

1 EXXON VALDEZ OIL SPILL SETTLEMENT
2 TRUSTEE COUNCIL

3 PUBLIC MEETING BY TELECONFERENCE

4 RESTORATION OFFICE
5 645 G Street
6 Anchorage, Alaska

7 August 31, 1992

8 **TRUSTEE COUNCIL MEMBERS:**

9 State of Alaska **MR. CHARLES COLE**
10 Attorney General

11 State of Alaska Department **MR. JOHN SANDOR**
12 of Environmental Commissioner
13 Conservation

14 Alaska Department of **MR. CARL ROSIER**
15 Fish and Game Commissioner
16 Council Chairman

17 USDA Forest Service **MR. MICHAEL BARTON**
18 Regional Forester

19 National Oceanic and **MR. STEVEN PENNOYER**
20 Atmospheric Administration Regional Director

21 United States Department **MR. CURTIS McVEE**
22 of the Interior Special Assistant to the
23 Secretary

24 * * * * *

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P R O C E E D I N G S

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

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

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

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

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

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

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

22 MR. McVEE: I believe that the conflict of
23 interest admissions (ph) were sent to some of the legal staff
24 to review. Do we have any (indiscernible) or any information
25 back from them?

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

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

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

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

12 MR. ROSIER: Any comments? Attorney General's
13 Office? Mr. Pennoyer?

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

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

22 MR. ROSIER: Mr. Pennoyer?

23 MR. PENNOYER: Mr. McVee, so I would assume
24 since they've been given a chance to review, the assumption is
25 there's nothing on this list that should cause us concern?

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1 MR. McVEE: That would be the way I would read⁴
2 it, if there's been no comment. Trustee Council members have
3 other advice (ph) here.

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

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

11 MR. SANDOR: Mr. Chairman, I have a question to
12 sug- -- to ask.

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

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

19 MR. ROSIER: Comments?

20 MR. McVEE: Mr. Chairman, that was my
21 assumption also, John. I also felt like that following the
22 appointments that there would be a briefing provided to the --
23 to the board members concerning the ethics ramifications and
24 the operation of the P.A.G., and I thought at that briefing
25 that what -- what your suggesting would be brought out.

MR. COLE: Mr. Chairman?

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MR. ROSIER: Mr. Cole?

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

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

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

21 MR. ROSIER: I would assume so, but --
22 Mr. Cole?

23 MR. COLE: Well, I would say that we should fix
24 at -- at this meeting a date by which if there are such
25 instances -- well, we can ignore that I'm told by the Executive

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Director, because he now reports that they've all responded.

1 Thank you.

2 MR. SANDOR: Thank you.

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

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

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

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

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

21 MR. ROSIER: Motion made by -- by Trustee John
22 Sandor, seconded by Steve Pennoyer for John McMullen. Other
23 comments?

24 MR. PENNOYER: Mr. Chairman, I'd simply note
25 that other aquaculture associations and concerned groups have

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1 indicated Fiswack (ph) would work on their behalf, seemed
2 satisfied with the nomination of Fiswack and John McMullen
3 who's currently in Fiswack, and president of the organization,
4 so it makes sense, especially when he's an oil-affected
5 community.

6 MR. ROSIER: Other -- other comments? Stand
7 by, John, Mr. Cole is looking for some further information here
8 in regards to the -- the individuals in the aquaculture group
9 here. Stand by one minute.

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

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

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

21 MR. SANDOR: Well, I have the listing, all
22 right, and -- and it shows that ADF&G vote McMullen one, Adams
23 two. And Department of Environmental Conservation had McMullen
24 one, Adams two. Department of Interior had Adams one, McMullen
25 two. NOAA had McMullen one. And USDA had Adams one and
26 McMullen one.

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MR. COLE: Mr. Chairman?

1 MR. ROSIER: Yes, Mr. Cole?

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

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

13 MR. SANDOR: Thank you.

14 MS. EVANS: Anchorage is standing by.

15 MR. COLE: While we're -- Mr. Chairman, while
16 we're standing by, you see the information that's in the
17 notebook shows that the number of votes each of the nominees
18 within the separate categories received, it does not show the
19 number of first place votes which each nominee received. For
20 example, in this instance Mr. McMullen may have received six
21 third place votes and some other member of this interest group
22 may have received five first place votes, but no second or
23 third place votes. I'd just like to take one pass at this
24 other tabulation, and thank you (indiscernible).

25 MR. SANDOR: I think that point is well made,

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Mr. Chairman, and that -- it is helpful, and although in this instance I think that McMullen had four first place votes and two second place votes, but I may be -- that's -- that's what I have.

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

(Pause)

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

MR. ROSIER: Yes, go ahead, Anchorage?

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

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

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

MR. ROSIER: We now have some very high priced help out there trying to operate the copy machine. That may be why -- where the problem is.

(Pause)

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

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

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That's just sort of a summary that -- that I was analyzing when
1 I got down to the public at large group, as you note, there's
2 -- that the largest number that one individual received was
3 four and -- and then in the fish -- sports hunting and fishing
4 group, two nominations that -- that were the most were three
5 and three, and it -- the question I've tried to raise by this
6 fax was is there enough nominations or enough support indicated
7 for sports hunting and fishing and public at large categories,
8 and I think as we go through the individual interest groups
9 we're going to find that some of the individuals that may have
10 received proposed nominations or four might have more
11 recognition or more representation than those remaining at the
12 public at large. On the other hand those are special interest
13 groups, and it may be that we do not have adequate
14 representation of the public at large group and sport hunting
15 and fishing group, and one option, you know, is to defer
16 actually making those selections until the next meeting,
17 soliciting more nominations or at least analyzing and studying
18 these to see how many is in our sport hunting and fishing and
19 public at large group, so I was troubled by that. But we will
20 get down to that at a -- later in the meeting.

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

23 I would like to point out that on the document that we
24 have before us here, we are missing the comment of I believe
25 it's the Department of Law here in terms of the -- Mr. Cole?

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Stand by, John, we've -- we're now getting a copy of the
1 compilation of the Department of Law's selections as well here.

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

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

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

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

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

14 MR. SANDOR: Thank you.

15 MR. ROSIER: John, we're still waiting on the
16 second document here, so just stand by, please.

17 (Pause)

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

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

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

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

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

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

15 I first thought that those were, you know, not picked
 16 in the aquaculture or special interest category could be placed
 17 in public at large and on the other hand, the fact that they
 18 represent specific interest and not the public at large, you
 19 know, may argue against that, so that's -- that's the only
 20 troubling thing that really bothers me are those two
 21 categories. But I think we have a really good group of
 22 nominees.

23 MR. COLE: Mr. Chairman?

24 MR. ROSIER: Mr. Cole?

25 MR. COLE: First let me say that Senator

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1 Kertulla has been a long-time good friend of the Department of
2 Law and my remarks about our budget are not really directed to
3 him.

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

7 MR. ROSIER: Four.

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

10 MR. ROSIER: I see.

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

14 MR. ROSIER: As I see it, it's four and two
15 here, Mr. Cole.

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

19 MR. ROSIER: That's correct, that's the way I
20 read it. (Indiscernible) as the aquaculture representative on
21 the Public Advisory Committee? Hearing no objection, Mr.
22 McMullen is unanimously selected as the representative of the
23 aquaculture group.

24 The commercial fisheries group is the next group. The
25 list of candidates, and again we had a good -- good cross
section of people. Gerald McCune, Ken Adams, Craig Matkin,

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Doug Coughenower, Donna Fischer and John French. Comments from
1 the Trustees?

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

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

6 MR. PENNOYER: Mr. Chairman, I second that
7 motion.

8 MR. ROSIER: Seconded by Steve Pennoyer.
9 Further discussion?

10 MR. PENNOYER: Mr. Chairman, I note the -- in
11 the process of selection Mr. McCune had five -- gets five
12 first-place votes. I also note that he's current president of
13 the Cordova District Fishermen United and president of the
14 United Fisherman of Alaska. So his credentials in terms of
15 representing (indiscernible).

16 MR. ROSIER: Further comments? Hearing none,
17 could I ask for unanimous consent of the -- the group for the
18 appointment of Mr. Jerry McCune as the commercial fish
19 representative on the Public Advisory Committee? I see nodding
20 of the heads here and hearing no further comments, Mr. McCune
21 is selected as the representative of the commercial fisheries
22 group on the Public Advisory Committee.

23 Commercial tourism. That particular group involves
24 also a fine group of people. Brad Phillips, Carl Cox, James
25 Lethcoe, Diane McBride, Donna Fischer, John Merrick and Jules

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Tileston. Comments from the Council?

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

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

5 MR. BARTON: Second, Mr. Chairman.

6 MR. ROSIER: Seconded by Mike. Comments?

7 MR. PENNOYER: Mr. Chairman, this is a
8 difficult choice. As you stated, there are a lot of good
9 people in all these selections. Mr. Phillips had
10 (indiscernible) in two first place (indiscernible) on the --
11 this position, and three second place votes. I think Mr.
12 Phillips' background is (indiscernible) in terms of tourism in
13 the state, would represent that -- that interest
14 (indiscernible).

15 MR. ROSIER: Further comment?

16 MR. SANDOR: I move unanimous consent.

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

21 The fourth group is the conservation group, and the
22 door is open for nominations for the combina- -- the
23 conservation

24 MR. SANDOR: Mr. Chairman, I move the
25 nomination of Mr. Jim King.

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MR. BARTON: Second, Mr. Chairman.

1 MR. ROSIER: Motion made and -- by -- by
2 Mr. Sandor, seconded by Mr. Barton for the nomination of James
3 King. Comments, please?

4 MR. PENNOYER: Mr. Chairman, again there were
5 many people in this category I think that are known for
6 conservation interests. Mr. King has a very long reputation in
7 the State of Alaska as a conservationist. He's well known.
8 He's (indiscernible) many groups, and is a professional in the
9 field, so I think Mr. King would very adequately represent this
10 group.

11 MR. ROSIER: I would certainly concur with the
12 comments about Mr. King.

13 Anything further from the Council?

14 MR. COLE: Mr. Chairman?

15 MR. ROSIER: Mr. Cole?

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

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

24 MR. COLE: I said I do not know Mr. King
25 personally and therefore I will rely with respect to his

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1 appointment upon the good judgment of my fellow members of the
1 Trustee Council who know him (indiscernible).

2 MR. McVEE: Mr. Chairman?

3 MR. ROSIER: Mr. McVee?

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

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

9 MR. COLE: Yes.

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

13 MR. SANDOR: I agree.

14 MR. ROSIER: Hearing no adverse comment there,
15 Mr. King is the individual selected from the conservation
16 group.

17 The environmental group. Again a lot of good people
18 have their name in the -- in the list to represent the
19 environmental interests. Many of these people have
20 participated in our -- in our Council meetings here over the
21 last -- last six months, and I would ask for a motion from the
22 -- from the Council at this time? Mr. Barton?

23 MR. BARTON: Mr. Chairman, I nominate Pam
24 Brodie.

25 MR. ROSIER: Pam Brodie has been nominated by

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Mr. Barton. Is there a second to the motion?

