

# Meeting Summary

**A. GROUP:** *Exxon Valdez* Oil Spill Trustee Council (EVOSTC) Public Advisory Committee (PAC)

**B. DATE:** April 2, 2018

**C. LOCATION:** Teleconference – *Exxon Valdez* Oil Spill Trustee Council conference room, Grace Hall, Suite 220, 4230 University Drive, Anchorage, AK

**D. MEMBERS IN ATTENDANCE:** (T = via teleconference)

<u>Name</u>	<u>Principal Interest</u>
Kurt Eilo (T)	Sport Hunting/Fishing, PAC Chair
Gary Fandrei (T)	Aquaculture/Mariculture
John French (T)	Science/Technical, PAC Vice-chair
Stacy Studebaker (T)	Recreational Users
Amanda Bauer (T)	Commercial Tourism
Patience Andersen Faulkner (T)	Subsistence
George Skladal (T)	Public at Large

**E. NOT PRESENT:**

<u>Name</u>	<u>Principal Interest</u>
David Totemoff, Sr.	Native Landowner
Emilie Springer	Commercial Fishing
VACANT	Conservation/Environmental

**F. OTHER PARTICIPANTS:**

<u>Name</u>	<u>Organization</u>
Philip Johnson	Designated Federal Officer, Department of the Interior
Elise Hsieh	Trustee Council Executive Director
Cherri Womac	Trustee Council Staff
Shiway Wang	Trustee Council Science Coordinator
Lauri Adams	Trustee Council Habitat Director
Linda Kilbourne (T)	Trustee Council Staff
Helen Woods	Alaska Research Library and Information Service
Mandy Lindeberg (T)	National Oceanic and Atmospheric Administration (NOAA)
Rys Miranda (T)	Alaska Department of Natural Resources (ADNR)
Sylvia Kreeel (T)	ADNR
Emily Angel (T)	ADNR
Megan Marie (T)	Alaska Department of Fish and Game
Dave Mitchell (T)	Great Land Trust (GLT)
Ellen Kazary (T)	GLT
Luca Adelfio (T)	U.S. Forest Service

Erika Ammann	NOAA
Trent Liebich	U.S. Fish and Wildlife Service (USFWS)
Veronica Varela (T)	USFWS
Heather Hanson (T)	USFWS
Meg Anderson (T)	ADNR
Kristin Carpenter (T)	Copper River Watershed Project

## **H. SUMMARY:**

At 10:31 a.m. the Designated Federal Officer (Philip Johnson) opened the meeting. Seven PAC members were present via teleconference, establishing a quorum.

The PAC approved the draft September 28, 2017 meeting summary. The chair will sign the meeting summary and it will be posted on the EVOSTC website.

The PAC approved the meeting agenda without change.

Johnson updated the PAC on status of the Conservation/Environmental seat vacancy. The vacancy was advertised in the Federal Register and spill area newspapers. Two individuals applied. The applicant information will be provided to a senior Department of the Interior (DOI) official who will make a recommendation to the Secretary. The DOI Secretary is the selecting official for PAC vacancies.

**Public Comment:** The floor was open for public comment, telephonically. Kristin Carpenter with the Copper River Watershed Project expressed support for the Copper River Watershed Enhancement Project proposal. No other comments were provided by phone participants.

## **Annual Budget:**

**EVOSTC FY18 Annual Budget Adjustment:** The Executive Director (Elise Hsieh) informed the PAC that the U.S. Government Accountability Office (GAO) had recently requested to visit EVOSTC project sites in May 2018. The GAO staff will pay for their travel, however travel expenses for Trust agency and EVOSTC staff that accompany them will not be paid for by the GAO. To accommodate these unanticipated expenses associated with the GAO visit, the PAC recommended that the FY18 Budget be updated to include \$14,170 (\$13,000 plus \$1,170 General Administration [GA]) for travel and other expenses related to the GAO audit and visit.

## **Habitat Acquisition:**

### **Portage Lake Cost Adjustment:**

The Habitat Director (Lauri Adams) provided information on a requested price adjustment for the Portage Lake project. The EVOSTC previously approved the purchase of the Portage Lake parcel on Afognak Island, currently owned by the Natives of Kodiak, Inc., in Resolution 16-02 for up to \$8,500,000. Significant work has progressed on that project, but EVOSTC staff recently learned that the final appraisal will be higher than the maximum amount previously authorized by the Council for the purchase due to changes in the timber market. Therefore, staff are recommending that the Council approve an additional \$3,000,000, for a total “up-to” purchase amount of \$11,500,000. The final purchase would include the fair market value as established by an approved

appraiser and associated expenses, including due diligence and closing costs. French asked if the only change was the purchase price. Adams said that the parcel boundary was adjusted so that the road was not included.

