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V. II

PUBLIC ADVISORY GROUP
MEETING TRANSCRIPTS

APRIL 20-21, 1995

V. II

**EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL**

RESTORATION OFFICE
Simpson Building
645 G Street
Anchorage, Alaska

April 20-21, 1995

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**EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD**

P R O C E E D I N G S

(On Record 8:42 a.m., Friday, April 21, 1995)

(Present on 4/21/95 were: McCorkle, Beck, Benton, Brodie, Cobb, Zerbetz, Vlasoff, King, French, Schwantes, and Dennerlein arrived at 9:40 a.m. Ms. Pamela Bergmann was present as the Designated Federal Officer in lieu of Doug Mutter.)

MR. McCORKLE: Ladies and gentlemen, let's see if we can't belly up to the bar and get this show on the road today. We're going to do an informal roll call for the purpose of establishing that we don't have a quorum yet, but we're going to be building one, so will you please begin with the roll call.

MS. BERGMAN: Okay. Rupert Andrews? (No response) Christopher Beck? (Present but no audible response) Karl Becker? (No response). Kimberly Benton?

MS. BENTON: Yes.

MS. BERGMAN: Pamela Brodie?

MS. BRODIE: Here.

MS. BERGMAN: Dave Cobb?

MR. COBB: Here.

MS. BERGMAN: Chip Dennerlein? (No response) James Diehl? (No response) John French?

DR. FRENCH: Here.

MS. BERGMAN: James King?

MR. KING: Here.

MS. BERGMAN: Nancy Lethcoe? (No response) Vern McCorkle?

1 MR. McCORKLE: Yes. I'm here.

2 MR. BERGMAN: Brenda Schwantes? -- Brenda. Okay. I'm
3 sorry. There -- you came in. Thea Thomas? (No response) Charles
4 Totemoff? (No response). Martha Vlas -- I'm killing these names,
5 I apologize. Martha is here. And Gordon Zerbetz.

6 MR. ZERBETZ: Here.

7 MS. BERGMAN: Thank you.

8 MR. McCORKLE: So, we're -- what -- we're short two, and
9 I think we'll have -- I think they'll get here. So, we're going to
10 go ahead and play like it's time to do business. Everyone should
11 have a revised agenda for today. It's a very short agenda,
12 starting at 8:30. There are one or two housekeeping duties that
13 we've got to take care of before we go. First of all, who needs to
14 depart at what time on aircraft scheduled today? Does somebody
15 need to leave at 11:00 or 1:00 or 2:00, or -- hopefully, we will
16 get done by noon or a little bit past, but we need to know if
17 somebody needs to go at 11:45 or 2 o'clock because their plane is
18 about to leave.

19 MS. SCHWANTES: Two forty-five.

20 MR. McCORKLE: Two forty-five -- okay. Hopefully, we
21 will be finished by that time. As I see it, I guess it will maybe
22 ring down around 1:00. Since lunch is not provided the second day,
23 I have a hunch we will probably roll on through and get that done.
24 So, we don't have a quorum yet. We will have a couple of things to
25 ratify when the quorum gets here. We also need to observe two
26 times today. Nine o'clock when the staff will come to commence a

1 review of small parcels, and ten o'clock when we stop whatever we
2 are doing. Actually we will take a break at 9:50 so we can set up
3 for public persons who wish to address us. Is there a sign-up slip
4 for people outside? Okay. So, we'd like very much -- and if any
5 of you who know of people who are coming to -- to talk to us today,
6 you might just suggest to them, maybe excuse yourself from the
7 table for a moment, and get them to sign the slot outside so that
8 we can know how many people there will be and decide how much time
9 we can have for each person. I guess I'd like to defer to Chris
10 Beck who will begin a continuation of his discussion he started
11 yesterday, and then we'll sort of segway (ph) -- to use his word --
12 into the program that will be presented from yesterday's
13 continuation. So, we're sort of in a roundtable discussion for the
14 next few minutes. What would you like us to talk toward, Chris.

15 MR. BECK: I guess I'll hand it off to Dr. Loeffler
16 who will give us a charismatic macrofawna (ph).

17 MR. McCORKLE: (Laughter) Okay. Well, what we --

18 MR. BECK: I don't really know how to use that term.
19 I would think, Bob, you might want to frame this up a little bit,
20 if that's reasonable, with the questions that you asked -- have
21 some thoughts of how to respond to this. It seems that's what our
22 group needed to do -- to go back to Bob's attempt to get the group
23 of us to ask some fundamental questions about the direction of the
24 work program. I raised some. I would be curious to hear people's
25 response to the comments I had. Maybe, Bob, you might lead us in
26 that discussion.

1 MR. McCORKLE: Pam?

2 MS. BRODIE: I'd like someone from the staff, maybe
3 Bob, to explain, if you can, as best you can, what's legal and what
4 isn't legal use for the funds, because Chris has brought up these
5 questions about we're going past restoration and . . .

6 MR. BECK: (Inaudible)

7 MR. McCORKLE: Put on your mike. We're going to crank up
8 the sound here, folks. I want these people to be heard. I want us
9 all to stay awake and be on point. So, let us have it.

10 MR. LOEFFLER: Just as a matter of introduction -- if
11 Chris would like to correct his speech -- all that we're doing is
12 restoration. What we're far beyond is what a lot of people
13 initially think of as restoration, which is direct manipulation of
14 environment. So, restoration is defined in the beginning of the
15 Restoration Plan, and I don't think I really -- Pam -- unless you
16 really want me to -- I don't think I need to review that. It's
17 pretty much there. Is that all right with you? I just --

18 MR. McCORKLE: Turn to our manual and am looking at the
19 language as we speak, I could read you a couple of sentences if
20 that would help. This comes from the book. It's tabbed 4B, under
21 "Joint Use" but the pertinent part says in quotes: "Our program is
22 to restore, replace, enhance, rehabilitate or acquire the
23 equivalent natural resources as those that were injured as a result
24 of the oil spill." That's it. Now, there's been additional
25 interpretations, but generally in though -- within those parameters
26 -- and looking back at the perspective of two years, and Pam's

1 looking from two and half or more years, I see that we have made
2 some remarkable progress in doing some things that encompass all of
3 those in a variety of ways. But, essentially, that's what we must
4 do, and I think Pam spoke really on point yesterday. I came a
5 couple of years ago with a whole list of public works ideas I would
6 have just loved to have done: a park here, a road there, you know,
7 an observation center someplace else, and a museum someplace else,
8 and lo and behold I was flat wrong, and it took me a few months of
9 reading and digesting to realize what it is that we're about, and
10 that's why we have tried to focus a lot on what we are able to
11 advise upon. And I don't know if that has helped Pam or not, but
12 ...

13 MS. BRODIE: The reason I brought it up, what Vern says
14 about coming with public works ideas, a lot of people had that
15 approach, a lot of people had the approach maybe the opposite of
16 that, that the money would be spent on what the Trustees have
17 called general restoration, which is really you go out and get, and
18 you wash off the oil, you look at a particular damage and try to
19 solve that particular damage, and it took quite a while, maybe some
20 years, since the spill for the Trustees to find out that what they
21 could do in that regard was pretty limited and often not cost
22 effective, but the money still has to be spent for restoration.
23 Restoration is more broad than maybe these initial ideas that
24 people, but it is still legally limited to restoration. That's
25 something that the Trustees and the staff and all of us have
26 struggled for a long time to figure out just what fits in that and

1 what doesn't.

2 MR. McCORKLE: Thank you.

3 MR. LOEFFLER: Two things that might actually be worth
4 thinking about, both of which are in the Restoration Plan, is the
5 first is -- it's the policy of the plan that restoration must focus
6 on restoring the natural resources. So, if you think it makes fish
7 and wildlife better, it's probably restoration -- fish and wildlife
8 that were injured by the spill -- and that's not a bad rule of
9 thumb. The second is, chapter five "Strategies for Restoration,
10 and those strategies provide examples which you test things on, and
11 that might help too, Pam.

12 MR. BECK: Just a quick thought just to try to
13 clarify what I was trying to say, and then I'll defer to you, Kim.
14 One is a handy -- the diagrammatic version of part of what I was
15 saying last night, because I also went back and tried to re-read
16 the book, and I think that there's restoration in two senses. One
17 of them is as defined by the book, which I might call "capital R
18 Restoration" and maybe put the parenthesis around -- quotation
19 marks, excuse me. And then outside of that is a bigger circle,
20 which I believe are general public goals, things like economic
21 goals, tourism or jobs; general understanding of the ecological
22 relationships of the area; education -- the Seward Sea Life Center
23 is an example that strikes me as a project which works within the
24 narrower circle, but directly contributes to these larger goals.
25 Some of the land acquisition that's going on, I think the same
26 thing could be said about. I think listening to the discussions

1 yesterday and the objectives of the research clearly is focused of
2 a narrower definition of restoration, but it indirectly provides a
3 very important benefit to this larger circle, and my whole
4 objective in my little speech yesterday was to say I think we ought
5 to try to do both each time, that our obligations shouldn't be as
6 simple as this and then somewhat by happenstance affecting this.
7 In (indiscernible) I don't think that's been the case. I think we
8 ought to take on the more difficult process of saying any time we
9 do something, let's make sure it's not only -- hits the bulls-eye
10 of capital R Restoration, but that we consciously pick among the
11 many things we might do, things that might ultimately have these
12 secondary benefits, do double duty -- and that's a more challenging
13 effort because it means you have to get one thing to do two things,
14 but that's what I was trying to describe.

15 MR. LOEFFLER: If I might comment for a second, Mr.
16 Chairman, there's certainly nothing wrong with that, but one of the
17 ways in which we evaluate restoration projects is the benefits to
18 restoration, and while I think it's really useful that a lot of
19 restoration has other benefits to the people and the fish and
20 wildlife of the spill area, we need to focus on if it is an
21 important focus of the process, what meets the restoration
22 objectives best. And that's an important part that can't be lost.

23 MR. MCCORKLE: Mr. Loeffler, you mentioned one of the
24 ways we measure restoration, are there others?

25 MR. MCCORKLE: Umm.

26 MR. MCCORKLE: I realize it's an open question, but you

1 asked to have the question asked when you said "One of the ways we
2 measure restoration is ..." and Chris has suggested some other
3 ways, and so I'm puzzled by -- what are some of the other ways? Or
4 do you mean to say the major way we measure the success of
5 restoration is . . .

6 MR. LOEFFLER: I think I meant to say that.

7 MR. McCORKLE: Okay. I accept that. Thank you very
8 much.

9 MR. LOEFFLER: And if anybody can translate for me
10 better, I appreciate ...

11 MR. McCORKLE: No, you're doing splendidly well, so let's
12 proceed.

13 MR. McCORKLE: I believe you have the floor.

14 MR. LOEFFLER: Actually, Kim was next.

15 MR. McCORKLE: Oh, Kim, I'm sorry.

16 MS. BENTON: One of the things I drove away from here
17 yesterday thinking about that Chris had brought up, he kept saying
18 we're going outside restoration, we're going beyond restoration,
19 and I sat here yesterday and listened to some of the presentations
20 and went away with that feeling too. I think we always need to
21 keep our eye on the prize, especially when expensive scientific
22 research is at stake. We have to make sure that the science is
23 leading to restoration, and especially, unfortunately, with the sea
24 bird-forage fish presentation yesterday, I didn't come away with
25 that, that what they were doing would eventually lead to
26 restoration, and that's probably just because of the way it was

1 presented, but it is confusing, it does get confusing, it seems
2 like we're going beyond restoration.

3 MR. LOEFFLER: If I might just -- I think the
4 nomenclature is important, and I think that what it doesn't lead to
5 is a direct action to enhance the resources. It leads to increase
6 the body of knowledge, which we think of is useful for restoration,
7 but those direct actions that you're looking for are not out there,
8 and I think maybe then one of the questions which I'm interpreting
9 here from the group, and maybe I should start writing these on the
10 board, is there is a balance between the amount of basic research
11 that should occur through here and the amount of other kinds of
12 activities -- direct restore or direct manipulation or things that
13 are sort of more community focused -- and that's kind of what I'm
14 interpreting from what you're saying. Is that it?

15 MR. BECK: That's it.

16 DR. SENNER: Can I add to that?

17 MR. LOEFFLER: I you could -- I think it would be a
18 useful discussion.

19 DR. SENNER: I'd just like to add (aside comment about
20 microphone). I'd just like to add to that a little bit , Kim, and
21 that is that there is potentially -- there are potentially
22 restoration end points or actions that will result from the SEA
23 project, from the forage fish project, and the nearshore ...

24 MR. McCORKLE: You said "potentially."

25 DR. SENNER: Yes, and I'm . . .

26 MR. McCORKLE: That's a weasel word.

1 DR. SENNER: And I'm going to qualify that.

2 MR. McCORKLE: All right.

3 DR. SENNER: And . . .

4 MR. McCORKLE: We listen to those words.

5 DR. SENNER: That's right, and I'm not -- I'm not using
6 them as weasel words, but I want to convey is that there is no
7 certainty that we will be able to take actions X, Y and Z as a
8 result of these projects. However, one of the realities that we
9 need to recognize right now is that we are quote-unquote "managing
10 Prince William Sound ecosystem." Every day, by making decisions
11 about what kind of a herring fishery we're going to have, how many
12 salmon do we take, where do we build hatcheries, how many hatchery
13 salmon do we release, do we have a pollock fishery, at what level?
14 All of those things are actions that are happening now that bear on
15 the health of the ecosystem in a long-term sense, but also directly
16 in the recovery of some of these injured resources. And the
17 research that is being undertaken should -- and I use that term
18 carefully -- should give us additional information which will
19 better enable us to make those management decisions, not only for
20 the benefit of the human users, but the injured resources, the
21 guillemots, and so on. There is no certainty of that, and that's
22 where -- that's why I say "potential" because, as you saw, it is
23 the cutting edge kind of exercise, all three of those projects, but
24 -- just to reiterate the one point, we are making management --
25 ecosystem management -- decisions every day out there where, in
26 some cases, flying pretty blind, and this is an investment in a

1 body of information which should pay off in better management.

2 MR. McCORKLE: Brenda? (Aside comments) Let Brenda lead
3 off for a minute.

4 MS. SCHWANTES: Yeah, I'd like to echo. I think the
5 general feeling is that maybe too much emphasis is being placed on
6 research because it's not directly observable or tangible. So, I
7 think it might be responsible for the PAG to look at maybe a
8 variety of projects -- research being very important -- and choose
9 a couple of very important research projects, and then also looking
10 at some hands-on type, manipulative, environmental projects, and
11 then also looking at -- you know -- education -- maybe just having
12 a broad base for choosing projects, instead of focusing in one
13 area.

14 DR. SENNER: I think also Bob's intent yesterday was to
15 put those ecosystem projects on the table because they are big
16 ticket items, but that as you go through the rest of this process
17 over the next couple of months, there will be opportunity to get
18 into a number of other projects that are more hands-on. Your
19 feedback from the PAG on the overall balance -- that's what you're
20 here for, and that's what we need to hear from you.

21 MR. McCORKLE: Thank you. Chris, did you want to have a
22 --

23 MR. BECK: I'll defer.

24 MR. McCORKLE: Dr. John?

25 DR. FRENCH: Yes. In defense of the ecosystem approach
26 to research and restoration, if we knew a positive link between

1 each action we take, each restoration action we take and the
2 outcome, we wouldn't need to do this sort of research. The fact
3 is, we don't. The fact is that, with the actions we take -- for
4 example -- is direct -- a sole direct restoration action with
5 respect to fertilizing Coghill Lake, for example. We don't know a
6 lot of the links there. We talked yesterday about whether or not
7 the harvest of pollock, for example, will benefit the survival of
8 pink salmon and herring fry. On the other hand, two presentations
9 later we heard about the possibility that harvesting the pollock
10 would increase the forage available to other injured species. We
11 don't know a lot of these links, and unless we understand them we
12 can't take cost-effective actions. We can go out and level a
13 meadow if we want to clear space and cut all the trees down and use
14 the most expensive option we can for moving the earth around. It
15 will make grass grow, if that's our restoration objective, but it's
16 certainly not the most effective way or the least obtrusive way of
17 doing it, and unless we understand the system, unless we look at a
18 slightly broad scope, use a slightly larger magnifying glass to
19 look at the system to understand what the causative interactions
20 are, we're not going to have cost-effective restoration, we're
21 going to continue to throw away a lot dollars for not a whole lot
22 of benefit. So, I fully support the ecosystem approach to the
23 restoration activities, and I personally think it should expand
24 rather than subtract.

25 MR. McCORKLE: Thank you, John. Jim?

26 MR. KING: If we just talk about restoration, that's

1 kind of a limiting term, but we've got that little word
2 "enhancement" in there, which allows you to go a little bit beyond
3 restoration, and that sort of takes the limit off. Now, I think
4 what we're hearing from the scientific community is that they're
5 not too sure when they're going to be able to say restoration has
6 occurred, and they're going to take some more -- if they get funded
7 -- look at these resources, and perhaps they will be able to
8 determine restoration has occurred. There is the other possibility
9 that in seven years the money will be gone, we're still not sure
10 that restoration has occurred, and we wish we had another seven
11 years -- and, in fact, we could have another seven years. We could
12 have another 70 years. I recall, when we got started here last
13 year, Arliss Sturgelewski -- she was a state senator then and a
14 previous candidate for governor -- Dave Rose, who I guess was the
15 father of the Permanent Fund, former mayor of Anchorage -- was he?

16 UNIDENTIFIED VOICE: No.

17 MR. KING: Any rate -- and Jerome Komisar of the
18 university, all came and talked to us about the need to establish
19 an endowment program. The staff sent out this questionnaire, which
20 drew something over 3,000 responses, and there was a lot of
21 interest in this summary book, and if those new members on this
22 committee haven't seen this Summary of Public Comment on
23 Alternatives, I'd recommend you get a copy of this, and I just
24 checked, they do have copies in the library for you if you want it
25 -- but it shows that a majority of the people responding did, in
26 fact, favor some form of endowment, and, interestingly, even though

1 the brochure didn't mention the University of Alaska, there was
2 some 50 respondents who felt that the endowment should be done
3 through the University Foundation, which already exists. The
4 university does endow academic chairs in specific disciplines for
5 \$2,000,000, which pays salary and benefits and operating money for
6 a full professor in perpetuity. With \$3,000,000, that would
7 provide operating money and fellowships for graduate students.
8 Properly selected professors can accomplish any of the research
9 that was described to us yesterday but three professors. They
10 would do it with graduate students, if it's done under the
11 university, and the result would be that science, professional
12 thesis or publications, and trained scientists coming out --
13 trained in Alaska on Alaskan resources. So, the program that we
14 heard about yesterday envisioned spending about \$36,000,000 through
15 the next seven years. Thirty-six million dollars would endow 12
16 academic chairs at the university, which could pursue the same
17 agenda, not just through seven years but in perpetuity, and we
18 found out from Craig Tillery the other day when he spoke to us,
19 there are legal questions about setting up an endowment, either
20 through the university or an independent endowment, and he did
21 suggest -- I can't remember whether he did it in the meeting, but
22 I talked to him in the hall later, that this was a good avenue for
23 us to pursue. That if an endowment was set up through the
24 university, it might be possible to somehow roll the Trustee
25 Council into the university system without violating the law --
26 but, in any case, there might be requirements to reinterpret some

1 of the things in the agreements, and it might be that it would be
2 necessary to go back to the Superior Court and get some changes.
3 This could be done if there is popular support for making changes
4 in -- that we have substantive changes that need to be made. So,
5 I think that working through the university or through another
6 endowment program does address the kinds of questions that Chris
7 brought up yesterday, and I intend to be working some on that, and
8 --.

9 MR. McCORKLE: Thank you very much for giving us that
10 warning. We're glad to know that, and we appreciate your remarks.

11 MR. KING: One final point -- I think we can design
12 something that would address the needs of the constituents of
13 everybody in this room, and it's not going to be something that
14 grabs the goody and goes off with it, it's going to be something
15 that really addresses the needs of the group.

16 MR. McCORKLE: Thank you. Bob?

17 MR. LOEFFLER: The small parcel group is here, and I
18 think it's probably time to take a break for that -- for them --
19 but what I'd like to do is sort of sum up what I've heard, and then
20 suggest where we should go when we come to this question.

21 MR. McCORKLE: Can you sum up pretty quickly?

22 MR. McCORKLE: Yes.

23 MR. McCORKLE: All right.

24 MR. LOEFFLER: What I've heard are two questions that are
25 useful in evaluating the '96 work plan and restoration program, and
26 that is the extent to which restoration affects, sort of, long-term

1 public goals -- the community goals, public welfare that Chris
2 brought up -- and then it's what Kim brought up and Brenda
3 seconded, the extent to which the restoration program focuses on
4 basic science or research without obvious, observable restoration
5 action. Now, I don't mean those as too much or too little, but
6 there are questions that you can -- that you can use to evaluate
7 the program -- and I think a useful thing to do when we get back is
8 to sort of try to bring out any other questions that we have, so
9 that when you look at the restoration program at the next meeting,
10 we know what all the concerns are and that we can get through them,
11 and so I think the discussion when we continue should be focused on
12 those questions and what others there are.

13 MR. McCORKLE: Thank you very much. We appreciate your
14 summary.

15 MR. BECK: Third on your list would be how the
16 information is disseminated, how people can use it.

17 MR. McCORKLE: The Chair is going to intervene, and ask
18 that we could continue with this, the program from yesterday. I
19 always get worried when the PAG has to stop exciting discussion to
20 make way for the agenda, but that's because we're a busy bunch,
21 we've got lots of ideas and lots of material we want to receive as
22 well. We've been rejoined by Molly. Molly, would you care to
23 bring on the program?

24 MS. McCAMMON: Yes, Mr. Chairman. One of the major goals
25 of this meeting that I hoped to achieve was a real thorough review
26 of all of the small parcels that we are currently looking at for

1 possible acquisition. At their meeting in February the Council
2 agreed -- authorized -- the Executive Director to go forward with
3 preliminary discussions and negotiations on those parcels -- small
4 parcels -- that received high or moderate ranking or were elevated
5 to parcels meriting special consideration, and I believe all of you
6 have received a list of those and you should have copies of the
7 blue book here which describes in detail those parcels. What I'd
8 like to do is go through each of these and have them described to
9 you in more detail, see if there are questions, comments, if you
10 have any particular pluses or minuses about these, any additional
11 information that has been brought forward to you and get some
12 feedback basically on these parcels. We've also been getting
13 comments from the general public at the same time, and these will
14 go into developing a final recommendation to the Council as to
15 whether to proceed with these. Following going through these, what
16 I'd like to get is any comments you may have on the 15 additional
17 ones that were submitted during March, and then also during our
18 tour of public meetings we've heard back from the general public on
19 a couple of parcels that are ranked low that the public believes
20 should have special consideration also, and so if there are any
21 comments on additional parcels that any of the PAG members have
22 heard comments on and you'd like to see elevated and you have
23 questions about, then we could take those following the specific
24 ones. So, with that, if we could take the parcels that the Forest
25 Service has first because Dave Gibbons has a conflict here and has
26 to attend to a couple of other things, and if, Dave, you could go

1 through -- there's only a couple of parcels that -- one I believe
2 -- that the Forest Service has.

3 MR. McCORKLE: Dave?

4 MS. McCAMMON: There specifically on page 2 in the blue
5 book for those.

6 DR. GIBBONS: I don't have a blue book with me.

7 MS. McCAMMON: Okay. It would be the Duck Flats one?

8 DR. GIBBONS: That's correct.

9 MS. McCAMMON: Which would be on page 56 in the blue
10 book.

11 DR. GIBBONS: Yeah. I will preface my remarks that
12 we're interested in other parcels that were nominated since the
13 closure, and we're working with Molly and the State on looking at
14 those possible acquisitions also. The one on the Duck Flats was
15 nominated. It's 33 acres, as you can see. We're proceeding to
16 possibly acquire this with federal criminal money, not joint
17 settlement money, and we were allocated out of the federal criminal
18 money a million dollars to look at small parcels for acquisition,
19 and we're going to be using part of that money for this parcel. We
20 also are looking at some other parcels with federal criminal money
21 in Prince William Sound that you don't have listed in front of you,
22 but there is four or five other parcels, and I can get you
23 information on those if you would like -- where they're located.
24 A couple are in Dryer (ph) Bay on Knight Island, there's one -- a
25 couple up north, also in Prince William Sound. The parcel, I think
26 incorrectly identified in here, I've got some specific information

1 on it, but the parcel is really U.S. Survey 448 not 447, as
2 identified in the book. It's 33 acres, it passed the threshold
3 criteria, evaluated by the habitat group. It scored high for pink
4 salmon, intertidal area, recreation and tourism, and it ranked as
5 a high rated parcel by the habitat group. I'd be glad to answer
6 any questions. There's a small Forest Service visitor center on it
7 presently -- and I'll open it up for questions on that parcel if
8 anybody would like to ask any questions about 448.

9 MR. McCORKLE: If you have questions, if you'd please
10 just address them directly to Dave.

11 MS. SCHWANTES: I have a question. Is it located --
12 there's a little bridge where you can go out and look and see the
13 fish -- pink salmon -- spawning. That's the area?

14 DR. GIBBONS: That's the area.

15 MS. SCHWANTES: Okay.

16 MS. McCAMMON: Dave, we have received a letter from, I
17 think, from Nancy Lethcoe.

18 DR. GIBBONS: Right. I've got -- I've got the same
19 letter here beside me.

20 MS. McCAMMON: Suggesting that there's some additional
21 land adjacent to it owned by, I believe, the university or --

22 DR. GIBBONS: Well, the land is not contiguous. It's
23 closer to town. It was looked at by the habitat group. It's U.S.
24 Survey 447. It was also submitted. It's 32 acres, but that parcel
25 did not meet threshold criteria, and so it didn't go any further
26 than the habitat group. It stopped right there.

1 MR. McCORKLE: Why did it not meet -- on what basis did
2 not meet --?

3 DR. GIBBONS: Two factors. It fit within the oil spill
4 area, there was a willing seller of the property, and they were
5 willing to sell at fair market value. Those are the three that it
6 passed. The two that it didn't was that it could not be
7 incorporated into public land management -- there was not a
8 sponsoring agency, basically -- and the parcel was not linked to
9 restoration. It could not make the strong links to the restoration
10 of injured resources.

11 MR. McCORKLE: Thank you.

12 MS. SCHWANTES: But the parcel isn't adjacent to this
13 other parcel?

14 DR. GIBBONS: No, it's not. There's a private homestead
15 in between. I've got the plat maps in my brief case here if you
16 want to look at it.

17 DR. FRENCH: The parcel you are trying to buy is in
18 which survey?

19 DR. GIBBONS: It's U.S. Survey 448.

20 DR. FRENCH: Eight. So the one in the book is the 447
21 parcel?

22 DR. GIBBONS: Yeah . . .

23 DR. FRENCH: They don't have a 448 parcel in the book.

24 DR. GIBBONS: In the book it should say 448.

25 DR. FRENCH: Okay.

26 MR. McCORKLE: But the portion shown is 447 or 448?

1 DR. GIBBONS: 448.

2 MR. ZERBETZ: Mr. Chairman, on the list that the staff
3 provided, it does say 448.

4 MR. McCORKLE: Thank you.

5 DR. FRENCH: I just wanted to make sure that the
6 description we were looking at was, indeed, the parcel you had a
7 high priority on.

8 DR. GIBBONS: That's correct.

9 DR. FRENCH: Okay.

10 DR. GIBBONS: We're also looking a little further with
11 -- possible -- with the State and the Department of the Interior of
12 developing an information site there, a larger capacity -- so we're
13 exploring that.

14 MR. McCORKLE: Go ahead -- your mike.

15 MR. BECK: I don't know really anything personally
16 about this. I know that Nancy Lethcoe, who happened to be at a
17 conference I was attending last week, felt very passionately that
18 it was incorrect to exclude 447, and she kept my fax machine busy
19 for the last couple of days -- sounds like yours as well -- making
20 that case. Of the two points that you raised that were reasons it
21 was not included, the one about the contribution to restoration
22 goals, she seemed to think that it actually did, and I wonder if,
23 you know, you might respond. She listed some of the species that
24 either she thought clearly did use it or might use it or talk about
25 its benefits for a variety of different species, it's important
26 from an ecological basis, it's important as a viewshed -- and I'm

1 just parroting, you know, the things that she said, that I've read.
2 Then, the other one of whether or not there was a sponsoring
3 agency, that seems perhaps more easily accommodated. If these
4 environmental concerns, the ecological benefits are there, if you
5 would -- you might -- if you've read her letter, respond in more
6 detail.