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

2 MR. ROSIER: The motion was seconded by

3 Mr. McVee. Comments?

4 MR. COLE: Mr. Chairman?

5 MR. ROSIER: Mr. Cole?

6 MR. COLE: Let's see, Ms. Brodie received four
7 first place votes as I read the compilation and two second
8 place votes. We should note that her nomination was endorsed
9 by the Wilderness Society, Sierra Club, Alaska Center for the
10 Environment, Greenpeace, Northern Alaska Environmental Center,
11 National Audubon Society, Kachemak Bay Conservation Society,
12 Kodiak Environmental Network, Natural Resources Defense
13 Council, Sierra Club Legal Defense Fund, and the Alaska
14 Wildlife Alliance.

15 MR. ROSIER: That's a very impressive list,

16 Mr. Cole. Additional comments?

17 MR. SANDOR: I ask unanimous consent.

18 MR. ROSIER: Unanimous consent has been asked
19 for. Is there any comments to the contrary? Hearing none, Pam
20 Brodie will be the environmental representative on the Public
21 Advisory Group.

22 The next group is the forest products industry, and we
23 have Mr. John Sturgeon, John Merrick and Gail Evanoff as the
24 three -- three representatives. All strong candidates, this --
25 this particular group. A motion from the -- from the Council?

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Yes, Mr. Barton?

1 MR. BARTON: I nominate John Sturgeon,
2 (indiscernible) Alaska State Forester and he (indiscernible)
3 have (indiscernible).

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

6 MR. BARTON: I said Mr. Sturgeon has been --
7 has served as Alaska -- the Alaska State Forester for a couple
8 years. He has four first place votes and two second place
9 votes by my tally here. I think he'd do a good job.

10 MS. EVANS: Thank you very much. That was very
11 clear.

12 MR. PENNOYER: Second the nomination.

13 MR. ROSIER: The nomination of Mr. Sturgeon was
14 -- was second by Mr. Pennoyer. Further comments? Hearing
15 none, I would ask for the unanimous consent of the group to
16 appoint Mr. Sturgeon as the forest products representative on
17 the Public Advisory Committee? Mr. Sturgeon will be the -- the
18 individual selected for the Public Advisory Committee
19 representing forest products.

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

23 MR. BARTON: Mr. Chairman,

24 MR. SANDOR: Donna Fischer as the local
25 government representative.

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

2 MR. SANDOR: Yeah, this is John Sandor
3 nominating Donna Fischer as the local government
4 representative. I do so, she represents Valdez and as I see on
5 my listing, she has one, two, three, four first place votes and
6 one second place vote.

7 MR. ROSIER: Yes. Further comment?
8 Mr. Barton?

9 MR. BARTON: I second that nomination.

10 MR. ROSIER: Motion by John Sandor for the
11 appointment of Donna Fischer, and seconded by Mike Barton.
12 Mr. Pennoyer?

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

21 We sort of want a broad representation of interests on
22 the Public Advisory Group. I don't expect -- expect any one of
23 these members to simply focus on that one interest, but rather
24 to comment on the issues broadly across all -- all interests,
25 not -- not representing just one. So they have to take an

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interest in (indiscernible) discussions.

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

5 The second part of that is I think we're interested in
6 a broad representation geographically through the spill area,
7 and Ms. Fischer is from Valdez, and that is I think important
8 to get somebody from Valdez in the -- on committee. Mr.
9 Selby's also -- is from Kodiak, and I think it's equally
10 important to have a leader from Kodiak (indiscernible)
11 committee.

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

21 MR. ROSIER: Yes, I would agree. I think that
22 it's important here, and certainly from -- from my standpoint,
23 it seemed to me that, John, you mentioned the recreational
24 sport hunting and fishing (indiscernible). Of course, any of
25 the individuals as I see it on the list are people that -- that

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have got multiple interests and are involved -- and are
1 involved in a lot of -- a lot of community activities as well
2 as their -- their private -- private businesses in the State.
3 But certainly in the case of the case of the sport hunting and
4 fishing group, certainly I have no problem with -- with Jerome
5 Selby as a representative in that area as he is a -- he's a
6 guide that has been very active in recreational groups and --
7 and there in the Kodiak area. I certainly think that he would
8 bring a dual -- dual capabilities to the group. That -- that's
9 my personal view.

10 Other comments from the group?

11 MR. COLE: Mr. Chairman?

12 MR. ROSIER: Mr. Cole?

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

24 For example, let me just talk plainly about Mr. Selby.
25 I mean, as I recall it, he came before the Trustee Council and

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gave us a proposal for \$325 million or something like that for
1 the Kodiak area. I find it hard that he would be an acceptable
2 selection to the public at large group.

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

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

14 MR. ROSIER: Mr. Barton?

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

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

22 I would add also at least as I understood the -- the
23 proposal that came forth from Mr. Selby, that it was not
24 necessarily Mr. Selby's proposal. He was speaking for the -- a
25 number of groups that had met to carve out some kind of a

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proposal to the council (indiscernible). It seemed to me
1 that

2 Anyway, what's the wishes of the group? Further
3 comments?

4 MR. McVEE: Mr. Chairman?

5 MR. ROSIER: Mr. McVee?

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

11 MR. COLE: Mr. Chairman?

12 MR. ROSIER: Mr. Cole?

13 MR. COLE: I would (indiscernible).

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

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

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

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Advisory Group.

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

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

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

21 Comments? Mr. Barton?

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

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MR. ROSIER: That's -- yes. Did you -- did you
1 hear that, Mr. Sandor?

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

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

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

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

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

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representative of a native corporation, as a native landowner,²⁷
1 and I -- I really wasn't certain whether or not he was an
2 Alaskan native and I don't know how relevant that is. I must
3 confess that was a factor in my nominations and selections.

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

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

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

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

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

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

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

4 MS. EVANS: Mr. Chairman?

5 MR. ROSIER: Yes?

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

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

15 MS. EVANS: Thank you.

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Mr. Cole?

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

24 MR. ROSIER: Yeah, I don't think we're talking
25 about Mr. Knecht I don't believe in the -- in the native

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landowner -- landowner situation. As I understood

1 Mr. Pennoyer, basically we would have a choice of Mr. Merrick
2 or Totemoff in native landowner. Mr. Knecht would be third if
3 I understood Mr. Pennoyer's analysis on (indiscernible).

4 Mr. Barton?

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

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

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

24 I was looking ahead to making a case for Richard Knecht
25 and -- and because of his not only scientific and -- and

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academic and cultural background, but also his -- you know his nomination itself.

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

Thank you, Mr. Chairman.

MR. ROSIER: Thank you very much, John.
Mr. Cole?

MR. COLE: Thank you, Mr. Chairman. I'm not familiar with Mr. Knecht. I know Mr. Totemoff because of his repeated and consistent appearance at Trustee Council meetings. But if -- if you just look at the point system as a means of expressing the feelings of members of the Trustee Council under my point system, whatever that's worth, we really get 12 points for Mr. Totemoff, about six for Merrick, six for Mr. Knecht. I think (indiscernible) eight for Merrick. And -- and it seems to me that Mr. Totemoff is strongly favored by that system in

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any event by the Trustee Council. It's a (indiscernible) then
1 we can deal with the subsistence category when we reach it.

2 MR. ROSIER: Mr. Pennoyer?

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

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

12 MR. BEACHAM: Just looking at the categories,
13 it appears that Totemoff is an incredibly popular person, but
14 he -- he does seem to be more popular for subsistence than he
15 does for the -- the native landowner category (indiscernible)
16 reasonable (ph) (indiscernible) to me.

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

20 MR. PENNOYER: Mr. Chairman, I think
21 Commissioner Beacham was talking about the -- (indiscernible)
22 the number of (indiscernible). And I guess I would say that
23 we're going to have Mr. Totemoff on the (indiscernible)
24 through. I don't expect any one of these people
25 (indiscernible) just to represent one particular interest.

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They bring in expertise from that interest group to this group,
1 but I presume we're going to get their -- their insight in all
2 these (indiscernible) categories and interests.

3 MR. ROSIER: Okay. Further comments at this
4 time?

5 We have a motion before us at the present time for
6 Mr. Totemoff to be the representative for the native land owner
7 group. I would ask for unanimous consent from Council for
8 appointment of Mr. Totemoff as native landowner
9 (indiscernible).

10 MR. SANDOR: No objection.

11 MR. ROSIER: Hearing no objection, Mr. Totemoff
12 is the native landowner representative.

13 The next group is the recreational users. We've got
14 Mr. James Diehl, Jules Tileston, James Lethcoe, Doug
15 Coughenower, James King, John Merrick and Charles Totemoff.
16 Mr. Barton?

17 MR. BARTON: Mr. Chairman, I nominate
18 Mr. Tileston (indiscernible) seat for the simple reason that
19 Mr. Diehl also has been nominated for public at large seat. I
20 think he and Mr. Tileston are highly deserving individuals,
21 (indiscernible) nominated for public

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

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MR. McVEE: Mr. Chairman?

1 MR. ROSIER: Mr. McVee?

2 MR. McVEE: Second.

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

5 MR. COLE: Mr. Chairman?

6 MR. ROSIER: Mr. Cole?

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

12 I would also like to add that if you look at the votes
13 for recreational users, Mr. Diehl here gets the greatest number
14 of points in my points system I think of virtually anybody
15 among the nominees. He gets five first place votes in this
16 category, and his rating in the point system is far ahead of
17 Mr. Tileston's, so I could not in good conscious substitute
18 Mr. Tileston for Mr. Diehl. And (indiscernible) public at
19 large I think we should address that when we come to it.

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

21 MR. PENNOYER: Mr. Chairman, I have done the
22 same look and I'd put Mr. Diehl at the top of the list. I
23 guess I still have to -- as we go through these, regardless of
24 these separate numerical ratings, I think we need to consider
25 what we're trying to accomplish here in getting a broad

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spectrum of interest across this committee in both the public
1 at large and in these special interest groups. Again, they're
2 people who are going to comment on all proposals, not just from
3 the perspective of a kayaker or a conservation (indiscernible),
4 a forest products person.

5 I would point out that Mr. Tileston's nominations and
6 endorsements. He has a rather impressive list of endorsements
7 of people who are -- are supporting his position on the
8 committee.

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

17 At least I'm persuaded to go along with Mr. Barton. I
18 don't know how we get around the question we've got here.
19 Certainly the initial votes did -- did put Mr. Diehl clearly at
20 the top of the list with five first place votes. Mr. Tileston
21 had one first place (indiscernible). Mr. Tileston had three
22 seconds and one third place (indiscernible) I don't know what
23 was in people's mind when they did that, but clearly Mr. Diehl
24 was the top choice initially. I am persuaded by Mr. Barton's
25 arguments, so I'll (indiscernible).

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MR. ROSIER: Mr. Barton?

