

EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL

RESTORATION OFFICE
Simpson Building
645 G Street
Anchorage, Alaska

Trustee Council Meeting

July 11, 1994
1:00 p.m.

TRUSTEE COUNCIL MEMBERS in attendance:

State of Alaska

MR. CRAIG TILLERY
Trustee Representative for **BRUCE
BOTELHO**, Attorney General, Alaska
Department of Law

State of Alaska Department
of Environmental Conservation

MR. JOHN SANDOR, Commissioner,

United States Department
of the Interior

MS. DEBORAH WILLIAMS, Trustee
Representative for **GEORGE FRAMPTON**,
Assistant
Secretary

State Department of Fish
and Game

MR. CARL ROSIER
Commissioner

United States Department of
Agriculture - Forest Service

MR. PHIL JANIK,
Regional Forester

United States Department of
Commerce - NOAA

MR. DON COLLINSWORTH,
Alternate for **STEVEN PENNOYER,** Director,
Alaska Region, National Marine
Fisheries Service

TRUSTEE COUNCIL STAFF

MR. JIM AYERS Executive Director, Trustees Council

MS. MOLLY MCCAMMON Director of Operations

MS. L. J. EVANS Public Information Officer

OTHERS IN ATTENDANCE in Anchorage/Juneau/via teleconference

CHARLES MCKEE

BRAD PHILLIPS, Chairman, EVOS Public Advisory Group

MARTHA VLASOFF (teleconference -- Cordova)

MONICA RIEDELL (teleconference -- Cordova)

DR. JOHN FRENCH (teleconference -- Kodiak)

DONNA PLATT, President, Eyak Corporation

PAMELA BRODIE, Sierra Club; member, EVOS Public Advisory Group

KIM SUNDBERG,

TOM LIVINGSTON

NANCY SWANTON

ROD KUHN, U.S. Forest Service

JAMES WOLFE, Director, Engrg & Aviation Mgmt, U.S. Forest Service

Juneau Legislative Information Office

Cordova Legislative Information Office

Kodiak Legislative Information Office

Valdez Legislative Information Office

P R O C E E D I N G S

(On Record 1:05 p.m.)

MR. SANDOR: Call this Trustee Council meeting to order if there is a quorum. (Pause) Ladies and gentlemen, I'd like to call this Exxon Valdez Oil Spill Settlement Trustee Council to order, and present today are Phil Janik, Regional Forester for the U. S. Forest Service, representing the Department of Agriculture; we have Craig Tillery, Trustee representative for Attorney General Bruce Botelho; we have from our field office in Tenakee Springs, Don Collinsworth who is representing Steve Pennoyer, the Trustee representing National Marine Fisheries Service; Carl Rosier, Commissioner, Department of Fish and Game; Deborah Williams, representing the U.S. Department of Interior; and myself, John Sandor, Commissioner of Department of Environmental Conservation. We had the agenda, which calls, first, for the approval of the agenda. Is there any suggested changes in the agenda? I do have one. The -- let's see -- I was told that Brad Phillips was going to have to catch a plane, when?

MR. PHILLIPS: If I can be out of here by 2:30, at the latest.

MR. SANDOR: 2:30 at the latest. Okay, we will be able to achieve that -- I thing just as the way this is. Any changes to the agenda, or is there a move that the agenda be approved?

MS. WILLIAMS: I so move.

UNKNOWN: Second.

MR. SANDOR: Moved and seconded the agenda be approved.

Any objection? It stands approved. There were several questions with respect to the orders of the day, specifically, where is our picnic tonight, Molly?

MS. McCAMMON: Our picnic is at Valley of the Moon Park, which is, I believe, it's on Arctic Street as it turns down into E, becomes E, and it's like 17th and Arctic, and it's between 5:00 and 8:30 tonight. So, we hope you can join us.

MR. SANDOR: Cab fare is easy?

MS. McCAMMON: It's easy.

MR. SANDOR: Okay, they'll know ...

MS. McCAMMON: They'll know where it is.

MR. SANDOR: Okay, thank you. Any other items to cover in orders of the day.

MR. AYERS: You know it is an open picnic, however, and Valley of the Moon Park is easy to drive by and see, and when you -- it's easy to find. You do have to around to 17th though to come back, I believe to get back into Valley of the Moon Park. So, we'll all have -- the picnic will be an adventure, both getting there and while we're there. We certainly look forward to seeing Commissioner Collinworth.

MR. SANDOR: Okay. (Laughter)

MS. COLLINSWORTH: I'm really glad to be here.

MR. SANDOR: Any other items to cover under order of the day. Jim Ayers.

MR. AYERS: No, Mr. Chairman. Mr. Phillips is here and I think that -- I have not seen the sign up list for the public

comment. It was sitting in the back, but certainly under public comment, it may be possible to have Mr. Phillips make his presentation, even under the public comment. When I looked, there were only a couple of people signed up under public comment, and I think we've got plenty of time under public comment to accommodate other members as well as Mr. Phillips.