7 DR. GIBBONS: Yeah, I've read it. I've also talked to
8 our member of the habitat group who evaluated it. I wasn't on the
9 habitat group but there was state and federal members that looked
10 at it. They don't agree with the resources that she claims to be
11 there. There is also a dog pound, microwave dishes on the site.
12 It's not a clean site, and so -- like I said, I talked to them
13 yesterday, they said the resources are not nearly what's found on
14 448, and ...

15 MR. McCORKLE: Do we know who the owner is?

16 UNIDENTIFIED VOICE: University of Alaska.

17 MR. McCORKLE: Does it seem that a dog pound site would
18 be salubrious to the critters that are alleged to reside there?

19 MR. BECK: Thirty-three acres is a great place to
20 plan. You can locate a microwave station and a dog pound and be
21 unaware of the presence of either dogs or microwave on the majority
22 of the site. Or it could be more dominant. I guess it depends on
23 the lay of the land and, again, I've not seen the site, I don't
24 know. If that, by itself, wouldn't been a sufficient reason to not
25 include it, if it had valuable resources. Over time, those things
26 could be taken away or mitigated in some manner. I don't think

1 that would be a relevant reason to dismiss it. Again, I'm not
2 quite the one to be making this argument. I just wanted to make
3 sure that, since Nancy felt so passionately, that the issues were
4 considered fairly.

5 DR. GIBBONS: And that's true. That's a good point.
6 One thing that we look at, there's not enough money to buy
7 everything out there, and concentrate on the high value parcels, I
8 would think -- there were a lot of high value parcels that were
9 submitted that perhaps have more value than 447. So, it's a
10 weighing of benefits and costs and those types of things. Art
11 Wiener is here. He was on the habitat group. They looked at the
12 site, and they just -- the resources -- the link was not there.

13 MS. McCAMMON: Does it make sense -- I was just out there
14 last week and -- with Craig Tillery -- and we walked through that
15 whole area, and there's like that whole bend of the road right
16 there, does it -- would it make sense if you could get that whole
17 stretch of land, so you had that corridor of the Duck Flats there?
18 If you could get 447, plus the land in between, plus 448, then it
19 seems like that would make a really nice section of the Duck Flats
20 there that would be something really meaningful if you got all
21 three together?

22 DR. GIBBONS: It's my understanding, Molly, that the
23 other parcel was not submitted for acquisition. Here's the plat
24 I've got on -- excuse me -- the site that's in between is a
25 homestead claim of John Videll (ph) (pointing to map). It's 59.12
26 acres, so it's a large chunk of land in between. 448 sits up here,

1 DeBell's sits here, and then the other one sits right here. So,
2 it's along that road, but it's my understanding that that was not
3 offered for sale.

4 MS. McCAMMON: This is somewhere where the community
5 could assist -- helping find a willing seller.

6 MR. COBB: Mr. Chairman.

7 MR. McCORKLE: Dave first, then Gordon.

8 MR. COBB: Mr. Chairman, it's kind of, I think,
9 ironic. You have a complete ecosystem, and we talk about ecosystem
10 approaches and things like that -- you have a complete ecosystem
11 there, yet -- of about 1,000 acres, and yet we're going to go into
12 an area and we're going to draw a fine line. On one side of that
13 line we're going to say, no, it hasn't had a benefit to the
14 ecosystem, and yet on the other side of the line it does have a
15 benefit, and to me it's ridiculous to start nitpicking and to start
16 picking out pieces when you need to protect the entire whole
17 ecosystem. And I agree with Dave, this is a choice piece, and I
18 also agree with what Nancy is saying, the piece that she is
19 concerned about is the only standing timber in that area, and it
20 does provide excellent benefits, and we haven't heard any mention
21 whatsoever about any standing timber in that area or even it being
22 considered. There's a small parcel on the other end of the Duck
23 Flats that has been offered for sale, 10 acres, so what we're doing
24 is we're taking parcels on one end and we're taking parcels on the
25 other end and we're forgetting about everything else in between.
26 If you have private development in in the middle, you've messed the

1 ecosystem up. So, it's a -- the SEA of Valdez, speaking from a
2 city councilman position, would be very supportive of the entire
3 ecosystem being taken care of.

4 MR. McCORKLE: Thank you for that important bit of
5 information, Dave. Gordon first, then Pam second.

6 MR. ZERBETZ: I just wanted to ask Dave a question for
7 orientation purposes there. There's an Alascom earth station in
8 that general area, could you point that out on the map that we're
9 using here.

10 DR. GIBBONS: Maybe I could have Art or Mark Kuwada come
11 down.

12 (Aside comments)

13 UNIDENTIFIED VOICE: It's on Parcel 447.

14 MR. COBB: It's on 447?

15 UNIDENTIFIED VOICE: Yes, and it's in the trees that --
16 you can't see it. (Simultaneous comments) Right. It's right in
17 amongst the trees, so you can't see it very well.

18 MR. McCORKLE: Pam.

19 MR. ZERBETZ: So, if I can hit you with just one more
20 question then, Dave -- that is to the west of this parcel?

21 MR. COBB: Would be more north and east.

22 MR. ZERBETZ: Thank you.

23 MS. BRODIE: Couple of things -- I am not personally
24 familiar with this site, but it's something I would like to offer
25 regarding the private landowner. There is a new organization
26 developing in Alaska called the Great Land Trust, which is a -- a

1 -- it's going to be functioning like the Nature Conservancy does
2 Outside, not like the Nature Conservancy does in Alaska, but that
3 is helping landowners to put conservation easements on their land.
4 I don't know this landowner, I don't know if he's interested, but
5 many homesteaders in Alaska are interested in putting conservation
6 easements on their land. So that would be a way to protect the
7 ecosystem, while the land would still stay in private hands if the
8 owner wants to do it. And another thing I was thinking is, in
9 terms of sponsoring agencies, if the City of Valdez wants to
10 protect this, is there any way in this process that municipalities
11 can be sponsoring agencies for protection if Forest Service doesn't
12 want to be.

13 MR. McCORKLE: I don't know if that's -- the reading I've
14 been doing, I don't think that's specifically prohibited. It has
15 to be a public entity that has a history and a future, and I think
16 what Dave has brought to the group and what Molly has suggested as
17 well is -- an environmental sweep -- means a great deal of sense.
18 It seems to me here, Mr. Gibbons, if there is opportunity to check
19 out, if you want to see this maybe protected this way, the
20 possibilities with either the Nature Conservancy or the Great Land
21 Trust, as a party to maybe intercede or work with the Valdez City
22 Council and see if there can't be an ecosystem approach brought to
23 that parcel -- just as a side comment.

24 DR. GIBBONS: Yes, Mr. Chair. The first thing I will do
25 is contact the private landowner in between to see he is
26 interested. If he is not interested, then I think it just kind of

1 falls through the cracks because this is a willing seller-willing
2 buyer-type operation ...

3 MR. McCORKLE: Certainly.

4 DR. GIBBONS: ... and if he's not, if the individual is
5 not willing to do that, then we have at this juncture pieces that
6 -- (simultaneous talking) -- but we'll be glad to contact.

7 MR. McCORKLE: There may be the possibility that he
8 doesn't even know about that option, and it really doesn't wreck
9 his land any. It would sort of hold it together. I don't know
10 what his options would be for future sale, but it seems to me that
11 there might be some information-sharing there that could be useful.
12 One other thing I might add, and Molly can follow up on this too,
13 is that under the small parcel acquisition program, we've really
14 looked at only fee simple acquisitions and not conservation
15 easements or some of the other things on the small parcels. So --
16 it makes it -- management real difficult if you've got conservation
17 easements, but if you get a chunk it may be easier.

18 MR. McCORKLE: Molly.

19 MS. McCAMMON: I think that's correct, Dave, but I think
20 that when we look at these small parcels, if we have the ability to
21 do fee acquisition on a certain area but expand the protection
22 potential of the lands around through some kind of agreement with
23 the municipality or conservation easement, or something like that,
24 with a private entity, then I think that's all much the better.

25 DR. GIBBONS: That's what I was referring to, the latter
26 part.

1 MS. McCAMMON: Yes.

2 MR. McCORKLE: Chris and then Kim, and then we need to --
3 and Gordon -- and then we need to sort of call it to a halt because
4 we've got a whole bunch of people here. (To McCammon) So -- we'll
5 try to muddle through without you. Chris, you were next.

6 MR. BECK: No. I was going to say both what you and
7 Molly anticipated, was that it might be possible to find the
8 private landowner in the middle willing to sell conservations but
9 on the undevelopable portion of the property. What's to me the
10 most compelling of what Nancy said about this parcel -- for those
11 who aren't able to keep track -- (pointing to a map) -- here, this
12 is, what 448? And if I understand it, 447 is in this location --
13 it's Atka Point.

14 DR. GIBBONS: I should make a copy of this map and have
15 448, 447, and the other parcels.

16 MR. BECK: And in the private, sort of the two T, and
17 then the private parcel is the strip in between. But the thing
18 that's most compelling about what Nancy said was that this is a
19 parcel that is at risk. If someone wants to come in and acquire,
20 sell portions of it, build a trailer court, and if any property is
21 valuable in Alaska, it often isn't the vast array -- vast
22 quantities of public lands that you can't reach, it's those little
23 tiny pieces that are at risk, maybe partially impacted by things
24 -- by dog pounds and microwave stations, but they are accessible to
25 -- near where people live, and she argued, I thought persuasively,
26 that that area is really vital to maintaining some of the

1 experiential characteristics of Valdez, what it's like to be there,
2 what you see as you drive the road, and people might be able to put
3 in a boardwalk so people can learn and understand about the
4 tidelands. It's a lousy place for a trailer court, I think, which
5 may be the bottom line. And if there might be a way to link the
6 Great Land Trust's ability to acquire less than fee ownership with
7 these two pieces, suddenly you preserve a really vital piece of
8 tidelands in proximity to where people live. So, I'm making her
9 speech to the best of my ability, but I found it to be a pretty
10 persuasive speech.

11 MR. McCORKLE: Kim.

12 MS. BENTON: This isn't just a question specific to
13 this parcel but all the parcels in this book. I'm not familiar
14 with your criteria for ranking these parcels, but I know in the
15 large parcel ranking, they took into consideration the use of the
16 adjacent lands. Was that part of the ranking on the small parcels
17 too? (Gibbons nods head in the affirmative.) Yeah? Okay.

18 MR. McCORKLE: Gordon.

19 MR. ZERBETZ: I just wanted to ask a question or two
20 with respect to the value of the lease. At the present time, what
21 type of an economic arrangement do we have between the Forest
22 Service and UA?

23 DR. GIBBONS: It's a lease agreement.

24 MR. ZERBETZ: Can you give us an idea of the magnitude?

25 DR. GIBBONS: It's about a thousand a year.

26 MR. ZERBETZ: A thousand a year. Dollars?

1 DR. GIBBONS: A thousand dollars a year for the lease
2 arrangement for the small visitor --

3 MR. ZERBETZ: Do we have an idea of the value of this
4 property in acquisition.

5 DR. GIBBONS: We are in the process of developing that
6 right now. We will have an appraisal done. I was going to ask
7 Dave if the snow has gone yet, if we can do it. The only thing
8 we're awaiting is the hazmat survey, and we've got to be on the
9 ground and look at it and make sure there's no hazardous material.

10 MR. COBB: Gordon, that land is going to probably
11 have a value somewhere in the neighborhood of \$4 to \$6 a square
12 foot, somewhere in that range.

13 MR. McCORKLE: Thank you very much, Mr. Gibbons. Any
14 last, compelling questions? If not, we appreciate your
15 presentation, and you can tell we have an interest, and I'm sure
16 you've helped us to focus on this a lot.

17 DR. GIBBONS: Yeah, and I'll get a copy of this map.
18 It'll help explain where everything is.

19 MR. McCORKLE: We'd appreciate that. Molly?

20 MS. McCAMMON: Thanks, Dave. Why don't we go with Gary
21 Muehlenhardt from U.S. Fish & Wildlife Service. Is that okay, Gary
22 and go through?

23 MR. KUWADA: What we were going to do was just present
24 all of them, rather than go individually through them.

25 MS. McCAMMON: Okay. If you want to do it that way then,
26 I didn't know if you had to leave. I just wanted to get those done

1 and go. Okay. It might be helpful then if we got everybody at a
2 mike.

3 MR. McCORKLE: And when you're going to speak, please
4 speak into the microphone so we can hear you, and, Cherri, if you
5 will give us a little juice there -- when you're talking on a
6 microphone like that it's sort of hard to get the amplification up.

7 MS. McCAMMON: Actually, I'd like Alex to come up too,
8 because we've been looking at a number of the parcels, and Alex has
9 been chief negotiator for the State on those parcels.

10 MR. KUWADA: My name is Mark Kuwada. I'm with the
11 Department of Fish & Game. This is Art Wiener with the Department
12 of Natural Resources, and Gary Muehlenhardt with Fish & Wildlife
13 Service, and we were part of the Habitat Protection Work Group that
14 did the evaluation on these parcels. And like I said, there's --
15 I think there's about 19 or so of them, and rather than go
16 individually through them like Dave did, maybe we could just take
17 them as a group, and I hoping that you might have had the chance
18 to read through the document, and if not, we can answer any
19 specific questions on any of the parcels that you have, but that
20 might expedite things, and we can get them in negotiations and
21 (indiscernible). So, I'll open it to questions.

22 MR. McCORKLE: Kim.

23 MS. BENTON: I have another (indiscernible -- out of
24 microphone range) One of the landowners I was speaking with
25 earlier this week has the parcel that's appraisal scheduled to go
26 out and take a look at, wasn't aware of the possibility of a

1 landowner assistance program, and he's going to go ahead and go
2 with that group that's going to go ahead and go with the appraisal
3 and see how it comes back. But there may not be enough money to
4 acquire all of these parcels, and so I just was wondering what is
5 happening to make sure that those landowners are aware that if
6 their parcel isn't acquired, there may be a possibility for
7 assistance through the landowner assistance projects or future
8 projects.

9 MR. KUWADA: We, about a week ago, sent out letters to
10 all the major landowners in the spill area, advising them of the
11 landowner assistance project, and I'm not sure if this is a major
12 landowner or not. They also sent out letters to all the operators
13 that were currently working in the spill area.

14 MS. BENTON: I -- I -- I'm sorry, Mark. I know you
15 said they were going to go out. I just think that a lot of these
16 that are highly ranked and that landowners have already shown the
17 initiative of wanting to protect those areas, maybe it merits a
18 follow-up call. This is a major landowner. It's a corporation,
19 and he doesn't remember getting it, and I know that happens
20 sometimes just because of the volume of mail. But just to let them
21 know when you're going out for appraisals, you know, that we're
22 going to go through this process, but if the numbers don't crunch
23 out right or, you know, something falls through, and you still real
24 concerned about managing your lands for restoration, that there is
25 this extra assistance available.

26 MR. KUWADA: So, you're suggesting we send out letters

1 informing all the landowners that qualified for this process that,
2 in fact, there is this alternate (indiscernible -- simultaneous
3 talking).

4 MS. BENTON: Yeah, that would be my suggestion because
5 sometimes they're just crossed because they didn't make the link.
6 You know, he may have seen the note but didn't make the link that
7 that was an available option on this parcel if it didn't go through
8 for sale.

9 MR. KUWADA: Okay. Sure, we could do that. Okay. I
10 mean, there are -- like I say, about 19 parcels here. If anybody
11 has any special interest in any one of them.

12 MS. McCAMMON: I think, Mark, it would be helpful if you
13 just went through them quickly one by one.

14 MR. KUWADA: We'll just go right through them the way
15 they're presented in the document.

16 MR. McCORKLE: What page are you beginning on, sir?

17 MR. KUWADA: We're starting on page 58.

18 MR. McCORKLE: Thank you.

19 MR. KUWADA: And I guess this is an DNR-sponsored
20 parcel. We'll let Art speak first.

21 (Aside comments)

22 MR. WIENER: This parcel is -- can you all hear me?

23 MR. McCORKLE: If you speak into the microphone, we can
24 all hear you.

25 MR. WIENER: Oh, I've got a microphone sticking to my
26 neck. Can you hear that?

1 MR. McCORKLE: Great. That sounds fine.

2 MR. WIENER: This parcel represents about 172 acres and
3 it's composed of disjunct lots and clusters of single family lots
4 spread around Virgin Bay on -- adjacent to the Sound. It's got
5 some pretty good value in terms of anadromous fish streams. It's
6 got an awful lot of shoreline, and that's one of the reasons why
7 this parcel ranked the way it did. The Department of Natural
8 Resources is interested, Parks & Recreation is interested and has
9 sponsored it for acquisition. Most of the information on the
10 parcel is located in the book. If you any specific questions, I
11 could speak to those.

12 MS. SCHWANTES: (Out of microphone range) major
13 streams.

14 MR. WIENER: I wouldn't say major, but there's some
15 pretty good fish streams on the parcel. I think there was two. It
16 isn't the kind of fishery that's, you know, extraordinary, but it
17 did rank as an anadromous stream.

18 MR. McCORKLE: Martha, a question?

19 MS. VLASOFF: Well, I would kind of like to address
20 something that I've been very concerned about in that this is --
21 this area in Virgin Bay is used for subsistence, and in the fall
22 the silver run is one that people from the Village of Tatitlek take
23 advantage of, so I am wondering, I have question as far as the
24 subsistence use, what kind of regulations or -- are going to be
25 imposed upon the subsistence use take in an area that is brought
26 through this process -- you know, what kind of policies are going

1 to be established for subsistence use in the areas that are bought
2 through habitat acquisition? And it's one of my major concerns,
3 and I didn't know it was going to come up so soon, but I'd just
4 like to put that before the group that these -- it's so close to
5 Tatitlek, and I know from living there for 14 years that this is
6 one of the major places for taking of salmon. So, I'd just like to
7 put that before the group.

8 MR. McCORKLE: Thank you, Martha. Do you know of any
9 other additional subsistence use other than the fish?

10 MS. VLASOFF: It -- there would be for herring also, but
11 unfortunately, the herring haven't returned for three years, and,
12 yes, before we used to take the herring roe on seaweed in the area,
13 but, of course, you know, this has been missing for three years --
14 not entirely, but, you know ...

15 MR. McCORKLE: Thank you. Can you provide us an answer?

16 MR. WIENER: I provide you with the biological answer.
17 It certainly has elements that are policy related and legally
18 related, and I certainly won't touch those. But from the
19 evaluation team's perspective, subsistence was one of those 19
20 resources and services that we ranked and scored to reach the
21 cumulative score for the parcel, and so we recognized the existence
22 of subsistence use on the parcel, and it is our intent that the
23 score represents the restoration -- or the intent of the Trustee
24 Council to restore those services and resources back to their
25 preexisting condition, and so it would be our position as a group
26 that we don't see any need to regulate over and above subsistence,

1 assuming it's not doing anything that would prevent the recovery of
2 that service back to its preexisting condition. But that's a post-
3 acquisition management issue. From our point of view, subsistence
4 is equal to any of the resources that we evaluated, and we ranked
5 this parcel for subsistence, I believe.

6 MR. McCORKLE: Molly.

7 MS. McCAMMON: You might ask Ron Crenshaw with Division
8 of Parks to be here this morning to answer some of those potential
9 management questions, because this is of significant concern to the
10 Council in terms of when you make a decision to acquire it is, how
11 is it going to be managed and for what purpose, and does it make
12 sense in terms of that management scheme to go ahead with an
13 acquisition. And this parcel in particular raises lots of
14 questions. Craig Tillery and Joe Sullivan and myself, when we were
15 in Tatitlek last week, flew there and actually landed at the site
16 and walked around it. It was one of those days where the snow was
17 totally frozen on top and you could walk anywhere. It's a -- it's
18 basically a subdivision, about two miles from the community of
19 Tatitlek, and it has been subdivided quite a lot, and I don't know
20 the exact number of the parcels within there -- Art, you may know.

21 MR. WIENER: One fifty-seven.

22 MS. McCAMMON: A hundred and fifty-seven lots -- and of
23 those, a number of those have been sold. You may have the exact
24 number.

25 MR. WIENER: Forty-two.

26 MS. McCAMMON: Forty-two of them sold. So what is being

1 offered is the remainder. Now, how that would -- how you would
2 manage something that -- the idea from the Division of State Parks
3 is to have it as a marine recreation area, with a mooring buoy out
4 in front and possibly a public use cabin or two there. How you
5 would manage this, given the fact that there are a significant
6 number of in-holdings within this parcel, is a question. In
7 addition, it was a copper mining site and a cannery site, and
8 whether there are remaining hazardous materials there; there were
9 definitely a number of above-ground fuel tanks that are fairly old.
10 So, it's -- there are a lot of questions in terms of potential
11 management for this parcel, whether it makes sense for the
12 acquisition, and it will be looked at very carefully for that
13 reason. We did ask the community of Tatitlek what they thought
14 about possible acquisition. They were actually in favor of it, for
15 the most part, because they would much rather have one landowner
16 than another 100 potential landowners in that area. They thought
17 it would reduce the number of folks staying there on a more regular
18 or year-round basis. So, the folks that we talked with -- Gary
19 Kompkoff and others -- were fairly -- were favorable about Trustee
20 Council acquisition. But it is kind of a problematic parcel.

21 MR. McCORKLE: Martha.

22 MS. VLASOFF: I understand why they'd be in favor of it,
23 and I kind of tend to be also, but at the same time these -- as far
24 as regulations on subsistence take, I think this really needs to be
25 addressed before or during the process of acquisition because if it
26 went to -- like on the Kenai Peninsula where there's more of a

1 concern for recreational or sports fishing or something like that,
2 this is -- this can happen, and the needs of the people who live
3 there and subsist off the land they don't always have access to
4 coming into town to identify their concerns, so I stress that again
5 that -- that those items need to be addressed and get input from
6 the community on that specific issue.

7 (Mr. Dennerlein arrived and joined the meeting at
8 approximately 9:40 a.m.)

9 MR. McCORKLE: Good morning, Chip Dennerlein.

10 MR. DENNERLEIN: Good morning. I'm sorry I had time-
11 difference business on the East Coast. The question -- I have a
12 couple of questions on this parcel, if I can ask them, and if
13 they've been asked before, I'll deal with them later. There seems
14 to be two or three issues here. One is subsistence, which is a
15 regulatory issue. These are State lands and State waters, and
16 under the current definition of subsistence, I think we're all
17 subsistence users. So, I don't quite know how the regulation under
18 the State definition -- I think management of how much take is
19 there and maybe some favoring of subsistence, but I suspect it's
20 not much that the Council can deal with. I'd like to get a
21 response maybe from the State on that. The other question is a
22 land question. There's obviously an interest in the community to
23 have as few people here as possible, and then there's a question
24 of, if that's true and we're buying this for public land, we're not
25 going to keep Alaskans off of it. So, I -- I mean, I'm trying to
26 resolve in my mind the sort of several purposes here -- fish and

1 game management, not having too many people around, and buying this
2 for increased public use and access. Have we considered two things
3 -- has the landowner been approached about re-acquisition of lots
4 -- number one? And, number two, if we're looking at protecting
5 habitat without increasing use and also saving money, have
6 conservation easements been discussed or a purchase of a limited
7 public use site and a conservation easement for non-development on
8 the other lands? There are 42 lots that have been sold, there are
9 157 lots, you could buy -- you know, you could buy an awful -- you
10 could buy a conservation easement to prevent development on some of
11 the other lots with the agreement that a five acre or ten acre use
12 parcel on the shore could be used. There's lots of things to do,
13 and I'm just wondering, with all the questions on these parcels,
14 how much have the negotiators looked into this sort of tool box and
15 thought about this?

16 MR. SWIDERSKI: Alex Swiderski from the Department of
17 Law. Chip, we have asked probably all of those questions. We have
18 answers today to almost none of them, and we've just barely begun,
19 and I think that Ellamar is probably the one potential acquisition
20 that presents almost all of these questions and is going to be far
21 more than any other transaction -- potential transaction -- does.
22 We have talked to the landowners some about his re-acquiring some
23 of the lots that have been sold. We have talked to him -- and
24 these are only general discussions to date, and that's -- the
25 answer to the first one is a possibility. We've talked to him also
26 about acquiring only some of the lots, not all of them. I think

1 that's a possibility. I think that's probably a likely scenario.
2 As far as the subsistence, as everyone is uniquely aware of in this
3 room, and there are incredibly unresolved questions -- that Martha
4 -- as Chip points, it is a regulatory issue over which the Council
5 would have not a great deal of control. I -- my reaction, though,
6 would be that certainly acquired by the State or the United
7 States, the likelihood of being able to engage in subsistence
8 activities is, I would think, at least as great and probably much
9 greater than it would be if held by individual lot holders, private
10 landholders out there, and I'm not sure of the nature of the
11 subsistence fishing out there, if it requires access to the
12 uplands, but if it does, you know, currently, this is a subdivision
13 in which lots are sold and presumably will be sold in the future,
14 and I would be the least likely alternative in terms of protecting
15 subsistence use by Tatitlek residents or other people. I also
16 agree with Chip though that anything that's acquired here -- public
17 access, as we know, has been a significant issue to the Trustee
18 Council, and they would not be -- I wouldn't see them closing this
19 to public access generally. I would think that, assuming that the
20 State acquires it -- if DNR acquires -- that the plan is to create
21 a state marine park there. There are certainly users. I don't
22 know the extent to the use. You'd probably have a better sense
23 than I would of that. I would assume that it would primarily
24 people from Valdez. But, I agree, there are -- this is a
25 troublesome -- I mean, there are lots of troublesome issues to be
26 resolved before the Council makes a decision to pursue an actual

1 acquisition of some part or all of this piece of property.

2 MR. DENNERLEIN: One last quick question, just a
3 technical quick question to follow up on land status. In terms of
4 protection of people's use of subsistence, since most of the folks
5 that go over there would probably be from the area, from the
6 village. Does the private ownership include tide and submerged
7 lands below mean high tide?

8 MR. SWIDERSKI: I don't know the specific answer to that,
9 except that I'm not aware of anywhere in the state that -- that
10 private landowners own intertidal and submerged -- submerged marine
11 land.

12 MR. DENNERLEIN: My point is that as we look at some
13 solution, the fishing and gathering the marine and tidal
14 subsistence resources are public resources, the people couldn't be
15 kicked off by the subdivision owners.

16 MR. SWIDERSKI: That's right. We already -- those
17 are already in the public domain.

18 MR. DENNERLEIN: I understand. Okay, thank you.

19 MR. MCCORKLE: Before I take the next question, I'd like
20 to ask maybe staff or Molly, are there people waiting to address us
21 from the public at 10 o'clock? Do we know any -- otherwise, we'll
22 continue a little bit longer until we see if any arrive, but if
23 someone does arrive between 10:00 and 10:30, we'll have to stop
24 pretty immediately and move to that section of the agenda. If not,
25 we will continue as we are, and I think there was a question from
26 Martha -- you had one -- or Dave? Was it you, Martha?

1 MS. VLASOFF: I'll pass.

2 MR. MCCORKLE: Okay, thank you. Dave.

3 MR. COBB: My observations on -- differ quite a bit.
4 We provide the coho smolts that the village raises out there and
5 releases. There's not a lot of use on this land by the public.
6 It's a very low piece -- low quality -- property in the sense that
7 it's hard to get to shore because of the tides. You get a tidal --
8 the tide goes out there -- even at high tide, you can't get into
9 the area very careful -- I mean, you have to be really careful to
10 get in there. I guess my concern is, why change it? It's not
11 being used now, and this property has been for sale for about ten
12 years that I've been -- that I'm aware of, and very few parcels at
13 all have sold in the last -- I guess from -- you might correct me,
14 but for the last four or five years. It's just not a good piece of
15 property for people to buy. So, I guess my concern is, why change
16 it?

17 MR. KUWADA: I think our response to that would be
18 simply that it was submitted in our process, and we're obligated to
19 evaluate it, and because of the resources there, it scored fairly
20 high. I think -- I hate to speak for DNR, who was the sponsor on
21 this parcel, but I think, from what I understood of their intent,
22 it was to be used as sort of a jumping off point for recreationists
23 coming out of Valdez and then using the greater area of the Sound
24 and provide some type of recreational amenities there they could
25 use. You know, I think it's kayakers, boaters, that type of use.

26 MR. WIENER: From DNR's perspective, that's where DNR

1 is looking to create essentially jump points into the Sound for
2 small boat operators and kayakers, and this and another parcel that
3 we'll probably discuss later, Jack Bay, are being looked at from
4 the DNR perspective to provide that kind of recreation for small
5 boaters. It's essentially stepping stones into the Sound for small
6 boaters, and that's what the -- assuming that DNR would acquire
7 this or Jack Bay, the enhancements that would go into these sites
8 would be to support that kind of use, and that would -- might
9 promote more use than is -- currently the parcels are enjoying now.