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

6 MR. COLE: Mr. Chairman?

7 MR. ROSIER: Yes, Mr. Cole?

8 MR. COLE: But if you look at the voting
9 system, we have Mr. Diehl is first for Fish and Game, first
10 with Environmental, first with the Department of Interior,
11 first with NOAA and first with the Department of Law. He gets
12 zero votes -- votes from the USDA. And, you know, I just don't
13 see how we can support Mr. Barton's view that (indiscernible)
14 you know, when you get five first place votes for this
15 particular category, then we say, "Well, let's nominate someone
16 else." And I'm telling you, gentlemen, I just can't go with
17 that. And then say, "Well, we can put him down in the public
18 at large. But the fact of the matter is he got no first place
19 votes for the department (ph) of -- for membership in the
20 public at large, and I just can't understand how we could be
21 doing this double-take here after you vote five first place
22 votes for recreational user. I tell you, I just can't fathom
23 that.

24 MR. SANDOR: Mr. Chairman, there may be another
25 factor to consider. Well, I guess I don't have (indiscernible)

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as the record would reflect, I've -- I nominated Tileston as
1 the number one candidate in -- I think that's with the
2 environmental group, Brodie number two and then I
3 (indiscernible) have chosen, or nominated or included in the
4 public at large.

5 But I think that the -- the public at large grouping is
6 flawed. It's flawed either by the inaccurate -- or an
7 inadequate number of public at large candidates or it's flawed
8 by the way in which the public at large group was tallied,
9 because it bothers me that in the public at large group, when
10 -- when I summarized them, and -- and then chose, you know,
11 insofar as the nominations by the Trustees Karl Pulliam four,
12 Donna Fischer three, James Diehl two, Walt Parker two, Brad
13 Phillips two, and the others one, partly representing my
14 multiple elimination (ph) fund (ph).

15 But then when you look at the fact that Jerome Selby
16 has five, Ken Adams has four in one category, aquaculture four
17 and commercial fisheries, comm fish, four votes in tourism;
18 Merrick has four votes in forest products, four in -- in native
19 landowners, and, of course, also in this sport (ph) group and
20 -- and he has four and then Calvin Lensink has five in science
21 and academic.

22 And then it -- it troubles me that -- that we may be
23 reaching the conclusion prematurely, that -- that the pool of
24 people that we have that are shown in public at large adequate.
25 And -- but I supported Diehl and believe that he was -- as

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well as Tileston.

1 I think we really should follow -- look at these
2 categories by the category, because as I understood this whole
3 process, we deliberately chose to make this -- have these 12 --
4 11 I guess it is -- yeah, 12 public -- or specific special
5 interest groups. Twelve specific special interest groups. And
6 I think we should try to pick the best one for that group.

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

12 I'm not so sure that the public at large grouping that
13 we have, you know, really adequately reflects the
14 qualifications of any one of these people to pick -- to be
15 picked for public at large if in fact we're going to say that
16 anyone in any one of these other categories can serve public at
17 large. If that's the case, then we should assume that and then
18 re-do the compilation to see how we're going to tally up these
19 -- these votes.

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

24 In summary, I think public at large information that we
25 now presently have tabulated may be -- it may be inadequate to

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1 make those selections today, and we may have to defer that
2 until a meeting of the 14th, at which -- during which time we
3 can sort out and perhaps even open up nominations, or at least
4 make the determination whether all of these people in these
5 other specific categories can also be considered for public at
6 large.

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

11 MR. ROSIER: Thank you, John. I don't want to
12 confuse the issue more here on this, but in terms of the public
13 at large group, it was kind of my understanding that -- that at
14 the time that we set up these groups, we were talking about a
15 group of up to 15 with the public at large group kind of -- it
16 was not clear exactly how we were going to deal with the public
17 at large group. But at least at the time that we were voting
18 on this, at least considering what our votes might be on this,
19 we had only put one individual in, you know, under our -- under
20 -- under my name on this in anticipation that perhaps we would
21 perhaps be going out looking for a couple of additional
22 candidates. Am I wrong in that? I notice that -- that in --
23 in terms of the listing here, each of us has treated this
24 particular group totally differently.

25 Mr. Barton?

MR. BARTON: Mr. Chairman, I would like to see

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us decide what we're going to do with the public at large
1 category (indiscernible) further. (Indiscernible) this could
2 influence how I might vote on some of these.

3 MR. ROSIER: Further comments?

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

10 MR. COLE: Mr. Chairman?

11 MR. ROSIER: Mr. Cole?

12 MR. COLE: I need a little help here as usual,
13 but are we having one member of the public at large or two
14 members of the public at large?

15 MR. ROSIER: Three members.

16 MR. COLE: Oh, is it three? I'm told it's
17 three, three members of the public at large, and therefore, you
18 know, it's I think not good process when as Commissioner Rosier
19 points out, he only nominated one person for this three member
20 group and so did the Department of the Interior. NOAA only
21 nominated two, others -- Commissioner Rosier (sic), he
22 nominated eight -- not Commissioner Rosier, Commissioner
23 Sandor. But it -- it seems to me that the process has broken
24 down in the Department of -- in the -- in the public at large
25 category, and I think that we should today defer appointment,

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selection, or whatever you want to call it of people in the
1 public at large category.

2 My concept of the public at large category was to
3 select three people -- actually however number there were,
4 people who are not closely allied with any of these other
5 special interest groups, because if we put people in the public
6 at large category who are closely allied with some of the
7 special interest groups, then we're giving those members of
8 that special interest group sort of a double vote, more than
9 the others. And I think we should be very careful not to do
10 that. We should simply have, you know, truly public at large
11 rather than, you know, people like Mr. Diehl if we put him in
12 public at large and he gets five first place votes for
13 recreational user, and then we appoint someone else as a
14 recreational user, well, then we've really I think unfairly
15 perhaps, or maybe not unfairly, but whatever, given emphasis to
16 members of the recreational group, so

17 Thank you.

18 MR. McVEE: Mr. Chairman?

19 MR. ROSIER: Yes, Mr. McVee?

20 MR. McVEE: I guess when I was putting together
21 the DOI recommendations for the public at large group, I was
22 dealing with it on the basis that considering those that were
23 nominated and therefore as a probable (ph) one person I felt
24 like met those criteria that -- that Attorney General Cole has
25 mentioned, and therefore submitted (indiscernible) name. So it

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might be in my mind necessary to -- to delay and go back out
1 and acquire (indiscernible) nominations or solicit nominations
2 or I think that we have the prerogative of (indiscernible)
3 making nominations. We ought to exercise that.

4 MR. ROSIER: Thank you, Mr. McVee.
5 Mr. Pennoyer?

6 MR. PENNOYER: Mr. Chairman, when we get down
7 to it, I don't have any problem adding people to -- to the
8 advisory group as we go along. I would hope the delay doesn't
9 mean delay in starting this process. I would like to finish
10 today, make a selection, get started, have the first meeting,
11 get this going, and if we have to come back and add some people
12 later, if we feel like to doing that. It's hard (ph) to expand
13 this committee or whatever, I think we have that -- that
14 possibility in the future. So I went down, and I had two that
15 I thought (indiscernible) when I (indiscernible) nominations
16 that I felt (indiscernible) public at large.

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

25 And I guess I feel that we're trying now in the public

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at large category to have (indiscernible) coming (ph) up with⁴²
1 one interest or another, so from that standpoint -- at least to
2 that degree Mr. Diehl might be (indiscernible) a reasonable
3 recreational and public at large group, and still come back and
4 consider what we do with the public at large group.

5 Our purpose here is to get a broad cross section of
6 input to us not necessarily just to have any one interest
7 represented. Early on we even thought that one person might
8 represent more than one interest, have somebody who is a sport
9 fisherman and a recreational user and that, so I think the door
10 was open to us to choose as we (indiscernible), but the public
11 at large (indiscernible) it's my feeling (indiscernible)
12 wanting to go out and ask for something extra. Let's not stop
13 the process though (indiscernible) today in the selection, have
14 the first meeting and get things going.

15 MR. ROSIER: Yes, Mr. Barton?

16 MR. BARTON: I still feel strongly that we need
17 to have a whole slate of candidates laid out (indiscernible).
18 (Indiscernible) puzzled as to how now we're to develop
19 candidates for public at large, (indiscernible).
20 (Indiscernible) the whole nomination process, (indiscernible)
21 if so, given Mr. (indiscernible) comments, do we then exclude
22 people that have been nominated for specific seats? I, too,
23 would like to see people (indiscernible) representing the
24 public at large who truly represent the public at large. But
25 I'm not sure how you identify them.

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MR. SANDOR: Mr. Chairman?

1 MR. ROSIER: Mr. Sandor?

2 MR. SANDOR: I would speak in favor of the
3 motion if there's one on the floor of deferring the action on
4 the public at large group, but I believe it is absolutely
5 essential that we define the ground rules under which the
6 public at large people are to be selected and -- and who is on
7 the list, and in that regard while I favor the deferral of
8 action on this public at large group today, and to the 14th, I
9 would also favor that we conclude that any of these people on
10 the total list be considered as public at large if they had
11 expressed an interest in that and -- and if the staff had
12 identified them that way. I'm even in favor of frankly making
13 it all inclusive.

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

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

25 MR. ROSIER: Thank you, John. I guess I've got

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1 a question for the Staff. We have a fairly significant group
2 of people that are characterized under the principal interest
3 categories as public, and what does this principle interest
4 represent? Just people that were in fact nominated for the
5 public at large, or was this something -- where did this
6 category come from and how does the description apply?

7 MR. RICE: Mr. Chairman, this is Ken Rice.
8 I'll -- I'm not sure I fully understand your question. Are you
9 trying to find out how the public at large category came about?

10 MR. ROSIER: Yes. In the -- in the legal
11 sheets that we've been given here, the summary of the various
12 individuals on this, there's a number of these people that --
13 that are listed as under principle interest "public". Are
14 these people that were nominated for the public at large group,
15 or -- or are they -- where does this principle interest
16 category come from and -- and how were people put into that
17 particular category?

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

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MR. ROSIER: Mr. Cole?

1 MR. COLE: Mr. Chairman, I remain uneasy about
2 the public at large category. If you look at the names under
3 nominations by Trustee, you essentially see almost exclusively
4 names of people who were nominated in other categories. And I
5 just think that somehow the process for selection of public at
6 large members has broken down and is inadequate, and I think
7 that we should defer the appointment or election of public at
8 large category members today, but I do think that it's
9 imperative that we continue to get as many people appointed to
10 the various categories as we are able today so we can get on
11 with this process.

12 MR. ROSIER: Mr. Pennoyer?

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

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categories one at a time, and when we get to public at large,⁴⁶
1 make the decision when we get to that.

2 MR. ROSIER: Mr. Barton?

3 MR. BARTON: Mr. Chairman, I repeat, I think we
4 need to determine what (indiscernible) public at large
5 (indiscernible).

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

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

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

12 MR. COLE: Mr. Chairman, it was a back-handed
13 motion.

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

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

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

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

21 MR. COLE: Mr. Chairman, I'll second the motion
22 although is it understood that members of the Trustee Council
23 themselves can nominate members during this two-week period? I
24 mean, it just seems to me that out of the 550,000 people
25 (indiscernible) ought to be able to find some disinterested

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1 people who would be interested in serving, performing this
2 public service (indiscernible).