MR. SANDOR: Okay. Next item on the agenda is approval of the May 30, 1994 Trustee Council meeting notes. Any suggested changes in those notes as distributed to the Trustee Council members in advance? There are no suggested changes. Is there move for approval of the notes as published?

UNKNOWN: So moved.

MS. WILLIAMS: Second.

MR. SANDOR: Moved and seconded that the May 31 Trustee Council meeting notes be approved. Any objection? The notes are approved. L.J. I guess we're set to go to public comment at 1:15 which is a few minutes, and so far, I understand Juneau, Cordova, Valdez and Kodiak are on line. Any other communities?

MS. EVANS: The only person (indiscernible)

MR. SANDOR: We will, therefore, have a short break while communication ...

MS. EVANS: They are on line, sir, and they should be, whoever is

participating -- sites -- were wanting to at those sites indicated they're interested in being line, teleconference operator?

MR. SANDOR: We just have those four communities?

MS. EVANS: As far as I know, but they're not replying to me.

MR. SANDOR: Oh, I see. Okay.

MS. EVANS: I don't know any reason why they wouldn't be on line. It looks like my equipment is working properly, sir.

MR. AYERS: Is the operator on line?

MS. EVANS: She's not reply to me.

MR. AYERS: Maybe that's the thing to do is call her.

MS. EVANS: She may not be just sitting here. Let me have Rebecca give her a call. (Pause) Commissioner Sandor.

MR. SANDOR: Yes.

MS. EVANS: If you wish you could start with public comment here in Anchorage.

MR. SANDOR: Yes, I see that there are five people who have signed the -- sign in sheet, of only one of which wishes to comment, so, the suggestion seems very appropriate. We may actually begin ahead of schedule. (Telephone rings) Why don't we take that communication? Well, we'll begin with comments from Anchorage, and Charles McKee, if you'd come forward, please, and give your public comments.

MR. McKEE: Thank you. My name is Charles McKee, and the correct spelling of the last name is M-c-K-E-E. And, as you know I'd submitted a draft.

I meant -- I misspelled a word -- extract, that was what I meant in reference to sediment needed to -- as I pointed out to seal up the milking of the contaminants within the water column -- into the water column of the unfortunate

spill. And, I want to bring to your attention that in process right now is a judgment and decree pending against the plaintiffs that I have -- been at issue with for a long, long time -- prior to the spill, mind you. So, I'd like to point out, without really elaborating on that, a couple copies of interesting material that I've procured because it was part of my complaint to this body previously, which is why I'd on September 29th, 1993 I have filed with the Restoration Team a -- a work meeting commencement of indictment and information of action, and so, let's see, it pertains to conspiracy to influence, right of action of injured party, I myself, and anybody else wishes to join may, and it deals with common law. As far as the nature and scope of our country, nature and scope of -- law of merchants, nature and scope of commerce, and so on. All of which pertain to the ecosystem and the communities that live around and near the -- the affected area. And, so, without anymore comment, I'd like to just present this as evidence.

MR. SANDOR: I'd be pleased to accept that, Mr. McKee.

MR. MCKEE: And, how it relates to money and the concept of creating chaos to bring about conformity, which I simply don't agree with, but the basis of it is within that book and, of course, I have other material that eludes to that also. And, which I don't take to heart. I focused on much more meaningful contemplation.

MR. SANDOR: Well, thank you very much for this material. You had asked that someone wanted to join you in ...

MR. McKEE: Well in -- in the court case, you know. It involves the Federal Reserve and inflationary concept and how when industry borrows money at extreme interest rate, at five percent, large sums of money, they focus on needing to pay off the inflationary interest rate rather than the principal or the primary indebtedness and, therefore, they cut corners on environmental oversight. You know, that's why -- now over a period of time that was in place after the oil pipeline was engaged, which I helped build, mind you, over a long period of time, the supervision of all that insulation to keep -- make sure that the ships don't -- they stay on track and don't deviate from the chartered course and everything else. Then, that was gradually pulled away and the safeguards were no longer in place and, of course, we have history to look on to -- in reference to Bligh Island.

MR. SANDOR: Well, thank you very much, and if anyone within the audience would care to speak with you, will you be here at the break?

MR. McKEE: Yes.

MR. SANDOR: Okay, thank you very much. Any other comments from those in attendance? Although the other four that signed up are here they indicated they did not wish to present any public comments. Any others to present public comments? If not, let's -- any -- let's go on line, is there anyone on line? Begin first with Juneau, is Juneau on line, and if there are anyone there, please

identify yourself, spell your last name so that the recorder can be sure to get it. Juneau?

OPERATOR: This is the bridge operator and I do not have anyone else on line at this time. Cordova, the Village of Eyak has been calling in, they just dropped off again. I'm sure they'll be redialing in a few minutes.