Small Parcel Purchases on the Kenai River: Adams discussed two small parcels on the lower Kenai River that will be presented to the EVOSTC for consideration. They both are river-front parcels and rank in the highest-value category for their habitat benefits based on the 2014 Great Land Trust (GLT) prioritization work. The parcels are also adjacent to the Kenai River Special Management Area and other properties previously protected with EVOSTC funds, and thus would be additive to prior EVOS habitat protection investments. The Shuey parcel is approximately 12.5 acres and the Lofstedt parcel is approximately 10 acres in size. Benefits reports describing the habitat values of these two small parcels, including photos and maps, were provided to the PAC as part of the meeting materials. The amount requested for the Shuey parcel is up to \$600,000 and for the Lofstedt parcel up to \$800,000, including due diligence and closing costs.

Studebaker asked if there were any buildings on either of the properties. Adams said that both parcels were undeveloped.

Purchase of Subsurface Estate in the Kodiak Archipelago: Adams described an opportunity to acquire subsurface rights under existing EVOSTC-funded surface estate lands on Afognak, Kodiak and nearby small islands: The Council for many years has directed the EVOSTC office to pursue subsurface purchases in connection with surface estate purchases in order to add to the protective value of the surface habitat being conserved. Working on behalf of the EVOSTC, Great Land Trust has been negotiating with Koniag, Inc. for several years, and Koniag has now indicated its interest in selling all of its subsurface interests in the Afognak/Kodiak archipelago that underlie surface parcels previously purchased and conserved for their habitat values. Mapping of all of the parcels is still being finalized, but the total subsurface estate is estimated at over 89,000 acres, most of which would go to the State of Alaska, as it lies beneath previously purchased surface lands for which the State holds title. A small amount (less than 1,000 subsurface acres) would be added to the National Wildlife Refuge System on Kodiak Island and its nearshore islands within the Alaska Maritime National Wildlife Refuge. A benefits report which describes the subsurface parcels to be purchased and which includes maps of their locations was provided to the PAC in the meeting materials. The total amount requested for this purchase, including due diligence and closing costs, is \$3,000,000.

Studebaker asked how many parcels would be involved. Adams believed it was around 15 parcels. Anderson Faulkner asked if Koniag, Inc. could come back to the government at some point in the future requesting additional funding. Hsieh said no because once they sold their property interest there would be no further grounds for a request for funding related to that parcel.

French asked about the relative value of surface to subsurface lands. Hsieh noted that ratio was quite variable, depending on the mineral value and/or energy resources present in the subsurface estate. These parcels lack high-value mineral or energy resources, however with new technology, resource extraction cannot be ruled out in the future. That is one of the reasons for protecting the subsurface estate. Given that additional information, French expressed his support for this proposal.

## **Habitat Enhancement:**

**Copper River Watershed Enhancement Project:** The Copper River Watershed Project, with the support of the Alaska Department of Transportation (ADOT), Eyak Corporation, Cordova District Fishermen United, Alaska Department of Fish & Game and the City of Cordova, has submitted a proposal to remove and replace priority culverts along the Copper River Highway for \$8,152,070 (includes GA). The Highway acts as a dike on the Copper River Delta, along which project proponents have identified the top 13 priority culverts for restoration under EVOS and one culvert which will be replaced by project partner ADOT within the project area. By removing or replacing these 13 culverts, the project works to restore hydrologic function and fish passage on the Copper River Delta. Once complete, this project will expand access to over 22 miles of spawning and rearing habitat for anadromous and resident fishes, while concurrently reducing the risk of infrastructure damage (i.e. highway washouts) during flood events. This area is within the EVOS-affected geographic region and the project goal is to mitigate EVOS impacts by improving conditions for EVOS-affected and injured species and the people that depend upon these resources. In addition to enhancing aquatic ecosystem health, this project will improve access for tourism and subsistence.

Studebaker asked whether the project would extend all the way out to the abandoned bridge. The answer is no, all the proposed work would occur within the EVOS-affected area.

Fandrei asked if any other funding sources would be available to help supplement the EVOS funds. The answer is no. The road is not slated for any funding due to lack of traffic.