10 MR. COBB: I guess my contention was -- will still be
11 -- that access is already there, that opportunity is already there.
12 You know, nothing prevents them from using those sites already,
13 other than direct access to the private land.

14 MR. McCORKLE: Gordon Zerbetz.

15 MR. ZERBETZ: Yes, Mr. Chairman. I was going to ask DNR
16 if they're aware if any of these lots are presently being used for
17 residential purposes.

18 MR. WIENER: Yes, they are.

19 MR. ZERBETZ: Do you have any idea?

20 MR. WIENER: I couldn't tell you how many exactly, but
21 there's several cabins, recreation cabins. I don't know if any of
22 them are being used for, you know twelve-month of the year use, but
23 there are several that are in use.

24 MR. ZERBETZ: Another question, with respect to the
25 ownership, are you aware of any people from Tatitlek owning any of
26 the lots?

1 MR. WIENER: I couldn't tell you that personally, but
2 we're doing title work as part of the negotiation, I'm sure that
3 we're going to find that out.

4 DR. FRENCH: I've tended to be very supportive of using
5 the habitat acquisition program to try to minimize the number of
6 inholdings and larger management units that aid the overall
7 protection of natural resources through that means. I see this
8 parcel as buying a parcel that's full of additional in-holdings,
9 and philosophically I have a lot of trouble with that. I think
10 this is probably an excellent opportunity, as Chip said, to look at
11 non-fee simple-type approaches to providing what you need. Maybe
12 if DNR needs a jumping off, well, pick up ten acres or so and make
13 it a jumping off point, but protect the rest of it with non-fee
14 simple-type measures, conservation easements, etc., if necessary,
15 but I don't -- I don't really see a lot of long-term public or
16 resource benefit by taking a parcel that's already chopped up to
17 this extent and try to bring it into the public management.

18 MR. McCORKLE: Thanks, John. Another question -- Pam?

19 MS. BRODIE: The in-holdings, the parcels that have
20 been sold, are they along the shore mostly?

21 MR. WIENER: No. It's a mixed bag of ownership.

22 MS. BRODIE: Because again, I'm not familiar with this
23 parcel. It would seem to me that the shoreline would be the most
24 important part, and then maybe you should just acquire that. I
25 think it's a tragedy that in most coastal communities in Alaska
26 that the shoreline is all chopped up into subdivided private

1 properties, and it would be to all these communities' great
2 advantage if there were public -- if shorelines were publicly owned
3 and then people had their houses further back, so when there are
4 chances to do that, in general I think that's a good idea.

5 MR. McCORKLE: Further questions for this panel? Chris.

6 MR. BECK: I wonder if, in the interests of avoiding
7 creating this in-holding situation, if there might be some small,
8 strategic acquisition, maybe as what Chip was saying, of just a few
9 parcels within that, maybe ones right on the water, which could be
10 public access points if you're looking for a place to tie up a
11 kayak where you could do so without trespass on the upland. You
12 know, some subset of the total might achieve many of the possible
13 benefits from the public use perspective.

14 MR. WIENER: Without a detailed map, which we do have
15 upstairs if you're interested -- in fact, we did look at that, and
16 there are several clusters, large clusters of lots, that if, with
17 a few of the in-holdings acquired subsequent to that, we could do
18 exactly what you're proposing.

19 MR. SWIDERSKI: That is actually -- I would agree
20 that there is a realistic possibility, one that we've discussed
21 with the landowner.

22 MR. McCORKLE: Further questions with regard to -- what
23 is this? This is Ellamar. Martha.

24 MS. VLASOFF: I've got one more, is -- I was just
25 thinking. I'm pretty familiar with Ellamar, but as far as the
26 shoreline, and I'm just thinking of insurance or liability, the

1 Glory Hole is a very dangerous place, and as far as recreation or
2 bringing people into this area, that might be one thing that you
3 would consider also is liability, because the Glory Hole is
4 actually -- somehow they dug a tunnel down underneath, over to
5 Busby -- it was during the mining, and so this big, huge, Glory
6 Hole exists right on the waterfront there. So, I'm not sure what
7 could be done about that, but it's actually a dangerous location.

8 MR. McCORKLE: Well, Martha, you had the last word on
9 Ellamar. Thank you very much. We have a number of parcels to go
10 through -- is this -- are there, what, 18 or 20 remaining? So,
11 we'll be here to Thursday or Friday (chuckle). Could we have just
12 a five minutes or so break now for people to catch a cup of coffee
13 and come on back -- it's a long time -- and, panel, don't run away.

14 (Off record at 10:00 a.m.)

15 (On record at 10:05 a.m.)

16 MR. McCORKLE: ... delegation in the hallway and come
17 back to your places as quickly as you can. (Pause while members
18 assemble) In the interests of saving time, we are going to
19 abbreviate the numbers of parcels we talk about, and if you have a
20 special one you'd like to be put on the list, why don't you see
21 Molly now and get it on the list for review. (Aside comments)
22 Hey, gang, let's back to the table, all right. I want to be polite
23 here, but I'm going to start yelling. Hi-ya -- hi-ya -- hi-ya!
24 Let's get back to the table here, gang -- unless you want to stay
25 here until 5:00 o'clock tonight, and I don't think anybody wants to
26 do that. Molly is collecting a list of specific parcels that are

1 of the most interest, and we will try and deal with those first --
2 I should say next -- that way we'll be sure to address the parcels
3 that are of most interest. So, here's Molly, with maybe, I think,
4 some suggestions for a way to proceed.

5 MS. McCAMMON: Actually, Mr. Chairman, the ones -- and I
6 didn't get a chance to talk to everybody here, but the ones I have
7 down are River Ranch, Termination Point, the Triplets, and then --
8 the two (indiscernible) ones -- KAP 150 and 152 and Ayakulik 226.
9 Were there others -- do you want to bring up Jack Bay.

10 UNIDENTIFIED VOICE: Jack Bay and that small 9.5 acre
11 parcel.

12 MS. McCAMMON: The Hayward Parcel?

13 MR. WIENER: The Hayward parcel.

14 MR. BECK: You might add Overlook/Baycrest to that
15 list too. It may need some explanation.

16 MS. McCAMMON: Okay. We're getting close to getting them
17 all on the list. (Laughter)

18 MR. McCORKLE: Is there a logical way to proceed, like --
19 we're getting to the end, can we reorganize that list.

20 MR. WIENER: Go regionally. Start with Prince William
21 Sound, Kenai, and then Kodiak, then we can ...

22 MS. McCAMMON: We kind of -- we started on Prince William
23 Sound, so maybe we should finish there, which would be the Hayward
24 Parcel and Jack Bay.

25 MR. McCORKLE: And those are pages what?

26 MS. McCAMMON: Jack Bay isn't in this book because it

1 came in in the second round.

2 MR. McCORKLE: Okay.

3 MS. McCAMMON: And the Hayward Parcel is on page ...

4 MR. WIENER: Let me -- I can go ahead and speak to Jack
5 Bay because it's just up the Narrows from the Ellamar parcel. It
6 seems logical geographically to speak to Jack Bay because it's in
7 the same geographical context as the Ellamar parcel.

8 MR. McCORKLE: Thank you, let's do that.

9 MR. WIENER: The Jack Bay parcel came to us as part of
10 phase two of the small parcel process. We had become aware that --
11 from letters and phone calls from a number landowners in the area
12 -- there's quite a bit of interest on the part of the folks who own
13 property in that area to see to it that the university nominated
14 this parcel, which I believe is about a thousand acre parcel. I
15 don't have the documentation in front of me. But it sits on the
16 south side of Jack Bay across from some state-owned land and
17 adjacent to Forest Service forest land. The parcel, during the
18 second round of evaluations, has been sponsored by both the Forest
19 Services and the Department of Natural Resources. The Department
20 of Natural Resources is interested in it for primarily its
21 recreation values. It -- I believe it got one hit on an anadromous
22 stream, it's got some resource values, but I think it's primary
23 value is primarily for recreation, as I recall.

24 MR. KUWADA: And harlequin ducks.

25 MR. WIENER: And harlequin ducks. Thank you, Mark. We
26 received a very lengthy letter from a technical expert who did

1 quite a bit of work in Jack Bay and documented the presence of
2 harlequin duck breeding pairs, I believe -- or he believes that
3 there are breeding population of harlequin ducks up the streams in
4 Jack Bay. The parcel, from our perspective, has low to moderate
5 resource service value, but I believe it is has very strong public
6 support, at least from the adjacent owners anyway, and the
7 university, based upon my conversations with those folks, are
8 primarily interested in developing the lands that they own, and we
9 believe that development on that parcel would have adverse impacts
10 on adjacent public lands, and obviously the (indiscernible) feel
11 the same way too. So, we believe it would be a good acquisition,
12 even though it isn't scoring very high on our calculations. Do you
13 have any questions? I'm sure there's folks here who know the
14 parcel.

15 MR. COBB: Is that the Gregorioff site, the
16 Gregorioff Creek site?

17 MR. WIENER: The Gregorioff site.

18 MR. COBB: Okay. That is -- it's a very strong
19 spawning stream. That's where the hatchery took some of our
20 earlier brood stock from, and I guess my concern there -- I --
21 those were homesteads originally -- DNR -- er -- BLM homesteads, I
22 believe. I'm not sure how many of those parcels are left. I know
23 a lot of them were returned back to the State or the federal
24 government because they couldn't develop on them. It's a very
25 tough area to develop, and I think right now there's only two
26 cabins there that I'm aware of.

1 UNIDENTIFIED VOICE: Up at the head of the bay.

2 MR. COBB: Up at the head of the bay there, and it's

3 heavily used as a recreation area right now, and it's -- when the

4 pink salmon do come back to Jack Bay in that, that's a heavily

5 fished area by recreational fishermen, so I think it's a good move.

6 MR. WIENER: Just to complete the picture, access by

7 boats on that side of the bay, I understand, is not very good.

8 UNIDENTIFIED VOICE: Poor.

9 MR. WIENER: Yeah, poor. So we would probably use it

10 for kayaking, small boat access, with the existing part being used

11 for larger vessels on the north side of the bay, and DNR is

12 cognizant of the problems with bringing small boats in to the south

13 side of the bay and recognize, and they would also like to be able

14 to tie that parcel, if it's acquired, into the existing public --

15 state public lands on the north side -- make a complete management

16 unit.

17 MR. COBB: What is the interest of the Forest Service

18 there? Dave Gibbons was mentioning something about a Forest

19 Service area or a Forest Service use area. I'm not real sure what

20 he was referring to.

21 MR. WIENER: Maybe when Dave comes back, he could

22 answer that.

23 MR. KUWADA: I would imagine, it's (indiscernible)

24 interest for recreation, promoting recreational use out there.

25 MR. COBB: And that it could be covered in their

26 overall plan?

1 MR. WIENER: The have adjacent land right there, so
2 they would have a contiguous boundary with the Chugach Forest.

3 MR. McCORKLE: Chip. You look like you're about to ask
4 a question.

5 MR. DENNERLEIN: Yes. (Indiscernible --
6 coughing) add to the discussion for the PAG. The State's had a
7 long history of interest in the Jack Bay area. It was selected --
8 some of this area was selected as part of marine recreational under
9 original State land selections under the Statehood Act. In fact,
10 some of the marine -- the ability of the State to select marine
11 sites went to the United States Supreme Court in Alaska v. Block
12 (ph). So this is an area that's known -- in fact -- recreation
13 near and adjacent to communities under the Statehood Act selections
14 was approved, some of the other further selections were not, and I
15 think that rounding out this parcel in Jack Bay and making a
16 management unit, this makes a lot -- a lot of sense. Even if the
17 landing on that side isn't great, sort of rounding out the unit --
18 because, as Dave and I were talking about, most of the really good
19 places in Prince William Sound have been located and found by the
20 exploring recreationists, and this one, I think, has proven again
21 and again by the public interest, the use, the quality of the
22 resources in the area, to be a really good place, and if the State
23 can get a reasonable management unit out of it, I think it makes a
24 good investment and follows along a long history of trying to put
25 together a -- a reasonable marine park site there over many years
26 of effort.

1 MR. MCCORKLE: Thank you. Other comments. We are
2 talking about Jack Bay. Are we ready to move on to the next plot
3 or parcel? All right, we shall.

4 MS. McCAMMON: Mr. Chairman, the next one would be the
5 Hayward parcel, Valdez.

6 MR. KUWADA: The Hayward parcel is a -- almost a ten
7 acre parcel, right at the junction of Mineral Loop Road and the
8 Richardson Highway. It is on the Valdez Duck Flats which you
9 discussed earlier this morning. The score on this parcel is
10 primarily for its intertidal value. It does have some existing
11 developments on the property, three gravel pads, and I think the
12 interest here in purchasing this was to, first of all, protect the
13 Valdez Duck Flats, incrementally mitigate some of the potential
14 impacts from this property by removing the threat of further
15 development, and potentially rehabilitating the site by removing
16 the gravel pads that are on there. So, that's about all I have on
17 that one, unless there are any questions.

18 MR. MCCORKLE: It's on page 60 and 61, if anyone would
19 like to see it. Dave.

20 MR. COBB: Yeah. This is a smart move because it's
21 the -- it has the potential to be developed with the gravel pads
22 already there. In fact, there's a trailer house and small shack on
23 it right now that Mr. Hayward has on there, and -- I believe it's
24 the only section of private land on that end of the Duck Flats,
25 and, you know, this would -- the purchase would provide continuity
26 to keep the Duck Flats and -- as they are and to go back and clean

1 up these gravel pads. They're not that big, they're pretty small
2 pads, but it is an opportunity to provide some continuity to the
3 Duck Flats, especially on the north end.

4 MR. McCORKLE: Dave, would you explain what gravel pads
5 are. Gravel pad to me means a bunch of gravel on the ground. Is
6 that what you're talking about.

7 MR. COBB: Well, basically, yeah. They came in and
8 they filled in part of the intertidal area with fill and put it --
9 it had gravel on it so you could place mobile homes or ...

10 MR. McCORKLE: Okay.

11 MR. COBB: ... houses on it.

12 MR. McCORKLE: I see.

13 MR. COBB: No development has taken place other than
14 that, that I am aware of.

15 MR. McCORKLE: Thank you. That helps a lot to determine
16 what it is.

17 MR. WIENER: I would add from our perspective that
18 restoration of a gravel pad is relatively small.

19 MR. McCORKLE: Oh, sure.

20 MR. WIENER: You clean it out and eventually, in not
21 too short a time, the existing -- the pre-existing natural
22 community reestablishes itself, and it wouldn't be too many years
23 before you wouldn't even know that the gravel pads were ever there.
24 It would be minimal as a restoration project.

25 MR. COBB: And actually right off the front of one of
26 these gravel pads is one of the larger nesting areas that Canadian

1 (sic) geese use and a lot of ducks use. There is a ... (end of
2 tape) That's our primary choice. If the City of Valdez looked at
3 it from an economic standpoint, we're going to lose money by not
4 taking oil across that dock. But from an environmental issue and
5 just plain good sense, the idea is to try to work with Alyeska and
6 Petro Star to get them to use it on the other side.

7 MR. McCORKLE: John.

8 DR. FRENCH: Well, yeah, maybe Dave is the one that
9 needs to answer it -- is there any effective zoning in that area
10 that could be used to help protect the Duck Flats?

11 MR. COBB: Not that I'm aware of, but certainly it
12 could be looked at.

13 MR. McCORKLE: Further questions? Seeing no hands or
14 head nodding, let's then proceed into the next parcel.

15 MS. McCAMMON: Well, Mr. Chairman, I think that pretty
16 much concludes Prince William Sound, and, you know, unfortunately,
17 we didn't get a lot of parcels nominated for Prince William Sound.

18 MR. COBB: Molly, it's -- anything been mentioned
19 about Whalen Bay parcel? Dave Gibbons also mentioned that was one
20 of the areas that they were looking at.

21 MS. McCAMMON: That's -- the Forest Service has eight or
22 ten parcels that they've been looking at, using federal criminal
23 funds, and we don't have the information on that, but what we could
24 do is a separate presentation at one of your future meetings just
25 on the status of their parcels. That's one of the things we've
26 been trying to do is coordinate the Council's efforts with efforts

1 that the respective state and federal agencies have underway, using
2 their criminal funds. So, I'd be happy to get that information at
3 a later time. But, if we go to -- we could do the Kodiak parcels,
4 and there's particular interest in the Triplets, Termination Point
5 and the KAP-150, 162 and 226, and if you could describe those
6 parcels and then refer to the page in the book, so everyone can
7 follow along.

8 MR. KUWADA: Which one first?

9 MS. McCAMMON: Termination Point.

10 MR. WIENER: Termination Point.

11 MS. McCAMMON: It's at page ...

12 MR. McCORKLE: 78.

13 MR. WIENER: Termination Point is a parcel
14 approximately a 1,000 -- 1,028 acres, north and east of the City of
15 Kodiak. The parcel has road access, which is a major feature of
16 the parcel from town, but it's currently and historically been used
17 for recreationists. There is trails through the parcel to the
18 shoreline. The area immediately adjacent to it, to the west is
19 slated for logging, I believe. Timber harvest is scheduled to
20 commence immediately adjacent to that parcel in the not too distant
21 future. The parcel has very, very high recreation values. Take a
22 look at that (aside comments -- indiscernible) points, see how it
23 scored on resources, but I believe the driving force for us on this
24 one was recreation for the folks in Kodiak, because of its
25 accessibility to town, and the potential threat to the parcel from
26 logging either on the parcel and/or adjacent to it, and it provides

1 very good access, as I said, road and trail access through the
2 parcel, the uplands, and then to the shoreline on the northeast
3 corner of the island. And, it has quite a bit of public support.
4 We've -- we've seen numerous letters from folks in the area --
5 organized support for the acquisition of this parcel from the
6 people of Kodiak. So, I believe there is quite a bit of public
7 support for this parcel. It's got -- it's -- bald eagle, the
8 shoreline intertidal, marbled murrelet, pigeon guillemot, and, of
9 course, recreation, tourism and subsistence, and there's some
10 cultural resources on this site also. So, it has a -- quite a good
11 mix of resource and service values also. It's scored moderate. It
12 isn't one of our top parcels, and I think that that -- again, I
13 would emphasize that the value of this parcel is primarily
14 recreation.

15 MR. McCORKLE: The chair will entertain comments from the
16 Kodiak PAGers.

17 DR. FRENCH: Well, as Art said, this parcel has
18 extremely high local interest, mostly due to the recreational
19 value. It does also have a lot of natural resources on it, both
20 among the injured list and uninjured list. But -- and it's used
21 also as a haul-out, but not a breeding area for marine mammals.
22 But, yes, in -- those of us that live in the area would feel it's
23 critical to protect this particular area in general. It has a very
24 high recreational use.

25 MR. McCORKLE: Other comments? Yes, Chip.

26 MR. DENNERLEIN: I'll just say that I would -- I would

1 certainly support this -- and my background of this starts in --
2 back in -- sort of the rehabilitation of -- of Miller Point, the
3 actual -- which is now a state park area right by town. One of
4 these -- the other points here, Fort Abercrombie. This would
5 contribute to a -- to having some public use at the end of
6 Headlands (ph) near town in Kodiak, both for -- for natural
7 resources and for public access and appreciation. I -- I think it
8 -- it does -- there is merit in it falling into the category of
9 communities really wanting to see some things of lasting legacy
10 from the spill. This is a parcel that will be impacted if it is --
11 if something isn't done, I think, on this. And, I don't know how
12 many of the PAG have had an opportunity to be out at say Fort
13 Abercrombie or a parcel like this, there are few places in Alaska
14 you could walk around 187 acres of little Fort Abercrombie and see
15 so much going on in such a small amount of land, and this --
16 Termination Point area is similar to it. It's very rich is -- so
17 what it offers people, and I believe in the community support. Let
18 me say that I saw the community in the early '80s just take back
19 Fort Abercrombie when there were problems. They used community
20 service sentencing, they had weekends that they worked on the park,
21 there is a lot of local parks and recs activism and involvement in
22 Kodiak, so if the answer, could it be managed, how does it fit in
23 with the community, I think with the presence of state parks --
24 presence in the other coastal tip unit there, and the track record
25 of the community. I think this recommends this a lot, that if we
26 would have a sustainable management investment here if we

1 recommended acquisition.

2 MR. McCORKLE: Further comments? Yes, Martha.

3 MS. VLASOFF: I'd just like to reiterate what I was
4 talking about before as far as the subsistence resources that --
5 that -- along the lines of the community involvement that I've
6 spoke of before. I just think that there's a real need to get that
7 -- that input from the tribal organizations as far as how they see
8 this -- this land being managed and regulated, and -- I think --
9 I'll just keep stressing that as an important issue that -- that we
10 need to keep as a part of the process.

11 MR. McCORKLE: Thank you, very much. Molly.

12 MS. McCAMMON: Yeah, Mr. Chairman. This land is owned by
13 a Kodiak Native corporation, Leisnoi Corporation, and Alex and I
14 were both in Kodiak last week and met with the corporation, and
15 they have asked someone from the Council to address their
16 shareholder meeting in May to talk about it, to ensure that the
17 corporation is aware of all the potential consequences and uses and
18 fully supports this. So, we will be making a presentation at that
19 time. There is also a title problem with this land, and before any
20 acquisition can happen that has to be resolved, so that's something
21 -- this is out of the Council's control, but that's there.

22 MR. McCORKLE: John.

23 DR. FRENCH: Yeah, as Martha said, it is a heavy
24 subsistence use area, not just by members of the Leisnoi
25 Corporation, but particularly Ouzinkie and others -- well,
26 particularly Ouzinkie and a mixture of other people from around the

1 community area, and it's not just marine subsistence use. Its --
2 probably its biggest single subsistence use is deer hunting, and so
3 the management of the property is of a great deal of interest in
4 subsistence users, how it ultimately shakes out.

5 MS. McCAMMON: Well, it sounds like it would be important
6 to get some kind of comment on this also then from the surrounding
7 villages too.

8 MR. McCORKLE: Further comments? Thank you, then, let's
9 proceed -- I guess -- while we are between topics, let me ask if
10 there are any other public members here who have come to speak to
11 the Public Advisory Group today? And seeing no signals, we'll
12 continue on.

13 MR. McCAMMON: Okay, Mr. Chairman, I think we could do
14 the Tripletts. What page is that on?

15 MR. MUEHLENHARDT: Page 90. The Fish & Wildlife
16 Service is sponsoring acquisition of the Tripletts to ultimately be
17 included in Alaska Maritime Refuge. The Tripletts are three
18 islands that are located off of Spruce Island, about six miles
19 north of the City of Kodiak. They are some of the most prominent
20 -- or the support for the most prominent sea bird colonies in the
21 Kodiak region. In fact, there's an estimated colony of 1400
22 nesting murrelets on the main island, and it's one of the few large or
23 small parcels submitted in the process that would provide a benefit
24 for common murrelets. And, I don't know what else to say about that.
25 The Tripletts themselves, yeah -- Fish & Wildlife Service is
26 interested in acquiring it -- the property -- because if there was

1 an accidental or intentional introduction of predators, such as fox
2 or rats on that island, the agency would be able to deal with it in
3 a more expedient manner.

4 MR. McCORKLE: Brenda.

5 MS. SCHWANTES: I have one question. My grandmother lived
6 out in this area on the Antone Mercer Island (ph), and I'm not sure
7 if the Triplets are closer to Ouzinkie or the Antone Mercer
8 Island. You call them different things, of course, Flower Island,
9 you know, we have our own names, but are they located right next to
10 Ouzinkie, or are they closer to the back bay on Antone Mercer
11 Island?

12 MR. MUEHLENHARDT: No, it's closer to Ouzinkie, about
13 three miles north of town.

14 MS. SCHWANTES: Okay.

15 MR. McCORKLE: Yes, Jim.

16 MR. KING: I was just wondering why these aren't
17 ranked up here -- in the rankings procedure, is there any, you
18 know, (indiscernible) special merit category?

19 MR. KUWADA: This parcel does not score very high,
20 simple because it's fairly inaccessible. There's no real threat to
21 the parcel that we could determine, simply because it's sheer rock
22 cliffs, for the most part -- no clear development potentials.

23 MS. BENTON: This is a parcel in particular where --
24 would encourage if an agreement can't be reached or if something
25 happens that the information that you have for management be shared
26 directly with the landowner. I think that they are very interested

1 in protecting that one way or the other, whether it's purchased or
2 whether it's not purchased for whatever reason, financial or
3 otherwise, that they could have that information on how they might
4 best manage it.

5 MR. MCCORKLE: Chip.

6 MR. DENNERLEIN: I agree with Kim and I would hope
7 that people would make a note to work with the landowner on that.
8 I do think that at 60 acres, this was -- you know, if this was a
9 huge dollar investment, sheer rock cliffs, and whatever, I'd
10 probably just say go get a conservation easement, but it is near a
11 community -- near shipping lanes -- the need to get on the islands
12 for some research has some value here and the near -- near
13 environment, and, you know, unfortunately, we have things like
14 rats, and I think that given 60 acres and the importance of it,
15 it's probably worth the money spent rather than time of the
16 salaries of future bureaucrats negotiating the ability to get on
17 and do a rat control program if it was every needed. So, to bring
18 it in -- as long as it's brought into the refuge, the landowner is
19 comfortable making the sale, I think the investment of 60 acres
20 will be reasonable, but just bring it into the refuge system.

21 MR. MUEHLENHARDT: I was just going to say, we haven't
22 done an appraisal on the property, yet. We don't anticipate that
23 we're going to come up with a very high value on it.

24 MR. MCCORKLE: Thank you, then let's -- we're moving
25 right along. This is much more rapid than I thought we'd make it.
26 Where do we go next?

1 MS. MCCAMMON: Do you want to do the Karluk one?

2 MR. McCORKLE: Sure, they begin about page 80, do they?

3 MR. KUWADA: Yeah, page 80 is KAP-150. What this is a
4 weir site on the Karluk River, five acre parcel, where the
5 Department of Fish & Game has an existing weir. The Karluk River,
6 as many of you know, is one of your most important river in the
7 Kodiak Island group. It has a high annual production, and it's
8 important use is the weir to manage its fisheries, all the way from
9 Afognak down to Sturgeon Head. It has extreme importance to the
10 department. It's just an opportunity to, I think, have good long-
11 term control of that site, to make sure that we have good fisheries
12 management for a long -- long time into the future, and that's the
13 main interest for the KAP-150. Any questions on that one?

14 MR. McCORKLE: Comments for Karluk 150? Yes, John.

15 DR. FRENCH: Just a general one, I don't know much
16 about this site particularly, but I do know that overall salmon
17 management in the Kodiak area is very dependent on continued access
18 to the weir sites, and for that reason many fishermen, fishing
19 organizations, and also the Kodiak Island Borough, have made it a
20 priority to help protect -- the access -- continued access to those
21 weir sites. I don't know if this particularly is one that's under
22 threat, but I know that a number of the ones that are on Native
23 lands now are -- at least in general principle, there's been
24 comments about having to lease access to them and other additional
25 costs to the department, which would increase the overall cost and
26 difficulty in management in the long-term. So, at least, it's a

1 general principle, I guess to say that I and most of the Kodiak
2 Island governmental agencies anyway, support purchasing weir sites.

3 MR. KUWADA: I didn't mention that, but Karluk Village,
4 the owner, seems to be taking a more activist role in their lands
5 lately, and they have in fact indicated that they plan to have
6 pretty significant lease increases for these sites, that would be
7 prohibitive actually for the department to continue to operate.

8 MS. SCHWANTES: I have a question. I lived there for two
9 years --- I'm really familiar with the area, and I also am familiar
10 with the sport fishing that goes on there, and I -- just question
11 is, how far does the acreage go, does it run across, I mean along
12 the river, or is -- how far back does the parcel go?

13 MR. KUWADA: I think it extends -- what about a 100
14 yards downstream from the weir and I'm not sure how far upstream.

15 (Aside comments)

16 MR. KUWADA: But it -- yeah, it does run along the
17 river bank, and includes the site itself. So, this ...

18 MS. SCHWANTES: Does it go down to the lagoon, just the
19 five acres or ...

20 MR. KUWADA: No. It's right up -- right at the weir
21 site itself.

22 MS. SCHWANTES: Okay, I know that -- that's been a
23 question for a lot of years, the state leasing the property.

24 MR. MCCORKLE: Pam.

25 MS. BRODIE: I'm sort of concerned about appraising
26 prices for weir sites. They seem to be such unique properties, and

1 if you're concerned about the price of leasing them, there could
2 also be -- expect there would be high prices for buying them. Do
3 you have any experience with appraising these, or any ideas about
4 how this is going to be solved?