MR. SANDOR: Okay, since there's no one on line, perhaps this is a good time to have our Public Advisory Group comments. Brad Phillips.

MR. PHILLIPS: Thank you, Mr. Chairman. I hope you'll have some patience with me today. I either picked up a bug or I got run over by a bus this morning, and I'd like to make my comments as straightforward and hope that they are constructive -- constructively critical, perhaps of where we're going. We had a meeting here recently, and some pretty frank discussions on the subject of why are we here, and where are we going, and what are we doing. And, it gave everybody an opportunity to say what they wanted to say about it, and there were some real frustrations, I think, that came out, and I'd like to just go over a few of those with you because you ought to know, in regard to the PAG. There are several members, I've noticed, no longer come to the meetings, and I've had conversations with most of them, directly, and asked them why and they just didn't think it was that important when it came to choosing the things they had to do. We've discussed and sent to this group several, I think, substantial subjects that we wanted to have some feedback on, and to date we haven't had any, and I'm going to name those off in a few minutes. I don't know how many of you

have been to the opera, but there's a certain number of

people on the stage, they're called supernumeraries, usually they carry a spear or they're part of the live scenery, and sometimes many of us feel that that's the position we hold in this thing, and in light of that, one of the things we discussed at great detail, there was an awful lot of interest, both from the public and from the members, and that is the matter of the endowment concept to keep the funds going for a long period of time. We understood at the time that there were perhaps some legal questions that would have to be really focused on, and at this point, we've never had really a meaningful feedback on that subject at all, and we think that there's been enough time where we should have had some kind of feedback. Another one is -- a major thing that you people are dealing with, and the whole community of Alaska is dealing with, and that's the rather controversial subject of habitat acquisition. That's a concept that I think we could spend a lot of time working on, but we haven't had any direction or feeling from the Trustee Council on how important that is, and that -- in the total thing we've seen some things happen, and after the fact we read it in the newspaper, but we've never been involved in any discussion, and we felt that if -- if we're going to assist you at all on public comments on subjects of that important, well we ought to be able to spend some time on it, and have some kind of communication with you. There was another idea that was brought up two or three times and sent to you for consideration, and we never heard back, and that is the matter of land

trades, instead of outright acquisition of fee, and taking it all out of the

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feel that the communication link is missing to a lanion

because there's not a subject in that whole group that you could get everybody that believes the same thing, but it's -- it's pervasive enough that I think it needs some attention. There are quite a few of us that are quite busy doing other things, and feel that if we can do something and contribute fine, if we can't we've got other things we'd rather do, and concentrate on, and I happen to be one of those people. Jim gave us a good insight on how things are going and how some changes, perhaps, are being instituted that will correct some of these problems. I sure hope so. We did get a report on the marine science improvements at Seward, and I see that it has taken a little different direction than when we first heard about it, which is probably smart. The tourism end of it was taken out, and is now not talked about very much. Speaking of tourism, as far as I'm concerned, I -- I represent commercial tourism interests, and to date there's only been four suggestions come up on tourism, which were summarily chopped out of everything. Nothing has ever been done on the tourism, and that's kind of discouraging to some of the people in our industry. We did do one thing to try to improve the communication, and that is I appointed some members of the PAG to work with the administration on certain things. By the way, did you gentlemen and ladies get a copy of this summary, were you given a copy of it? I don't -- necessary to go through all the committees we appointed, but will they -- have been given that information?

MS. McCAMMON: They have not received it yet.

MR. PHILLIPS: Okay. Well, let's see we -- PAG members to participate was Walt Sheridan and Alex, how do you pronounce that -- yes, in discussions on the less than fee simple title policy are Chuck Totemoff, John Sturgeon, Pam Brodie and Jim Cloud, who -- I appointed them to work with them, cause that's a substantive subject and we can probably save some time and -- and maybe have some feed-in that will be helpful. PAG members to participate with Jim Ayers to prepare the FY 1995 PAG budget are Vern McCorkle and Mary McBurney, and then we appointed PAG members to participate on July 12th and 13th with the work force to develop the 1995 work plan. Donna Fischer, John French and Gail Evanoff are the ones that are going to work there. We hope that by doing this that we're not stepping on anybody's feet but that we can improve the communication. Another thing that was talked about, it might be very helpful to the PAG if there was at least one or two staff members that could take this tremendous amount of material that we get and distill it. We don't meet that often. This is not a full time job, and so it would be very helpful if we had somebody that could take the real important meat out of it and we could sit down and talk about that at our meetings and give you some feed out -- feed-in on that also. Another thing that we would really like to have your direction on, it seems that the PAG probably could be more helpful if they were to concern themselves with overall philosophy and -- and policy on where we're going, rather

than digging into each little detail and all this paper we get, which seems
endless sometimes, and I'm not sure most of the stuff has

been decided before we ever get it, and we -- I think a redefinition of what the PAG should do and could be doing to help would be more than welcome with the group. I'd certainly like to get everybody back at those meetings, and there's some pretty substantial people that haven't been there very often, and -- and their input, I think, is valuable to all of us. Did I miss anything, Doug?