**Kenai Watershed Forum - Stream Watch Program:** In order to further diversify EVOSTC habitat enhancement work in the spill area, EVOSTC staff approached the Kenai Watershed Forum (KWF) to learn more about their Stream Watch Program. Trustee agency staff provided excellent feedback about this program and the KWF has submitted a proposal for PAC and EVOSTC review. The proposal is for \$99,497 (\$91,282 plus \$8,215 GA) in funding to expand the KWF stream protection activities in the intense summer public use centers on the southern Kenai Peninsula, around the stream and river mouths of the Kasilof, Ninilchik and Anchor Rivers and Deep Creek for the 2018 and 2019 summer field seasons. With EVOSTC funding, Stream Watch would increase and leverage its existing resources and beach cleaning capability by: 1) training, supporting, and equipping its volunteer base to patrol for and remove litter and fishing debris from seven designated waterways and coastline sites, and 2) meeting the additional goals during summer field seasons as noted below for 2018-2019. The USFWS has existing cooperative agreements with the Kenai Watershed Forum and can efficiently administer the funds on behalf of the Trustee Council. The USFWS Habitat Restoration and Conservation Partnerships Program has supported Stream Watch in past years through sponsorship of the Kenai National Fish Habitat Partnership.

Eilo asked if the EVOSTC would be listed as a sponsor on any outreach materials. Hsieh thought this would likely occur.

## **Outreach:**

**ADNR Outreach Proposal:** As requested by the Council in November 2017, the EVOSTC office worked with ADNR State Parks to provide an outreach proposal up to \$102,562 (\$94,094 plus \$8,468 GA) to create the following outreach products. These products can be shared in social

media and the EVOSTC office has also received strong interest by the Alaska Marine Highway System Ferries, the Anchorage School District, Anchorage Museum, Seward's Alaska SeaLife Center, Homer's Pratt Museum, Valdez Museum, Kodiak's Baranov Museum and the Cordova Center as venues for the film and the traveling displays noted below. The proposal includes production of:

1. A 10-minute film and accompanying display poster reviewing the EVOS and Trustee Council work;
2. Traveling displays of two pop-up banners that can be used for a variety of events, similar to the older versions that were created 10 years ago and are still in use; and
3. Three interpretive displays to be installed at habitat enhancement project sites. Similar to the Eagle Rock panels, these can be generic enough for multiple locations and a second panel can also be site specific, including information regarding support for EVOS-affected species and habitat restoration. ADNR has identified three locations so far for placement: 1) Dimond Creek, Homer; 2) Mineral Creek, Valdez; and 3) Eshamy Bay Public-Use Cabin, Prince William Sound.

Hsieh said that an additional outreach funding request may be submitted in November 2018 to fund the production of additional duplicate materials for circulation. Hsieh noted the products will not be heavily branded with the 30<sup>th</sup> anniversary of the EVOS. Due to the anniversary, it is good timing for developing new outreach materials, however they are typically used for five years or more, and focusing on the upcoming anniversary could limit their future use.

Studebaker asked if the film would rely mostly on old footage, new footage, or both? Emily Angel said that both historic and contemporary footage would be used, and they would cover as much as possible in 10 minutes.

The PAC members stated that it was important to highlight the impacts of the spill and EVOSTC successes.

Studebaker said asked if the budget could support a PAC trip to Prince William Sound (PWS). A similar trip for the 20<sup>th</sup> anniversary, where PAC members turned over rocks to expose lingering oil, was very instructive for PAC members. Many members of the public still don't "get it" and do not realize that lingering oil remains in some EVOS-affected areas. It was noted that there currently is no funding allocated to support a field trip.

French said that a goal should be to raise people's consciousness. He also recommended that the effects of the EVOS outside of PWS (i.e., downstream communities) be mentioned in the outreach materials. The extent of the spill was massive, with oil reaching the Shumagin Islands.

There was considerable discussion of what role, if any, the PAC should play in the review of outreach materials. Should they be consulted (serving as editors) or just receive periodic updates? Hsieh described the complicated, fast moving, iterative process used in developing these products. It was noted that EVOSTC staff are professionals and their judgement should be trusted.

Eilo noted that the PAC is excited about this project and that individual PAC members are offering up their expertise. Some of the long-serving members have considerable knowledge about the spill

and restoration efforts. Johnson noted the PAC serves as a whole body vs. as individuals.

