

09.11.09

# EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

TRUSTEE COUNCIL MEETING (Teleconference)  
Thursday, October 15, 1998  
3:00 o'clock p.m.

Fourth Floor Conference Room  
645 G Street  
Anchorage, Alaska

## TRUSTEE COUNCIL MEMBERS PRESENT (Telephonically):

U.S. DEPARTMENT OF AGRICULTURE -	MR. JAMES WOLFE
U.S. FOREST SERVICE	Trustee Representative
(Chairman)	
STATE OF ALASKA -	MR. CRAIG TILLERY
DEPARTMENT OF LAW:	Trustee Representative
	for the Attorney General
STATE OF ALASKA - DEPARTMENT	MR. FRANK RUE
OF FISH AND GAME:	Commissioner
U.S. DEPARTMENT OF INTERIOR:	MS. DEBORAH WILLIAMS
	Special Assistant to the
	Secretary for Alaska
U.S. DEPARTMENT OF COMMERCE - NMFS:	MR. JIM BALSIGER
	for Steve Pennoyer
	Director, Alaska Region
STATE OF ALASKA - DEPARTMENT	MS. MICHELE BROWN
OF ENVIRONMENTAL CONSERVATION:	Commissioner

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1 TRUSTEE COUNCIL STAFF PRESENT:

2 MS. MOLLY McCAMMON

Executive Director  
EVOS Trustee Council

3 MS. REBECCA WILLIAMS

Executive Secretary  
EVOS Trustee Council

5 MR. ALEX SWIDERSKI  
(Telephonically)

State of Alaska  
Department of Law

6 MR. BARRY ROTH  
7 (Telephonically)

Attorney-Advisor  
Conservation & Wildlife  
Division  
Department of the Solicitor

9 MS. GINA BELT

Department of Justice

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P R O C E E D I N G S

(On record - 3:19 p.m.)

MS. McCAMMON: We do need a Federal Chair.

MS. D. WILLIAMS: I think Jim Wolfe is up.

MS. McCAMMON: Jim Wolfe, okay. You're on, Jim, and you don't have an agenda before you but I can tell you what's on.

CHAIRMAN WOLFE: Okay. We do have a quorum on board. Is this being recorded or anything?

MS. McCAMMON: Yes, it is and you should probably go through all the names.

CHAIRMAN WOLFE: Okay. It sounds like we have Jim Balsiger for NOAA/National Marine Fisheries; we have Craig Tillery for Department of Law; Frank Rue for Fish and Game; Michele Brown for DEC; Deborah Williams for Department of Interior; and myself, Jim Wolfe, for Department of Agriculture/Forest Service.

So I guess we are now officially ready to move ahead. We don't have an agenda, but at this point you're going to read the agenda to us, are you, Molly?

MS. McCAMMON: Yes, we have a lot of noise on our line, but there's one item on the agenda today and that is.....

(Dial tone on phone)

CHAIRMAN WOLFE: Did we loose somebody?

1 MS. McCAMMON: We better check.  
2 CHAIRMAN WOLFE: How about Jim Balsiger?  
3 MR. BALSIGER: I'm still here.  
4 CHAIRMAN WOLFE: Okay. Deborah?  
5 MS. D. WILLIAMS: Here.  
6 CHAIRMAN WOLFE: Frank?  
7 MR. RUE: Yes, I'm here.  
8 CHAIRMAN WOLFE: Michele?  
9 MS. BROWN: I'm here.  
10 MS. McCAMMON: Craig.  
11 CHAIRMAN WOLFE: Craig?  
12 MR. TILLERY: I'm here.  
13 MS. McCAMMON: Barry and Gina?  
14 MR. ROTH: Yes.  
15 MS. BELT: (No response)  
16 MS. McCAMMON: Gina?  
17 CHAIRMAN WOLFE: All right.  
18 MS. McCAMMON: Well, I think we may have lost  
19 Gina. Okay, she'll call in.  
20 But I think you all should have gotten a copy of the  
21 resolution that was sent around and it's a motion to basically  
22 get permission to go to the court for money for certain land  
23 acquisitions prior to execution of purchase agreements. Does  
24 everyone have a copy of the draft resolution?  
25 MR. BALSIGER: Yes.

1 MS. BROWN: Yes.

2 MR. RUE: Yes.

3 MS. McCAMMON: Okay. I could go through it for  
4 you, Jim.

5 CHAIRMAN WOLFE: Someone would need to go  
6 through it briefly, I would think, yeah.

7 MS. McCAMMON: Okay. Typically in land  
8 acquisitions Department of Law and Department of Justice go to  
9 court for the money once a purchase agreement is executed.  
10 Because on a couple of acquisition we're virtually doing the  
11 purchase agreements and the closings almost on the same day, if  
12 not with just a few days in between. And also because we're  
13 trying to minimize the number of court requests that we have  
14 while Gina Belt is on leave.

15 For this reason the request is for certain select  
16 acquisitions to get permission to go to the court to obtain  
17 funding prior to execution of the purchase agreements. And  
18 those parcels are a couple of small parcels, KAP-220, KAP-226  
19 and KENAI-1034, and then also for the Afognak Joint Venture  
20 acquisition.

21 The motion that's being proposed to you is to amend the  
22 resolutions that reference those acquisitions to permit the  
23 withdrawal of funds prior to the execution of the purchase  
24 agreements, subject to a number of conditions. And I should  
25 mention here that these conditions and this draft have been

1 reviewed by all of the State and Federal attorneys and the  
2 version that you have in front of you reflects their changes.