3 MR. ROSIER: Mr. McVee?

4 MR. McVEE: Yes. Mr. Chairman, I'm interested
5 in that option also, and I think that it would be worthwhile to
6 the public at large category for us to exercise it.

7 MR. RICE: Mr. Chairman?

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

9 MR. RICE: This is Ken Rice.

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

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

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

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

23 MS. EVANS: Mr. Chairman?

24 MR. ROSIER: Yes?

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

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MR. BARTON: What I said was I wondered if we
1 could get the necessary disclosure comments back -- disclosure
2 comments back from the nominees in time to have them reviewed
3 prior to the 14th meeting.

4 MR. ROSIER: Staff comments?

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

14 MR. ROSIER: Other comments from the Council?

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

19 MR. COLE: Mr. Chairman?

20 MR. ROSIER: Mr. Cole?

21 MR. COLE: Yes.

22 MR. SANDOR: Mr. Chairman?

23 MR. ROSIER: Yes?

24 MR. SANDOR: I do also think we should get the
25 Public Advisory Group on board all at once. But it was my

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1 thought that -- that we could act, or consider acting on the
2 14th of September based on whatever information we had, and
3 that even so far as the conflict of interest statements are
4 concerned, appointments could be conditional upon the -- the
5 submission of -- of appropriate conflict of interest
6 information -- conflicts of interest information, but obviously
7 we can request that simultaneously with the nomination.
8 Anyway, I believe that with this discussion I'm more than ever
9 convinced that -- that we cannot select the public at large
10 positions today, but I hope we can reconfirm, or at least get
11 agreement that, one, there will be three public at large
12 positions, that they will represent public at large, although
13 they may be aligned in one or more special interests, not have
14 a dominant interest in -- in one area, and -- and that we make
15 this as broadly inclusive as possible.

16 MR. ROSIER: Thank you, Mr. Sandor.
17 Mr. Pennoyer?

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

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1 go through the categories. As Mr. Barton said, we will leave
2 open the question of public at large, but I would hope that we
3 could get on with formulation of the group and getting people
4 on board. I would hate to come to the 14th, not have all the
5 documents, not have it there again and say we can't have this
6 group meet, because we haven't completed our selection process.

7 I do think there are one or two names on this list that
8 appeared in other categories, but they clearly were more public
9 at large than they were any specific interest group.

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

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Mr. Cole?

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

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

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

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

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

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

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

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

18 MR. ROSIER: Mr. Pennoyer?

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

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

12 MR. ROSIER: Mr. Barton?

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

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Yes, Mr. Cole?

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

24 The second thought is that if we elect one or two
 25 members now as a public at large out of these names here, then

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we're limiting the breadth of our ability to select from what I
1 would (indiscernible) is truly the public at large. I think
2 that we should leave that public at large category wide open so
3 that we can get the best possible nominees or selection.

4 MR. ROSIER: Mr. Barton?

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

7 MR. COLE: Mr. Chairman?

8 MR. ROSIER: Yes, Mr. Cole?

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

19 MR. ROSIER: Mr. McVee?

20 MR. McVEE: Mr. Chairman, I guess -- I guess I
21 feel like that we could postpone the -- acting on the public at
22 large nominations at this time, and do some things to -- to see
23 if we can't (indiscernible) the list that we have.

24 I didn't do a great deal in terms of -- of promoting --
25 promoting nominations, and I feel like I could probably do some

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more things there, and possibly other members (indiscernible)

1 may have similar feelings to -- to expand that list to
2 (indiscernible) additional candidates for consideration.

3 MR. ROSIER: Thank you, Mr. McVee. Further
4 comments?

5 MR. SANDOR: Mr. Chairman?

6 MR. ROSIER: Mr. Sandor?

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

14 Is there a motion on the floor?

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

21 MR. BARTON: Just the public at large group or
22 any further activity on (indiscernible)?

23 MR. ROSIER: It was only the public at large
24 group.

25 MR. BARTON: Mr. Chairman, I move to amend that

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1 motion to just suspend further work on this list until we can
2 deal with it at (indiscernible).

3 MR. COLE: Mr. Chairman?

4 MR. ROSIER: Mr. Cole?

5 MR. COLE: Well, why would we suspend work on
6 dealing with the appointment of the remaining (indiscernible)?

7 It seems to me that logically therefore we should
8 (indiscernible) everything else we've done this morning, say
9 that doesn't count, because of the fact there's three more
10 unfilled. It seems to me we ought to either do them all except
11 the public at large, or we ought to do none of them, except --
12 you know, period.

13 MR. ROSIER: Mr. Barton?

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

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

23 (Off record)

24 (On record)

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

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

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

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

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

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

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

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

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

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

5 MR. ROSIER: Mr. McVee?

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

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

14 MR. ROSIER: Mr. Pennoyer?

15 MR. PENNOYER: Mr. Chairman, I guess it's
16 fairly clear that we're not going to get any type of consensus
17 on the Public Advisory Group at this meeting. Lacking that,
18 we're not going to appoint one. The choice now seems to be do
19 we simply wait until September 14th to deal with the whole
20 balance of this list, or do we try and go through two or three
21 more categories, lacking the Public Advisory Group -- cannot
22 have a group that (indiscernible) function until we appoint 15
23 people, so do we select two or three more now or not? We
24 haven't gotten an up and functioning Public Advisory Group. I
25 guess I would (indiscernible). If we do go for the motion and

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defer that as I suspect we're going to, I really hope we can
1 get it done on the 14th.

2 And we really need to have this group up and
3 functioning. (Indiscernible) a response into the court that
4 says we're getting there, we have various work plans to
5 consider, there are already (ph) some already done and some
6 that are in process. All of these things require a public --
7 functioning Public Advisory Group, so if we do defer to the
8 14th, that's two week, I would hope that we don't come to
9 another meeting and have again the inability to appoint a
10 group, even if it's changed in the future, or even if we expand
11 it in the future, (indiscernible) to get started.

12 Fifteen was picked as a good number. The interest
13 groups we have here (indiscernible) picked (ph) to give us a
14 broad representation of people. Public in large was to fill in
15 behind that with people who weren't necessarily of any single
16 interest group. But those are all ground rules we set up to
17 facilitate getting a functioning Public Advisory Group. It
18 shouldn't stand in the way of doing it.

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

24 MR. ROSIER: I would certainly like to echo
25 those words as well, Steve. I just -- yeah, I would hope that

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1 we go as far as we could here today on this, I think just in
2 terms of making the decisions to support the people that did
3 come forward here. I think that's an important thing. People
4 have been pushing on the Public Advisory Group. We certainly
5 want to do it right, but in my view the people have in fact
6 come forward here and we've gone through a process here on
7 this, and I would certainly hope that we could go at least
8 through the various groups here down to the public at large
9 group anyway. So I would certainly hope also that -- that
10 (indiscernible) would have a Public Advisory Group final --
11 final decision at our meeting of the 14th.

12 Any other comments? Mr. Barton?

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

15 MR. COLE: Mr. Chairman?

16 MR. ROSIER: Yes, Mr. Cole?

17 MR. COLE: I support the Chairman's views. I
18 think we should go as far as we can today and since we have not
19 consensus on the public at large, we should defer that and we
20 should make all the appointments which we can today, because
21 there's no logical reason we should (indiscernible), what, ten
22 or 11 of them, plugging (ph) them in so to speak, and then
23 (indiscernible) finishing up naming the three.

24 MR. ROSIER: Mr. Barton?

25 MR. BARTON: I agree with Mr. Cole's
frustration. I wouldn't have started this with -- had I not

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(indiscernible) finish it.

1 MS. EVANS: Mr. Chairman?

2 MR. ROSIER: Yes?

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

7 MR. ROSIER: Yes, Mr. Barton, could you repeat
8 that, please?

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

12 MR. SANDOR: Mr. Chairman?

13 MR. ROSIER: Yes, Mr. Sandor?

14 MR. SANDOR: During the five-minute break, I
15 re-read the Public Advisory Group principle interest
16 definitions, and a summary of action taken at our March 9
17 meeting, which stated at the Trustee Council meeting on March
18 9, 1992, it was decided to approve 12 principal interests to
19 use when choosing the 15 members of the Public Advisory Group.
20 In addition, it was decided to have two ex officio members,
21 one each from the Alaska State House and the Senate.

22 And it goes on to discuss that this public at large
23 group, you know, is -- is different from these 12 special
24 interest categories, and I would suggest that -- in my reading,
25 doesn't suggest that these individuals couldn't be on both, but

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it clearly shows that -- that the intent was to select --
1 select specifically people to these 12 groups, and therefore I
2 support the motion on the floor to proceed with the filling of
3 those 12 positions, and then deal with this public at large
4 group separately. It would have been more ideal, and I agree
5 with Mr. Barton, that it would it would have been preferable to
6 have the public at large group. But since the process is
7 flawed, or at least not clearly understood, I don't believe
8 it's feasible to do that.

9 Thank you, Mr. Chairman.

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

12 Further discussion? Ready for the question? My
13 understanding is at -- at this point the motion before us is a
14 motion to in fact defer the selection of the public at large
15 group of individuals until our September 14th meeting.

16 MR. SANDOR: That's my understanding,
17 Mr. Chairman.

18 MR. ROSIER: Yes, Mr. Barton?

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

23 MR. ROSIER: We have an amendment to the motion
24 at this time to -- by Mr. Barton, to suspend action on the
25 remaining groups that we have not taken action on so far today.

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Do I have a second to that motion -- the amendment to the
1 motion?

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

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

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

13 I don't know what we want to do with the Public
14 Advisory Group yet. I'm not clear what boundaries (ph) we're
15 going to think of. It's not clear what extra nominations may
16 come in by the 14th. Here I'd just as soon have finished. If
17 we can't finish, maybe the appropriate thing to do is to delay
18 action until we have a slate of candidates in front of us,
19 until we know what we're going to do (indiscernible) total
20 Public Advisory Group.

21 MR. ROSIER: Thank you.

22 MR. COLE: Mr. Chairman?

23 MR. ROSIER: Mr. Cole?

24 MR. COLE: I remain frustrated, because I think
25 we ought to accomplish as much today as we can. You know, time

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slips by, we get criticized for not getting our work done, and
1 here when we could finish this off I think except for
2 appointment of the public interest group, we say, "Well, let's
3 put off until the 13th or 14th, whenever we next meet." We've
4 got some other things to do at that time. Let's know (ph) we
5 will get done then. We just have to make some decisions and
6 get on with our business, and I think we're being too slow
7 about things generally and we ought to make some decisions and
8 (indiscernible). Thank you.

9 MR. ROSIER: Yes, Mr. Barton?

10 MR. BARTON: Yes, Mr. Chairman, I agree with
11 Mr. Cole. I would prefer to go ahead and deal with the public
12 at large today. I think (indiscernible) we do need to get on
13 with (indiscernible) put off several times and (indiscernible),
14 prefer to go ahead and deal with all the categories including
15 the public at large. If we cannot deal with the public at
16 large, then I don't think (indiscernible).