MR. MUTTER: No.

MR. PHILLIPS: I know you wished I'd shut up a half hour ago, but -- anyway that's -- that's the general sense of the meeting, and it's -- again, I'd like to emphasize, it's not -- we hope that it's constructive and not just critical. Anybody can criticize, but we'd like to be able to help, but we really need some direction on how to do it, and we'll -- are going to look forward to hearing from you in some manner. If there are any questions, I'd be glad to try to answer them.

MR. SANDOR: Brad, we thank you for your candid and very specific constructive concerns and suggestions, of which I've listed at least ten. Are there any questions or comments from any of the individual Trustees, first of all? Deborah.

MS. WILLIAMS: I have two questions, and I'll apologize in advance, my being on the board for only five months, some of this may have already been discussed. With respect to your comment on the endowment, is that

the same as or different than the restoration reserve in your mind?

MR. PHILLIPS: I think that's the same as, I think its

name has changed, apparently, and I'm guessing now, that it's changed because of legal considerations. However, that has not been communicated to us, and the thought in the minds of the people, and they sent the idea over and requested some input from you, we used the term endowment, but I notice now that every time you touch it, it seems to be very hot, and I think that it has just changed names -- the idea. The idea, of course, is not to blow it all now, to have something to continue to monitor as the years go on.

MS. WILLIAMS: And so, Jim and Molly, have you been talking with the PAG about the restoration reserve and how it comports with or differs from the PAG original concept?

MR. AYERS: Mr. Chairman, Ms. Williams, yeah, I actually have talked with the PAG about this specific issue, and I think what Brad is referring to when he talks about the lack of communication in terms of response was that -- and I met twice with Jim King, who is one of the members who -- who expressed it at the -- during the PAG meeting. One of the difficulties and -- let me say that I think that we're overcoming this difficulty -- is that we have had responses from attorneys, primarily on the federal side, as we all know, that causes us to be relaying messages orally without being able to give written positions, and that was discussed at the PAG, and so -- if I'm incorrect here let me know, Brad -- but, we discussed this at the PAG meeting. They wanted to see something.

They wanted to see if the reserve now acceptable, or not acceptable. What is the thinking, because they didn't like

having just this communication -- oral communication about what was and what was not permissible. They wanted to see something. They wanted to know that there was a commitment to the reserve, and that it was going to go forward, and I think that that was specifically what the PAG was asking for, and I think that in -- orally, they were -- my -- my -- the response I received from Jim King was -- was positive about the idea of a reserve. That there really would be a reserve, but they wanted to see the Trustee Council actually respond in -- in writing, and there is a resolution in your packet, which we've discussed, and it is at their request, and if there's a problem with that, they'd like to see something in writing from Justice or the federal attorneys, and if there's not a problem with that, they'd like to see something in writing, so that they'd know that something is really happening, not just continuing to make points that are never responded to officially, and no concrete action.

MR. PHILLIPS: The problem was oral communication, of course you all have to be focusing in on what somebody is saying. You all have to be there, and you all have to -- to understand that the words that are being used have the same meaning to you as they do to someone else, and so it's much better if -- if it's in a written -- in case somebody isn't able to be there. At least they can brief themselves on it and know what the circumstances are.

MR. AYERS: Mr. Chairman, just one other -- I'm sorry -- there is an

item on the agenda, and we will talk about the reserve during this meeting.

MR. SANDOR: Carl Rosier, do you have a question?

MR. ROSIER: Thank you, Mr. Chairman. Brad -- Brad, a couple of things. Did the group talk about what role they were interested in playing in terms of the habitat purchasing program on this?

MR. PHILLIPS: Well, if you look at the group, it's very diverse, and they would like to, at least, be involved in the -- in the discussions and understand that you've heard from us. One of things that came out of that was the -- the matter of the land trades, which you never heard anything about. It was one of the ideas that dealt with that. There are people who don't want all of that land to go back to the government, in that group, and there are other people who want all land to go back to the government. So, you've got -- they don't have a place. If you can come over to one of those meetings and get a consensus, I invite you, but somehow we would like to be able to discuss it, if it does any good. But, we kind of feel that the decision has already been made. We read in the newspaper that here's twelve million dollars had already been spent to acquire something we didn't know anything about until you read it in the newspaper. And, that's the sense of what I'm saying.

MR. ROSIER: You've laid out some -- what I certainly consider to be pretty serious issues here, and as far as the PAG is concerned, and -- I guess -- kind of -- we're kind of at cross roads here, if I'm not mistaken. I think that

-- that some of the terms are due for reappointment, or -- here in the not to distant

future here on this.