5 MR. SWIDERSKI: Sorry about that. I don't know how they
6 will appraise -- it certainly seems likely that they will appraise
7 high and if they don't appraise at high value, I would think the
8 landowners are going to be insisting on high prices. On the other
9 hand, you know, as John said, they seem to be extremely critical of
10 the fish -- fisheries management and restoration in Kodiak. I
11 think it's -- there actually in an area where we get -- would get
12 a fair amount of bang for the buck in terms of restoration. And,
13 we have pursued pretty intently identifying all of the weir sites
14 in the Kodiak area and contact -- and I'm kind of following up on
15 John's question here too -- following up on contact with the
16 landowners, and I think we are in discussions with every landowner
17 who has indicated a willingness to sell a weir site on Kodiak and
18 have even gone back to some of those who have indicated a
19 reluctance to sell because of the restoration potential of them.
20 I think this presents an important and somewhat -- some ways unique
21 opportunities to protect something that's -- that really is one of
22 the most critical things I think we could do in the Kodiak area for
23 restoration. Thank you.

24 MR. McCORKLE: Further comments? Yes, Chip.

25 MR. DENNERLEIN: I agree that the weir sites are
26 critical for management, they're in -- mostly they're in the best

1 places. The state has been in the fisheries management business
2 for a long time, and I think it's hard to duplicate in a number of
3 cases in the state as good alternate weir sites, even if you had to
4 go out and try to find one, and in the cases of these lands,
5 they're private lands to begin with, so -- essentially up and down
6 the river. So, I think that that's smart in terms of restoration
7 and future management to capture your -- firm grip on the weir
8 sites. The question I have, and I guess it goes a little bit to --
9 to Chris Beck's earlier discussion, or somebody's global question,
10 and I don't -- I think it's germane, if not determinative to this
11 -- to this parcel. I'd like to get some sense on the -- on the
12 overall approach of -- of the staff and the Council -- maybe it's
13 to the Council to what's going on on the Karluk River because right
14 here we're going to buy a weir site because it's so critical, and
15 one of the reasons I just heard, which triggered it, was that the
16 landowners are become more active and we can't see the ability to
17 lease this pretty soon. On the other hand, we're going to rent the
18 Karluk for seven years without any assurance that on the eighth
19 year we can do anything? I mean, that's like a \$45 million deal,
20 and we don't have the Karluk, we don't have the Sturgeon, we've got
21 a -- you know, month-to-month rental agreement, almost, and I know
22 I'm being a little simplistic here, but I don't find a rolling
23 option, I don't find anything as I looked over that deal, and I
24 guess I -- I am fairly familiar with the Karluk, and I'd like to
25 know -- you know, here we are out in the refugian portion of the
26 refuge spending \$45 million, trying to buy a weir site, and we have

1 a rental agreement for seven years on the Karluk without any
2 assurances. I -- I'd like to know what's going on.

3 MR. McCORKLE: Alex can address part of that question.

4 MR. SWIDERSKI: Thank you, Vern. We negotiated intently
5 with the Koniag Corporation concerning the Karluk and the Sturgeon
6 and other, various other resources there, and we also -- Koniag
7 owns the upper portion of Karluk, the Karluk Village Corporation
8 owns the lower portion. Have made numerous overtures to the Karluk
9 Village Corporation concerning the lower Karluk, and what we have
10 is all that they have been willing to make available at anything
11 approaching the kind of price range the Council thought was fair
12 and appropriate, for the Karluk. The -- the seven year
13 conservation easement on the Karluk, and I don't remember the exact
14 acreage for that, but that component is actually \$2,000,000 of that
15 purchase price, and the per acre rental value turns out to be very
16 low, a couple of dollars per year per acre. So, when you look at
17 it in that way, the price isn't brutally high. One of the reasons
18 that we agreed to do that and Koniag was interested in doing that
19 was in recognition of the fact that we were not going to be able to
20 -- simply we're too far apart to reach an agreement on how to
21 protect the Karluk, but a way to keep negotiations open for the --
22 essentially the remainder of the lifetime of the Council, i.e.
23 seven years to 2001, was to execute this limited conservation
24 easement, or lease agreement -- conservation easement what it
25 really is for that period, anticipating continued negotiations.
26 Saying all that, nobody sees specifically a solution to completing

1 a deal out there, but you know, and we may not be able to, but
2 that's essentially why we are where we are, particularly with
3 respect to Koniag. Karluk Village, we were not able to get anyone
4 from Karluk to come to the table to discuss the lower Karluk. We
5 have, as Mark said, very recently identified another possible line
6 of communication that may, I mean, we have not pursued discussions
7 yet on the lower Karluk on this new line of communication, but, you
8 know, we're hopeful it may work, and it may not. So, we're working
9 very hard to get somewhere in the Karluk, but you know, with some
10 for sales and for sales.

11 MR. McCORKLE: The willing buyer situation becomes a
12 willing seller -- willing buyer, willing seller. Martha.

13 MS. VLASOFF: Well, this is -- this is along the same
14 lines as what I was talking about before, but you know a lot of
15 times when you're talking about dealing with a corporation or a
16 village, you know, I see a real need for like a co-management
17 organization within that village itself, which doesn't exist, and
18 to really identify the concerns of the hunters and the subsistence
19 users. And I don't know how familiar the PAG group is with
20 subsistence issues, you know, the way they are in the state, or --
21 you know, I just saw an article in the newspaper today about the
22 Kitty John case, and federal take over, and you know, I mean all
23 these issues are just --just really affecting our subsistence use
24 out in the communities, and I really think that before these
25 decisions are made that -- that an organizational structure should
26 be in place in the communities to deal with these issues, because

1 some times when you're talking with corporate offices in Anchorage,
2 or, you know, Native organizations sometimes don't have that
3 intimate knowledge of actually what is at stake in -- in
4 acquisition or whatever, easement, and all these issues need to be
5 taken to a local level. And so, I think it would be wise -- I'm
6 not sure how -- how we're going to initiate anything like that, but
7 I believe that -- that the only ones that are real knowledgeable
8 about these things are the people that live in the communities.
9 That the hunters in the -- and the subsistence users -- the users
10 that are in the community are more knowledgeable about these issues
11 than even the people you may be dealing with on a corporate level.
12 Do you understand what I mean?

13 MS. McCAMMON: Mr. Chairman, I think the Council in
14 negotiating all of the acquisitions and this is particularly true
15 of large parcel, and probably won't be as much of an issue with
16 some of the small parcels, although there will be on some key ones,
17 are very sensitive to the subsistence needs and issues of the
18 people who live in the area of the land that's being discussed,
19 and, in fact, in the Kodiak acquisitions, there are specific areas
20 that were negotiated out that are basically closed to public access
21 because they are of high value to the local villages for
22 subsistence purposes. And, in all of these negotiations, the
23 Council has been very sensitive to these kinds of needs and issues,
24 and have been very willing to sit down and discuss what areas are
25 of high subsistence use, and of high interest to the communities,
26 and work out some kind of arrangements in terms of subsistence

1 protection and access, and things like that. And, all of the
2 larger deals require ratification -- the sellers have required
3 ratification by their shareholders, and have had numerous
4 presentations with their shareholders all throughout this process
5 to ensure that their needs and interests and concerns are being
6 addressed in these deals.

7 MS. VLASOFF: But, I'd like to just say that I think
8 that if there isn't a better understanding, all of -- what kind of
9 impositions are going to be made upon subsistence use, you're going
10 to have a stumbling block within those communities, if there isn't
11 -- like an organization that can deal directly with those kind of
12 issues. See, there's a fear in the communities that if National
13 Park Service takes over, like in deer hunting area, traditional use
14 deer hunting area, that they have -- they have justified, you know,
15 in my mind, fears that someone will come along and say you can't
16 hunt deer here anymore -- you know, and so unless we deal with
17 those issues, you're always going to come up against it in the --
18 in the villages, I believe, anyway, you know, and, I -- you know,
19 I know that the Trustee Council can't probably, you know, initiate
20 setting up subsistence resource management organizations within the
21 villages, but it's actually something that I'm working on myself
22 through -- through a foundation out of Portland for some of our
23 communities, and I think that would be the way to go, you know.

24 MR. MCCORKLE: Thank you, Martha. Yes.

25 MS. SCHWANTES: I want to say that I agree with what
26 Martha is saying. For those people who don't deal directly with

1 people who live in small communities or villages, a lot of time
2 things happen, they'll take place, decisions are made without even
3 the knowledge of the local residents, and I think it would probably
4 be very wise for the Council when they're entering into these
5 negotiations, not just to advertise the meetings or the discussions
6 or the debate that's taking place, but also make it a point to go
7 out and knock on a few doors in the community, if they're there,
8 because at times they aren't -- some of the issues aren't always
9 brought up, and, you know, with ANILCA, ANCSA and all of these
10 subsistence issues that are going on right now, there's a lot of
11 questions and there's no answers. So, some of the sales that are
12 taking place, you know, there is no -- there is really no answer
13 that, you know, management issues in the future. It's sort of a
14 gamble for people who are using the lands currently. I guess my
15 recommendation would be that when sensitive areas, where people
16 live, are entering into negotiations, that -- that there be more
17 effort put in to getting public input from community members.

18 MR. MCCORKLE: Thanks both to Martha and to Brenda, and
19 without any elaboration by me, I hope you all will really listen to
20 the words they use, because I can tell by my experience, they know
21 what they're talking about. So, thank you very much. Those
22 comments are quite important, I think. Are there further -- yes,
23 Mr. Swiderski.

24 MR. SWIDERSKI: If someone -- thank you, Mr. Chairman --
25 if someone -- just -- pretty much all of negotiations that have
26 gone on, I don't -- I can't -- well, I shouldn't say that -- almost

1 every single one of them has involved substantial discussions of
2 subsistence. I mean, I don't know that it's an issue that's
3 ignored.

4 MR. McCORKLE: But, Alex, the question is with whom, are
5 we talked about -- okay -- because if we're talking about corporate
6 types, that's one subsistence interest. If we're talking about
7 subsistence users themselves, who may be just the people, that is
8 another subsistence approach to the same question. I think those
9 were the thoughts underlying some of the comments.

10 MR. SWIDERSKI: But aren't the subsistence users members
11 of the corporation?

12 MR. McCORKLE: Yes, but the comment that -- there's
13 discussion, however, is whether or not communication takes place at
14 the far distant level, that's what Brenda was speaking about. Yes.

15 MS. SCHWANTES: I guess my comment is that although
16 individuals in a community may be members of a certain regional
17 corporation or village corporation, as with any corporation,
18 sometimes there isn't a lot of communication.

19 MS. McCAMMON: Actually, this kind of raises a very
20 touchy issue that we've had to deal with in a couple of the
21 negotiations. The Council is negotiating with the landowner. The
22 landowner is a corporation that has elected officers to represent
23 their shareholders. It's a bit difficult for the Council to make
24 a presumption that those elected officers are not adequately or
25 accurately reflecting the views of their shareholders. We have
26 offered -- in a couple of instances to make presentations to the

1 full board or to shareholders, but it's really up to the
2 corporation officers who we're dealing with to decide whether they
3 want the Council to do that or not. I mean, if -- that's getting
4 into very touchy issues there, and as to -- and certainly we don't
5 in any instance want to say in some cases, well, we don't think
6 you're accurately representing the views of your shareholders,
7 that's not for us to say that, by any means. And, so, if you have
8 some advice on -- I guess there's some mixed advice there on how to
9 actually deal with that.

10 MR. McCORKLE: Thank you. Martha.

11 MS. VLASOFF: Well, I'm not really inferring ...

12 MR. McCORKLE: Volume -- thank you.

13 MS. VLASOFF; I'm not really inferring that there --
14 that anything, you know, that the corporate organization doesn't
15 represent the shareholders, I'm not inferring that, at all. Not at
16 all. All I'm saying is -- is that there is a whole other group of
17 individuals that you might miss in the discussion if you don't have
18 an outreach to -- to actual people within the community that are
19 subsistence users, you know, primarily just live off the land, and
20 the only way you're going to get that kind of interaction is
21 through some of the programs that I've -- I've talked about before,
22 the community involvement, hiring a local liaison person,
23 coordinator, that can voice the concerns of the actual people that
24 live out there, and that are living off the land, and so, I'm not
25 saying that the corporate people -- the corporate structure can't
26 do that also, but I think that additional vehicles for that

1 outreach needs to be approached, and I know they are being
2 approached through the community involvement project, which we hope
3 to get more -- more involved in out in the community level and in
4 the Chugach region. But, I -- I understand that this isn't an
5 issue that may be the Trustees can actually initiate anything on,
6 I'm actually speaking more for -- for what the communities can do
7 themselves, and that you need to be aware of that -- that in the
8 process of this community involvement process that I think you're
9 going to hear more from the actual people that use the resources
10 then -- you know, that's -- I'm just kind of throwing it out there
11 for you that you be more aware of the actual people who use the
12 resources in the community.

13 MS. McCAMMON: Well, I think it's really important that
14 in any of these habitat acquisitions that it be a win-win
15 situation. It be a win from the Trustee Council's objective of
16 protection of the habitat and that it be a win from the landowner's
17 perspective that they also get their needs and concerns met. So,
18 any, you know, additional information and involvement and
19 participation by the communities in these things, I think this
20 makes a stronger and a better agreement overall.

21 MR. McCORKLE: Chip.

22 MR. DENNERLEIN: And I'd say that I appreciate the --
23 I take to heart both of the comments on community involvement and
24 subsistence, and I appreciate the situation that the Council staff
25 is in. I'm not saying that I have prejudgments, because they say
26 you get good judgment from bad judgment, and I've had my share of

1 that. And, I have been caught before in situations where -- I went
2 through in my earlier days a community coordinator to make sure the
3 community was informed and that person ended up being a dissident
4 shareholder, and it was one grand mess. And, I think that going
5 around the corporation to shareholders, or especially in small
6 communities, is very difficult. I think the policy of always
7 offering to hold an open house, a presentation to shareholders, put
8 the coffee pot on, is a very, very good policy, and I think that
9 those corporations that are trying to be in tune with their
10 community, you know, I think we will have successful acquisitions.
11 We will very specifically deal with subsistence. The shareholders
12 will ratify the agreement, I mean I think a lot of what we've seen
13 come together in AKI is a good example of all of those things
14 happening, and -- and so I think that's probably the best way to do
15 it is to always be offering to, you know, do the open house, do the
16 communications in the communities, that's the safest bet and a real
17 positive way to reach out and do it, I think.

18 MR. McCORKLE: Are there any further comments to the PAG
19 on Karluk, KAP-150? Kim.

20 MS. BENTON: I guess it's just a broader comment, to
21 having been involved in acquisitions in different capacities since
22 they started going to Seldovia, I've been very impressed with the
23 level of communication that's happened with the shareholders, and
24 I see members of the Trustee Council and their staff come out and
25 meet at any time, and I've seen that the corporate representatives
26 of the corporations be extremely concerned about communication and

1 making special mailings and special meetings, and special, you
2 know, above and beyond their fiduciary responsibility, but because
3 they felt like that was really important, and I think they've done
4 just an awesome job, that this has really been an awesome job when
5 their shareholders are scattered here and yon and everywhere, not
6 just in the community -- they've done an excellent job.

7 MR. McCORKLE: I think that's a good comment to end on,
8 unless John, would you like to have the last word?

9 DR. FRENCH: I'm not sure this is relevant to the
10 Karluk parcel, but since Alex brought it up, and I'm not going to
11 get a request from the representation, but there are many cases,
12 particularly in the case of the Leisnoi parcel, where the users for
13 both subsistence and recreational use for subsistence purposes of
14 those parcels are not shareholders of the corporation, they're
15 either shareholders of other corporations, they're not even --
16 Native Alaskans at all, and I don't know how you reach those
17 people, and how you protect their views -- the southwestern, but I
18 think you need to keep it in the back of your mind. But, I think
19 you are probably doing so. Because I know you have a meeting
20 coming up with Leisnoi, so I just want to emphasize Leisnoi is not
21 only you need to attract.

22 MS. McCAMMON: Important to note that.

23 MR. McCORKLE: Thank you, John. Molly, how many more
24 parcels have we, should we take a break now or should we muscle on
25 through for a few minutes more?

26 MS. McCAMMON: The ones we have listed here, we have a

1 couple of additional Kodiak ones, and then the Kenai ones, so it's
2 -- we probably have another hour.

3 MR. McCORKLE: What would the group like?

4 MR. DENNERLEIN: Finish Kodiak.

5 MS. McCAMMON: Finish Kodiak and then have a break.

6 MR. McCORKLE: Finish Kodiak and then have five. Okay,
7 let's do that. The next one I guess is on what -- page 82. It's
8 in the MSAs, but it's KAP 226, if I read my book right. Gentlemen.

9 MR. KUWADA: That's Karluk River Lagoon. Again, you're
10 somewhat familiar with the situation. Karluk Village has recently
11 been posting all of their lands around the lagoon to no
12 trespassing. Most of the people that float the Karluk River take
13 out in the lagoon, that's where the air taxi operators come in and
14 pick them up, and most of that -- the people that camp there or
15 wait for the taxi operators are in trespass, and basically this --
16 this is one of the few private parcels on the lagoon. Actually
17 it's four tracts combined for a total acreage of 21 acres. What
18 this would allow would be to develop a -- a developed camp site
19 where people could actually have a dedicated take-out point on the
20 lagoon. What this does is preserve the recreational opportunities
21 along the entire river for the people that do float the river. I
22 guess the prime interest here is the recreational opportunity it
23 would provide. There are also some cultural resources on the
24 parcel, as well.

25 MR. McCORKLE: Questions? Kim.

26 MS. BENTON: Is Ayakulik Associates and the Ayakulik

1 Village Corporation?

2 MR. KUWADA: No, it's a consortium of a number of
3 landowners, Wards Cove Packing, Shillium (ph) Corporation, some of
4 the very old private landowners out there.

5 MS. SCHWANTES: I just wanted to offer a little
6 information on a this piece of land owned by -- oh, I thought it
7 was Mike Cusak.

8 MR. KUWADA: It is actually.

9 MS. SCHWANTES: Oh, it is.

10 MR. KUWADA: He is one of the owners.

11 MS. SCHWANTES: Okay, that's what I thought. Originally,
12 a few years ago, I think he purchased it five years ago, six years
13 ago, he intended to build a lodge on it. Maybe he changed his
14 mind, but it's a real pretty nice piece of land right there.

15 MR. McCORKLE: Additional questions are vigorously
16 solicited. There being none, is the group satisfied and ready to
17 go on? Does that end Kodiak.

18 MS. McCAMMON: Go onto page 92.

19 MR. KUWADA: Yeah, there's one more parcel, we should
20 talk about.

21 MR. McCORKLE: Okay.

22 MR. KUWADA: And, that's on page 92, it's parcel KAP-
23 220. This is at the mouth of the Ayakulik River, and the situation
24 is somewhat similar to what we discussed at the Karluk. Ayakulik
25 Village Corporation has recently indicated that they would like the
26 Department of Fish and Game to vacate a weir site that they have on

1 the Ayakulik River. Ayakulik is second only to the Karluk in terms
2 of its importance for fisheries production in the Kodiak Island
3 group. The department presently maintains some support facilities,
4 and then the weir site on a leased tract of land, and Ayakulik has
5 indicated they would like them to vacate the premises, essentially.
6 What this particular acquisition would do is it's six parcels or
7 six lots at the mouth of the river. What it will allow the
8 department to do anyway is -- is relocate its support facilities to
9 these lots and still maintain access to the weir over existing 17B
10 easement. It would also, as another function, provide a take-out
11 point for recreationists that do float the Ayakulik River as well.
12 Right now, they -- most of the take-out access on this -- on this
13 float trip down the river occurs on the beach. The lagoon site is
14 fairly shallow, and so float planes don't generally operate too
15 often in the lagoon. I think maybe some Supercubs, light planes,
16 but most of the take-out access is by Beavers on the beach, and for
17 people to get from the river to the beach, they have to trespass
18 over the -- this property. So, what this would do is provide, like
19 I say, opportunities to continue the weir site and opportunities
20 for recreationists to legally take out on the beach at the mouth of
21 Ayakulik.

22 MR. McCORKLE: Kim.

23 MS. BENTON: (Indiscernible - out of range of
24 microphone). Ayakulik Association is a group of private
25 landowners, I mean, those corporation figures in there somewhere.

26 MR. KUWADA: Ayakulik Village Corporation is the one

1 that owns the land. Ayakulik Associates is -- is a consortium of
2 private landowners represented by Mr. Stoops.

3 MR. McCORKLE: And what is their relationship to the
4 corporation?

5 MR. KUWADA: None at all.

6 MR. McCORKLE: None, so there are two owners?

7 MR. KUWADA: Yes.

8 MR. McCORKLE: Thank you.

9 MR. KUWADA: Actually ...

10 MR. McCORKLE: Ayakulik Associates -- two groups, the
11 consortium and the corporation. Thank you. Additional questions?

12 MS. McCAMMON: Mr. Chairman, if Gary, do you want to just
13 touch briefly on the other Kodiak parcels that (indiscernible).

14 MR. MUEHLENHARDT: Yeah, there's two other parcels that
15 Fish & Wildlife Service is sponsoring. They're both in-holdings in
16 the Kodiak Refuge. The first one is on page 76, it's owned -- but
17 it's actually at the head of Uyak Bay, which is on the west side of
18 Kodiak, it's owned by four partners. You can almost take one look
19 at the map and see one of the major reasons the Fish and Wildlife
20 Service is interested for inclusion in the Kodiak Refuge. It's --
21 it's the largest private in-holding not owned by a corporation in
22 Uyak Bay. It also is a very critical area supporting salmon runs
23 in Uyak. The area has outstanding wilderness qualities. The
24 landowners have throughout the years proposed various development
25 scenarios, and the latest one is that they would build an airstrip
26 on the property in support of commercial guiding activities.

1 MR. McCORKLE: Questions? Okay.

2 MR. DENNERLEIN: My understanding was that a large
3 private conservation organization is ready to close a deal on this
4 parcel?

5 MR. MUEHLENHARDT: You're correct. We have asked the
6 Conservation Fund has had a long-standing interest in this
7 property, and we have had a couple -- actually, we have made, the
8 Fish & Wildlife Service has made several offers throughout the
9 years to landowners, and so we did ask the Conservation Fund to --
10 to step in here. Although it's still somewhat of a tricky
11 business, and that's one of the reasons this is left on -- on the
12 table here. If they fail to consummate a deal, we'll probably
13 still ask the Trustee Council to ...

14 MR. McCORKLE: Further questions? There being none, then
15 let's proceed to the next parcel.

16 MR. MUEHLENHARDT: There's one more, it's on the other
17 side of the island, on the east side in Three Saints Bay.

18 MR. McCORKLE: Another page?

19 MR. MUEHLENHARDT: Yes, it's under special Native
20 categories, I don't know which ...

21 MR. McCORKLE: 94, thank you.

22 MR. MUEHLENHARDT: 94. This nomination actually is two
23 Native allotment parcels located at the head of the bay.
24 Currently, there are quite a number of Native allotments in the Old
25 Harbor region that are up for sale. The BIA is actively putting up
26 for auction quite a number, and we believe that this is probably

1 one of the most crucial, these two are the most crucial to protect
2 in the Three Saints area. It's -- Three Saints Bay itself has
3 spectacular wilderness qualities. The site is located on an
4 anadromous stream, and there is also a cultural, archeological site
5 directly on one of the parcels.

6 MR. McCORKLE: Are there any questions?

7 MR. DENNERLEIN: Why is it not ranked?

8 MR. MUEHLENHARDT: It was very close to cut off in the
9 moderate to low range, and the Fish and Wildlife Service asked that
10 it be considered because of its outstanding value.

11 MR. McCORKLE: Oh, this is -- yeah, this is SMA -- this
12 came in after the ranking. Additional questions? Yes, Martha.

13 MS. VLASOFF: Well, I just would like to -- it says on
14 here acquisition of these parcels would ensure that no development
15 occurs in upper Three Saints Bay that is adverse to restoration
16 purposes. I just, you know, wanted to -- who is going to make that
17 judgment call, you know, in determining what is adverse. I think
18 that those -- those kind of decisions need input from the local
19 communities, and I'm not sure how this is going to be structured,
20 so I have a lot of questions. It's mainly just questions I'm
21 bringing up so that, as this process goes along, that we assure
22 that there's -- in the decision-making that there's input from all
23 the concerned people, you know, the -- especially in subsistence
24 users and local people.

25 MR. McCORKLE: Thank you. Questions are important and
26 that's what we're here for. Kim.

1 MS. BENTON: Can I ask a question why there wasn't --
2 there doesn't seem to be a lot of sensitivity given to possible
3 artifacts that are on land, I'm referring to the third paragraph
4 down: "The area has not been fully explored and it is highly likely
5 that additional cultural sites exists on the parcels themselves,"
6 and here's a map if you like to go dig stuff up -- have at it. I
7 mean -- in a public document that troubles me -- a lot.

8 MR. MUEHLENHARDT: The only thing I can answer is that
9 Kodiak Island itself is one -- basically one big archeological
10 district. You can hardly walk 20 feet on the beach and not hit
11 some type of a cultural site.

12 MR. McCORKLE: Good point.

13 MS. McCAMMON: I can attest to that. When we were in
14 Kodiak visiting the museum last week, Rick Knecht said that people
15 bring in -- they get a least a garbage bag load of artifacts almost
16 every day. It is truly astounding the number of artifacts they get
17 -- found and that people have and that they've been given to the
18 museum there.

19 MR. McCORKLE: Martha.

20 MS. VLASOFF: Well, just one more thing, that -- that --
21 on all of these -- almost all of these that we've talked about,
22 this here, it was stressed that this would increase the
23 recreational opportunities, and evidently that comes from the
24 agency, you know, wherever it was proposed, but I would hate to
25 see, you know, the Trustees supporting something that -- that gave
26 a priority to recreations over -- over subsistence or anything like

1 that, and it just kind of -- this is what it sounds like to me.
2 I'm not, you know, I haven't read through these real -- and studied
3 them, but I -- I'm wary of that.

4 MR. McCORKLE: Thank you. John.

5 DR. FRENCH: It -- just a clarification, it says these
6 two parcels are surrounded by refuge land, it looks like it's
7 Native land on the map.

8 MR. MUEHLENHARDT: It's a very -- selected by Old
9 Harbor, and in the mega deal that selection will go away.

10 MR. McCORKLE: Chip.

11 MR. DENNERLEIN: A good point here is, one, is -- I
12 think Martha's point is well taken, and maybe there's a phrase, you
13 know, maybe this is by evangelist prophet, and -- I've --
14 seriously, maybe there is a phrase about, you know, protecting for
15 the future options for public enjoyment use, enjoyment of natural
16 resources that isn't just saying this is for recreation. I think
17 there's as much danger -- this deserves to be a special management
18 area, if anybody's going to work on Kodiak, to be able to make the
19 Old Harbor selection go away and to lose the keystone in the top of
20 Three Saints Bay would really be a shame. And, it does have
21 superior wilderness qualities, it has the stream and subsistence
22 use over time, and the point here is that a sort of private
23 development would block people for -- whether it's enjoying
24 wilderness values, whether it's in recreating, or whether it's
25 subsistence use, all of those could be brought by, you know, a no
26 trespassing sign, and maybe the language could be a little more

1 neutral to encompass both the recreation and subsistence, and other
2 enjoyment uses of the natural resources that are there on the
3 parcels and access to adjacent lands.

4 MR. McCORKLE: Were you going to give us that phrase?
5 You said there might be a phrase.

6 MR. DENNERLEIN: Well, I -- I'd be happy to jot
7 something down.

8 MR. McCORKLE: Okay, thank you, Reverend. Molly.

9 MS. McCAMMON: Mr. Chair, I think that's a point very
10 well taken, and certainly by -- I mean, I think you're right,
11 especially in a key area like this, private ownership has the
12 potential of precluding subsistence use to others, folks who don't
13 own the lands, and certainly putting into public ownership would
14 allow subsistence use and I think we could accommodate that
15 language and it's a point very well taken.

16 MR. McCORKLE: Thank you. Brenda.

17 MS. SCHWANTES: And, also possibly incorporate language
18 regarding artifacts and the -- the taking and proper disposing of,
19 you know, cataloging of artifacts. This is one of the first
20 settlements where the Russians came, but the Native people were
21 living there originally, so, I mean, I'm sure there are a -- there
22 are a ton of things in that area.