17 MR. COLE: Mr. Chairman?

18 MR. ROSIER: Yes, Mr. Cole?

19 MR. COLE: I want to say that the reason that I
20 am resisting the appointment of the public at large, I think
21 that the appointment of the public at large members of this
22 (indiscernible) is very, very important because I would hope
23 that they be, you might say, a moderating influence on all
24 these special interest groups and truly reflect views of the
25 public at large, and that they should be broadly based. Maybe

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1 someone from Southeastern Alaska, maybe someone from Nome,
2 maybe someone from Fairbanks, maybe someone from Anchorage, so
3 we have people who represent, you know, the broad public
4 interest and not have special attachment to the Exxon Valdez
5 episode. Now, I realize that there's arguments on the other
6 side that those people who have particular interest there,
7 flowing from the spill, should be representative of this Public
8 Advisory Group, but we have 12 people for that. I think that
9 it's very important that we get (indiscernible) right people on
10 this public interest group, well balanced, broad minded about
11 this process and that's the reason that I have (indiscernible)
12 feelings about getting a well balanced public interest member.

13 MR. SANDOR: Mr. Chairman?

14 MR. ROSIER: Yes, Mr. Sandor?

15 MR. SANDOR: This is a question for the --
16 Mr. Barton and Pennoyer who made the motion to amend. Would --
17 as I understand it, the spirit of the motion is that you do not
18 want to act on these 12 until you know the outcome of the three
19 public at large. We've already proceeded and have made
20 selections on I guess seven or eight of the -- yeah, eight of
21 the 12. It was my understanding that even as we made these 12
22 selections, whether we make the public at large selections
23 today or the 14th, that -- that the total group will not be
24 constituted until the 15 appointments are made. If that
25 assumption is correct, then it would seem to me that all we'd
26 have to is to see that the August 14 segment of our next

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Trustee Council meeting is a continuation of this meeting, and
1 that although action had been taken on the 12 separate
2 categories that the Council would still have the prerogative of
3 -- of seeing how the 15 total or three additional Public
4 Advisory Group members were made before the total appointments
5 were made simultaneously.

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

10 I guess the question to Mr. Barton and Mr. Pennoyer is
11 if we pick these 12 special interest group people now, identify
12 them as -- as selections, make the three on August the 14th,
13 and the Public Advisory Group, re-examine the total group of 15
14 at that time, does this in any way allay your -- would this in
15 any way allay your concerns?

16 MR. COLE: Mr. Chairman?

17 MR. ROSIER: Yes, Mr. Cole?

18 MR. COLE: Well, I would object to that, and
19 let me tell you why: When we walk out of this meeting having
20 voted on eight of these people, I -- I would like to be able to
21 say, "Look, that's done and behind us." Otherwise we'll have
22 people coming to us and say "Well, why did you vote for this
23 person here in the environmental section," or something like
24 that, and then I'll have to account to that. And then, "Well,
25 you better change that vote at the next meeting, because blah-

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blah-blah," or the agricultural (sic), or commercial fishing or
1 tourism, or what have you, you know. Then we'll say, "Well, we
2 better start back and go through this again," and that's very,
3 very dangerous, you know, from the standpoint of getting things
4 done. (Indiscernible) my vote, you know, and as far as I'm
5 concerned that's the way it is, and I would object to rehashing
6 all of these eight again on the 14th (indiscernible).

7 MR. ROSIER: Absolutely. I would -- I would
8 have problems with that also. I hope that certainly the eight
9 that we have in fact selected, that is now behind us.
10 (Indiscernible)

11 Mr. Pennoyer?

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

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

24 I agree with Mr. (indiscernible) we need to get this
25 done. I'm sure the presence or absence of making that choice

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(indiscernible) people is going to make a big difference on
1 September 14th. I'm getting the feeling we just can't complete
2 the process here, and it's because in terms of one -- some
3 people's view, one category, some people's view, another
4 category.

5 Other than spending more time arguing about, my feeling
6 was we could just do the whole thing and wrap it up on the 14th
7 and get it done. I wish we could have done it today. I don't
8 think now that's possible. I don't know that we could select
9 15 even if we were to pick one or two out of the
10 (indiscernible) advisory (indiscernible), so we can't have the
11 group selected (indiscernible) eight until after the 14th. The
12 motion is, okay, that's fine. Let's just make those selections
13 on the 14th and do the whole thing and finish.

14 MR. SANDOR: Mr. Chairman?

15 MR. ROSIER: Yes, Mr. Sandor?

16 MR. SANDOR: Just a question of Mr. Pennoyer.

17 And I agree that -- that it would make sense to, of course,
18 make these selections final. But if in fact we adjourn with
19 the -- just the eight selections, are we saying -- or can we
20 confirm that indeed those selections are the ones that are made
21 regardless of the actions that were taken -- that is to be
22 taken on the 14th?

23 MR. ROSIER: Yes, Mr. Pennoyer?

24 MR. PENNOYER: Mr. Chairman, I agree with
25 Mr. Cole, there's no way to walk away from this meeting and

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wait two weeks, and then come back and change things. I think
1 if you've done that -- unless we right now in the next few
2 minutes make it clear that there's -- that we're not doing that
3 those selections -- or go back and rethink about one of them,
4 which I don't think we're going to do, I don't think you can
5 walk away for two weeks and have the word out that you've made
6 those selections and come back and (indiscernible). So I think
7 the eight are -- are (indiscernible).

8 MR. ROSIER: Mr. McVee?

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

10 MR. ROSIER: Yes, Mr. Barton?

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

12 MR. ROSIER: I believe that we're unanimous on
13 that particular point then.

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

16 MR. ROSIER: That the eight -- that the eight
17 that we have in fact taken action on, unless there's
18 reconsideration of that at the present time, there will --
19 those eight are in fact to be the representatives for those
20 groups.

21 MR. SANDOR: I concur heartily with that
22 position.

23 MR. COLE: Mr. Chairman?

24 MR. ROSIER: Yes, Mr. Cole?

25 MR. COLE: Well, you mention reconsideration,

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that worries me a little bit. I mean

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

6 MR. SANDOR: I call for the question.

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

16 Ready for the question? Dave, would you
17 (indiscernible) on this?

18 Mr. McVee?

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

20 MR. BARTON: Yes.

21 MR. ROSIER: Mr. Pennoyer?

22 MR. PENNOYER: Yes.

23 MR. ROSIER: Mr. Cole?

24 MR. COLE: No.

25 MR. ROSIER: Mr. Sandor?

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MR. SANDOR: No.

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

2 The amendment fails. We're at the main motion at the
3 present time. The main motion is to defer only the -- only the
4 public at large consideration at this meeting. (Indiscernible)

5 MR. COLE: Mr. Chairman?

6 MR. ROSIER: Yes, Mr. Cole?

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

10 MR. ROSIER: The Chairman stands corrected here
11 on this. Mr. Pennoyer?

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

16 MR. ROSIER: That would be my understanding.

17 Mr Barton?

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

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

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

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I asked (indiscernible).

1 MR. SANDOR: Mr. Chairman?

2 MR. ROSIER: Mr. Sandor?

3 MR. SANDOR: I couldn't hear the last comment.
4 Could it be repeated?

5 MR. ROSIER: Yes, Mr. Cole, would you please
6 repeat that?

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

13 MR. SANDOR: Mr. Chairman?

14 MR. ROSIER: Yes, Mr. Sandor?

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

22 MR. ROSIER: Yes, and, Mr. Sandor, the reason
23 that I used the term "only" in my (indiscernible) statement
24 that -- was that it's my -- my feeling that where we are at
25 this point is that we are voting on the public at large and

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whether to consider deferring the public at large category
1 until the September 14th meeting. We would then go back in
2 each of the four entities that we have not selected for on an
3 individual basis.

4 MR. SANDOR: Thank you.

5 MR. ROSIER: Mr. Pennoyer?

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

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

21 Mr. Pennoyer?

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

25 MR. ROSIER: That's correct. (Indiscernible).

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Ready for the question?

1 MR. BARTON: Mr. Chairman?

2 MR. ROSIER: Mr. Barton?

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

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

8 Mr. Pennoyer?

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

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

22 Mr. McVee?

23 MR. McVEE: Favor.

24 MR. ROSIER: Mr. Barton?

25 MR. BARTON: No.

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MR. ROSIER: Mr. Pennoyer?

1 MR. PENNOYER: Yes.

2 MR. COLE: Yes.

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

4 Mr. Sandor?

5 MR. SANDOR: Yes.

6 MR. ROSIER: The CHairman votes yes also.

7 MS. EVANS: Mr. Chairman? Would you repeat
8 Mr. McVee's vote, please?

9 MR. ROSIER: Yes. Mr. McVee?

10 MR. McVEE: A yes vote.

11 MS. EVANS: Thank you.

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

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

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

23 MR. SANDOR: Let's proceed.

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

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here? All right. Let's proceed then.

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

7 MR. SANDOR: Mr. Chairman?

8 MR. ROSIER: Yes, Mr. Sandor?

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

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

16 Mr. Pennoyer?

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

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

25 MR. SANDOR: Point of order.

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MR. ROSIER: Mr. Sandor?

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

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

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

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

17 Mr. Cole, did you have something?

18 MR. COLE: (indiscernible)

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

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

21 MR. ROSIER: At this point, John, we do not
22 have a unanimous unanimity on Mr. Tileston and so we're back
23 now to consideration of the list and -- and I would entertain a
24 motion in regards to the recreational user by members of the
25 Council.

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

MR. ROSIER: There's a motion naming Mr. James
2 Diehl as the -- as the nominee to the Public Advisory Group.
3 Is there a second?
4

MR. COLE: Second.
5

MR. ROSIER: Seconded by Mr. Cole. Comments
6 from the -- from the group?
7

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

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

UNIDENTIFIED: (Indiscernible) Diehl or
18 Tileston?
19

MR. ROSIER: The motion on the floor is for --
20 is for Diehl at the present time, correct.
21

MR. BARTON: Amendment.
22

MR. ROSIER: Yes, the amendment to the original
23 (indiscernible). Yes, it was seconded by Mr. Cole.
24

MR. SANDOR: Call for the question.
25

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MR. ROSIER: The question has been called for.

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Mr. Cole?

MR. COLE: Yes.

MR. ROSIER: Mr. Pennoyer?

MR. PENNOYER: No.

MR. ROSIER: Mr. Barton?

MR. BARTON: No.

MR. ROSIER: Mr. McVee?

MR. McVEE: No.

MR. ROSIER: Mr. Sandor?

MR. SANDOR: Yes.

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

MR. SANDOR: Mr. Chairman?

MR. ROSIER: Mr. Sandor?

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

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

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

MR. ROSIER: Thank you.

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

MR. ROSIER: It was my understanding we in fact

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-- we in fact had denied Mr. Tileston, Mr. Diehl. And at this point I guess we come back to the main motion then of -- of (indiscernible).

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

MR. ROSIER: Yes?

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

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

MR. COLE: Mr. Chairman?

MR. ROSIER: Mr. Cole?

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

MR. ROSIER: Mr. Pennoyer?

MR. PENNOYER: Mr. Chairman, I'm not voting against Mr. Diehl. I think Mr. Diehl would be a very good representative. Mr. Barton made the point that Mr. Tileston would be a good person to have on the Public Advisory Group.