MR. PHILLIPS: Yes, this fall.

MR. ROSIER: I guess my question is -- is in terms of -- is this a funding problem? Is it a time problem? I sense, you know, we're talking about a good cross-section of people here that represent really a cross-section of Alaska business, and it seems to me that much of what we're talking about here is really related to the time and the commitment to time, or commitment of time to in fact go with the program here. And, I mean, are people -- do you think, are they willing to spend more time on this? It seems to me that that's really the key to this whole thing.

MR. PHILLIPS: I think they will spend the time that's necessary, if they feel that it's doing something, that somebody is listening or that it's contributing. Many of us think that I'd rather not spend any time if it's just an exercise, that's the key, it's not the money. The only place the money comes in is to have a staff that could do some of this basic work and digesting, and we have nobody, and the budget is pretty simple. I -- I know I've never spent a nickel of your money since I started, I don't think, and quite a few other people, but if we had somebody we could talk to -- I talk to Doug a lot, but we're talking about somebody that can go through this stuff and set it out and -- like you'd have in any kind of deliberative body, so that you don't have to start

from scratch. I'm sure you know how much paper is involved in this, and when I see that coming into my office with everything else I have to do, I just shake my head, you know. You get a book that thick

and its shrink-wrapped, and I've stopped to even taking the shrink wrapping off, because I know I'll never get through it at all, and they don't all have executive summaries at the beginning of any of them. And, it's not a time thing.

The guys that are there, and the gals that are there, are -- really want to do a job, or they wouldn't have wasted this much time, but they're -- I think feel a sense of discouragement, that -- that they're not doing anything, that the public thing is going right over the head of the PAG directly to the Trustee Council, and that decisions are made we don't know about it until a fait accompli, and so the question is what am I doing? Why?

MR. ROSIER: One last follow up, if I might, Mr. Chairman. Yeah, I'd groan too, Brad, I want you to know, every once in awhile when I see that stack of shrink wrap come across my desk as well -- and I do have a better staff on this. As you know, we'd taken a look at the staff question some time back, and I think it's -- and the Trustees elected not to have, in fact, have a staff there, but it seems to me that it's an issue that we do need to -- to revisit, and take a look -- look at. I guess, you know, from my perspective, it seems like there is some, you know, necessity for some -- some additional support there for the -- for the PAG on this. I would ...

MR. PHILLIPS: I think Jim has a sense of that. We talked about that quite a bit and he said he would be talking to you about it, and I hope that

you'll have the time to do that, and he can explain -- and we don't want a lot.

It's just some pretty

basic stuff that we need, I think.

MR. SANDOR: Any other comments or questions from the Trustees? Yes, Phil Janik.

MR. JANIK: Thank you, Mr. Chairman. Just a quick comment perhaps, maybe starting with a question. Mr. Phillips, with regard to many of the points you brought up, I sense there's an underlying concern about not for sure knowing what the expectations of the PAG are on the Council. I would assume there's some type of charter or something that kicked this off. Is that correct?

MR. AYERS: (Indiscernible - simultaneous talking)

MR. PHILLIPS: (Indiscernible - simultaneous talking) Pretty vague. Jim's only been here a short time, so he hasn't had a chance to -- you know, to adjust to either. We really need some direction from you people on what you want us to do, so we don't waste a lot of your time and mine. Thank you.

MR. SANDOR: Any other comments or questions. Yes, Deborah Williams.

MS. WILLIAMS: One last comment. I appreciated your comment about PAG's interest involving more locals in the projects, and that is something that I care very much about too. Do you have any specific recommendations on specific projects at this time, and, if not, I certainly would welcome those specific recommendations, and I assume other Council members will, so ...

MR. PHILLIPS: We could certainly do that, and in the beginning,

when we first started, there were a lot of these

projects earmarked that could have been done. Monitoring projects in the Sound itself on different kinds of wildlife or habitat, that the people who live out there could do, and do it very inexpensive. We'd given up on identifying those because we don't seem to get anything back. If you want that, I'll make sure that that's a -- an item on our next meeting to come back with something specific. I can't do it right off the top of my head anymore.

MS. WILLIAMS: Are there other members of the Trustee Council that would be interested in seeing that?

MR. JANIK: (Affirmative nod.)

MS. WILLIAMS: Good.

MR. SANDOR: I believe that probably all the Trustees would want to have that done. Any other comments or questions from the members of the Trustees? I'd like to as a member on -- I guess I compliment you for the very constructive and, I guess, very specific issues. I've written down -- consolidated these ten items I had just to make sure that -- for the record -- the mission and the direction from the PAG standpoint needs to be clarified; the communication links and processes need to be strengthened; that while we dealt with the staff issue, and this was formed felt that no separate staff was appropriate, this did not preclude, and I guess we perhaps simply overlooked the Executive Director's office simply providing staff assistance, but what -- what

we hear, I guess, or what I hear is that staff assistance is needed for just taking off the shrink-wrap and consolidating and say what it is we're after. The fourth item that, and I think is particularly

important is the lack of feedback, and specifically on the endowment, now the restoration reserve; the feedback on the land trades, which have been proposed; also, feedback on ...

