other interests wishing
11 to testify.

12 MR. ROSIER: Okay. Thank you very much. We
13 appreciate the public's participation there. We'll now move
14 back to the agenda and finalize the agenda. Yes, Dave?

15 DR. GIBBONS: Yes, Mr. Chairman, this -- I'm
16 going to give you a brief status of the court petition and --
17 and then ask for some guidance from the Trustee Council.

18 The budget sheets for the five-month period remaining
19 from the 1992 work plan are being prepared now, and they will
20 be attached with the petition to the court. The cover
21 signature page by Department of Law and Department of Justice
22 has been completed -- has been completed by the Department of
23 the Interior, and we have a -- we have a copy of that.

24 The remaining hold up is -- is the documentation that
25 is supportive information. The Office of General Counsel

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1 prepared the draft of that the 19th, and it went back for
2 review by the Department of Interior, Department of Justice. I
3 think it was faxed -- faxed out to the Trustee, and I don't
4 have any status of that now and that's what we're waiting for,
5 the supportive documentation, so

6 What I propose to do when we get that done is to bring
7 -- hand-carry it around for signatures if -- if possible by --
8 by the Trustee Council as soon as possible.

9 MR. COLE: Mr. Chairman?

10 MR. ROSIER: Yes, Mr. Cole?

11 MR. COLE: The last time I read that, or the
12 draft that I read, and it looked like to me it needed a lot of
13 (indiscernible), it's (indiscernible) historic document
14 exclusively, then I would like to see (indiscernible). I think
15 that we need to put into that document a greater explanation of
16 reasoning (indiscernible) reach (indiscernible) decision,
17 (indiscernible) and (indiscernible).

18 MR. ROSIER: Yes, Mr. McVee?

19 MR. McVEE: Yes. I guess I don't understand
20 really I guess where we're at now in terms of developing that
21 document. I know that the (indiscernible) the General Counsel
22 Office made the first cut and requested that comments would be
23 sent (indiscernible) to the Department (indiscernible). I
24 guess maybe it was my understanding that the Department of
25 Justice and Department of Law would put the finishing touches

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1 on that based upon the original draft plus the comments. Is
2 that -- am I correct on that or am (indiscernible)?

3 MR. ROSIER: Mr. Barton?

4 MR. BARTON: That was my understanding also,
5 Mr. McVee.

6 MR. COLE: And that is (indiscernible) we get
7 busy with the whip (ph) in (indiscernible).

8 MR. ROSIER: Does that -- does that answer your
9 question, Mr. McVee?

10 MR. McVEE: Yes. One thing that we requested
11 was to -- the Department of Interior was to get a review of the
12 total package and I have some assurances that we can do that
13 within a two or three-day period, so I think that we
14 (indiscernible) by (ph) that kind of turn around, but we would
15 like to see the package before (indiscernible) finally sent
16 (indiscernible).

17 MR. ROSIER: Other comments? Yes, Mr. McVee?

18 MR. McVEE: I have another subject I guess, it
19 was the financial operating procedures. I had hoped that we
20 could place these on the agenda, but I think we've probably
21 used up our time today, and I'll need to do this 14th, whatever
22 -- I think it would be highly desirable if there was some way
23 to accelerate the approval of those procedures, to have that
24 done before the (indiscernible) in that that's part of -- of --
25 of course, one of the -- I think one of the significant

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1 elements, important elements in our filing to the court this
2 year is to (indiscernible) this (ph) time is to indicate that
3 we have those procedures in place. I think the federal Trustee
4 reps have approved -- representatives have approved those
5 financial procedures, and I think they've -- they've dealt with
6 the State's major concerns, I -- hopefully they have at least,
7 and I realize there's probably some rewording that could be
8 proposed by almost any of us looking at those and our staffs,
9 but I guess what I would like to do is -- is get those
10 approved, and if necessary some commitment to revisit them, in
11 the -- the next 12 months or (indiscernible) -- is it 12
12 months? And -- and if they do need fine tuning at that point
13 we'll have more experience with it to do it.

14 MR. SANDOR: I second that motion.

15 MR. ROSIER: Thank you, Mr. Sandor. Yes,
16 Mr. Cole?

17 MR. COLE: Well, I will look at them either the
18 balance of the day or tomorrow, and (indiscernible) they are
19 what I believe they are and what I think they are, I will sign
20 them, and get them to Commissioner Rosier and to Commissioner
21 Sandor. Perhaps we could have them signed by the end of this
22 week.

23 MR. SANDOR: That sounds very good to me. I'm
24 ready to sign them.

25 MR. ROSIER: Yeah, it sounds like we're all

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1 pretty close here on this one, so that's fine. Maybe the --
2 maybe the beginning of next week. Anyway at this point it
3 sounds we're close on that.

4 Any other business to come before the Council at this
5 time?

6 MR. SANDOR: I guess a point of clarification.
7 I only (ph) know -- without objection, I -- I think that the
8 Trustee Council ought to agree that if the individual agency
9 review would be satisfactory so it doesn't have to be brought
10 up again for the September 14 meeting.

11 The second point is I think with the deferral of action
12 on the Public Advisory Group to September 14, it may actually
13 not enable us to finish the agenda in one day, or it may be --
14 let -- let the Trustees know as soon as possible whether that
15 meeting will extend into Tuesday or not. That would be
16 helpful. Thank you, Mr. Chairman.

17 MR. ROSIER: Thank you, John. Any comments
18 from Staff on that?

19 DR. GIBBONS: Yes. This is Dave Gibbons. We
20 were trying to orchestrate the 14th meeting to really try to
21 streamline it and get done with the package. I'm not sure if
22 we can make it, but we'll sure try. That's all I can say at
23 this time.

24 MR. ROSIER: That's the best assurance you can
25 get at this point, John.

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1 MR. SANDOR: That's good enough. And the
2 meeting is in Anchorage, of course, beginning at 8:00 a.m.?

3 MR. ROSIER: That's -- I hear 8:30 around the
4 table here.

5 MR. SANDOR: Okay. Thank you.

6 If nothing else, I would compliment the Chair on
7 chairing a very difficult meeting, but very important, and I
8 think the decisions reached were sound ones. Thank you.

9 MR. ROSIER: Thank you. Thank you very much,
10 John. This was such a cooperative group around here today that
11 it was a real pleasure chairing the meeting here on it,
12 so

13 I guess one point on this, I guess. Can we -- can we
14 adjourn this session then and -- and we're not talking about a
15 continuation of this meeting at the September 14th? So we
16 stand adjourned then.

17 MR. SANDOR: Thank you very much. Have a good
18 day.

19 (END OF PROCEEDINGS)

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