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

13 MR. COLE: Mr. Chairman?

14 MR. ROSIER: Yes, Mr. Cole?

15 MR. COLE: Well, we've gone through, what,
16 seven of these appointments now (indiscernible) before the
17 recreation (indiscernible) debate (ph), and I know we've gone
18 pretty much according to (indiscernible) votes, the consensus.
19 All of a sudden the whole process gets thrown out of kilter,
20 and the federal representatives failing to support their number
21 one picks. You know, I just have a lot of trouble with that,
22 you know, and -- and I don't know, I must say I've got to say
23 plainly I'm disappointed (indiscernible).

24 MR. ROSIER: Mr. Barton?

25 MR. BARTON: Let me just say that I, too, am
disappointed that we're not going to deal with the entire

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(indiscernible) today. I came -- I thought we came prepared to
1 do that.

2 The second thing is if we were not going to benefit
3 from any discussion, we didn't even need to meet today. We
4 could have just tallied up the sheet that we have. I think
5 there have been some arguments being made from earlier
6 selections that are influencing subsequent votes.

7 (Indiscernible) not at all (indiscernible) people that
8 (indiscernible) changing.

9 MR. ROSIER: Mr. McVee?

10 MR. McVEE: Yes, Mr. Chairman, I felt like
11 Mr. Diehl and Mr. Tileston were both eminently qualified, and
12 (indiscernible) I put the names down, I felt like that either
13 -- either basically would serve at (indiscernible) the process
14 ahead, willing to (indiscernible) either. (Indiscernible)
15 seconded the motion for Mr. Tileston. I would like -- like to
16 stay with that (indiscernible).

17 MR. COLE: Mr. Chairman?

18 MR. ROSIER: Yes, Mr. Cole?

19 MR. COLE: Well, I think I should respond to
20 Mr. Barton. You know, if -- if it were simply a matter of
21 discussing who is the best selection of these various
22 (indiscernible), I would agree that we should have discussion
23 and certainly one might change (indiscernible) view based upon
24 discussion. But when the decision to change from number one
25 selection is made not because the number one selection is not

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the best person for that category, but as a mechanism to maybe
1 put the number one selection down in the public at large
2 category, that's a horse of a different color.

3 MR. ROSIER: Yes, Mr. Barton?

4 MR. BARTON: Yes. I think -- you know, I think
5 you could look at this as a means of perhaps strengthening the
6 entire Public Advisory Group, perhaps like a ball team. The
7 best second baseman (indiscernible) necessarily playing second
8 base, but (indiscernible) try to select (indiscernible) the
9 team.

10 MR. ROSIER: Thank you, Mr. Barton. Further --
11 further debate?

12 MR. SANDOR: Mr. Chairman?

13 MR. ROSIER: Yes, Mr. Sandor?

14 MR. SANDOR: It was my understanding that the
15 vote on Jules Tileston was three to three and hence I made the
16 motion on James Diehl which also turned out to be three to
17 three. And since that was a surprise in that five of --
18 individuals had identified him as number one that I -- you
19 know, I was surprised, but I'm willing to accept that as a
20 change in the -- in the dialogue and discussion. My motion to
21 move on to science and academic, John French, was simply to get
22 on with the process and get as much of this done as -- today as
23 possible. We are now still discussing recreation users or do
24 you want to go on to science and academic? I'd suggest that if
25 James -- Jim Diehl is -- and Jules Tileston, if we cannot make

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ak selection on those, that category today, we ought to move on
1 to science and academic.

2 MR. ROSIER: It was my understanding that the
3 main motion was not voted on. There was the attempt to amend
4 the motion and (indiscernible) -- yeah, and the amendment --
5 the vote on the amendment was as I understood it three to
6 three? Three to three. So then we went on to the main motion
7 of Mr. Tileston as the replacement for Mr. Diehl, and that had
8 not been voted on.

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

15 MR. ROSIER: Okay. At this point I would -- I
16 would go back to the main motion here of voting on Mr. Tileston
17 as the -- as the nominee for the -- representing the
18 recreational user groups for the Public Advisory Group. Ask
19 for a re-vote on that particular issue.

20 Yes, Mr. McVee?

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

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

25 Mr. McVee?

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MR. McVEE: Yes.

1 MR. ROSIER: Mr. Barton?

2 MR. BARTON: Yes.

3 MR. ROSIER: Mr. Pennoyer?

4 MR. PENNOYER: Yes.

5 MR. COLE: No.

6 MR. ROSIER: Mr. Sandor?

7 MR. SANDOR: No.

8 MR. ROSIER: The Chairman votes no.

9 I would entertain now the -- the vote on the --
10 Mr. James Diehl as the recreational user. That was the --
11 okay.

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

15 MR. SANDOR: I agree.

16 MR. ROSIER: Mr. Sandor, your motion on the
17 science and academic group of Mr. French is now -- now before
18 us.

19 MR. SANDOR: I so move.

20 MR. ROSIER: Mr. Barton?

21 MR. BARTON: I second that.

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

25 MR. SANDOR: Call for the question.

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MR. ROSIER: The question has been called for.

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Mr. Cole?

MR. COLE: Yes.

MR. ROSIER: Mr. Pennoyer?

MR. PENNOYER: Yes.

MR. ROSIER: Mr. Barton?

MR. BARTON: Yes.

MR. ROSIER: Mr. McVee?

MR. McVEE: Yes.

MR. ROSIER: Mr. Sandor?

MR. SANDOR: Yes.

MR. ROSIER: And the Chairman votes yes.

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

MR. SANDOR: Mr. Chairman?

MR. ROSIER: Mr. Sandor?

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

MR. COLE: Second.

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

MR. SANDOR: Yes here.

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

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

4 MR. SANDOR: Mr. Chairman, I move the
5 nomination of Richard Knecht.

6 MR. ROSIER: Motion before us nominating
7 Mr. Richard Knecht for

8 MR. PENNOYER: Second.

9 MR. ROSIER: Seconded by Mr. Pennoyer.
10 Comments?

11 MR. SANDOR: Mr. Chairman, I previously made
12 reference to -- to Mr. Knecht's being director of the cultural
13 center and although Totemoff received more votes in the display
14 of -- of the two candidates here, Mr. Totemoff was selected as
15 native landowner group, so that would I think for the record
16 explain that difference.

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

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

22 MR. COLE: I'm looking at the nomination of
23 Mr. Knecht by the Kodiak Area Native Association, and also his
24 resume. It certainly appears impressive, but if I could have
25 just a

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

2 (Pause)

3 MR. COLE: Thank you, Mr. Chairman, it
4 (indiscernible).

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

8 (Pause)

9 MR. ROSIER: Anchorage, are you there?

10 MR. RICE: Yes, we are.

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

12 MR. ROSIER: A question. Could you give us
13 some idea of how many people are there that may want to -- may
14 want to comment during the public -- public comment period?

15 MS. EVANS: At the moment I see two hands
16 raised, sir.

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

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

24 MR. COLE: No.

25 MR. ROSIER: All right. I would ask for a

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unanimous consent for the -- the appointment of Richard Knecht
1 as the -- as the representative for subsistence on the Public
2 Advisory Group? Hearing no objection on that, Mr. Knecht will
3 be the -- be the nominee.

4 MR. SANDOR: I agree.

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

8 MR. BARTON: Mr. Chairman?

9 MR. ROSIER: Yes, Mr. Barton?

10 MR. BARTON: I would move that we nominate
11 Mr. Diehl, Mr. Pulliam and Mr. Parker to seats on the
12 (indiscernible).

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

17 MR. PENNOYER: I'll second for purposes of
18 discussion.

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

21 MR. SANDOR: Mr. Chairman?

22 MR. ROSIER: Mr. Sandor?

23 MR. SANDOR: I do not believe that the listing
24 that I have of nominations by the different members of the
25 Trustees, I have from ADF&G just one, Pulliam; from the

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Department of Interior, Fischer; from NOAA, Parker and McBride.⁹⁰

1 It does not appear to me that adequate consideration -- either
2 adequate consideration was given so that we could have the
3 benefit of what the one, two, three categories might be, or
4 six, so as I said earlier it seems to me this process at least
5 is flawed if not an understanding of the -- the way in which
6 this category is to be selected. Therefore I speak in
7 opposition to the motion to nominate these three people.

8 MR. COLE: Mr. Chairman?

9 MR. ROSIER: Yes, Mr. Cole?

10 MR. COLE: For the reasons I've previously
11 state -- stated, I agree with the sentiments expressed by
12 Commissioner Sandor (indiscernible).

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

16 MR. COLE: Move we adjourn.

17 MR. SANDOR: Mr. Chairman?

18 MR. ROSIER: Mr. Sandor?

19 MR. SANDOR: I know a motion to adjournment I
20 guess takes precedent, but with the indulgement of both the
21 Chair and the maker of the motion, may I suggest that
22 (indiscernible) understood as we've already discussed that
23 between now and -- and the 14th of September we will in -- in
24 effect receive additional nominations from -- for the remaining
25 categories to be filled, including the public at large? I say

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that because the charter for the nomination and selection of --
 1 of members of the Public Advisory Group, specifically section
 2 6(b), states, quote, "Nomination and selection: Nominations
 3 for membership may be submitted by any source. From these
 4 nominations the Trustee Council will recommend membership to
 5 the Trustees. Following selection by the Trustees, the
 6 Secretary of the Interior appoints these -- those selected by
 7 the Trustees." So I guess the question before adjournment, Mr.
 8 Cole, is it understood that staff will have the discretion to
 9 receive additional nominations? Thank you, Mr. Chairman.

10 MR. ROSIER: Thank you, Mr. Sandor. I guess
 11 the question (ph) on that is that we have left open also the --
 12 the category of the -- of the recreational users. Is that --
 13 is that where we are at the present time, does it mean that --
 14 that you're satisfied with the representatives there, or is
 15 that also open as part of the -- part of the -- the listing of
 16 the Public Advisory Group?

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

21 MR. COLE: Mr. Chairman?

22 MR. ROSIER: Yes, Mr. Cole?

23 MR. COLE: Well, since the federal Trustees did
 24 not vote to appoint Mr. Diehl, I think he's thereby
 25 disqualified and rejected as an appointee from that category,

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and we should look for new members, much to my regret.

1 MR. ROSIER: Yes, Mr. Barton?

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

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

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

11 UNIDENTIFIED: That's correct.

12 MR. ROSIER: Mr. Pennoyer?

13 MR. PENNOYER: Mr. Chairman, I -- I don't see
14 why we've disqualified anybody (indiscernible) recreational
15 users. Part of that discussion had to do with how we dealt
16 with the balance of the (indiscernible) public at large section
17 and the rec- -- and as well as the rec- -- sport hunting and
18 fishing section, so I think -- I think it's an open question.
19 I certainly wasn't voting to disqualify Mr. Diehl
20 (indiscernible).

21 MR. ROSIER: Thank you, Mr. Pennoyer. Okay.
22 Then it's -- at this point then our -- it's my understanding
23 that -- that as for the recreational users, the sport hunting
24 and fishing, and public at large then those areas continue to
25 be open for additional candidates to be nominated between now

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and the September 14th meeting.