MR. PHILLIPS: Habitat acquisition.

MR. SANDOR: ... habitat acquisition, itself. And, I guess, Jim, recognizing that Brad's going to be leaving at 2:30, perhaps we could begin in your report, perhaps leading off with feedback on the item of habitat protection acquisition, and these other items, that at least you'd have that. Anyway, I think this is very helpful, and as Carl Rosier points out, I believe all the terms are up October 1. Is that correct?

UNKNOWN: Something like that.

MR. AYERS: October 22nd and the -- there -- there has been the public notice and we are now in the process, the very laborious process, as you know, of publications, seeking nominations, all of which will then go through the process that has been laid out for the appointment of the PAG members that ultimately comes through the Council, and then to the Secretary. We are in that process, and I think the nomination -- invitation, I don't see Doug Mutter, but when's the invitation close?

MR. MUTTER: August 1st.

MR. AYERS: It closes August 1st, so we're not doing a federal

register invitation to submit application.

MR. SANDOR: So, the process in place then, as I understand it, correct me if I'm wrong, Jim, is that we can in this process before October 1 and in our solicitation of members or new

potential members by August 1, or we can clarify the mission and direction, we can strengthen communication links, we can specifically identify what individual or individuals can provide staff assistance, and three, what mechanisms we can give to provide feedback on specific suggestions, is that intended?

MR. AYERS: Yes, Mr. Chairman, as a matter of fact, at -- during the last meeting the PAG talked with me about that. We've had a very interactive conversation about this issue, and I did say that I'd bring it to the Council. Brad has laid it out very clearly, and with the support of the Council, as I indicated to them, we are working to modify the administration budget to accommodate their need for a staffing under the Executive Director's office, to -- subject, of course, to your approval. The second issue of responses, with regard to the specific responses, we talked to them about the -- I say they had a very specific proposal of policy that we got from them that we think should be included in the EIS, and ultimately the restoration plan, which we're working on.

With regard to the staff and budget issues specifically, before I leave that, what Brad and I talked about was having a committee structure of his group, so that they did function as a deliberative body as opposed to simply a voting body, and he mentioned those committees. We're working with -- we'll be working with each of those committees. The administration committee to put together a budget that would accommodate their needs, and we'll bring that to you. With regard to

responding to the habitat acquisition, there are two major policy questions

before the Council with regard to habitat acquisition, and Brad has appointed a committee, and we are working with that committee, so that they're actually involved in the formation of our recommendation back to the Council, and I think that is the way to have meaningful participation is to actually have them functioning in the deliberation. With regard to the participation, I think they have to be involved in the actual work plan, which we're doing over the next three days, and Brad has assigned members of the PAG to work with us on that, and I think that's the level that it will take to have good communication, where they're actually working in the day-to-day policy discussions.

MR. SANDOR: Great. Does that -- satisfactory, Brad?

MR. PHILLIPS: We just wanted you to know what the feelings were and what the frustrations were, as a start in the communication process if it's going to happen, and Jim has been very responsive to it. It's so easy that -- to get into an adversarial situation, which we don't want to do. I don't have the time for it myself, and I think there's others that feel the same way.

MR. SANDOR: And that -- take two now. Any other suggestions from the Trustees to Jim of what he might do in addition to those items that I have he has outlined? Carl.

MR. ROSIER: I have a question, Brad, in regard -- maybe I didn't read you correctly (recording malfunction)

MR. PHILLIPS: Zero. Two things happened. They -- they had a task force that was around talking to people in the industry,

and for some reason the time was cut short and it was never completed, then there were four very small projects offered and all four of them were eliminated. I think the most expensive one was \$60,000, and they were all chopped. The industry itself, you know, is saying, I guess we're not awfully important in this thing. I don't know why the thing was cut off, or any -- I'm not aware of why, but I know it did happen, and a lot of emphasis on habitat, there's a lot emphasis on fishing, but commercial tourism is a major item in Prince William Sound, and they even tried to have a -- an information booth. Those of us who are in business in Prince William Sound on a day-to-day basis talk about progress and how things are going, and everything else, have been pretty supportive, I believe almost universally, and in our industry on -- on what's being done, and we couldn't even interest anybody in -- in an information booth, not staffing it, but just the acquisition of it, because the money isn't -- there's nobody with a pocket that can do that on a (indiscernible) basis.

MR. SANDOR: Any other comments? Brad, we thank you and thank the PAG and assure them that in this process we'll get on to clarifying and correcting those problems.

MR. PHILLIPS: We're looking forward to hearing from you on something -- some direction, and I think Jim is a pretty good communicator, so, we'll go from there. Thank you gentlemen and ladies.