23 MR. McCORKLE: I know of places where people will not
24 tell you where the robbers are. Any further comments? Is this the
25 end of Kodiak presentation, or presentation about Kodiak sites?
26 Well, as promised then, let's take a brief hiatus, and come back

1 and try to get this finished. Staff, I hope you can stay with us
2 for a little while longer. Let's get a cup of coffee and stretch,
3 some fresh air, and try to be back at not later than 11:25. That
4 gives you ten minutes, the longest break we've had just now, come
5 back earlier and we'll start earlier.

6 (Off Record 11:15 a.m.)

7 (On Record 11:25 a.m.)

8 MR. McCORKLE: Thank you, very much, it's 11:25 and a few
9 seconds past, so let's make another beginning. Okay, Molly, what
10 are we beginning with this round? Let's begin, they'll sit down.

11 MS. McCAMMON: What we start with -- are the the non-
12 Kenai River, Kenai Peninsula parcels, so Art these would be
13 Overlook, Baycrest ...

14 MR. WIENER: The Tulin parcel.

15 MS. McCAMMON: The Tulin parcel, and if you could refer
16 to the pages too.

17 MR. McCORKLE: Thank you.

18 MR. WIENER: There are three parcels that fall into the
19 category of land on the Kenai Peninsula that aren't within the
20 watershed of the Kenai River. Kenai 55, Overlook Park, it's on
21 page 70; the Baycrest parcel, which is immediately adjacent to it
22 which is -- special merit on page 86; and the Tulin parcel on page
23 88. I'll start with the Tulin parcel, which is a 220 acre parcel
24 that lies between the highway and the inlet. I think one of the
25 most interesting things about this parcel is that it provides road
26 access to the beach. The Tulins constructed a road through their

1 property and ran it down some pretty steep terrain down to the
2 beach, and we walked it, and it provides access to the beach in an
3 area that potentially -- where there is little if any access of
4 this nature for the public. The parcel abuts a piece of existing
5 state land. Resources, there really are very many of the link --
6 19 link resources on the parcel -- we found one eagle nest -- but
7 it certainly does have very high potential for recreation. Much of
8 the parcel sits on the bluff. It doesn't contain hardly any
9 sensitive wetlands. It's mostly forested land, and with a fabulous
10 view of the inlet from the area to the south. Again, access to the
11 beach, and again, as I mentioned on the earlier parcel, the primary
12 attribute that we feel that this parcel scored on is recreation and
13 to provide the potential for enhanced recreation for the public in
14 this part of the Peninsula. And, I think I can say very safely,
15 and I think Mark would concur, that there's certainly a need to
16 provide additional recreational facilities for folks on the Kenai
17 Peninsula, both on the river and in the areas that provide them
18 access to the marine systems.

19 MR. MCCORKLE: Any questions on this one?

20 DR. FRENCH: What's the beach like? Are they accessible
21 at all?

22 MR. WIENER: It would be rough, but yeah, I think you
23 could -- but I think you'd have to be pretty careful. There's some
24 pretty good size rocks that stick out adjacent ...

25 DR. FRENCH: (Indiscernible)

26 MR. WIENER: Yeah, it's not a full sandy beach, I think

1 you'd have to be real careful getting into a boat.

2 MR. McCORKLE: Gordon.

3 MR. ZERBETZ: Value, can you give me a ballpark figure?

4 MR. WIENER: Alex would probably be the best one to
5 address that question. Question about value.

6 MR. ZERBETZ: Valuation appraisal.

7 MR. SWIDERSKI: We are in the process of contracting with
8 an appraiser to go out and conduct appraisal, so I don't -- I
9 don't have any sense of what the value is right now. What we will
10 do is, I think execute a contract with one or more appraisals
11 within the coming 30 days, and they will spend approximately the
12 next -- following 60 to 90 days conducting the appraisals.

13 MR. ZERBETZ: Did the owners put any type of price on
14 it? Asking price.

15 MR. SWIDERSKI: Well, not an asking price.

16 MR. ZERBETZ: Or best offer?

17 MR. SWIDERSKI: No, not that I'm aware of. Nobody's
18 suggested that to me.

19 MR. WIENER: The area is platted, already platted as a
20 subdivision.

21 MR. SWIDERSKI: That's right. Now, the reason I was
22 hesitating is, I am -- I am confident -- in a couple of cases I
23 know there are appraisals that have been done on some of the
24 parcels. I haven't seen any of them, but I would suspect that we
25 will see them, you know, that have been conducted by the
26 landowners.

1 MR. McCORKLE: Thank you. Chris.

2 MR. BECK: I have a general question, I guess of
3 Alex, any (aside comments about the microphone). I'm just curious
4 if we might use this as an example -- some of the other parcels
5 where there certainly equally well of defining kind of the outer
6 edge of our capital R restoration and the core we're talking about
7 recreation as a dominant benefit of acquisition of this parcel. If
8 you would, explain for me how that points to the definition -- the
9 broad definition of restoration, and where the lines are that say,
10 well, this is just recreation and we shouldn't do it, and this is
11 recreation and we should do it. Just to be troublesome.

12 MR. McCORKLE: No, that's a very good question. I --
13 thank you for bringing it up. Is there a good answer? Is there an
14 answer here?

15 MR. SWIDERSKI: Not having -- and I've been told that you
16 had a lengthy discussion about capital "R" restoration, lowercase
17 "r" restoration, and I wasn't here for that, so I'm not sure
18 exactly what the issue is. I -- and I suspect I'm not going to
19 answer -- that I'm not hitting the question, but I can tell you
20 that certain kinds of recreation were injured services -- you know,
21 obviously not when I say certain kinds because there's all kinds of
22 recreation, but it probably wasn't injured by the oil spill --
23 wasn't a service injured by the oil spill. And we can restore, or
24 are attempting to restore those kinds of recreational services that
25 were lost or diminished as a result of the oil spill, and I'm sure
26 that doesn't answer your question, but ...

1 MR. DENNERLEIN: Well, I can answer it.

2 MR. SWIDERSKI: Okay.

3 MR. DENNERLEIN: This is Kachemak Bay is to walk along
4 Morris Cove, we've got oil in the beach, we buy this piece I can
5 get down to the beach in an area where there aren't any access to
6 the beach and I can walk along the beach at Cook Inlet. This is a
7 slam-dunk replacement of restoring recreational opportunities,
8 which I personally experienced were damaged in the oil spill.

9 MR. MCCORKLE: Well, that didn't answer much either.
10 But, there is an esoteric point here, and some of the damage was
11 done to recreational opportunities, and where those opportunities
12 cannot be in situ replaced, you can select others to substitute.
13 That's another sort of a -- a big stretch on capital or lowercase
14 "R" and some of these parcels, fit into those categories. Now,
15 Martha is about to have a questions, then we have Molly, we'll have
16 a rebuttal.

17 MS. McCAMMON: Not necessarily.

18 MS. VLASOFF: Well, it's not really a question either,
19 it's like -- well, I suppose it is. It's like, how much of -- of
20 these projects are actually -- where do they come from? Are they
21 initiated by the willing seller, or are they initiated by the
22 agency, and if -- if the agency's purpose is for restoration of
23 recreational sites, or whatever, you know I -- I just have a
24 fundamental question as far as restoration, you know. I see this
25 with the research and the monitoring and a lot of things, is the
26 driving force comes from the agency, and -- and sometimes I really

1 see it as a disadvantage to -- to always having the -- you know,
2 the agency being that driving force and I -- I'd rather see more --
3 more community involvement as far as, you know, this restoration
4 issue. I really feel that -- that restoration is in a lot of ways
5 impossible, but restoration of natural resources, and sometimes I
6 just see it as agency-driven projects, you know, just personally I
7 see it that way, and as far as having a priority for recreation, I
8 don't like that idea at all, and I don't think it's going to be
9 followed just by rewording the word recreational use, you know, to
10 include subsistence. I think -- I think you really need to
11 prioritize each category or each use and not just prioritize
12 recreational use.

13 MR. McCORKLE: Thank you, Molly was next.

14 MS. McCAMMON: Mr. Chairman, I think in that last parcel
15 that we talked about in Uyak Bay, I mean that one obviously had a
16 broad number of uses, potential uses, and resources. In a parcel
17 like this, that it's primary focus is recreation, I think what the
18 Council will do when they look at the overall dollars available for
19 these kinds of acquisitions, they'll have to look at the purpose
20 for protecting these parcels. This, and where the public support
21 is coming from, whether they are agency driven, because of their
22 management responsibilities for various resources and services, and
23 what kind of support there is from the community. I think they'll
24 look at all these factors when they weigh on which ones to go
25 forward with and which ones should have higher priority than
26 others, and how to make that balance, but I think those kinds of

1 considerations will be taken into account.

2 MR. McCORKLE: Molly, I'll follow up on that question.
3 Do you -- are you aware that there are any owner based or owner
4 driven offerings?

5 MR. WIENER: This one -- Tulin.

6 MS. McCAMMON: This is -- this is a classic.

7 MR. McCORKLE: This is really one good example.

8 MS. McCAMMON: Yes, we get phone calls from this owner --
9 well almost all of these were submitted by the owner. The owner --
10 they all are willing sellers. The owners all want to sell.

11 MR. McCORKLE: In this booklet, in this ...

12 MS. McCAMMON: In this booklet, absolutely, every single
13 one of them the owner ...

14 MR. WIENER: The threshold criteria.

15 MS. McCAMMON: Right. That was an absolute requirement.
16 In no case has the Trustee Council or any of its respective
17 agencies tried to force any of this.

18 MR. McCORKLE: Well, thank you. That's a good point
19 because I'm glad to know that there are some that have come from
20 the -- from the other side of the table, in answer -- in response
21 to Martha's question. And, Kim.

22 MS. BENTON: I have a question (indiscernible) to the
23 Tulin parcel. Are there any -- is there a possibility just because
24 of the main benefit being recreation that the state criminal monies
25 or any of the monies that the Governor's pledge out of the \$20
26 million for habitat acquisition and recreational access to be used

1 to fund the purchase of this parcel?

2 MR. SWIDERSKI: State criminal monies has already been
3 appropriated. The -- there is some DNR money that is identified
4 for the acquisition of recreational amenities, and you could
5 acquire, you know, interest in land in order to place recreational
6 amenities, and there may be -- they're actually fairly far along in
7 the process to identify how they will spending some of that money,
8 although there also keeping some of it aside to place recreational
9 amenities on these acquisitions, you know, as they're required. So
10 ...

11 MS. BENTON: (Indiscernible) recommended to that
12 process at all, or do you consider ...

13 MS. SWIDERSKI: Well, no. But this, like I say, the
14 process isn't -- that appropriation doesn't say go out and acquire
15 small parcels of land, it says place recreational amenities, and
16 you may be able to acquire a parcel of land through -- and place an
17 amenity on it, but I don't think -- I wish I had the piece of
18 legislation in front of me, because I'd like to look at it before
19 I say this with certainty, but I don't think you can use it. I
20 think you'd be defying the legislative appropriation to use it
21 simply to go buy the Tulin parcel.

22 MR. BENTON: No. I understand that, but
23 (indiscernible) package with buying the parcel and then making some
24 trail systems or some boat landings because there is something to
25 increase recreation. I think that it could be submitted as a
26 package. Obviously ...

1 MR. SWIDERSKI: Well, you know, when the legislature says,
2 use it to purchase recreational amenities, that you say, well,
3 we'll put a recreational amenity on here even though what we really
4 want to do is acquire this piece of land. I think we're probably
5 violating the law, and we wouldn't do that.

6 MR. McCORKLE: Come back to PAG person, Pamela wanted to
7 bring up a -- yeah.

8 MR. WIENER: Let me just -- clarification. The Habitat
9 Work Group took a very strict and very rigorous interpretation for
10 ranking purpose is to be sure that the parcels were linked to one
11 or more of the 19 resources and services on a parcel, but don't let
12 it escape your understanding of this process, in that it's very
13 similar to endangered species legislation. We're out there trying
14 to protect a list of endangered or threatened species, but by the
15 same token we're buying many, many other attributes of the parcel,
16 even though we're focusing only on buying the habitat of endangered
17 species. When we acquire something like the Tulin parcel for the
18 purpose of recreation, we're buying a great deal more than a parcel
19 that provides us access to a beach or some camp sites. We're
20 acquiring hundreds of acres of relatively pristine land that has
21 many, many other values that we don't recognize in our
22 calculations, and we are focusing on the linked resources and
23 services, but we're going to acquire a great deal more of value to
24 the public than just a link to recreation, End of speech.

25 MR. McCORKLE: Thank you. Now, we'll go to Chris and
26 then -- I mean to Dave, Pam and Gordon, and -- let's -- before

1 that, you've been waving here like made in the back, would you like
2 to have a minute. Come to the microphone and have at for a minute
3 or two and then we'll go to Dave, Pam and Gordon.

4 MR. SULLIVAN: I just had a quick questions.

5 MR. McCORKLE: Identify yourself.

6 MR. SULLIVAN: I'm Joe Sullivan, I'm with Alaska
7 Department of Fish and Game.

8 MR. McCORKLE: Thank you.

9 MR. SULLIVAN: Eric and I went to the meeting in Homer,
10 and there was one person -- we were not able to get to the Tulin
11 parcel, we were unable to take a look at it -- but there was one
12 person there that claimed that all the timber had been cut off --
13 the high graded timber had been cut off. He felt that the road to
14 the beach was hardly passable at all and felt that it would slough
15 into Diamond Creek, and felt that this was a scam. Like I said, we
16 couldn't visit the place, we didn't get -- we didn't get a chance
17 to look at it. I was wondering if you could address those issues.

18 MR. WIENER: We, Mark and I and Ken Holbrook hiked all
19 over it, and the trees are there, at least when we were there last
20 summer, I guess it was. The road down to the beach on the flat
21 surface is quite good, and as it gets down to the beach -- it's a
22 good road right now, but it wouldn't have a long life without
23 significant maintenance. You know, I'd be more than willing to
24 drive any vehicle down there right now, but absent some
25 improvements, I don't think the road will last very long, but the
26 trees are there.

1 MR. MYERS: Also, for the record, during that
2 community meeting, in conversations with a number of people that
3 were also in attendance of the meeting, it seemed that there -- and
4 there was at least one perfect person who explicitly spoke up and
5 said that they thought they could speak for and behalf of the
6 community, that access to the beach was a critical concern to local
7 community residents, and that that parcel acquisition enjoyed broad
8 support. I don't -- I can't say I have any real substantial
9 analytical basis, or you know, clear evidence, but it did seem to
10 me from the sense of the conversation that the one person who spoke
11 so strongly about a concern that there was some sort of a
12 conspiracy -- I think was the way he characterized it -- was not
13 perhaps as reflective of the community as -- as a number of people
14 who didn't speak up anyway. I guess, partly in answer to Martha's
15 question, you know, there was evidence of community support for
16 that particular acquisition, and so it -- I just wanted to make
17 note of that.

18 MR. McCORKLE: We'll go now to Dave Cobb. Is it a follow
19 up point?

20 UNKNOWN: No.

21 MR. McCORKLE: Okay, thank you. Dave.

22 MR. COBB: One of the questions I would have, we have
23 -- we talked about conservation easements, are recreational
24 easements something that's considered, maybe directed to Molly,
25 Eric or Molly.

26 MR. SWIDERSKI: In a sense, recreation could be an

1 interest acquired via a conservation easement. So, I think the
2 answer to your question is, yes, technically something like that
3 could be done. With -- I think that you'd want to do though is to
4 make sure that there are -- when you acquire -- I think if I
5 understand what you're asking, you acquire the right to recreate on
6 lands, but you also would want to acquire some other rights or some
7 other protection for the lands to make sure that it continues to be
8 valuable for the purposes of recreation, and pretty quickly begins
9 to look like a conservation easement.

10 MR. COBB: Just a follow-up. This kind of has
11 Chip's, you know, recreation slam-dunk. I think this is more -- at
12 least my opinion is that it's more of a rubber band approach
13 because we're stretching the issue -- we're stretching the point on
14 this one -- that's the way I look at it.

15 MR. McCORKLE: Pam, you were next.

16 MS. BRODIE: Say there's been a question -- say I spend
17 a lot of time in Homer and know a lot of people in the community
18 and I would echo what Eric said that beach access there is rare and
19 very much prized. I am not familiar with this particular parcel or
20 the areas around it, but looking at the map, I figure if this were
21 acquired, there would be one chunk of private land separating this
22 strip, two pieces of public land, and I don't know the ownership of
23 these public lands, but I was wondering if it might be feasible to
24 get, in terms of recreation easements, to get a trail easement
25 across that piece of land that is not up for purchase to connect
26 the different parts of the public lands.

1 MR. McCORKLE: That's a good thought.

2 MR. KUWADA: Not unless there's a willing seller, and
3 so far we haven't gotten any indication that there is.

4 MR. McCORKLE: Well, it's not a sale.

5 MS. BRODIE: The seller had not been approached, the
6 seller has been approached only that you're selling his or her
7 land, not in terms of (indiscernible - simultaneous talking).

8 MR. KUWADA: No, we haven't done an outreach type of
9 effort.

10 MR. McCORKLE: Gordon, you're next.

11 MR. ZERBETZ: Yes, I had meant to do a little bit of
12 independent research on this small process -- excuse me, small
13 parcel acquisition matter prior to the meeting, and I did not have
14 the opportunity to do so. But I am personally familiar with a
15 situation where fairly large private corporation in Alaska was able
16 to give a certain amount of property to an institution of higher
17 learning for a relatively modest price and accrue certain tax
18 benefits as a result of that, and in turn then the institution of
19 higher learning leased the property out to other agencies,
20 including governmental agencies, and I was just wondering whether
21 the group of people that we've had here today, this consortium, or
22 gathering of people, were looking at these various properties to be
23 acquired and considered that approach with some of these people.
24 I realize that they're not in tax consulting business, but I was
25 just wondering whether anything like that had been considered, and
26 I don't know if it's possible to -- for this type of a private

1 entity to convey the property to something other than an
2 institution of higher learning, but possibly our attorney, or an
3 attorney present here would be aware of this.

4 MR. MCCORKLE: There seems to be a couple of questions
5 there. How have we negotiated in the past, and can this be done in
6 the future. Alex, this is probably a good opening for you.

7 MR. SWIDERSKI: I'm not a tax lawyer, so I'm not going to
8 venture to answer that question, but what I have found, and I think
9 we've attempted to do it in quite a number of instances, is attempt
10 to package deals in creative ways, and that's what I would
11 characterize what you are proposing, primarily purpose -- worked
12 more with we'll buy one piece and get a get separate donation -- or
13 get a conservation easement on something else. But, if something
14 like what you're describing provides adequate or significant tax
15 benefit to a landowner, we would certainly -- I mean I would love
16 to pursue things like that. I think it's -- can be more cost
17 effective sometimes.

18 MR. ZERBETZ: I would add that I would observe --
19 knowing the history of a lot of these parcels -- or in the state
20 that have been acquired for fairly reasonable prices, you know,
21 through homesite acquisition and various other things. These
22 people would have a terrific capital gains problem, you know,
23 because the basis on some of these properties would be very, very
24 low, and they would have a terrific capital gains exposure. I
25 think that that might -- could be an attractive alternative.

26 MR. SWIDERSKI: It sounds very reasonable to me. I mean

1 I think it's something that, you know, I would be very willing to
2 explore with any landowner, and you're right, some of these parcels
3 and I could name them, and I'm unsure if that's the case ...

4 MR. McCORKLE: I think the PAG should be encouraged --
5 I'm sorry, didn't mean to --

6 MR. SWIDERSKI: I was just going to say it's a good
7 suggestion.

8 MR. McCORKLE: You should be encouraged by these -- these
9 creative suggestions that are coming up. The trail easements,
10 excellent idea, and there's two or three ways in law that can
11 happen outside this process, so I know that the staff and
12 management are writing down ideas that will come up in the minutes
13 as well, but those are great ideas. We'll go from Pam and then to
14 John.

15 MR. BRODIE: I'll talk to the Kachemak Heritage Land
16 Trust about this because that is an entity that exists in Homer
17 which is set up to do these kinds of things, and it's been in
18 operation for six years or so, and then there's another land trust,
19 the Great Land Trust which I've brought up before which is just
20 being formed now which is planning to deal with the whole Kenai
21 Peninsula-Anchorage area, and possibly more than that over time,
22 and they are working very closely with the Nature Conservancy to
23 develop new programs.

24 MR. McCORKLE: Thank you. John.

25 DR. FRENCH: Yeah, I really have two unrelated
26 questions. The first one being, I also noticed that the public

1 lands adjacent to that, what is the disposition of those because it
2 really does look like these two provide access to a fairly large
3 public area.

4 MR. WIENER: They would be in (indiscernible) and I
5 don't know ...

6 DR. FRENCH: (Indiscernible) okay, so they could become
7 fairly easily a part of a larger ...

8 MR. WIENER: I imagine, yes.

9 DR. FRENCH: Second issue specifically relate to
10 donation of land of -- Alex, wasn't, I mean, it was all within one
11 purchase, but wasn't the Tonki Bay part of the Seal Bay purchase,
12 actually, officially donated, at least that was when they made
13 offer to Charlie and the Trustee Council meeting, that that piece
14 of land was going to be donated to the state as part of the
15 purchase. Presumably, they -- provide the tax benefits to
16 alleviate from -- that the income from the part of it that was
17 being sold, but, isn't there something in that precedent that's
18 already happened.

19 MR. SWIDERSKI: That's essentially correct, John. I'm not
20 sure how Seal Bay Timber Company treated that transaction for tax
21 consequences, but they presented it to us as a sale of Seal Bay and
22 a donation of Tonki Bay, so I mean, I wouldn't be surprised if
23 they'd donated -- and there are a couple of others. There are
24 similar components -- the AKI deal, they deal as having donated the
25 conservation easement on that land, and so, we do do that kind of
26 thing. I have a noon commitment, I have a CPR class this afternoon

1 that begins at noon. I apologize, but I have to leave in about ...

2 MR. McCORKLE: We're very glad that you had the time to
3 be with us that you did, because you did answer a lot of questions.
4 A final compelling question for Mr. Swiderski before he goes.

5 MS. VLASOFF: This doesn't have to be addressed to ...

6 MR. McCORKLE: Well, thank you, you may be excused, and
7 we appreciate you.

8 MR. DENNERLEIN: Final compelling one.

9 MR. McCORKLE: Oh, final compelling, okay, there's got to
10 be one ...

11 MR. DENNERLEIN: This is compelling because I still
12 don't have the answer. People didn't think mine was the answer and
13 Dave said we stretched the rubber band. I do need to know a yes or
14 no, as I listened to Doug Mutter and went back to last night and
15 highlighted my book, if I log opportunities to recreation on the
16 coast and we buy opportunities to replace the opportunities I lost
17 to recreate on the coast, I'm not stretching any rubber band, am I?
18 Isn't that -- I mean that may be, as Dave said, that is where it
19 fits in recreation, but it's a capital "R" restoration, isn't it?
20 What did I miss in my book.

21 MR. SWIDERSKI: Mr. Chairman, I don't think you
22 particularly mentioned this to anything. You're essentially right
23 there are some caveats. What we try to do is capture recreation or
24 whatever the loss service is and I can think of a subsistence
25 example as well, we try to capture something that's as similar as
26 possible to what's been lost, specifically that it be in the oil

1 spill area, across Kachemak Bay from the state park, I would
2 consider pretty similar, something farther down the chain, I would
3 not consider so similar. But, yes we do -- I think your analysis
4 is essentially correct, but, you know -- but, try to keep it
5 close.

6 MR. DENNERLEIN: Part two of the global question is --
7 goes to again my colleague Mr. Beck's -- yesterday in some of our
8 discussions which I've -- which even the discussion that revolved
9 around Pam's oil spill, we talked about land management. The paper
10 that Mr. Beck passed out was about how do we influence land
11 management to be a part of what we do -- better land management or
12 whatever, in the spill area. How does this relate? So, just a
13 note, I would -- I don't know about the Tulin Park, so I'm going to
14 drive down to Homer soon, and I'll take a look at it, but I -- I
15 would think that the -- the question is the adjacent -- for a
16 comment and this is a global comment, I don't want to spend money
17 on this parcel if the state's going to sell the one next year.
18 I'll be very simple.

19 MR. McCORKLE: Thank you. Good point. We do need to say
20 thank you to Alex unless you want to stay on. It's up -- it's your
21 option.

22 MR. SWIDERSKI: No, I really have to go, we're starting at
23 noon and I've got a ten minute walk ahead of me..

24 MR. McCORKLE: Well, thank you, we're continuing on,
25 we'll just have to do it in Alex's absence. Who was next, Brenda?

26 MS. SCHWANTES: One question regarding the KAP-150, but

1 the Karluk weir site, that site -- that first acreage, five
2 acreage, is that in by private lands, and there's no access, so if
3 that parcel was purchased, I -- are there problems. I mean, I see
4 problems getting that piece of acreage because the land is
5 surrounded by private lands.

6 MR. McCORKLE: It has a water approach.

7 MS. McCAMMON: Water access.

8 MR. KUWADA: I thought it had a 17b access too.

9 MS. McCAMMON: Does it? Okay.

10 MR. McCORKLE: So, you can go that far. Martha.

11 MS. VLASOFF: Well, we're having a discussion on the
12 break, and one of the ways we could suggest we can go around this
13 question of subsistence, and, you know, and making sure that the
14 communities are -- basically, I guess what you have is a mistrust
15 of -- of agencies and government coming in and, you know, stealing
16 your fishing rights and your hunting rights, and disrupting your
17 lives that way, and one of the ways we can go around it is with a
18 subsistence easement, as part of the package, and Pam was in our
19 discussion, and Brenda -- excuse me -- so, I'd like for them to
20 maybe discuss things that I've left out, but as far as making sure
21 that the communities feel that there is -- there's a way around
22 this trust issue, I think subsistence easements might be a good
23 vehicle for that.

24 MR. McCORKLE: Thank you. Are there additional comments?

25 Kim.

26 MS. BENTON: One of the things that's on --

1 unfortunately, Alex was a good one to answer this -- but in the
2 past acquisitions, there have been a lot of concerns by the
3 landowner about reserving subsistence rights, and so they have
4 taken less value to reserve some subsistence rights on certain
5 areas. I'm not sure, legally, to what degree you can do that, but
6 what I was understanding Martha to say during the break is -- is
7 that if a way of maintaining for future generations subsistence
8 rights ... (End of tape) Just to add to Martha's comments to
9 make it a little more strong, I guess, that in each sale, each
10 purchase, that a subsistence easement be included -- and -- yeah,
11 that's true, you can lower the seller price or the purchase price
12 by including one of those easements, and, you know, that's all --
13 is part of the willing seller/willing buyer part of it. So, -- but
14 it would be really beneficial, I think, to include those
15 subsistence easements on as many of those parcels as possible.

16 MR. McCORKLE: Thank you, Brenda. Kim -- Pam, pardon me.

17 MS. BRODIE: I just want to say I think this is a
18 really great idea that should be pursued.

19 MR. McCORKLE: I'm sure it will show up in the minutes
20 and will be communicated. Jim, you haven't spoken for awhile.
21 It's about your turn.

22 MR. KING: I just think that we should keep in mind
23 that the enhancement provision would apply to recreation, as well
24 as other resources, I would think. So, perhaps, some of these
25 packages fit more into that category than restoration.

26 MR. McCORKLE: Thank you for reminding us of that. Kim.

1 MS. BENTON: Something we could have -- we don't have
2 a "parking lot" any more, but something that we could have put on
3 our parking lot for the next meeting that we get a better
4 understanding of what's available to the federal and state agencies
5 in their land management tools to grant subsistence usage or to
6 grant leave easements -- it all comes down to legalese that I don't
7 understand. So, maybe people who do --

8 MS. MCCAMMON: Mr. Chairman, I'd be happy to put
9 something like that together. I know this has come up, in
10 particular, most recently with the case of our discussions with
11 Eyak on the Core Lands, and the Core Lands -- the corporation is
12 willing to sell those for fee simple. They are willing to actually
13 sell completely, although they've reserved some acreage outside of
14 that acquisition. They have also asked that subsistence rights and
15 preference be granted to Eyak shareholders. This is impossible
16 under existing state and federal law. One of the things we do have
17 to work with is what the law of the land is, and certainly if that
18 conveyance -- and it's intended to go under the Forest Service --
19 then it would be subject to the subsistence rules on federal public
20 land, and in this case there would be a subsistence priority for
21 local residences of Cordova, which includes non-shareholders. So,
22 I mean, there are things that you can do, but it has to be within
23 parameters of existing law. But I'd be happy to put together some
24 kind of a panel discussion of whatever on this and kind of show,
25 highlight maybe, some of the kinds of things that have been done in
26 acquisitions that have been completed and those that are currently

1 under discussion.