Hsieh said that EVOSTC staff will send out a copy of the Eagle Rock interpretive panel, to give the PAC a better understanding of what these materials will look like.

Studebaker asked if the PAC could have an opportunity to preview some of the materials at the fall meeting. She also asked if the fall meeting could be held in PWS. It was noted that travel funding was not allocated for the meeting to be held outside of the Anchorage area. Helen Woods will work with Parks and see if any materials can be shared at the fall 2018 PAC meeting.

### **PAC Motions:**

**Motion:** Patience Andersen Faulkner introduced a motion to approve the September 28, 2017 meeting summary. Seconded by John French. **Motion carried**

**Motion:** Andersen Faulkner introduced a motion to approve the meeting agenda. Seconded by Stacy Studebaker. **Motion carried**

**Motion:** French introduced a motion stating that the PAC recommends the EVOSTC approve the requested Annual Budget adjustments associated with the GAO visit, not to exceed \$14,170. Seconded by Gary Fandrei. **Motion carried**

**Motion:** Andersen Faulkner introduced a motion recommending that the EVOSTC approve the proposed Portage Lake price adjustment, as presented to the PAC. Seconded by Studebaker. **Motion carried.**

**Motion:** Andersen Faulkner introduced a motion recommending that the EVOSTC approve the purchase of parcels KEN 4010 and KEN 4011 on the lower Kenai River. Seconded by French. **Motion carried.**

**Motion:** Andersen Faulkner introduced a motion to move the Koniag subsurface habitat purchase proposal forward to the EVOSTC for their consideration. Seconded by Studebaker. **Motion carried.**

**Motion:** Fandrei introduced a motion recommending that the Copper River Watershed Enhancement Project be forwarded on to the EVOSTC for their consideration. Seconded by Studebaker. **Motion carried.**

**Motion:** Andersen Faulkner introduced a motion to forward the Kenai Watershed Stream Watch proposal on to the EVOSTC for their consideration. Seconded by Studebaker. **Motion carried.**

**Motion:** French introduced a motion recommending that the EVOSTC approve funding for the proposed ADNR outreach activities. Seconded by Fandrei. **Motion carried**

**Motion:** Andersen Faulkner introduced a motion to adjourn the meeting. Seconded by French. **Motion carried**

**Meeting Close:**

The meeting was adjourned by Eilo at 2:26 p.m.

**I. FOLLOW-UP:**

1. The PAC meeting notes and recommendations will be distributed to the EVOS Trustee Council prior to their next teleconference, which will be held on April 9, 2018 in Anchorage. The DFO and the PAC Chair will plan on attending this meeting. The DFO will update the TC on status of filling the existing vacancy on the PAC. The Chair will summarize the outcomes of this PAC meeting. The PAC members are welcome to attend telephonically.

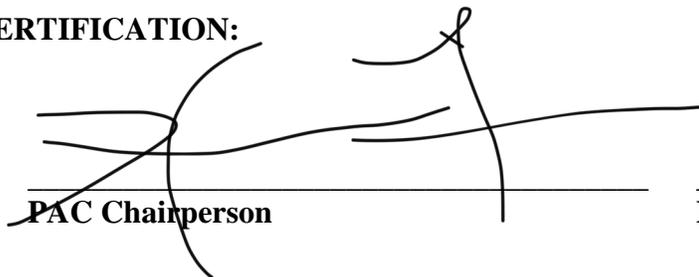
**J. NEXT MEETINGS:**

Trustee Council Meeting (Anchorage on April 9, 2018)

**K. ATTACHMENTS (provided to PAC members prior to the meeting):**

1. April 2, 2018 *Exxon Valdez* Oil Spill Trustee Council (EVOSTC) Public Advisory Committee (PAC) draft meeting agenda.
2. September 28, 2017 *Exxon Valdez* Oil Spill Trustee Council (EVOSTC) Public Advisory Committee (PAC) draft meeting summary.
3. Portage Lake Protection Project benefits report.
4. Shuey Kenai River Parcel benefits report.
5. Lofstedt Kenai River Parcel benefits report.
6. Koniag Subsurface Various Parcels benefits report.
7. Copper River Watershed Enhancement Project proposal.
8. Kenai Peninsula Coastal Stream Watch Project proposal.
10. ADNR Parks Outreach Proposal

**L. CERTIFICATION:**

  
\_\_\_\_\_  
**PAC Chairperson**

\_\_\_\_\_  
9/26/2018  
**Date**