1 Mr. McVee?

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

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

8 MR. SANDOR: No objection here.

9 MR. ROSIER: We reached consensus on something
10 here, gentlemen.

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

14 MR. RICE: Mr. Chairman?

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

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

19 MR. ROSIER: I believe that that was -- that
20 was certainly inherent in the discussion that I heard around
21 the table here. I think that it's also incumbent upon the --
22 also incumbent upon the -- the Trustee Council members
23 themselves to in fact do some -- some beating of the bushes so
24 to speak for some additional candidates (indiscernible). Yes,
25 I believe that's the case.

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

3 MR. SANDOR: Mr. Chairman?

4 MR. ROSIER: Yes, Mr. Sandor?

5 MR. SANDOR: It might be helpful if the staff
6 would essentially do just a form that would have the correct
7 working for conflict of interest requirements so that as bushes
8 are beaten and invitations are out, it could be clearly, they'd
9 all get the same information, namely that these three
10 categories are open and that this conflict of interest
11 statement or information, you know, ought to be solicited.

12 MR. RICE: I -- I think that would help shorten
13 up the time.

14 Do you also want us to solicit additional nominations
15 for the two unfilled slots, the sport hunting and fishing and
16 the recreation users?

17 MR. SANDOR: It was my interpretation that that
18 was our decision.

19 MR. ROSIER: Yeah, I believe that with those
20 three left open, we are in fact soliciting additional --
21 additional candidates.

22 MR. RICE: Okay.

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

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

MR. ROSIER: On the items that are left before
5 us here on this is there -- I guess we should find out if
6 there's anyone who wishes on those two items, (indiscernible)
7 make that determination. Is there anyone in the Anchorage area
8 that wishes to comment on the last two -- the last two agenda
9 items, the -- the contract with Walcoff and the status of the
10 court petition before -- before we make a change in the agenda
11 here?

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

MS. EVANS: But not on those issues.

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

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

MS. EVANS: Mr. Chair, when you asked if there
21 were -- earlier you just made a general statement as to what
22 people -- if there were folks who wanted to make comment at
23 all, and two people raised their hands. When you narrowed the
24 definition to just the last two items on the agenda, no one
25

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1 raised their hand. Oh, one person did. I -- so there is one
2 person that would like to comment on one of the last two agenda
3 items.

4 MR. ROSIER: Okay. At this point then it would
5 seem to me that basically that person should have the benefit
6 of the discussion here from the -- from the Trustees before
7 opening the public hearing. That was my question.

8 Let's proceed with the items then here within the
9 Trustees, and we will not make the modification until following
10 the discussion of the last two items here for the public
11 hearing. Thank you.

12 MR. SANDOR: Mr. Chairman?

13 MR. ROSIER: Yes?

14 MR. SANDOR: A point of clarification. Are
15 these last two items action items or -- or just informational
16 items?

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

19 MR. SANDOR: I see. Thank you.

20 MR. ROSIER: Okay. Thank you.

21 Dave, do you want to provide us with the background on
22 the Walcoff contract?

23 DR. GIBBONS: Sure. This is Dave Gibbons. At
24 the -- the last Trustee Council meeting, the Trustee Council
25 approved moving ahead with a contract with Walcoff to do the
26 NEPA document that -- you know, the draft environmental

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statement for the restoration plan, and the final.

1 There has been some discussion with the Justice
2 Department and amongst the various Trustee Council members on
3 maybe the -- to revisit that again at this -- at this time, and
4 then we need to -- to make some progress (ph) on that.

5 MR. ROSIER: Comments from the Council?
6 Mr. McVee?

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

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

21 I guess those were -- those were our concerns. And a
22 letter (indiscernible) to Mike the other day here expressed the
23 fact that, you know, Forest Service is the lead agency involved
24 in -- in putting together this contractual arrangement, is --
25 is comfortable with the process (ph), with the interpretation

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of the contracting office and so on, that -- that we would --
1 we would withdraw any -- any further reservations to proceeding
2 with (indiscernible).

3 MR. ROSIER: Other comments from Council
4 members? Mr. Barton?

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

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

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

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

24 MR. ROSIER: Okay. Further comments from
25 Council members? Yes, Mr. McVee?

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

17 MR. COLE: Mr. Chairman?

18 MR. ROSIER: Yes, Mr. Cole?

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

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

23 MR. RICE: Mr. Chairman?

24 MR. ROSIER: Yes, Ken?

25 MR. RICE: That is correct. We do have one

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member of the public that wanted to comment on this action
1 item.

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

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

21 MR. ROSIER: Mr. Pennoyer?

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

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

8 MR. ROSIER: Mr. McVee?

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

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

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

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

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

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

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

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

15 MR. ROSIER: Okay. Anything further?

16 MR. HEMMING: That's it.

17 MR. SANDOR: Mr. Chairman?

18 MR. ROSIER: Yes, Mr. Sandor?

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

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

25 MR. HEMMING: Yes. I'm not sure how long it
would take you to go through the -- the public notice process

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1 through the federal government. As far as response from the
2 consulting community, we could respond in a couple of weeks.

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

11 MR. RICE: Mr. Chairman?

12 MR. ROSIER: Yes, go ahead.

13 MR. RICE: Maybe I can respond to that. This
14 is Ken Rice.

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

MR. COLE: Mr. Chairman?

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MR. ROSIER: Mr. Cole?

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

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

9 MR. ROSIER: That sounds pretty significant.
10 Other comments?

11 MR. COLE: Mr. Chairman?

12 MR. ROSIER: Mr. Cole?

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

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

18 MR. ROSIER: Further comments?

19 As I understand it at this point, that there's nothing
20 legally that precludes us from moving ahead with -- with the
21 contractor Walcoff? I've heard from the Council members that a
22 90- -- 90-day delay is in fact built in the process here if we
23 go to a competitive bid. What's the -- what's the wishes of
24 the Council?

25 MR. COLE: Mr. Chairman?

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MR. ROSIER: Mr. Cole?

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

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

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

9 It would set the process -- set the -- the process of
10 getting the restoration plan done back, and that's -- that
11 would be the consequences of delaying a restor- -- the -- the
12 development of a restoration plan.

13 MR. RICE: Mr. Chairman?

14 MR. ROSIER: Yes, Ken?

15 MR. RICE: Yeah, if I may add to that a little
16 bit. We had proposed that the draft would come out in
17 February, a final would come out roughly around May. If we
18 delay that and a draft doesn't come out until late spring, we
19 will run into the problem of -- of effective communications
20 with our -- our local publics when -- when the fishing season
21 is starting. We may have ways to get around that, but it is a
22 problem.

23 If the final does not come out until -- until late
24 summer or early fall, we run into the problem of the 1994 work
25 plan being approved essentially prior to the final restoration

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plan being completed. I think that's the major drawback with
1 -- with a significant delay.

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

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

13 MR. BARTON: Mr. Chairman, I move that we
14 proceed down the track with the Walcoff contract
15 (indiscernible).

16 MR. PENNOYER: Mr. Chairman, I second that
17 motion.

18 MR. ROSIER: We have a motion to move ahead
19 with the -- the Walcoff contract extension, seconded by
20 Mr. Pennoyer. Comments from the Council members?

21 MR. SANDOR: Mr. Chairman?

22 MR. ROSIER: Mr. Sandor?

23 MR. SANDOR: Just two questions, and I was
24 trying to follow the discussion that was made, and I think
25 Mr. Cole asked this question, but will a yes vote on this

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1 motion and -- and the decision to proceed with this be in
2 complete accord with the law and -- and federal regulations?

3 That's the first question.

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

8 MR. SANDOR: What about the Interior counsel?
9 Or indeed -- or Department of Justice -- the Justice
10 Department?

11 MR. ROSIER: Mr. Barton?

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

15 MR. SANDOR: I see. Okay.

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

20 MR. SANDOR: Okay. That -- and that's
21 assurance I guess that I wanted the record to reflect, that
22 this action is being taken on the assumption that -- and the
23 understanding that there's no legal cloud or regulatory
24 question that hangs over this issue.

25 The second question I guess I'd address to Mr. McVee.
Is there any -- are there any remaining objections to -- to

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proceeding on this course?

1 MR. ROSIER: Mr. McVee?

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

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

5 MR. ROSIER: Okay. Mr. Pennoyer?

6 MR. PENNOYER: Mr. Chairman, I -- clearly I'm
7 going to vote in favor of this motion, and my reason is that I
8 don't think we can afford to go into the '94 season with some
9 uncertainty as to whether we're going to have a restoration
10 plan to work from in planning the 1994 work plan.

11 (Indiscernible) a lot of problems with people who are asking us
12 what we're going to do here, and rightly so. But the planning
13 process didn't enable us to get to the point of having a
14 restoration plan in place to guide our actions with full public
15 input to that plan until nearly preparation for the '94 season.
16 If we were to slip this thing, and it turned out we didn't
17 have it for the '94 season, I think we would be open to a lot
18 of criticism, be will into this process and we still wouldn't
19 have decided how we were going to proceed with restoration, so
20 I think I'm going to (indiscernible) this.

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

22 MR. COLE: For the record, along the lines of
23 Commissioner Sandor's thoughts, why did we get into this time
24 crunch and so be saying now here today the whole process would
25 be delayed unless we selected Walcoff (indiscernible) contract?

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1 Could we not have addressed this issue a month or two ago and
2 avoided, quote, time crunch, close quotes? Maybe there's a
3 good explanation. I'm not saying there isn't, but I think we
4 should have it on the record.

5 MR. ROSIER: Mr. Barton?

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

18 MR. ROSIER: Yes, Mr. McVee?

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

24 MR. ROSIER: Thank -- Thank you. Other
25 comments? Ready for the question?

MR. COLE: Mr. Chairman?

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MR. ROSIER: Mr. Cole?

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

7 MR. ROSIER: Yes. Dave?

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

10 DR. GIBBONS: Mr. Chairman, yeah, back in May
11 we -- we approached the Trustee Council about doing this in-
12 house, and the Trustee Council members were going to go back
13 and check and see if we had the personnel to do that. And then
14 on the June meeting is when we had the three alternatives, and
15 we knew more about not having the staff to provide that NEPA --
16 NEPA work, so we were thinking about this in -- in May. We
17 were -- we approached the Trustee Council in May on this.

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

19 MR. BARTON: Let me just say that I'd hope that
20 the Council would provide its blessing for us to proceed
21 (indiscernible) Walcoff contract (indiscernible). If in the
22 course of doing that we discover that it's not as we understand
23 -- that route is not as we understand it to be, I would hope
24 I'd have the Council's blessing to pull back (indiscernible)
25 contract (indiscernible), not have to bring it back to the

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Council.

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

2 MR. ROSIER: We have a motion.

3 MR. SANDOR: Second. Hello?

4 MR. ROSIER: Seconded. We have a motion and
5 seconded by John Sandor to proceed with the -- as I understand
6 it, the -- the Walcoff project or, yeah, contract extension,
7 assuming no major problems are encountered, that -- and that
8 Mr. Barton would have the flexibility of proceeding with --
9 with going out with a competitive process without having to
10 come back to the Council. Comments? Hearing none, I take that
11 to be consensus on this particular point and -- and consider
12 that -- that item satisfied.