2 MR. McCORKLE: I think that would be a splendid idea
3 because the PAG has always been interested in alternate management
4 -- in management alternatives, and I guess we're going to talk
5 about that for many years, and so I think a little package and
6 maybe a little presentation would be really helpful, certainly for
7 the oldtimers as well as the newcomers. Who was -- Martha, were
8 you next?

9 MS. VLASOFF: Well, just to drive this whole issue home,
10 I feel -- you know, personally, I don't -- I don't like the idea of
11 land acquisition for the very same reasons I've identified here,
12 and if I'm not coming across very strong, it's because I'm trying
13 to tone it down, and I ...

14 MR. McCORKLE: Martha, you've communicated beautifully.

15 MS. VLASOFF: Well, I just want you to get my point that
16 the people in the communities need to have a vehicle and to -- to
17 voice their concerns. This is land that they have lived on and
18 subsisted off for thousands of years, and just to talk about
19 selling off certain parts, you know, with unknown -- the management
20 being unknown is a really scary proposition, and I think that if we
21 can incorporate subsistence lease and if we can start -- once these
22 community involvement projects get going and we can have a vehicle
23 in the communities to talk about these issues and really come up
24 with some good co-management resource organizations to discuss all
25 these issues, I think, you know, we're headed in the right
26 direction, then we'll have all the components together to make a

1 good -- good -- you know -- otherwise, I'm not in favor of land
2 acquisition. But if it was set up that way and we can all be
3 working towards that end, then -- then it's beneficial for
4 everyone.

5 MR. McCORKLE: Molly.

6 MS. McCAMMON: Mr. Chairman, I don't think I can stress
7 enough how strongly the Council feels that they're only interested
8 in acquisition of land or rights in land if the landowner thinks
9 that it's also in the landowner's interest to do that. In no way
10 are we trying to force a sale on anybody. If the interests don't
11 overlap and we can't reach agreement on what's best for the
12 landowner and the Council, then a deal won't happen, and that's
13 fine. I think in a lot of cases, and I think this came together
14 really quickly in the Kodiak cases, there was a lot of overlapping
15 interest, and I think the landowners and the Council feel really
16 good about what's happening there, and in a number of other
17 negotiations that are underway now, I think there's a lot really
18 mutually overlapping benefits for both parties that I think will
19 get us to that deal. If we don't have that, then there's not the
20 basis for a deal, and that's -- I mean, certainly, we fully respect
21 the prerogatives of the landowner and have no problem if for some
22 reason we can reach accommodation on that.

23 MR. McCORKLE: Thank you. (Simultaneous talking)
24 I'd like to express my thanks to the PAG for letting the -- let
25 this discussion stray some. I know we've got to come back a bit,
26 but had we stayed just strictly to exposition, we wouldn't have had

1 a chance to have all this philosophy. So, what I'd like to do, in
2 the time that's left for this panel, see if we can't come back and
3 focus on the remaining projects, keep our questions very focused,
4 so that we can then have time for that roundhouse discussion you
5 want to have at the end. Is there anything else compelling on the
6 Tulin parcel before we move on? If not, with your indulgence, we'd
7 like to proceed.

8 MR. WIENER: There are two other parcels in the general
9 vicinity of the Tulin parcels, and I think we can deal with them
10 collectively. They are Kenai 55, the Overlook Park parcel, which
11 is on page 70 of the document, and Kenai 12, the Baycrest parcel,
12 which you can find on page 86 of the document. The parcels are
13 adjacent to each other. From a management perspective, it would be
14 best from DNR's management to acquire both of them and manage them
15 together. The values of these two parcels which lie on Kachemak
16 Bay -- it meets the Overlook Bluff -- those of you who have
17 probably driven down to Homer and stopped on the auto pull-out, you
18 can actually look down on the parcels, and at low tide you can see
19 some very extensive rocky areas and tide pools which gave the
20 Overlook parcel its highest score, which is the extensive
21 intertidal area that is frequented by school groups, environmental
22 groups, nature study groups. The adjacent Baycrest parcel has very
23 much of the same topography. It starts in the intertidal and then
24 moves up to the bluff. It doesn't have the extensive tide pools
25 that the Overlook parcel has. The community is very much in
26 support of acquisition of, I believe, both parcels. I think the

1 Heritage Land Trust that Pamela mentioned sent us a letter in
2 support of acquisition of these parcels. The community in general,
3 I believe, uses the area, although it's difficult to access. It's
4 very hard to get down the bluff to the parcels. You basically have
5 to walk along the beach to access the parcels. The acquisition of
6 the Baycrest parcel would facilitate access to the Overlook parcel
7 because there is a road down to the Baycrest parcel. Again, the
8 primary value is recreation, passive recreation, nature study, and
9 the basic resource value of these parcels is the valuable
10 intertidal area. We -- the Baycrest parcel has been platted for
11 residential subdivision, the Overlook parcel, I don't believe,
12 enjoys any kind of platting or any kind of permitting right now for
13 any kind of development, but there is a possible threat to the
14 Baycrest parcel for residential development.

15 MR. MYERS: Mr. Chairman.

16 MR. McCORKLE: Yes, sir.

17 MR. MYERS: Just to add to those comments, when Joe
18 Sullivan and I were recently down at Homer for the community
19 meeting, there was an incredible demonstration of public support
20 for the Overlook in particular. In fact, as we all know, Alaskans
21 tend to be divisive on many issues, but there was unanimity of
22 opinion in the room about the acquisition of that particular
23 parcel, as well as a showing of a stack of petitions that they had
24 collected, showing this enormous local support for that particular
25 parcel. Joe Sullivan and I also had a chance to take a walk on the
26 beach and visit that parcel. As I think you'll note, it's a steep,

1 steep hill, and you have to scramble -- yeah, we didn't quite
2 rappel, but it almost seemed that way at a point, and there was --
3 it seemed like there were dozens of eagles, sea otters, seals -- at
4 one point I was suspicious that the landowner had arranged some
5 sort of a theme park presentation of wildlife, but it was --
6 anyway, just in response, I think, to this question about whether
7 the parcel enjoys community support, this one -- I've never seen a
8 parcel that had -- had that kind of public support.

9 MR. McCORKLE: Are there any problems with the parcels
10 being separate land. There's state -- state and federal land and
11 then there's a strip of private land between the highway. Is there
12 any access there, or did I not read it.

13 MR. WIENER: There's state land to the west, but you
14 can't access the parcel from that side. The only real access ...

15 UNIDENTIFIED VOICE: From the beach.

16 MR. WIENER: ... from the beach or through the Baycrest
17 parcel, which lies between Homer and the Overlook parcel.

18 MR. McCORKLE: Okay.

19 MR. WIENER: I would say the Baycrest parcel would help
20 to alleviate that access problem -- and from a management point of
21 view would make a lot of sense.

22 DR. FRENCH: How about road access to the Baycrest
23 parcel?

24 MR. WIENER: It's a -- I believe it's a public road.
25 It runs through a subdivision. I don't know ...

26 DR. FRENCH: It's not listed on the map. That's the

1 only reason I ask.

2 (Aside comments)

3 MR. McCORKLE: Yes, sir.

4 MR. MYERS: There is a road, of a sort. It's in
5 pretty poor condition. In fact, when we were speaking with the
6 person who was showing us the property, they said the road had been
7 punched through with a bulldozer instead of a home-grown road right
8 along the edge of the bluff. Frankly, it looked like an incredible
9 candidate for a complete mud slide washout. The person who was
10 putting the road in had been stopped at one point for operating
11 without a permit. It looks like it's going to be a trail, in short
12 order, and then I think I heard that there was, in fact, a small,
13 private holding between the two parcels -- I might have gotten that
14 wrong -- but in any case, it didn't seem to be anything of
15 substantial consequence in terms of the amount of private ownership
16 between the two parcels. I think -- Jerry, remember that also?

17 MR. LOEFFLER: There was something about the Baycrest
18 parcel that -- I've forgotten her name -- that Sandy was saying --
19 the Baycrest parcel did not have beach access. Would that mean
20 there was another of these down there? (Aside comments) It's
21 right up against the beach. Oh, that's right. That's right. I
22 don't remember another piece between those two parcels.

23 MR. MYERS: Okay. Anyway.

24 MR. McCORKLE: Do I understand then that we're unclear as
25 to whether or not there is, in fact, access from Baycrest, and the
26 only access is then from the beach that we can certify today.

1 MR. WIENER: As far as we know.

2 MR. LOEFFLER: There's no access to Overlook Park, other
3 than through the Baycrest, quote-unquote "road," although it's hard
4 to really call that much of a road.

5 MR. WIENER: That access is walking on the beach
6 actually.

7 MR. McCORKLE: But that road, that quote-unquote road is
8 sort of like Governor Hickel's road to Cordova -- I mean, it's not
9 really there?

10 MS. BRODIE: It's a trail.

11 MR. McCORKLE: It's a trail, but can't people use the
12 trail.

13 MR. WIENER: There's no easement -- there's no public
14 easement listed.

15 MR. McCORKLE: And that's the catch. Okay.

16 DR. FRENCH: There's a lot of those roads in that area
17 -- I don't that fits here specifically, but there's a lot of those
18 subdivisions in that area that are accessed by private road under
19 very nebulous conditions.

20 MR. McCORKLE: So, you might want to search that out a
21 little bit. Yes, Brenda.

22 MS. SCHWANTES: Just one question. In your opinion, how
23 limiting would the purchase of this parcel be to those people who
24 use the natural resources, the public natural resources in that
25 agency.

26 MR. WIENER: My agency intends, without going

1 officially on record as saying what kind of a land status category
2 the agency would put it in, but the agency, in my discussions with
3 Parks & Recreation, would maintain it in its natural state,
4 possibly facilitate acquisition of an access easement, maybe
5 enhanced parking, but in general, for the 98th percentile, they
6 intend to maintain it in its existing condition for nature study.

7 MS. SCHWANTES: Clam-digging, fishing --

8 MR. WIENER: There's been no interest in restricting
9 any of the traditional uses of the area. They intend -- my
10 discussions with Parks, they intend to allow traditional uses to
11 persist.

12 MR. McCORKLE: Thank you. Are there further questions?
13 If not, does that bring us to the conclusion.

14 MS. McCAMMON: No.

15 MR. McCORKLE: No. I thought not.

16 MS. McCAMMON: Mr. Chairman, there are a number of fairly
17 highly ranked parcels that are on the Kenai River, and maybe, Mark,
18 you could address.

19 MR. McCORKLE: Oh, we haven't done the Kenai?

20 MS. McCAMMON: The Kenai River.

21 MR. KUWADA: I know it's getting late, although -- very
22 quickly ...

23 MR. McCORKLE: Well, after Kenai River, how much is
24 there?

25 MR. KUWADA: That's it.

26 MR. McCORKLE: Okay. So, we're going to muscle this

1 through.

2 MR. KUWADA: You don't want to do all the Kenai
3 parcels, or just a select few?

4 MS. McCAMMON: (Indiscernible -- out of microphone range)

5 MR. KUWADA: Okay. Before we get to the Kenai, there's
6 one that ranked actually very high. That was the Coal Creek
7 moorage on -- in the Kasilof River. It occurs right on the Kasilof
8 River flats. It's a 53 acre parcel.

9 MS. BROWN: Page?

10 MR. KUWADA: Page 64, excuse me. It has a number of --
11 of resource restoration values, very high cultural resource values,
12 sockeye salmon, pink salmon, as well as a number of other species
13 that aren't just specific to the restoration program. Excellent
14 piece of property.

15 MR. WIENER: This is a parcel that underlines the point
16 I made earlier. It has a tremendous salt marsh on it. It's a
17 very, very valuable piece of wetland.

18 MR. KUWADA: Especially for waterfowl. These areas
19 typically open up earlier in the spring and provide an early
20 foraging for birds coming in. Next page -- well, actually, the
21 previous page, it's Kobylarz. This is actually on the Kenai River.
22 It's a 20 acre parcel, right at Big Eddy. For those of you who
23 have fished there, the Kenai River, you know it's probably one of
24 the most popular fishing holes on the river. This is one of the
25 only -- this is actually the only parcel on Big Eddy that provides
26 foot access from a subdivision that occurs up on the bluff behind

1 it. All of that access is trespass. There is a tremendous amount
2 of access that occurs from boats drifting through the hole, people
3 getting off and fishing on this parcel. It has real high
4 recreational value. It also has value for pink salmon and dolly
5 varden that spawn adjacent to it. There's a slough on the property
6 that has very good habitat for other species of fish as well,
7 chinook and coho salmon.

8 Moving on, we have page 66, the Chester Cone parcel. This is
9 a 100 acre parcel on the Kenai River flats, a situation very
10 similar to the Kasilof River flats. High intertidal values for the
11 estuarine wetlands that occur there. This is -- gets a lot of use
12 by recreationists, as well as a lot of various species, waterfowl
13 species, and the recreation is primarily focused towards the
14 viewing of waterfowl and the Kenai caribou herd, which you can see
15 from this property at times. It runs right up to the river. It's
16 a very good drift along there, and one interesting thing about this
17 property was that the City of Kenai passed a resolution indicating
18 that they would rezone 500 acres of adjacent city-owned wetlands if
19 the Trustee Council purchased this property. The adjacent wetlands
20 are currently classified as rural residential, open for
21 development. They would reclassify them to conservation. So, in
22 effect, you're getting a 600 acre package of protection for a 100
23 acre acquisition.

24 The next one, next page, page 68, is Kenai 54. It's the
25 Salamatof parcel. This initially came in as two 600 acre adjoining
26 parcels. That's why it's so large. Generally, we try to keep are

1 -- the qualifying parcels to 1,000 acres or less. To qualify, they
2 just broke it up and submitted two 600 acre parcels. So, we just
3 put them back together again. This parcel, along with Termination
4 Point, because of their size constitute roughly 60 percent of the
5 total acreage of all the small parcels that we received. So, it's
6 a fairly big property. It encompasses two miles roughly of the
7 river, two miles of fisheries habitat, which is excellent for the
8 Kenai River. It has pink salmon spawning, dolly varden spawning
9 and rearing, high use by river otters and bald eagles. We have a
10 number of nests on the property, and it provides excellent habitat
11 for other (indiscernible) species like chinook and coho salmon as
12 well. There is a tremendous amount of recreational use that is
13 occurring on this property now, which is all in trespass. And, to
14 get an idea of what the potential threat is on these types of
15 property, particularly with Salamatof, you just need to look across
16 the river where they have subdivided a bunch of their land into one
17 acre parcels -- one to three acre parcels -- and it's a lot of
18 riparian habitat that has been lost and a lot of trespass problems
19 that have occurred as a result too, as people access the river into
20 their traditional use areas of fishing spots over land that has
21 been sold and developed and all kinds of conflicts. So, we think
22 this would be an excellent acquisition as well.

23 UNIDENTIFIED VOICE: What page are you on?

24 MR. KUWADA: Oh, page 72, Kenai 148. This is the Kenai
25 River Ranch. This is an interesting parcel. It's 146 acres. It
26 was developed as a horse and cattle ranch. The topography of the

1 area is flat and cleared. It's been planted to hay. There's no
2 native vegetation on the parcel, but the importance of this
3 particular parcel is its strategic location. Because it's cleared,
4 it's perfect for recreational development, and there's a proposed
5 bridge crossing at Funny River Road that would cross the Kenai
6 River.

7 MR. McCORKLE: Is that a capital R or a small, lowercase
8 R? (Laughter)

9 MR. KUWADA: Maybe a little of both. The bridge
10 crossing on the Kenai River that's been talked about at Funny River
11 Road is just upstream of this parcel. If that happens, this would
12 be a natural for development of some sort, particularly -- it could
13 be very intensive, something like RV's or trailer park development,
14 or something, which would bring a tremendous amount of people to
15 the river, tremendous amount of pressure on a situation that is
16 already highly pressured. In this case, with the cattle and the
17 horses that have been on the property, there's some stream bank
18 damage, which acquisition of this property would mitigate pretty
19 significantly. We'd just re-vegetate the area so they can go back
20 to their natural state. But I think the main interest here is
21 somewhat mitigating the threat of -- you know -- the potential
22 development that occur in here which could be extreme. It's a big
23 parcel, it's natural for that type of development.

24 MR. McCORKLE: Is that the kind of parcel that DF&G and
25 DNR might then lease out to a concessionaire.

26 MR. KUWADA: That's not something the Department of

1 Fish and Game or, I don't think, DNR would promote. I think the
2 general feeling is there is already enough access to the river, and
3 that now the important thing is to make that access, existing
4 access, and protect the habitats that we have for sustained
5 recreational use of the river. With more people and more impacts
6 -- I mean, the likelihood of the fisheries stocks in the river
7 getting impacted to a point where they start declining is not worth
8 the risk, I think.

9 MR. WIENER: At the very most at this point -- or at
10 the very least, the agencies would close off the riparian area to
11 allow for re-vegetation to take place before we would reopen to
12 public use.

13 MR. McCORKLE: I'm just having a real hard time with
14 trailer parks. I'm sorry. Pam.

15 MS. BRODIE: This wasn't very clear. I think when you
16 said it's perfect for recreational development, that's something
17 you want to stop.

18 MR. McCORKLE: Oh, excuse me, I must have missed that
19 point.

20 MR. KUWADA: No. I'm sorry. If it stays in private
21 ownership ...

22 MS. BRODIE: Then it's likely to be an RV park.

23 MR. McCORKLE: Okay. Kim.

24 MS. BRODIE: ... the purpose of public acquisition.

25 MS. BENTON: I guess I'm a little confused, and maybe
26 they're not conflicting uses or conflicting directions, but I just

1 heard you say that ADF&G and DNR don't want to increase access, and
2 yet the Governor just announced a \$20,000,000 project to increase
3 recreational access to rivers just like that. So, I'm a little
4 confused.

5 MR. WIENER: I guess we're going to have to caveat the
6 statement. I mean, in terms of recreational access, you're going
7 to go on from our perspective on a site-by-site basis and determine
8 which sites would be amenable to restoration and enhanced access
9 under the management of the agencies, versus closures to protect
10 highly sensitive and pristine sites, and thirdly, of course, to
11 prevent the kind of development we would anticipate happening if it
12 stayed in private ownership and were developed intensely. So the
13 different scenarios that are probably site-specific to address what
14 you're saying. Certainly, we understand where the Governor is
15 coming from on this.

16 MS. BENTON: Did you see any of the sites that are
17 listed in here as being able to fit under the Governor's program to
18 be able to be funded with the \$20,000,000 that's available there
19 from different sport fishing funds -- funding.

20 MR. KUWADA: No. My interpretation of what the
21 Governor was saying is that he will increase access throughout the
22 Southcentral Alaska area -- the Mat-Su Valley as well as the Kenai
23 Peninsula. On the Kenai River, I thinks it's the position of the
24 agencies that there is adequate access already, and that now it's
25 more important to manage the habitats, which was also another point
26 on the Governor's -- I think.

1 MR. McCORKLE: Molly.

2 MS. McCAMMON: Mr. Chairman, I was just in Kenai two days
3 ago and met with the City of Kenai mayor, the Borough Peninsular
4 mayor, we had a public meeting there and we visited a couple of
5 these parcels, and I also had a lot of discussion about the
6 Governor promised to do with \$20,000,000 of the Trustee Council's
7 money and other sources of funding. But there are apparently 150
8 to 170 access points along the Kenai River, a good portion of them
9 are above what's called "the Pillars" further up the river. There
10 isn't a question of enough access, there is a question of good
11 access and managed -- well managed -- access. We went to this one
12 parcel that's a city park, Cunningham Park, that's used as access,
13 although it's not intended to, and then a lot of areas of the river
14 where there isn't any access -- this is a heavily used river, and
15 what's happening is that private charter boats and other private
16 individuals are stopping along private lands, letting people off to
17 go into their woods and use the bathroom, damaging the banks,
18 creating enormous trespass problems -- so a lot of the challenge of
19 managing the Kenai River -- this certainly isn't the purview of the
20 Trustee Council, this is all the management entities doing this, is
21 to figure out where the best access is, where it can be best
22 managed to provide maybe floating docks and bathrooms on the banks
23 in key areas so that you don't have damage to private property;
24 prohibited bank fishing in certain areas, so you don't have this
25 constant walking along the banks, and so it's a real mega issue,
26 and certainly the Trustee Council can be a part of helping

1 facilitate a solution to that problem. Certainly, the Council is
2 not the only answer, not the only source of funding. I think the
3 Governor is looking at possibly some of these key areas, looking
4 towards Trustee Council funding as part of an overall package. On
5 that question of protection versus access, it's a real big one. We
6 heard from a number of the fishing organizations at our public
7 meeting that they were not supportive of acquisition of these
8 parcels if the intent was just to put a lot of boat launches and,
9 you know, things like that to increase access to the river. So,
10 this will be a big issue as these parcels go forward.

11 MR. McCORKLE: Thank you. I do appreciate that
12 clarification. I was obviously nodding off or something when you
13 said that that's what you were trying to address the issue of
14 overdevelopment. I just missed that completely. Er, Chip.

15 MR. DENNERLEIN: I would like to mention just a couple
16 of things here. One is that, with respect to this parcel, I
17 discovered after I was appointed to here that I have some, at least
18 an indirect conflict. I've owned a piece of this land since the
19 early 1970's ...

20 MR. McCORKLE: Oh, well, out of here! Away! Fie!
21 (Laughter)

22 MR. DENNERLEIN: Unfortunately, as you can see, by the
23 nearshore riparian management I'm not a managing partner, and in
24 the late seventies, early eighties, when I was State Parks
25 Director, I once avoided even looking at this piece because I
26 wanted to protect the Kenai River and by both access and habitat

1 protection. I didn't want anything to get in the way of the
2 program. So, though I was urged to look at this piece when I was
3 State Parks Director, I said absolutely not. We bought Morgan's
4 Landing, which is downstream. I agree with the assessment on merit
5 of Fish & Game about the various access. It can be improved, there
6 can be boardwalks, there could be fishing locations, there can be
7 hardening sites, or even as we sometimes say a bad word, site
8 sacrifice, is sometimes better than 18 trails, often better to the
9 river than trampling vegetation. I just -- I -- so you know, I've
10 already signed over to the managing partners, said, you know, your
11 deal, and you've got my vote. You can go ahead and get your
12 appraisal, and whatever you do, you do. I obviously won't vote on
13 this piece. I will say -- tell you what isn't in this report and
14 it is what my fear is -- you can look at the soils maps too -- this
15 is Salamatof loam. This is one of the largest parcels left on the
16 river, and it is one of the easiest to develop, both from its
17 location -- certainly, if the bridge goes through -- and soils.
18 And since I'm a limited partner, as in one twenty-third, I'll tell
19 you everything -- full disclosure. I won't be the person to sell
20 this. This will be sold to a master developer ground lease.
21 That's how this baby will go. It's too valuable to be chopped up,
22 and I think that the assessment of the State on this is correct as
23 to its fate. So, whatever happens will happen, but that -- that's
24 the nature of the parcel, and I concur with the strategy of
25 improving existing recreation sites, quantifying it, but then
26 making some investment -- the State had very little hope along the

1 Middle River, and with Funny River with Morgan's they're both
2 access sites now. With some of these mix of acquisitions, they
3 start to stitch together some stretches that would really help the
4 habitat management, however many can buy. My other question was,
5 have you -- and the question on the Kenai is this one, are there
6 any State lands left that could be transferred to -- under
7 interagency management or other tools like? One of the first
8 things I did as State Park Director with then Jack Wiles (ph) was
9 to a land title search and try and get as many interagency land
10 parcels transferred just to protect habitat, pieces of islands,
11 things that the State owned. Is there a program to sort of gather
12 those in as well as the acquisition program, or has that already
13 been done?

14 MR. WIENER: That was part of this initiative. It may
15 be going on elsewhere, but not in the small parcel program.

16 MR. DENNERLEIN: Again to Chris Beck's comment and
17 others about, you know, it's not just what the State does -- or the
18 feds -- with big oil and gas leasing, if we are going to try to buy
19 parcels, a compatible initiative would be to say, is there cheap
20 property, is there something with the borough, are there little
21 bits and pieces of State lands that could be transferred or
22 gathered into the fold to be part of the picture of habitat
23 protection on the river.

24 MR. MCCORKLE: Oh, if we only had more money -- of all
25 the wonderful things we could do. (Laughter)

26 MS. MCCAMMON: Molly, were you about to say something.

1 MS. McCAMMON: Well, I think those things are really
2 possible, and I know Fish & Game is very interested in that. They
3 have on database -- they have a computer database that has all the
4 owners on the Kenai River and, you know, the plats and what's on
5 there and what they have on the river. They really have put
6 together an incredible -- I don't know if it's Fish & Game or DNR,
7 but they have access to all that information, and I think it only
8 makes sense to look things and to see how you can maximize, and
9 certainly, there are a number of pots of money, especially
10 identified for the Kenai River, the \$1,000,000 that Ted Stevens put
11 into NOAA's budget, a lot of the criminal funds that the State has
12 for the Kenai River, the potential for Trustee funding, the
13 potential for federal criminal funds, and we've got to look to this
14 in a very coordinated fashion so that you can get maximum bang for
15 the buck. So, I heartily endorse this.

16 MR. DENNERLEIN: I just want it for the record to say
17 that I called Mr. Tillery to say what I should or shouldn't say,
18 and so that's why I've explained this. He -- he said don't vote
19 but for goodness sakes please tell us what you know about these
20 parcels. Everybody on the Council has some conflict, they're in a
21 contract, they do, they work for somebody, so I just want to --
22 nothing to taint my involvement in the land acquisition process, so
23 to let you know I discussed with the state attorneys and they gave
24 me guidance as to what I should participate in. I will not vote,
25 or I will abstain on any action on this particular parcel.

26 MR. McCORKLE: We shall consider you sufficiently

1 defrocked. (Laughter) And may we continue.

2 MR. KUWADA: There's only one other parcel, and it's
3 not represented in this book. It came in subsequent to the
4 evaluation and the presentations of the Trustee Council. That is
5 a parcel that the Fish & Wildlife Service has sponsored, as well as
6 the Department of Fish & Game. It's called the Stafonka (ph)
7 parcel. It's owned by Kenai Native Association. It's 803 acres,
8 it covers both sides of the Kenai River, approximately two miles
9 south of Skilak Lake, a very intensive recreational use area. It
10 has exceptional fisheries values for pinks -- pink salmon, dolly
11 varden. Sockeye salmon spawn down to the property, and it includes
12 portion of the Little Queuely (ph) River, which very important for
13 chinook spawning and coho salmon, and without Gary here to speak in
14 more detail, I'll just let you know that that parcel is also being
15 considered as well by the Trustee Council, and it's actually a
16 very, very good parcel.

17 MR. WIENER: There's a number of other parcels we're
18 considering now as part of phase two. We're not bringing them
19 before you today, but I imagine between now and the next Trustee
20 Council meeting you will become aware of the submittals and the
21 evaluations under phase two (indiscernible) parcels. I think we're
22 up to about 20.

23 MS. McCAMMON: Under the process that the Council
24 adopted, if any of these are ranked high or moderate, they
25 automatically go into the ongoing negotiation process that we have
26 underway now, and they will also go out for public review, and

1 there's the possibility -- also the possibility that some of them
2 may be parcels meriting special consideration, but those have to be
3 acted on affirmatively by the Council to get to that designation.

4 MR. McCORKLE: Martha.

5 MS. VLASOFF: Did we discuss Perl Island already?

6 MR. McCORKLE: No.

7 MS. McCAMMON: No.

8 MS. VLASOFF: Okay.

9 MR. McCORKLE: Did you want to?

10 MS. VLASOFF: Yes, I just had a question about ...

11 MR. McCORKLE: What page is that?

12 MS. VLASOFF: That's 74.

13 MR. McCORKLE: 74? Thank you. Let's take a trip to Perl
14 Island. What question had you, Martha?

15 MS. VLASOFF: Oh, as far as -- it says acquisition of
16 this parcel would place most of the island in public ownership and
17 eliminate adverse impacts on injured resources from cattle grazing,
18 but it doesn't say what kind of injured resource that they're --
19 that they're referring to.

20 MR. WIENER: We could answer that. The streams
21 primarily -- the cattle are getting in the area around the streams
22 and trampling the riparian vegetation pretty much.