MR. SANDOR: Thank you. We'll continue with public comments. First of all, do we have anyone on line, so far, in

either Juneau, Cordova, Valdez or Kodiak?

OPERATOR: We have Kodiak and Cordova on line.

MR. SANDOR: Okay, let's begin with Cordova then, and anyone who wishes to testify, if they would state their name and spell their last name, please.

OPERATOR: Okay, please give me one moment to get them on.

(Pause)

MR. SANDOR: Is there someone to testify at Cordova?

MS. VLASOFF: Yes, my name is Martha Vlasoff, that's spelled V, as in victory, -L-A-S, as in Sam, -O-F-F, as in Frank.

MR. SANDOR: Please proceed, then.

MS. VLASOFF: Yes, I'd like to talk about the community involvement and use of traditional knowledge project that was submitted from the office of archeology. I was at the April 13th to 15th scientific research meeting where I spoke in regards to the involvement of the local people that were affected by the oil spill and how we feel that we haven't had enough interaction with the scientific community, and this proposal came out of that meeting. I've been working with Molly McCammon and Judy Bittner and Doug Rieger, on the wording for this proposal, and I think it would be very -- the main goal of the community transfer of knowledge is to increase the interaction between the people who live

in the villages and communities in the spill area -- oil spill area -- and the scientific community who are trying to do the research since 1989. And, I believe that as the -- the proposal is set up in hiring a -- a main coordinator to work with village coordinators,

we can increase the -- the scientist -- we can take the ideas that come from the communities, the main concerns about food safety and -- and the way that -- that the Exxon Valdez oil spill has affected our subsistence way of life, and -- and use that information, together with the scientific data that's been collected since 1989, to really better understand what has happened to our subsistence way of life, but also to help the scientists in the historical data, as what the Prince William Sound was like before the oil spill. I -- I'd just like to encourage you to fund the proposal. It's just the first step. I think that -- that we need to do more projects that are related to stewardship and -- and have more training for the village people to understand the biological effects of the oil spill, that I really would encourage you to give credence to this proposal.

MR. SANDOR: Thank you very much. Are there any questions of Martha Vlasoff from members of the Trustees? Thank you very much. Are there any other people to comment at Cordova?

MS. RIEDEL: Yes, my name is Monica Riedel, R-I-E-D-E-L. I'm from the Native village of Eyak, and there's two things I'd like to comment on, and the first one is the wild salmon stock enhancement, and I would just like to state that over the last five years we've been heavily studied, and since our fish have not returned the way, you know, seems like they used to in the past, I'd like -- like you to look at this proposal and look at it as a working proposal, that it -

- it's not going to be a study, but it's actually going to put the people to work and actually build up the

wild stock in the Prince William Sound area, and I feel like it's a -- it's a working -- it's a way to get the job done instead of just studying it, and it will also probably help the local fishermen here that have since struggled to keep their boats alive, and, hopefully, will offer the work to them. The other thing is the skin-selling craft restoration. Along the same lines as what Martha talked about, the community involvement and use of traditional knowledge. That -- that proposal would be very good to -- since we lost a lot of our subsistence usage, we have teachers and elders carry on the information to the youth with the knowledge -- it's so that it's not, you know, completely lost. I understand we've had an interruption in our way of life and we'd like to hang on to that as much as possible, okay. Thank you.

MR. SANDOR: Thank you. Are there any questions or comments from any of the Trustees regarding Ms. Riedel's comments? Thank you. Are there one or two others before -- at Cordova? Or, we'll move onto Kodiak. Anyone else at Cordova? If so, how many? UNKNOWN: No more from Cordova.

MR. SANDOR: No more? Okay, thank you very much. Is Kodiak on line, and, if so, how many are there, and can you begin your testimony.

DR. FRENCH: This is John French, I'm the only one here in Kodiak.

MR. SANDOR: Please proceed.

DR. FRENCH: I was supposed to be there for the Trustee Council

meeting and I will -- well, if the weather breaks, I will

be there in the next few days to work with Jim Ayers and the work plan review group, which I think is a very positive direction as far as the PAG activities. I'm very happy to see the closer involvement of PAG members in the these groups.

I -- I think Jim's direction toward greater involvement of PAG on this level and with the subcommittees formed, is a very positive step. Though, with respect to the work plan itself, I'd just like to say a few general comments, and rather than try to deal specifically with specific projects, but first of all, I think continued funding of the restoration reserve is very critical. Any science of monitoring and restoration plan that's meaningful is going to stretch beyond the year 2002, and to do that we really need a meaningful restoration reserve to be funded. Second of all, in review of the project packet, I was very concerned to see so few projects extending into the area outside the Sound. There really were very significant impacts of the oil spill outside of the Sound on birds and many other things, also, certainly on subsistence users, and with respect to that, I think that, both in terms of the dynamic of the ecosystem approach we're trying to move towards, but also towards specific localized impacts of the oil spill. It's very regrettable if we do indeed move forward in this direction that we've started in the FY '95 work plan of concentrating everything to the Sound. I think that there's meaningful research and monitoring activity that must continue outside the Prince William Sound. That's all the comments I have for now. As I

said, I hope to be there this evening and be able to work with the planning

group in the next few days.