3 MS. D. WILLIAMS: Okay. Mr. Chairman.

4 CHAIRMAN WOLFE: Deborah, yes.

5 MS. D. WILLIAMS: I move to adopt the  
6 resolution as described by Ms. McCammon and in front of us.

7 CHAIRMAN WOLFE: Do we have a second?

8 MS. BROWN: Second. This is Michele.

9 CHAIRMAN WOLFE: Okay. We have a second from  
10 Michele Brown. Any discussion?

11 (No audible responses)

12 CHAIRMAN WOLFE: I have one question while  
13 people are thinking about it and it's only because we have two  
14 different versions here. And Item B, under the conditions in  
15 one version say, the governments and the Executive Director,  
16 and the other one says the United States Department of  
17 Interior, the State of Alaska and the Executive Director must  
18 certify prior to closing. Which is the final?

19 MR. SWIDERSKI: The one that says the United --  
20 this is Alex Swiderski, Mr. Chairman. The one that says United  
21 States Department of Interior.

22 CHAIRMAN WOLFE: Okay. Very good. Any other  
23 comments?

24 (No audible responses)

25 CHAIRMAN WOLFE: Okay. Well, shall we have a

1 vote. All in favor?

2 IN UNISON: Aye.

3 CHAIRMAN WOLFE: Anybody opposed?

4 (No opposing responses)

5 CHAIRMAN WOLFE: Well, sounds like we have a  
6 resolution or a motion and a resolution. And you will get that  
7 around for everybody's signature in short order, I assume.

8 MS. McCAMMON: Yes, we will.

9 CHAIRMAN WOLFE: All right. Any other  
10 business?

11 MR. TILLERY: Mr. Chairman.

12 CHAIRMAN WOLFE: Yes, Mr. Tillery.

13 MR. TILLERY: Just to report something. Gina  
14 Belt and -- this is Craig Tillery. Gina Belt and I met with  
15 the clerk of court yesterday to go over our proposal for how to  
16 do electronic fund transfers. The court essentially concurred  
17 with them and both the Department of Justice and Department of  
18 Law today filed a motion with the court to amend the transfer  
19 of proceeds order to allow for the electronic transfer. We  
20 hope and anticipate that that will be signed pretty  
21 expeditiously and we hope that when we do go to the court for  
22 the next disbursement for these parcels that we will be using  
23 electronic transfer.

24 CHAIRMAN WOLFE: That's good news.

25 MR. ROTH: The effect of which is we're



1 implementing one of the GAO recommendations.

2 MR. TILLERY: And also, for example, in this  
3 particular thing, it'll save us at least \$15,000 for this  
4 particular disbursement.

5 MS. D. WILLIAMS: Good.

6 CHAIRMAN WOLFE: Good is right.

7 MS. D. WILLIAMS: So there must be a piece of  
8 land we want to buy.

9 CHAIRMAN WOLFE: Any other business?

10 (No audible responses)

11 CHAIRMAN WOLFE: Well, do I hear a motion to  
12 recess then?

13 MR. BALSIGER: I move we recess.

14 MS. McCAMMON: Until October 27th in Juneau.

15 MR. BALSIGER: Thank you, I was going to add  
16 that.

17 MR. RUE: Seconded.

18 CHAIRMAN WOLFE: Okay. I guess we have a  
19 motion and a second to -- did we say recess or to.....

20 MR. RUE: Recess.

21 MS. BROWN: You said recess.

22 MR. TILLERY: You mistakenly said recess and  
23 that's the motion.

24 MR. RUE: And it's been seconded.

25 MS. BROWN: And there can't be a friendly

1 amendment.

2 MR. BALSIGER: It's your meeting.

3 CHAIRMAN WOLFE: Thanks.

4 MS. BROWN: Good job on this one.

5 CHAIRMAN WOLFE: I was thinking that this  
6 shouldn't be a recess. This -- I screwed up, didn't I?

7 MS. McCAMMON: Too late.

8 MR. BALSIGER: Actually I picked up on that  
9 real quick because I noticed you rotated your chairmanship and  
10 I wasn't clear who would be next, but now the next will be  
11 picked up again by Jim Wolfe.

12 CHAIRMAN WOLFE: Okay. All right. Good enough  
13 then.

14 MR. RUE: Thank you, Jim.

15 CHAIRMAN WOLFE: We stand in recess.

16 (Off record - 3:25 p.m.)

17 (Meeting recessed)

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C E R T I F I C A T E

UNITED STATES OF AMERICA                    )  
                                                  ) ss.  
STATE OF ALASKA                                )

I, Joseph P. Kolasinski, Notary Public in and for the State of Alaska and Owner of Computer Matrix do hereby certify:

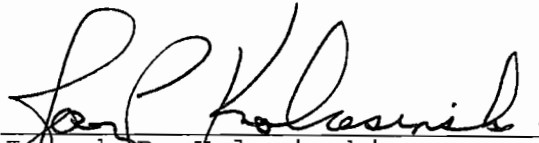
THAT the foregoing pages numbered 3 through 9 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Teleconference Meeting recorded electronically by me on the 15th day of October 1998, commencing at the hour of 3:19 p.m. and thereafter transcribed by me to the best of my knowledge and ability.

THAT the Transcript has been prepared at the request of:

EXXON VALDEZ TRUSTEE COUNCIL, 645 G Street,  
Anchorage, Alaska 99501;

DATED at Anchorage, Alaska this 24th day of October 1998.

SIGNED AND CERTIFIED TO BY:

  
\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 04/17/00