23 MS. VLASOFF: So, what injured resource is it?

24 MR. WIENER: Dolly varden, and I think there's pink
25 salmon on the others. Pink salmon and there's silvers on the other
26 streams too. So, the cattle -- I mean, everywhere cattle are, they

1 make a mess of streams.

2 MR. McCORKLE: Pam.

3 MS. BRODIE: We have a member of the public here who
4 represents the owner of another small parcel, which was recommended
5 by State Parks, but was not recommended by agency and isn't on this
6 list, but I think it would be a good idea to give him a few minutes
7 to talk about his parcel.

8 MR. McCORKLE: And who is that? Oh, you're representing
9 the owner. Shall we finish this then, and then -- then allow a few
10 minutes for that presentation. Is that all right? Okay. Anything
11 further on Perl Island.

12 MS. VLASOFF: What's the advantage to having public
13 ownership of the complete island?

14 MR. WIENER: Well, for one thing, it would remove the
15 cattle that are there because the State would take ownership of
16 virtually the entire island, and I assume -- I can't, again, speak
17 to what the agency would actually do with the island, but I would
18 imagine it would be managed primarily for recreation purposes.

19 MR. McCORKLE: And I assume the Perl Island Ranch Owners
20 are -- have, as others in the blue book, have brought forth this
21 from the position of a willing seller?

22 MR. WIENER: Absolutely.

23 MR. McCORKLE: Thank you. John.

24 DR. FRENCH: I just can't resist this opportunity to
25 suggest another indication of conflicts within management agencies
26 as to what the preferred use of the land is. If the State is

1 already granting grazing leases, they probably could significantly
2 inhibit the profitability of grazing on the land by simply revoking
3 those leases and using a State management other than purchasing the
4 land. Maybe purchasing the land would be necessary too, but, I
5 mean, it's really frustrating to me and I think to some of the rest
6 of the PAG here, the degree or the extremely limited degree with
7 which the state and federal agencies are willing to exercise the
8 same sort of management objectives on their own land that they are
9 trying to encourage on private lands through acquisition.

10 MR. McCORKLE: But, John, what about the Perl Island
11 Ranch partners? (Pause) No comment. Obviously, an inappropriate
12 question.

13 MR. WIENER: On the adjacent land, not on the land
14 itself. The ranch is privately owned. The adjacent lands that the
15 State has issued the lease on.

16 DR. FRENCH: I thought you said it was a State lease?
17 (Simultaneous comments)

18 MR. WIENER: The Perl Island portion is privately
19 owned. The adjacent land is State owned, except for a small corner
20 in the northeastern corner is BLM and I believe it's been selected.

21 DR. FRENCH: (Indiscernible -- out of microphone range)

22 MR. WIENER: The lease is on the remainder of the
23 island.

24 DR. FRENCH: On the State land on the island. If you
25 no longer leased it, the profitability of Perl Island Ranch would
26 be significantly ...

1 MR. WIENER: Well, from a practical point of view then,
2 the State would probably have to erect a fence between the
3 ownership of the Perl Island on that boundary to keep the Perl
4 Island cows off their land, which probably isn't something the
5 State wants to do, but I can't speak to that really.

6 (Aside comments -- laughter)

7 DR. FRENCH: I was trying to make a general point.
8 Art, I think you are probably aware that in terms of timber leases
9 on state and federal lands, in terms of grazing leases, I think
10 that the point is generally fairly broad and should be emphasized
11 to the state and federal management organizations.

12 MR. MCCORKLE: It was a good point, John. Thank you very
13 much. Martha, did you have any further questions on Perl Island?

14 MS. VLASOFF: No. The BLM land -- would that be to the
15 Port Graham?

16 MR. WIENER: I believe so.

17 MS. VLASOFF: So, have they been involved in the
18 discussions as far as this ...?

19 MR. WIENER: They didn't offer their land, the land
20 that they've selected up, for the small parcel process. We'd
21 certainly welcome it because then it would allow for public
22 acquisition of the entire island. The corner that the Port Graham
23 folks are going to get is virtually inaccessible. It's on very
24 steep shoreline. Quite frankly, I'm not quite sure why they
25 selected it, but it's a very difficult an access.

26 MS. VLASOFF: A lot of times land wasn't actually

1 selected by -- it was -- selection was made for them in ANCSA.
2 Sometimes we ended up with glaciers, instead of something you could
3 use.

4 MR. McCORKLE: Thank you. Molly.

5 MS. McCAMMON: Mr. Chairman, I think this is part of the
6 overall discussions with Port Graham Corporation over some kind of
7 potential protection of their other lands. So, whether this ends
8 up becoming part of something, I don't know, but it's under
9 consideration.

10 MR. McCORKLE: We'd like to offer our thanks to the
11 panel for -- unless there's further questions before we move on.
12 Pam?

13 MS. BRODIE: Yes. I'm sorry. I had thought that the
14 Perl Island discussion was finished when I brought up this other
15 parcel. But I do have a broader question, and it's kind of --
16 relates to what John was saying about management of public lands
17 and their relation to this acquisition process. There are these
18 various proposals to acquire private lands on the Kenai River to
19 protect this habitat which is so important to so many people in
20 Alaska. Meanwhile, Congress has just -- both houses of Congress
21 have passed legislation that will require the Forest Service to
22 vastly increase logging of Chugach National Forest in the name of
23 salvage, and the first place that's likely to get logged -- it
24 hasn't been signed by the President yet, but it's part of the
25 Rescissions Bill -- it hasn't gone through Conference, so the
26 actual language is to be determined, but it's very likely to be

1 signed into law -- the headquarters of the Kenai River are likely
2 to get logged, and I wonder if you could say something about what
3 affect that would have on these acquisitions that the Trustee
4 Council is considering.

5 MR. KUWADA: Well, I don't want to speculate right now
6 what the ultimate impact of whatever development occurs out there
7 is going to be. I'm not even sure where the boundaries of that
8 potential harvest are likely to occur. I think our concern with
9 most of the river, lower river, is primarily the impacts that are
10 coming from the use that occurs down there. It's a different type
11 of impact than what you're referring to.

12 MS. BRODIE: I realize that. We haven't had this
13 problem yet that we're about to have. It's an additional problem
14 that ... (end of tape) what it's going to look like.

15 MR. McCORKLE: Thank you, and are we -- I believe --
16 think that was the last word. Thanks, again to the panel. We
17 appreciate your indulgence and all of the response to our
18 questions, which sometimes were not the easiest to respond to, be
19 you did a splendid job. We would like to continue on. We are not
20 going to take a recess. The next time we stop is when we adjourn.
21 So, we will have next then the person who Pam would like to
22 introduce and bring forward to the microphone.

23 MS. BRODIE: I think if our members of the panel could
24 sit through this, they might enlighten us about the parcel ...

25 MR. McCORKLE: They may wish to, but they'll have to, I
26 think, give us the microphone spot, so we can have another

1 presenter.

2 MR. DENNERLEIN: I request that too, because I have
3 one parcel to bring forth as a question from the public ...

4 MR. McCORKLE: Okay.

5 MR. DENNERLEIN: ... that I'd like our panel to take
6 a look at.

7 MR. McCORKLE: Would you -- yes -- sit down and identify
8 yourself and let us hear a few words from you.

9 MR. DAVE DEANS: Thank you, Mr. Chairman. My name is
10 Dave Deans. I own and operate Focus Company, which is a commercial
11 real estate brokerage, and I represent the owner of one of the
12 small parcels that you have addressed and discussed a bit today.

13 MR. McCORKLE: Which parcel?

14 MR. DEANS: That being Ellamar. And for your notes
15 and information, the same ownership also has submitted for
16 nomination the parcel which you have not discussed today but which
17 is ranked low. Just briefly on Ellamar, I developed an
18 appreciation for your concerns and your process and certainly note
19 the concerns that were voiced relative to the disjointed ownerships
20 and the previous uses and those types of things, and what I would
21 encourage you to look at is that in my business what we try to seek
22 is qualified and motivated parties on both sides, and if you have
23 both motivation and ability to perform, things generally come
24 together, and I'm here to tell you that this particular owner is
25 qualified and motivated to perform, and with that openness and
26 willingness, I think that there is certainly the environment to

1 address and mitigate each every issue that you have raised,
2 including some types of partial acquisitions or fee acquisitions of
3 portions of the tract that have been submitted. So, I just
4 encourage you to look at the half of the glass that's half full --
5 or half empty versus half full -- and use the issues that you
6 raised as a basis and a reason for sitting down, negotiating a
7 solution to those problems, and that door is totally open.

8 Equally or possibly more importantly, I've tried to educate
9 myself and develop a clear understanding of the criteria and the
10 ranking -- the criteria which results in the ranking you've
11 established, and in doing so it's interesting to me that a parcel
12 that the same ownership owns which is defined as Horseshoe Bay
13 PWS11, located on LaTouche Island, appears to me to have many of
14 the same features and the potential for mitigating some of the
15 problems that exist with, for example, Ellamar, and these are
16 similar in respects that there are large tracts of ground but which
17 have been legally subdivided and, with respect to Ellamar, has been
18 -- a number of sub-components have been sold off and developed,
19 etc. Whereas, Horseshoe is simply platted and ready to be sold to
20 different interests, but has not yet been. It is within five miles
21 of what I understand to be one of the most heavily soiled beaches
22 in the entire spill, that being Sleepy Bay on LaTouche Island, and
23 it's unclear to me why, because of its geographic location and
24 things, it didn't reach a high or moderate ranking and why this
25 rubber band concept, why something on the bluffs of Cook Inlet
26 would have some much more attractiveness in the ranking system as

1 something in Horseshoe Bay on LaTouche Island, which has been
2 described to me as a saltwater marsh type of environment. And I've
3 talked to scientists involved in that, and their concern is that
4 even though it's a saltwater frontage and things, it's relatively
5 inert relative to Ellamar, and that may be the case, but -- you
6 know, the eagle that flies over is not necessarily a different
7 eagle than may be at Chenega or may be at Sleepy Bay, and it just
8 seems like it doesn't seem to make common sense that some things
9 that would dramatically impact the parcel within five miles would
10 not also to some extent impact this parcel, and I encourage you to
11 take a look -- I've heard some of the words used in justification
12 of other parcels, including mitigating threat of development,
13 tremendous saltwater marsh, tremendous potential recreational
14 opportunity, etc., and those are all good reasons. They don't fall
15 within the ranking criteria, but I think, with respect to
16 Horseshoe, it should stand on its own merit. It has all of the
17 elements of justification for acquisition that I've heard that are
18 kind of the rubber band stretch to other parcels. For example,
19 this piece of private park property bisects Horseshoe Bay State
20 Marine Park, it has a ready, willing and able management agency, it
21 seems to have all of the biological reasons for acquisition, and it
22 is a future, potential Ellamar in that -- you may not see now, as
23 you fly over, scattered cabins and roads and partially constructed
24 facilities for beach access and things, but that's what Ellamar was
25 some years ago. So, I encourage you to take a look at mitigating
26 a future threat in its pristine environment. You have the ability

1 right now to mitigate all of this if you would just consider
2 Horseshoe, and the purpose would be to prevent the various issues
3 that you discussed at length this morning with Ellamar, and it's
4 within your control now to take care of that situation before it
5 raises its head. Also, it seems to me like that -- again, I'm not
6 intimately involved in the process, but I can give you possibly a
7 little bit of the view from someone's perspective maybe that sees
8 a broader scope, and that is that the public, generally, although
9 being not specifically informed the public is generally watching
10 what you're doing, and the public knows where the spill itself
11 occurred, and to someone reading the *Daily News* and seeing an
12 acquisition on the Kasilof River and yet seeing something on
13 LaTouche Island not being given very much serious consideration,
14 you know, the public wants to know why there isn't more of an
15 effort to address the area where the spill occurred, and I think in
16 the future years that that's going to become more and more evident.
17 There's -- there were fewer parcels submitted for acquisition in
18 the Sound, there were fewer parcels approved for negotiation, and
19 I think that you should look strongly at doing something to
20 complete Ellamar, even though it may be a part of what was
21 submitted, and to take a serious look at Horseshoe Bay. Thank you.
22 Now, I'll address any questions.

23 MR. McCORKLE: Thank you very much, Mr. Dean. We do
24 appreciate you coming to talk to us, and I'm sure there will be
25 some questions. I would like to just underscore that we are not a
26 legislative or judicial body, we are just an advisory group, but we

1 cherish comments from the public -- and wholeheartedly, sincerely
2 solicit them, so we are very glad for you to come and talk to us
3 today, and if there are questions for Mr. Dean from the group, I'm
4 sure we'd like to have them now. John?

5 DR. FRENCH: This is more directed at the analysis
6 team, but do we have a rating for that parcel, and do you wish to
7 make any comments as to why it rated low?

8 MR. WIENER: One of the very eloquent points that Mr.
9 Dean made is discussing why a parcel, located basically in the
10 heart of the spill area, ranked lower than parcels that weren't
11 nearly as directly affected by the oil. This is very germane to
12 the whole process that we've used for scoring and ranking parcels.
13 We did not -- we purposely did not use the metric of oil spill
14 impact upon the ground to evaluate parcels. Fortuitously, the map
15 is on the back of the room. We looked at every parcel within the
16 blue line equally, regardless of whether or not a parcel had been
17 directly impacted by the oil or not. One of the reasons behind the
18 logic is because a number of communities were affected by the oil
19 but were not oiled -- Cordova, for instance, the community of
20 Kodiak through the impacts to commercial fishing. It would have
21 been unfair to choose the metric of oil spill impact on beaches
22 alone in assessing which lands we should evaluate and which lands
23 we shouldn't evaluate. So, rather than choose a metric that would
24 have been fair to some people and possibly unfair to others, we
25 evened the playing field and said that any parcel that came to us
26 that filled all of the criteria, including located within the oil

1 spill-affected area, we then went ahead and evaluated equally,
2 regardless of the amount of impact that the shoreline on that
3 parcel had received from the oil. The second and more specific
4 comment I'd like to make with regard to the parcel in Horseshoe
5 Bay, my agency -- DNR -- would like very much to acquire this
6 parcel because it represents an in-holding smack in the middle of
7 the park, but the fact that a parcel is an in-holding within public
8 lands does not rank very high within our criteria, because if we
9 did rank that particular attribute very high, we'd probably end up
10 buying a great deal of land on Kodiak -- and the Fish & Wildlife
11 Service would be very happy if we did so -- and wouldn't be
12 purchasing lands in other areas of the affected area. So, the
13 criterion of an in-holding within public lands was not used, per
14 se, as one of the parameters that we used for evaluating land.
15 This particular parcel does have an anadromous stream, it does have
16 good and possibly high or higher recreational use, but based just
17 upon those two criteria, it didn't receive the score that some of
18 the other parcels did.

19 MR. McCORKLE: Mr. Dean, would you like a follow-up
20 question?

21 MR. DEANS: Well, in looking at the justification
22 you've used or the narrative description of the proposed
23 acquisition of Ellamar and looking at the sub-components of that,
24 it appears to me, from my limited scientific knowledge, that
25 Horseshoe Bay contains all of the justifications that are listed
26 here, excepting for spawning concentrations of Pacific herring and

1 sea otter pupping area, but as off-setting to that, clearly, it
2 doesn't have most, if not all, of the potential issues that were
3 raised on Ellamar this morning, i.e., disjointed ownerships,
4 houses, roads, mining issues, and those types of things, and so I
5 do understand that this was a scientific ranking and analysis laid
6 against the resources criteria, it just seems interesting to me
7 that it wouldn't rank higher, given what historically has been
8 there. People have said there's sea otters swimming around out in
9 the bay. This is some fifteen or seventeen hundred foot of
10 frontage on Horseshoe Bay, which, for all intents and purposes, is
11 the access point to the park, so people -- it's got the stream
12 going through it that's on private property. People trespass on
13 this to get to the state park. Most -- a lot of the state park
14 maps basically lead one to believe that this is the state park,
15 because it is the indent into the coastline. Horseshoe Bay is this
16 property, and for those reasons, in addition to the potential for
17 mitigating all of the issues that were raised on Ellamar -- what we
18 fly over now when we see Horseshoe is pristine wilderness, but what
19 you could see there is 30 or 40 or 50 cabins, and it seems like
20 that's the goal is to keep those types of things from happening in
21 areas where we have the authority and the ability to within the
22 spill area.

23 MR. McCORKLE: Are there any comments from the PAG? Yes,
24 Dave.

25 MR. COBB: My question would be, what criteria made
26 it such a good marine park?

1 MR. DEANS: I'm not familiar with that -- oh.

2 MR. COBB: You know, it's a -- you had to use some
3 type of criteria to determine that it was a good marine park, and
4 if this sits right in the middle of it, it would certainly seem to
5 me that this portion of Horseshoe Bay or Horseshoe Bay would also
6 fit that criteria.

7 MR. WIENER: The best solution I would have to this
8 problem, because I'm certainly sympathetic as a representative of
9 DNR to the fact that private land could lie right in the middle of
10 one of our parks, would be to convince Craig Tillery or one of the
11 Trustees to elevate it into a parcel meriting special
12 consideration, because it does not rank, on the basis of the other
13 criteria, enough to move it into the high or moderate categories,
14 but if there's a compelling argument or another reason for a parcel
15 to be considered by the Trustee Council, this is the reason the
16 Trustees created the category for special consideration, and I
17 believe that if you can convince one or more of the Trustees that
18 this parcel should be considered thereby, I would recommend that
19 course of action.

20 MR. McCORKLE: Has there been opportunity for you, Mr.
21 Dean, to -- to address the concerns that you have expressed here
22 today to the Trustee Council?

23 MR. DEANS: Yes.

24 MR. McCORKLE: Okay. Chris.

25 MR. BECK: Oh, I was reading through the evaluation
26 ranking criteria in the white and blue book ...

1 MR. DEANS: Yes.

2 MR. BECK: . . . and just as, again, sort of an
3 outsider who has looked in on a process that's complicated, and I
4 probably don't understand all the details, it looks like a number
5 of these points are well served by this parcel, in terms of the
6 connectiveness, the essential habitats, links to injured resources,
7 services or connected to other elements, emphasis to the greater
8 ecosystem, parcel has strategic value, it's simple fee under
9 management, to protect or provide access to key habitats that occur
10 on or beyond the coastal boundaries -- some of these items to the
11 casual observer sound like they're direct hits for the proposal
12 you're bringing to the table.

13 MR. DEANS: In addition to that -- you know, I'm
14 certainly not technically knowledgeable, but I've been told that
15 Horseshoe Bay, being a relatively shallow, almost marsh land type
16 of intertidal flat, you know, certainly has extremely high value
17 from an environmental standpoint, and even though I'm not
18 technically knowledgeable about that, as far as a comparative
19 analysis with the beach front on Cook Inlet, I mean it seems to me
20 like that that's a no-brainer.

21 MR. MCCORKLE: Chip.

22 MR. DENNERLEIN: I have to refresh my memory. There
23 is no question that Horseshoe Bay is -- is a neat place in the
24 Sound, and it is a -- inside that bay is marsh and shallow. The --
25 what I would suggest -- because I -- this parcel was brought to me
26 by the owner when I was State Park Director, it was brought to me

1 just after the spill, you know, when the owner thought I might be
2 connected in some way with something that happened in the spill,
3 this is a marketed parcel to the State at a number of points. But
4 I did not have a role and did not have the time to pay that much
5 attention to this. I think that what makes sense, there are people
6 in the State -- if it merits special attention, it will be because
7 of the keyhole that Dave is talking about and Chris is talking
8 about. I think there are people that know the answer to this
9 question, including Mr. Crenshaw, who is the State Park Prince
10 William Sound sort of specialist, and if there's a good argument
11 for a special attention area, I think that -- that ought to be
12 pretty easy to lay out, and so maybe what we should ask our staff
13 is to get a report on this from Mr. -- from Ron -- Crenshaw -- and
14 the State Park staff. That's what I would suggest in terms of its
15 any special values and interrelationship to the marine park system.

16 MS. McCAMMON: Er, Mr. Chairman, at this point the
17 Department of Natural Resources has not requested that the State
18 Trustees try to elevate this to a parcel meriting special
19 consideration. Now, through this public process, they may
20 reconsider that and bring it to the Council's attention, and
21 certainly all of the information that -- and comments from the
22 Public Advisory Group -- is going to go -- will go to them also.
23 But at this point -- I mean, we did ask specifically on this parcel
24 whether they wanted to have it considered at that time, and at this
25 point they haven't requested that.

26 MR. McCORKLE: Thank you. John.

1 DR. FRENCH: Yeah, I wish Chuck was here because he may
2 be the best one to answer this question. Do you have any idea, of
3 the staff that was in Chenega, whether or not this parcel and
4 whether Horseshoe Bay is of special interest to the Chenega Village
5 residents?

6 MS. McCAMMON: I couldn't answer that.

7 (Aside comments)

8 DR. FRENCH: It certainly wasn't brought to your
9 attention while you were . . .

10 MS. McCAMMON: . . . comment on it.

11 DR. FRENCH: . . . visiting the village?

12 MR. MYERS: I don't recall any discussion in the
13 Chenega community meeting regarding this parcel.

14 MR. McCORKLE: Yes, Mr. Dean?

15 MR. DEANS: I appreciate the interest and concern in
16 possibly evaluating it for consideration under the special features
17 or special interest category. However, part of that I would like
18 to review again the reasoning why it doesn't appear to rank higher
19 under the established criteria from what otherwise appears to be
20 quite similar parcels that are being given, you know, substantially
21 more consideration.

22 MR. McCORKLE: Well, we have had that response from the
23 professionals. Unless there is anything further that you wish to
24 add, I think what I'd like to reassure you of is that your
25 appearance here today and your comments and the comments Dave had
26 in response will go into the minutes of tribunal -- (chuckle) --

1 this group -- and will then go forward to the Trustee Council, and
2 I think we wish to encourage any member of the public to continue
3 that dialogue, and, as the Executive Director has pointed out, this
4 is an ongoing process and we may not have had the last chapter
5 written yet, and so it's possible that you should continue your
6 representation.

7 MS. MCCAMMON: Mr. Chairman, I think it's also very
8 appropriate on the evaluation of these parcels and their ranking
9 that if the public, and you definitely are a member of the public,
10 has an additional information to provide on any of these parcels,
11 it will be given to the evaluation team, and they will put it into
12 the mix and take a further look at the evaluation and that could
13 result in some change in the ranking, and so the more detailed
14 information that you or any other members of the public could
15 provide on this or any other parcel would be very much welcomed.

16 MR. DEANS: Thank you.

17 MR. MCCORKLE: Would you like to add anything else?

18 MR. DEANS: Only that, in summary, again, I have
19 listened to some of the struggles you've had with -- both on large
20 and small parcels on negotiations, and what makes all of that
21 easier is the willingness of a qualified and motivated seller, and
22 this seller is qualified and motivated to negotiate with the
23 Council, and it appears that Horseshoe would be win-win for
24 everyone, including both the public that's not an active part of
25 this process, but whose questions could be answered as to why there
26 wasn't something being done in the area of the spill -- in their

1 eyes the area of the spill, not the line that's drawn.

2 MR. McCORKLE: Thank you very much for coming to be with
3 us today.

4 MR. DEANS: Thank you.

5 MR. McCORKLE: And thanks, also, to the PAG and to you,
6 Pam, for mentioning that we did have this member of the public
7 present who could talk with us. Are there any other parcels to be
8 considered before we move on? Yes, Chip?

9 MR. DENNERLEIN: Yes, I would like to bring forward,
10 in the spirit of our Director's last comment, additional
11 information from the members of the -- from the public. One on
12 behalf of -- speaking of the spill area -- Nancy Lethcoe in Valdez.
13 I'd ask our raters to take a look at some information that she's
14 forwarded to me on parcel number 447, and I think we can let that
15 -- oh, and -- yes, I think Dave Cobb got this information, as did
16 Chris Beck, so . . .

17 UNIDENTIFIED VOICE: And we've discussed it.

18 MS. McCAMMON: And so did the Trustee Council.

19 MR. DENNERLEIN: Oh, it was -- okay. And then the
20 second was the -- and I think the Trustee Council got this letter
21 too, but since I had contact from several citizens from Homer on
22 this parcel, I said I would bring it forward to you directly. It's
23 a parcel -- Kenai 20 -- and it's called the "fox farm" and it was
24 a very recent parcel. It faces both China Poot and Pedersen Bay.
25 It is -- it has a variety of -- I don't -- according to my
26 information, there was not much knowledge about this parcel brought

1 forth from the public or it falls under that category, Molly, that
2 you said what other things do we know. There are a number of 12 to
3 14 EVOS species that use this parcel, according to people who know
4 it, and as a matter of fact its a DeLaguna archaeological site, and
5 that I do know, and I think the question is that that the China
6 Poot Bay folks -- Mike McBride and the Center for Coastal Studies
7 got together and wrote a letter which I think has been sent to the
8 Council, and they provided some information, and they are pretty
9 involved. It is an area where there is marine science and
10 education, and if this parcel has these resources, it fits right in
11 an area where we have a lot of things going on, from the Shorebird
12 Festivals to the Center for Coastal Study walks, and it has, you
13 know, could have a variety of benefits. So, I would just like to
14 pass this additional information on and have a reading from the
15 team or a response from the team on what this does to the ranking.

16 MS. McCAMMON: Mr. Chairman, we also have received copies
17 of that information, and they have been given to the evaluation,
18 and they will be looking at it and viewing it as new information.

19 MR. DENNERLEIN: Great. Thank you.

20 MS. McCAMMON: Thank you.

21 MR. McCORKLE: Thanks for the new information. Are there
22 other parcels to discuss before we take up the balance of our
23 agenda.

24 MS. McCAMMON: Mr. Chairman, if I might just do one thing
25 just to let you know what the process is now and what happens next,
26 which I'm surprised nobody -- Pam, you didn't pipe up with that.

1 Umm, when the Council adopted this process in February, they
2 directed me to come back with recommendation on where to go next
3 with all of this by June 15th. At that time we thought there might
4 be some appraisals done and that we might actually have -- possibly
5 some parcels that would be ready for us for action at that time.
6 I think at this point it's unlikely that the Council will be taking
7 specific action as early as June. What happens next is that all of
8 these parcels, either high, moderate, or meriting special
9 consideration, have gone through preliminary title work. They are
10 having hazardous materials surveys done on them, there have been
11 additional contacts with the landowners to see if they're still
12 interested -- in some cases there's some question about whether
13 they're still interested -- there's discussions with the various
14 state and federal agencies as to their intentions on management.
15 So all of these are ongoing. Before they get to the appraisal
16 stage, we want to have some consideration that the title is clean,
17 that there are no serious hazardous materials problems, and that
18 there is the potential for good management on these parcels. Once
19 I have assurances of those, then the appraisal authorizations goes
20 forward. The state and federal agencies are in the process of
21 contracting for appraisals. Once we get to a value, then actual
22 negotiations with the landowners occur. What I intend to have by
23 June 15th at this point is a -- basically a status report to the
24 Council on where we are on all of these parcels, which ones appear
25 likely to go, what the response from the public has been, what the
26 response from the Public Advisory Group has been, what pot of money

1 potentially I've identified in our cash flow budget that may be
2 allocated for these -- so, it will probably be more of a general
3 report at this stage -- and some indication of where of priorities
4 seem to be shaking out in terms of the public, in terms of
5 restoration needs, and kind of an overall effort. So, at this
6 point, I would anticipate that report being mid to late June. I
7 believe the Council has a meeting scheduled for -- the Public
8 Advisory Group has a meeting scheduled for June 13th and 14th, and
9 so probably by that time I'll have that report ready and we'll be
10 presenting it to you before it goes to the Council.

11 MR. McCORKLE: Thank you very much for that back up. I
12 think it's good to have. Pam?

13 MS. BRODIE: Is there a particular public comment
14 period, and should that be before the status report or after it's
15 just ongoing?

16 MR. McCORKLE: The proposed commentary is ongoing, but I
17 think it would be -- it's important to get it up front as soon as
18 possible because it does -- the Council reads all of the public
19 comments and they definitely take that into consideration when
20 looking at these things.

21 MR. McCORKLE: Is there a mechanism for that to happen?
22 I mean, a formal one, or is it more or less an informal, continuing
23 comment period?

24 MR. McCORKLE: It's informal to the sense that any
25 letters, any phone calls, are documented, and these are all
26 included in the record -- both in the record for each parcel under

1 consideration and also in the Trustee Council packet that they get
2 whenever they meet. So ...