13 The next item on the -- I guess we have one -- one
14 additional person there in Anchorage to testify. Have you
15 picked up some additional individuals there, Anchorage?

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

19 MR. ROSIER: Let's take that person at the
20 present time.

21 MR. McKEE: My name is Charles McKee, and I'd
22 like to comment on this difficult position that you struggle
23 with, public at large, for a moment. You need to define or,
24 you know, bring about more of a definitive position of public
25 at large, and lo and behold, I have one. As a matter of fact

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it's -- it's a lodged action, and -- which I'll be serving you
1 people, and it's Qui Tam Pro Domino Rege et Sequitor Pro Se
2 Ipse. And the definition of that in the terms that the general
3 public would understand is an informer or plaintiff, i.e., sues
4 in the name of the king, sues also for himself. And that's
5 people representing the people king or a people, a sovereign.
6 It's all based on the original Treasury seal, which is a
7 treaty. And I am that informer and -- and the plaintiff to the
8 suit.

9 I talked at length with an individual that's counter
10 intelligence, and to give you an idea of where I'm coming from,
11 I asked him, I says, when you were over in -- serving for the
12 military, what would happen when you had traitors infiltrate
13 your -- your camp, and he says, "Well, we'd call a fire on the
14 pause." And I says, "What's that?" He says, "Well, you just
15 call in, you know, your position. Fire on your position." And
16 essentially that's what I'm doing.

17 I'm having difficulty with the judge in -- in question
18 that presided over this oil spill, and the amount determined as
19 recovery for restoration, in which case he's kicked my case
20 out. I'm appealing it. And primarily on the grounds that's
21 most important is the destruction of the Organic Act, which is,
22 of course, the Constitution of the United States of America.
23 The Treasury seal predates that. It's a treaty between the
24 people and this government that was formed, the Organic Act.

25 And the people -- people king shall I say, of whom made

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an orderly arrangement of the Organic Act, that's how it was established is through, such as today, a very orderly process.

And then I end the letter to this same judge, "Pray tell me, isn't this order acting in favor of the orderly arrangement of disorder by closing the case?" Rather than -- and force me into an appeal process rather than submitting it to judicial review with the Supreme Court, he's treating me as if I am a professional pro se and I beg to differ with that.

But in this case, back to the definition of people at large, it also encompasses the fact that we're dealing with a necessary budgetary -- budget process, which I also underline in this packet of information that you have available today, and it's already been submitted to this commission, advisory -- the Exxon Oil Spill Restoration Commission, that the damage was in three billion -- or in excess of \$3 billion for restoration. And this very same judge settled for nine -- 900 million, and on a graduated basis utilizing a debt/credit system, interest compounding on that sum.

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

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And I contend that indeed that is unlawful. It's a
1 process of -- it's an orderly process to bring about a
2 disorderly dissolution of the Organic Act and the original
3 Treasury seal, which by the way these people that founded this
4 Organic Act wanted to make sure that the money remained the
5 people's money and not a corporate institution through
6 association thereof of groups of corporations or business
7 entities.

8 And so it also encompasses the agricultural prospect of
9 our country and Interior organization that encompasses a
10 portion of our national government.

11 And I'll leave this information. The case is A90-0061,
12 Miscellaneous. It's lodged -- it's lodge action, and that was
13 8/10/1992. I first filed it in 1990 under the same case
14 number. And it encompasses the State of Alaska, Executive
15 Branch, Legislative Branch, Judicial Branch, State Boards,
16 State Department Boards and Commission, et al., one to 100, but
17 also extends all the way back to the original Treasury seal
18 which I'd submitted you document- -- documentation to before,
19 and finally opened up the case -- or re-opened it up and then
20 he said that the information was unin- -- totally
21 unintelligible, and so with no further comment, I wish you
22 people would look at this and realize that it indeed is more
23 than just someone wishing to -- that has an ax to grind,
24 because indeed my reasons are valid and I do have a good reason
25 for grinding an ax.

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Thank you. Have a nice day.

1 MR. ROSIER: Thank you very much, Mr. McKee.
2 We appreciate your comments.

3 Is there anyone else there in Anchorage?

4 MS. EVANS: Yes, there is.

5 MR. ROSIER: The next person, please?

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

8 I think your decision to postpone the public at large
9 was correct, but your decision to postpone the others I think
10 was unfortunate. I think you should have proceeded.

11 I also think that you can appoint those -- or I'll put
12 it this way: I think that you should call those together that
13 you have already appointed and listing the other ones, such as
14 the public at large, vacant and get on with the business at
15 hand. To start with -- with the proposition that all must be
16 present means that if someone resigns their position on the
17 advisory group, the advisory group is dead in the water. Is
18 that really what you mean? I don't think so. When you've got
19 15 people in hand, you're going to have them coming and going
20 all the time, and do you want to get into this process all the
21 time? I don't think so.

22 Mr. Cole mentioned a time crunch and how did we get
23 into it on one subject. Well, you didn't do a critical path
24 and you should have had it done. That was a staff problem.
25 And at least one of you should have thought about asking and

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you probably ought to do that, and other things of this nature.

1 As to the public at large, you have 20% or -- or three
2 members. I think that understates the public's interest. And
3 because you have aquaculture and comm fish as two separate
4 entities, they're the same for practical purposes in this -- in
5 this State. You have conservation and then environment. Now
6 tell me what's the difference if you went out to the public and
7 asked? You have commercial tourism and recreation, and the
8 recreation people are commercial tourists, only they diff- --
9 instead of having individual boats rather than large boats like
10 Brad Phillips.

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

16 I think you need to take a look at the ones that you
17 have got in public at large and almost all of those are special
18 interest group people that are left over, and I think you ought
19 to kind of void that list if necessary and go out and get
20 yourself all new list even if it does take some time. And I
21 don't think you need to postpone the meeting of the group and
22 the functioning of the group in order to carry that out. I
23 think you can get on about your business. But you look at that
24 list and you start going down the line and seeing who sponsored
25 them and what repre- -- and what their interest is, they're

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1 just shills, and is that what you really want for public with
2 interest at large?

3 Thank you.

4 MR. COLE: Mr. Chairman?

5 MR. ROSIER: Thank you, Mr. McCutcheon. Yes,
6 Mr. Cole?

7 MR. COLE: Mr. McCutcheon you expressed my
8 sentiments eloquently.

9 MR. McCUTCHEON: Thank you, sir.

10 MS. EVANS: Is there anyone else?

11 MR. ROSIER: Mr. McVee?

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

15 MR. ROSIER: Any further questions? Are there
16 any -- any other individuals in the Anchorage office there that
17 wish to testi- -- members of the public that wish to testify at
18 this time?

19 MR. RICE: We have no other interests wishing
20 to testify.

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

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

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1 The budget sheets for the five-month period remaining
2 from the 1992 work plan are being prepared now, and they will
3 be attached with the petition to the court. The cover
4 signature page by Department of Law and Department of Justice
5 has been completed -- has been completed by the Department of
6 the Interior, and we have a -- we have a copy of that.

7 The remaining hold up is -- is the documentation that
8 is supportive information. The Office of General Counsel
9 prepared the draft of that the 19th, and it went back for
10 review by the Department of Interior, Department of Justice. I
11 think it was faxed -- faxed out to the Trustee, and I don't
12 have any status of that now and that's what we're waiting for,
13 the supportive documentation, so

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

17 MR. COLE: Mr. Chairman?

18 MR. ROSIER: Yes, Mr. Cole?

19 MR. COLE: The last time I read that, or the
20 draft that I read, and it looked like to me it needed a lot of
21 (indiscernible), it's (indiscernible) historic document
22 exclusively, then I would like to see (indiscernible). I think
23 that we need to put into that document a greater explanation of
24 reasoning (indiscernible) reach (indiscernible) decision,
25 (indiscernible) and (indiscernible).

MR. ROSIER: Yes, Mr. McVee?

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MR. McVEE: Yes. I guess I don't understand
 1 really I guess where we're at now in terms of developing that
 2 document. I know that the (indiscernible) the General Counsel
 3 Office made the first cut and requested that comments would be
 4 sent (indiscernible) to the Department (indiscernible). I
 5 guess maybe it was my understanding that the Department of
 6 Justice and Department of Law would put the finishing touches
 7 on that based upon the original draft plus the comments. Is
 8 that -- am I correct on that or am (indiscernible)?

9 MR. ROSIER: Mr. Barton?

10 MR. BARTON: That was my understanding also,
 11 Mr. McVee.

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

14 MR. ROSIER: Does that -- does that answer your
 15 question, Mr. McVee?

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

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

24 MR. McVEE: I have another subject I guess, it
 25 was the financial operating procedures. I had hoped that we

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could place these on the agenda, but I think we've probably
1 used up our time today, and I'll need to do this 14th, whatever
2 -- I think it would be highly desirable if there was some way
3 to accelerate the approval of those procedures, to have that
4 done before the (indiscernible) in that that's part of -- of --
5 of course, one of the -- I think one of the significant
6 elements, important elements in our filing to the court this
7 year is to (indiscernible) this (ph) time is to indicate that
8 we have those procedures in place. I think the federal Trustee
9 reps have approved -- representatives have approved those
10 financial procedures, and I think they've -- they've dealt with
11 the State's major concerns, I -- hopefully they have at least,
12 and I realize there's probably some rewording that could be
13 proposed by almost any of us looking at those and our staffs,
14 but I guess what I would like to do is -- is get those
15 approved, and if necessary some commitment to revisit them, in
16 the -- the next 12 months or (indiscernible) -- is it 12
17 months? And -- and if they do need fine tuning at that point
18 we'll have more experience with it to do it.

19 MR. SANDOR: I second that motion.

20 MR. ROSIER: Thank you, Mr. Sandor. Yes,
21 Mr. Cole?

22 MR. COLE: Well, I will look at them either the
23 balance of the day or tomorrow, and (indiscernible) they are
24 what I believe they are and what I think they are, I will sign
25 them, and get them to Commissioner Rosier and to Commissioner

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Sandor. Perhaps we could have them signed by the end of this¹²¹
1 week.

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

4 MR. ROSIER: Yeah, it sounds like we're all
5 pretty close here on this one, so that's fine. Maybe the --
6 maybe the beginning of next week. Anyway at this point it
7 sounds we're close on that.

8 Any other business to come before the Council at this
9 time?

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

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

21 MR. ROSIER: Thank you, John. Any comments
22 from Staff on that?

23 DR. GIBBONS: Yes. This is Dave Gibbons. We
24 were trying to orchestrate the 14th meeting to really try to
25 streamline it and get done with the package. I'm not sure if

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we can make it, but we'll sure try. That's all I can say at
1 this time.

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

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

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

8 MR. SANDOR: Okay. Thank you.

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

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

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

20 MR. SANDOR: Thank you very much. Have a good
21 day.

22 (END OF PROCEEDINGS)

23
24
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