3 MR. McCORKLE: Thank you.

4 MS. McCAMMON: ... it's more than informal.

5 MR. McCORKLE: Are we ready to move to the next topic?
6 Well -- Brenda? Never fear, we're not going to go forward yet.

7 MS. SCHWANTES: I can't resist. (Laughter) In the
8 habitat protection process, I feel pretty strongly that instead of
9 limiting resources to individuals that it ought enhance, that it
10 ought to include enhancing resources' availability to individuals,
11 and I kind of sometimes am getting the feeling that in the habitat
12 protection process that we're limiting more and more of those
13 natural, available resources to individuals who enjoy that benefit.

14 MR. McCORKLE: Thank you. There will be a time before we
15 adjourn at seven or eight o'clock tonight (chuckles) for a period
16 that's called "for the good of the order," so if there are things
17 that you'd like to say that have come up, comments you'd like to
18 make before we conclude, that is an appropriate time to do so as
19 well. So, you don't need to feel that those opportunities will
20 leave us. So, where we are now is we're going to continue on with
21 the agenda that we have not finished yet and call to the force Bob
22 Loeffler, who is going to continue the discussion on the overall
23 restoration program, and this is also a time, after Bob has made
24 his more or less formal part of the presentation, that we will then
25 go into a continuing dialogue between the Public Advisory Group and
26 Bob, and we will also address then the kinds of things that Chris

1 put forward in his memorandum of yesterday and that all of you have
2 been sort of storing up with respect to the overall program.

3 MR. COBB: Mr. Chairman, under action items, would it
4 be possible to add one other action item, that being ...

5 MR. McCORKLE: Anything is possible.

6 MR. COBB: Okay -- that being the PAG vote or
7 consideration for the norms.

8 MR. McCORKLE: Yes, I have that down here under here
9 other things to be done, and I do have that here, so you might want
10 to add that to your list. One of the things that we want to talk
11 about would be voting on the norms, and also we want to bring up
12 again the matter -- the urgency -- of alternates as a matter of
13 discussion. We are not going to be able to ratify the minutes, the
14 ad hoc report, the proxy voting or the field trip, simply because
15 we don't have a quorum, and we seem to be thinning out even more as
16 we go, but we -- yes, Kim.

17 MS. BENTON: I was supposed to remind you about the
18 phone cards.

19 MR. McCORKLE: And the phone cards -- all right. That's
20 right, you were going to remind me about the phone cards -- and we
21 do have a small report on those. So, I now -- John?

22 DR. FRENCH: Point of clarification -- I thought we
23 voted on the field trip resolution when we did actually have a
24 quorum briefly.

25 MS. McCAMMON: We did.

26 MR. McCORKLE: Oh, we did? One of the few we did?

1 MS. McCAMMON: Yes.

2 MR. McCORKLE: Uh-huh. That escaped me. Okay, so we
3 don't need to worry about -- we actually had a quorum that voted on
4 the field trip?

5 UNIDENTIFIED VOICE: Yes.

6 MR. McCORKLE: Well, thanks for reminding the Chair of
7 that. I didn't notice that. I'm glad we did one bit of business
8 anyway. (Laughter) Of course, there are those who think that's
9 probably the least important bit of business we could have done.
10 So, without further ado, Mr. Loeffler, the floor is yours. Are you
11 ready?

12 MR. LOEFFLER: Yes, I'm ready. (Laughter) Given --
13 here's what we'd originally planned to do -- is that we'd planned
14 to do two things. One, is give you an overview of the information
15 that's part of the draft restoration program. That is, yesterday
16 you heard the ecosystem portion, the three ecosystem projects which
17 were about -- could be roughly half the money for FY96. But
18 there's other important parts, many of which go to a lot of your
19 concerns about community projects and projects that do direct
20 restoration and actually, sort of, have more immediate end points.
21 So, I was going to give an overview of that. And the next thing I
22 think we needed to do was have a roundtable discussion on the kinds
23 of questions you want to use to evaluate -- to evaluate the program
24 as a whole, the two that we identified being the extent to which
25 restoration affects sort of other long-term public goals, such as
26 welfare, or that to which the program should focus on sort of basic

1 science or research, without immediate restoration actions. Those
2 were the two that we identified. So, those were the two things
3 that I was going to do. My sense of the matter is that there is
4 not the energy for that at this point.

5 MR. McCORKLE: Well, of course, we have lots of energy.

6 MR. McCORKLE: I'm happy to ...

7 MR. McCORKLE: Are you flagging in energy? (Laughter)
8 So, let us have it. We're here, we stayed on, we're right behind
9 you.

10 UNIDENTIFIED VOICE: Is the rest of the group behind you?

11 MR. McCORKLE: Of course. Those of us that are here are
12 behind you. (Laughter)

13 MS. BENTON: Could you give us an idea of the
14 adjournment time, so that those of us that have things scheduled
15 this afternoon can let me know that we're not going to be there.

16 MR. McCORKLE: You'd better cancel all afternoon
17 appointments. Dave?

18 MR. COBB: I'm going to have to leave fairly soon.
19 I've ...

20 MR. McCORKLE: There are planes leaving too, but I guess
21 as people need to leave, they will need to leave. So, we do not
22 want to linger long on unimportant equivocations.

23 MR. LOEFFLER: Okay, I need to know what folks need to do
24 in general, because this could take a little bit. As people leave,
25 it's sort of -- the round table discussion becomes less useful,
26 quite frankly.

1 MR. McCORKLE: Well, we do have people who had to meet
2 planes that left. So, Dave, you're going to have to be leaving in
3 what -- half an hour, 45 minutes?

4 MR. COBB: Probably by no later than 2:00.

5 MR. McCORKLE: Two, okay.

6 DR. FRENCH: I'm going to have to be out of here by
7 2:00 too.

8 MR. McCORKLE: And you by 2:00 -- and so, I guess we'd
9 better point toward two o'clock, and maybe you can give us, like,
10 an executive summary, and -- and then those of you who have
11 discussion points can be taking notes as we go along and try and
12 get to the hearts of matters, and when you pose questions, try and
13 have them formulated so they don't run into or develop while you're
14 orating.

15 MR. LOEFFLER: I have an alternate way to proceed which
16 may meet all of our objectives, and that is, with respect to the
17 overview, I think it's here, and I think that the overview, if
18 people look at the raspberry book and they look at this, they don't
19 need me -- or maybe they do.

20 MR. McCORKLE: Of course we need you.

21 MR. LOEFFLER: However, with respect to the round table
22 discussion on, sort of, questions to use to evaluate the overall
23 program, I guess I think that there are two ways to proceed that
24 might -- One is, I think, to have a separate work group that does
25 some work with teleconference would be a more productive way to
26 proceed at this point, and the other is that I could send everybody

1 a tickler and they could send me their concerns and those concerns
2 could be used by the teleconference group. So, I think that would
3 actually be a more useful way to proceed than to try to do what's
4 essentially a brainstorming session at this level -- at this level
5 and energy.

6 MR. McCORKLE: Well, that does help us focus, because
7 whenever you have to sit down and put pencil to paper, generally
8 speaking, you get to the heart of the matter more quicker than if
9 we can just sort of rattle on. That is a good idea. What do you
10 folks think? What does the group think?

11 MR. ZERBETZ: Mr. Chairman?

12 MR. McCORKLE: Yes.

13 MR. ZERBETZ: I would opt for his suggestion number two
14 as the way to proceed. I would make the observation that to go
15 into any type of very effective brainstorming session after we have
16 endured the heat of the noon day sun would not be too productive.

17 MR. McCORKLE: Would you then summarize what that -- that
18 option under two -- number two -- is then, Bob?

19 MR. LOEFFLER: I'm going to send out some things to ask
20 people additional questions that they should use to evaluate the
21 program, and then I think we will use that as a basis for a
22 teleconference for a work group, if people who are interested would
23 identify themselves to be on that work group.

24 MR. McCORKLE: So, you might say then when you send out
25 your tickler to us, please indicate whether you would like to
26 participate ...

1 MR. LOEFFLER: Yes, although I think it would be nice to
2 get people -- I mean, as long as we're here, if you could just
3 raise their hands, that would be a start and I can get additional
4 ones.

5 MR. McCORKLE: I'll be glad to ...

6 DR. FRENCH: Interested raise their hands ...

7 MR. McCORKLE: Everybody?

8 MS. McCAMMON: I think you'll find that everybody wants
9 to be ...

10 MR. McCORKLE: Everybody, except him. (Laughter -- aside
11 comments).

12 MS. McCAMMON: Probably what we should do is just set a
13 teleconference date and time, and whoever participates will be
14 there.

15 MR. LOEFFLER: Yes, okay.

16 MR. ZERBETZ: Er -- Mr. Chairman.

17 MR. McCORKLE: You've still got the floor, Gordon.

18 MR. ZERBETZ: Thank you. Thank you, Sir. I would also
19 augment my previous suggestion with a request or a plea to get the
20 material to us as soon as you can before -- before we schedule a
21 teleconference. Give us some time in there to read this material.

22 MR. LOEFFLER: Okay. I suspect it will only be a page or
23 so.

24 MR. ZERBETZ: Okay.

25 MR. LOEFFLER: Why don't we just pick a date for a
26 teleconference now, so that people can hear it. I'd like -- I

1 would like to do it after about the middle of May.

2 MR. McCORKLE: Chip?

3 MR. DENNERLEIN: I just have one concern -- I'll be
4 brief. The whole -- question of balance in this program and the
5 question remarks on what other programs come, and every one of --
6 almost every one of Chuck Totemoff's cropped comments yesterday and
7 every one of Martha's today was about how is the community
8 involvement fit in here. That's why I don't want to have a
9 roundtable discussion today -- because Brenda is here to talk about
10 subsistence, but here are the Native community from the spill area,
11 and they're not in the roundtable.

12 MR. McCORKLE: That seems to be just too big a whole.
13 When we look at our crib sheet and that's where the question marks
14 are, which are subsistence and community involvement, and I think
15 that -- I would suggest leave it up to your guidance to figure out
16 a teleconference, but if you pick a date, let's try -- that's sort
17 of the -- one of the key concerns ...

18 MR. LOEFFLER: Yeah, I agree. I agree.

19 MR. DENNERLEIN: ... one of the key criteria. So,
20 let's try and pick one with that concerns in the discussion.

21 MR. McCORKLE: Chris.

22 MR. BECK: I guess I feel like the whole purpose of these
23 last few days was real focused on what we haven't quite gotten time
24 to -- to me the most important thing we were going to try to do is
25 have this roundtable discussion, but I echo Chip's point. Maybe we
26 ought to somehow try to wedge out some space at our next meeting --

1 I hate to push this meeting's business into the next meeting. I
2 don't think the teleconference is going to be a sufficient means,
3 because I don't think we'll all find time to do it.

4 MR. MCCORKLE: John was next, and then Molly.

5 DR. FRENCH: I think a tele -- I agree to some extent
6 with both the last speakers, but I think a teleconference is
7 important in putting together a sort of a strong (indiscernible)
8 that we can then react to at our next meeting. Second of all, with
9 respect to scheduling one, I agree with Bob, I think we should do
10 it if now is possible. I would strongly encourage us not to make
11 it too late in May or we are going to lose our fishing members, not
12 to mention to some of our Native members also. Salmon on the
13 Copper River Delta will probably be in full swing by the middle of
14 the third week of May -- the 15th. So, we probably should try to
15 do it at least a week before that.

16 MR. MCCORKLE: Molly.

17 MS. MCCAMMON: Mr. Chairman, let me just go through the
18 process a little bit that's coming -- that's facing us for the next
19 two months, and I'll show you how this fits in, this kind of a
20 discussion, and I think it's very important. All of the proposals
21 for FY96 are due May 1st. We don't know how many we're going to
22 get. It could 50; it could be 200. What we'll have by the first
23 or second week of May is a spreadsheet that shows all the proposals
24 that have come in, a little synopsis of what they propose to do and
25 estimated cost. With that in hand, what -- this spreadsheet here,
26 I think it gives the basis for some discussion on priorities and

1 balance. What is missing at that point will be scientific and
2 technical review, which is underway the entire month of May, as
3 well as the legal review. We will have that by the end of May, the
4 first week of June. The work force, the agencies, the legal team,
5 the technical reviewers and myself need June 5th through the 7th to
6 start crafting a draft work plan. I think it would be really
7 important to have this discussion before we get to that stage of
8 crafting a draft work plan. At that point, by the first week of
9 June, we will have that, at least a preliminary draft work plan
10 that then you will look at at your meeting on June 13th and 14th.
11 So, what you would have in May at this teleconference is this list
12 of proposals that have come in, we'll have an idea of what the
13 financial parameters, and then we can have further discussion about
14 this kind of balance of where kind of the priorities fit in.

15 MR. McCORKLE: I'd like to interject, if I may, a
16 minority report, and that is that I think we should have this
17 teleconference the first week of May, as quickly as we think we can
18 do it, and before that list comes out, because what we're going to
19 do in this teleconference is describe some parameters for
20 priorities, which would could then apply to that list. So, I think
21 we might want to consider that as an alternative way, and if we
22 want to have another teleconference, we can do that as well. Is
23 there any discussion on that?

24 MS. McCAMMON: Well, we do need the list of what project
25 proposals have been put forward, and I don't know how much we're
26 going to get inundated this year. Last year we had 185 proposals.

1 It takes staff a while just to put those into our database and have
2 something in an organized fashion for you to look. So, I would say
3 we'd have that by May 5th or ...

4 MR. LOEFFLER: Well, we'll have that by May 7th, but for
5 you guys to get something and think about, it's about the 15th.

6 MR. McCORKLE: Well, you say -- we've got two points here
7 now.

8 MS. McCAMMON: I think that.

9 MR. LOEFFLER: I'm sorry.

10 MR. McCORKLE: The point is, we'd like to have a
11 discussion on how to approach that list before we see it.

12 MS. McCAMMON: All it is is a list of numbered projects.
13 It's not organized in any fashion at all and won't be until June.
14 So, the middle of May is a time when all you have is something
15 there -- basically the raw data.

16 MR. LOEFFLER: And I was thinking that the list would be
17 useful in tickling people's minds in order to figure out how to
18 approach it, but the May teleconference would not be approach it --
19 not current.

20 MR. McCORKLE: John.

21 DR. FRENCH: I have to agree with her on this. I think
22 if we are coming up with criteria for evaluating them, I would
23 frankly just as soon not know what proposal has been submitted. I
24 think it would be just as well to do it blind. I do think it's of
25 serious concern that the staff be available, at least you be
26 available, Bob, to participate in the teleconference, and if your

1 time's not going to be there the first week of May, we probably
2 can't do it then.

3 MR. LOEFFLER: I can carve out an afternoon.

4 DR. FRENCH: I think the earlier we can do it, the
5 better. I think it will then, at least in a draft form, be
6 available to Molly and the rest of the staff in terms of where we
7 think we're trying to go with the criteria. Because otherwise, if
8 we wait to completely finalize it, until our June meeting, it will
9 be too late.

10 MR. LOEFFLER: Sounds fine to me.

11 MR. MCCORKLE: Chip.

12 MR. DENNERLEIN: I'll go either way, but we're
13 not flying blind. The only thing we're flying blind on our
14 community proposals. So, if you want to level the playing field --
15 I got my folder right here, so I'm not flying blind. I'm only
16 flying blind on these question marks (pointing to restoration
17 summary), and I kind of would at least like to level the playing
18 field and see the raw data list so I know what the universe was
19 that I was setting criteria on about. I mean, if 50 people in the
20 communities are interested, that's one thing; if 500 people are
21 interested, at least I know sort of what the whole landscape is,
22 and other than that -- other than that level of detail, I don't
23 really want to know anything. I can ask some questions, but then
24 I just, you know, that's all I need to know, and I think that by
25 mid-May, however you want to pick it is fine.

26 MR. MCCORKLE: I'd like to defer to Chris because I ...

1 (End of tape)

2 MR. BECK: ... prior to our next meeting so we can
3 use it to respond to those new projects coming in as to what we
4 want, and I can see merits on either side.

5 MR. McCORKLE: Any other speakers on this point. If not,
6 I'm going to ask for a little straw vote here in a minute. Kim.

7 MS. BENTON: I've just got a point of clarification,
8 something that we've been hearing from the communities, maybe not
9 so strongly yesterday and today, but certainly over the last couple
10 of weeks and maybe you've heard it in community meetings, is that
11 they are going to have an awful difficult time getting their
12 proposals in by May 1 and certainly in any one kind of a fashion.
13 So, if we're going to have a meeting in mid-May, does that leave
14 you enough time to get the project proposals from the communities
15 revamped at all.

16 MR. LOEFFLER: (Indiscernible -- out of microphone range)
17 project proposals by May 1 and then if they need to work on them
18 subsequently, they can work with us after that, so we should have
19 placeholders ...

20 MR. McCORKLE: Letter of intent kind of thing. Okay.
21 What I'd like to do -- it seems we've come to two options. One is
22 to have a teleconference before the spreadsheet list and one after.
23 Are there any other options you want to consider. In a moment I
24 will ask you to indicate which you'd prefer. Bob, did you want to
25 say something?

26 MR. LOEFFLER: No.

1 MR. McCORKLE: Okay. Just raise your hands if you'd
2 rather have the teleconference before the spreadsheet list. (Beck,
3 Schwantes and French raised hands.) Okay, that settles it. We'll
4 -- okay -- three.

5 DR. FRENCH: (Indiscernible -- out of microphone range)
6 If it comes out -- if it's after the spreadsheet, I just won't use
7 it. (Laughter)

8 MR. McCORKLE: Well, Molly, it looks like what we will do
9 then is we will wait until the spreadsheet list is available.
10 (Aside comments) We'll have to ask Martha. Martha is not here to
11 ask.

12 MS. McCAMMON: What we can do is send around a fax that's
13 saying here's two possible dates, and we'll see who can come to
14 each one, and we'll get the one that we can get the most people at.

15 MR. McCORKLE: Sounds like a good way out.

16 MS. McCAMMON: And we'll do that real quickly.

17 DR. FRENCH: If I could ask, if we could just get a
18 sense of where it's going to work for perhaps the most people --
19 like, the first week of May is not very good; the second week of
20 May is pretty. Is there any...?

21 MR. LOEFFLER: In terms of getting the spreadsheet out,
22 I'd say the second week of May.

23 DR. FRENCH: The second week of May is sort of vaguely
24 ...

25 (Aside comments about date of teleconference)

26 MR. McCORKLE: Got that laid aside. Cherri, can you do

1 us just a brief report on the phone cards? I think it's ...

2 MR. LOEFFLER: There's actually one more issue with
3 respect to the work plan.

4 MR. McCORKLE: Okay.

5 MR. LOEFFLER: That is two people (aside comments) ...

6 MR. McCORKLE: With respect to the telephone cards, there
7 has been some work proceeding on that.

8 MS. WOMAC: I have checked into the phone cards.
9 There are two ways we can go. I can either get those that feel
10 they need telephone assistance a card that there's a set amount of
11 money attached to, but then we would have no way of tracking that
12 the calls are actually going towards EVOS work, because once the
13 card is bought, then the money goes against -- you know, it just
14 declines as each call is made. Or, we can get a calling card
15 that's attached to our phone number, which gives you unlimited
16 amount and then we have a record of what calls are made and by
17 whom, but knowing how long it takes for long distance cards -- er
18 -- long distance number to get attached to your phone bill,
19 somebody could really overspend prior to us even getting an
20 indication that it was more than we had allotted. I am checking
21 with the person that works with us in Procurement in ADEC to make
22 sure that it's legal -- something that is legal, that we can do --
23 and he says that we are breaking ground, and as far as he can tell
24 he doesn't see any problem with it, but until he looks into it a
25 little further and I get to chat with Molly and Eric and them to
26 see how they want to go, I can't give you any firm information. I

1 might be nice if I had an indication of how many people felt that
2 the phone card would really be necessary, and then it might be
3 easier in working with our person in Juneau on that.

4 MR. McCORKLE: Could we just have a show of hands of the
5 people who would find those cards useful? (Benton, Schwantes,
6 French and Dennerlein raised hands.) Thank you. And thank you,
7 Cherri. And so, the study is ongoing and nothing is ready to
8 present to the group yet, but I'm sure there will be by the time we
9 meet next.

10 MR. ZERBETZ: Mr. Chairman.

11 MR. McCORKLE: Yes, Gordon.

12 MR. ZERBETZ: Inasmuch as we're probably breaking new
13 ground with the telephone debit cards, that is with respect to
14 government use of them, I would suggest that we have our own
15 telephone logs if the -- if there is approval of that and we each
16 keep a personal phone log of how the debit card is used.

17 MR. McCORKLE: That's always a good choice. Good
18 recommendation. I'm going to suggest, Molly, if we may, that we
19 put off the delegation of PAG budget work groups and work plan
20 groups maybe 'til we -- have our teleconference.

21 MS. McCAMMON: Mr. Chairman, I think that's very
22 appropriate on the work plan group. On the PAG budget working
23 group, if I could just get two people who'd be interested in kind
24 of sitting down and going over the PAG budget, I kind of need that
25 in the next two weeks.

26 MR. McCORKLE: I'm in town, I can help.

1 DR. FRENCH: Work group?

2 MS. McCAMMON: We had some people sit down last year and
3 kind of went through the budget. We can do it by phone. It's not
4 a big deal. I mean, they're aren't very many issues involved with
5 that ...

6 MR. McCORKLE: We don't have any choices (laughter).

7 MS. McCAMMON: Well, I mean, there's just not that many
8 issues involved with it, so -- I don't think it would require much
9 time. I just like to run past a draft budget and get some feedback
10 on it.

11 MR. McCORKLE: I'll (indiscernible) being in town, and,
12 John, we can call you?

13 DR. FRENCH: If somebody else wants it, well, that's
14 fine; otherwise, I'd be happy to.

15 MR. McCORKLE: Okay. We may just call one or two of you
16 and say, how about listening in. Okay. I'll remind you that
17 alternates are extremely important. We did not have a quorum
18 today, and I want to give you my heartfelt appreciation to the
19 members who have remained and stayed awake and alert and productive
20 and contributed throughout this. I don't want to get up on my
21 little soap box and scold others, but I do feel like I should. I
22 get very impatient with those who don't have the commitment to this
23 group and who drop in for a few minutes and leave. I think it's
24 totally unfair to the rest of us. And I do want to bring this to
25 a positive note by saying that when Bill Long talked to us last
26 month, he said one of the things that we must do to have a good

1 group is to have a commitment to it, and, while I think we've gone
2 on a bit long this time, I hope we -- we've (indiscernible). But
3 getting started and getting going sometimes it takes a little bit
4 more getting to know one another to make progress. So, I certainly
5 do want to tell you how much I appreciate, and I know that the
6 staff and the Trustees will too, your dedication today and your
7 willingness to continue on and to stay here long past lunch, when
8 everyone could probably use a little carbo kick, and I'm sure we'll
9 get to that soon. I'd like to ask the members if there's any
10 comment they'd like to make before we adjourn, if there's anything
11 you would like us to take up before we go, and shall we just start
12 the table. Shall we start with the Z's first, and, Gordon, this is
13 your chance to be number one.

14 MR. ZERBETZ: That's the story of my life, whenever I'm
15 not prepared. (Laughter) I have no further comment, other than
16 it's been a pleasure working with you people during the last couple
17 of days.

18 MR. McCORKLE: Chip.

19 MR. DENNERLEIN: Surprise -- no further comment.

20 MR. McCORKLE: Oh, come on, Chip. (Laughter) Jim?

21 MR. KING: I'd like to move and ask unanimous consent
22 that we thank the staff for a really smooth and good job of
23 presenting their materials.

24 MR. McCORKLE: All in favor say aye. It's unanimous.

25 MR. ZERBETZ: Unanimous.

26 MR. McCORKLE: And consider yourself appreciated.

1 MS. McCAMMON: I'll the staff know who really does the
2 work.

3 MR. McCORKLE: Those who are -- who have kept coming back
4 to wait in the wings, so to speak, and be brought on and never did
5 get a chance to really make a full presentation. John.

6 DR. FRENCH: No comments.

7 MR. McCORKLE: Brenda (No audible response) Dave.

8 MR. COBB: Only to say that I appreciate the patience
9 of everyone for us new members because it's a learning experience,
10 a learning curve, each and every meeting. So, I do appreciate
11 that.

12 MR. McCORKLE: Thank you. Pamela.

13 MS. BRODIE: (Indiscernible) I would like to speak in
14 appreciation of our Chair and say that, in the absence of a vice
15 chair, I would move that if Vern ever doesn't show up, we send a
16 state trooper to ...

17 (Laughter)

18 UNIDENTIFIED VOICE: I'll second that.

19 MR. McCORKLE: Thank you. Kim.

20 MS. BENTON: No comment.

21 MR. McCORKLE: And you get the last -- well, the next to
22 the last word.

23 MR. BECK: No, I don't think I have any comments.
24 Maybe I'll comment. It looks like we're starting to get into the
25 interesting stuff here, so that's exciting.

26 MR. McCORKLE: And you get the last word.

1 MS. McCAMMON: I guess the only thing that I'd like to
2 say is that I really appreciate the involvement of the PAG in these
3 kinds of issues. Just having gone through all of the communities
4 in the last couple of weeks, you know, it's a constant education
5 process for all of the members of the public, and I really feel
6 strongly that if we can't explain to the public what we're doing,
7 then there's something wrong. And I really look at the PAG as a
8 sounding board for the broader public, and if we can't explain this
9 to you and you don't get the picture and you're a lot more well
10 informed than the general public is, then there is something wrong
11 with our process. So, I really look forward to working with you in
12 the future. I think it's been a very productive meeting.

13 MR. McCORKLE: Kim.

14 MS. BENTON: I'm sorry, I should have early -- but I
15 have a question. At this meeting and the last meeting, we had
16 several interest groups that are missing, and I think that for this
17 group to do the best job that we can that they should be here, and
18 alternates may solve that problem, it may not, but for the members
19 that have not come to either meeting, maybe somebody could just
20 give them a call and ask why and make sure that this is a seat they
21 want to hold.

22 MR. McCORKLE: Chip.

23 MR. DENNERLEIN: I did have a chance to meet with
24 Nancy Lethcoe. I spoke with her. You know, this is spring
25 starting in the Sound, and she runs a sailing business. We're
26 going to have that problem with fishing. I think the alternates --

1 and since she wasn't at the meeting, I don't know how plugged in
2 she is to the alternates. There are people in that marine
3 recreation business, kayaking business, I can think of some who
4 were at that same conference Nancy and I were at that are also
5 based here in town. So, I would encourage the staff, I guess is
6 the only thing I'd say, maybe to talk to Nancy about an alternate,
7 and as well as -- someone came by to represent Rupe. Some of you
8 may know Russ Redick, who's been around forever. He sat here for
9 10 minutes. He came to me in the hall and said I'd never get up to
10 speed on this. I have no idea ...

11 MR. McCORKLE: He said, I'm outta here!

12 MR. DENNERLEIN: You know -- you know more about this
13 sport fishing -- I'm out of here. Represent me. You know it was
14 -- maybe we need to talk to at least Rupe and Nancy, because those
15 two slots are really -- those are really important constituencies.
16 Those are big groups of users.

17 MS. McCAMMON: Commercial fishing and aquaculture also.

18 MR. DENNERLEIN: Yeah -- oh, that's right, commercial
19 fishing and aquaculture.

20 MR. McCORKLE: Anything else? This is your last chance.
21 If not, have a safe trip home. It was good to see you all again,
22 and we stand adjourned.

23 MS. McCAMMON: If anyone needs the alternative
24 information, I have it and also copies of that summary that Jim
25 King brought out.

26 (Off Record: 1:42 p.m., April 21, 1995)

END OF PROCEEDINGS

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CERTIFICATE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

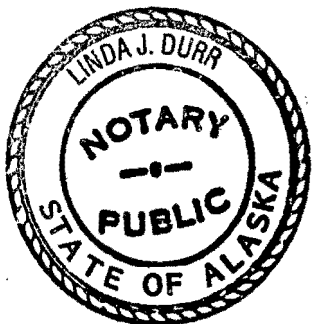
I, Linda J. Durr, a notary public in and for the State of Alaska and a Certified Professional Legal Secretary, do hereby certify:

That the foregoing pages numbered 03 through 391 contain a full, true, and correct transcript of the Exxon Valdez Oil Spill Settlement Trustees Council Public Advisory Group meeting taken electronically by me on April 20-21, 1995, commencing at the hour of 9:00 a.m. on April 20, 1995, at the Restoration Office, 645 G Street, Anchorage, Alaska;

That the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me and Sandra Yates to the best of our knowledge and ability from that electronic recording.

That I am not an employee, attorney or party interested in any way in the proceedings.

DATED at Anchorage, Alaska, this 3rd day of May, 1995.



Linda J. Durr

Linda J. Durr, Certified PLS
Notary Public for Alaska
My commission expires: 10/19/97