MR. SANDOR: Thank you, John. Is there any comments or questions of John French from the Trustees? Thank you, and we'll look forward to seeing you tonight and tomorrow. Any other folks on line? Valdez and Juneau, are they on line? Apparently not. That apparently concludes those on teleconference. We do have another person here who has signed to speak. Donna Platt. If you could come forward and present your statement, we'd appreciate hearing from you again.

MS. PLATT: I'm getting pretty familiar with coming up her. My name is Donna Platt, I'm the president of Eyak Corporation. I just wanted to take this time -- this opportunity to thank the Council for considering Eyak and Sherstone's comments on our comprehensive proposal, especially our comments on public access and levels of protection. We have used a baseline for protection on the acquisition of timber rights from Eyak and Sherstone. We have provided higher levels of protection for specific sites of sensitivity. The issue of expanded levels of protection and public access may not matter to some Native corporations, but they do matter to us, and we appreciate the Council's continuing willingness to consider our Native views on these subjects. We would be very happy to continue to assist the Council in accommodating our viewpoint on the issues in the future by assisting any of the groups or committees. That's all I have to say.

MR. SANDOR: Thank you, any questions or comments?

Craig Tillery.

MR. TILLERY: Ms. Platt, (indiscernible) Mr. Ayers perhaps. Have -- have you or Luke been involved with this committee of the Public Advisory Group that's looking at public access?

MS. PLATT: No, we haven't been, we haven't been asked to be involved in it.

MR. TILLERY: It would seem to me it would be helpful, not as a member of the committee, cause I think we may get into trouble if we do that, but at least as a -- to have public participation on that committee. I don't know if ...

MR. AYERS: Mr. Chairman.

MR. SANDOR: Yes, Jim.

MR. AYERS: Mr. Chairman, I was -- I was not able to have a conversation with Ms. Platt, although I did take with Luke Borer when you were both over in Cordova, and I had asked him, at that time, to submit both written comments and to contact Alex Swiderski, and I don't know if he's done that or not, but ...

MS. PLATT: No, he hasn't as of yet, but being contacted by the Advisory Group, no we haven't been. I haven't been, anyway.

MR. AYERS: Okay, I will make a -- Mr. Chairman, I -- I will make a

point -- I think Luke and Alex were going to have a conversation, and maybe Alex is here today, and I don't know if they've talked. Well, I'll make a point to have a conversation with both you and Luke and make sure you get a chance to talk to

the committee.

MS. PLATT: Okay, I'd appreciate that.

MR. SANDOR: Thank you, any other comments or questions? Deborah Williams.

MR. WILLIAMS: I just want to say on behalf of Interior that we thank you for your patients and understanding, and for appreciating that this process is necessarily a cumbersome and difficult process at times, but again, we appreciate so much Eyak's participation, and your patience.

MS. PLATT: Thank you.

MR. SANDOR: Any other comments or questions, then? Thank you Donna.

MS. PLATT: Thank you.

MR. SANDOR: This is all of the -- this completes, at least, those who have signed up. Any other one who would like to ... oh, yes, please come forward. Pamela.

DR. FRENCH: Are you requesting Kodiak?

MR. SANDOR: Oh, we have one here, we'll get back to Kodiak in a second. Sorry about that.

DR. FRENCH: Sorry, I just wanted to say there is no one else in Kodiak.

MR. SANDOR: Oh, okay. That's what we understood, so and we're just

about through here, but please hang on if you're interested. Yes, Ms. Brodie.

MS. BRODIE: Thank you, Mr. Chairman, I'm Pamela Brodie, and I am the environmental representative from the Public

Advisory Group. I had not intended to testify, I did not sign up to testify, but I just wanted to clarify something on the public record. I think people here probably knew that -- something that Brad Phillips said was in jest, but people reading a public record may not get that, and I just wanted to clarify that I do not know anyone on the Public Advisory Group, or anyone else anywhere who wants all land to go back to government ownership. Thank you.

MR. SANDOR: Thank you. Any other clarification or comments? Thank you, Ms. Brodie. Anyone else wishing to make any comments here? And, anyone on line? This would then, it seem complete our public comment period, at 2:04, and why don't we now proceed with the Executive Director's report. Jim Ayers.

MR. AYERS: Thank you, Mr. Chairman. I'll take just a second to shuffle documents. The -- let me ask, is it your preference, Mr. Chairman, I note that Mr. Phillips had to leave. Would you prefer that I began with the habitat protection and acquisition update first?

MR. SANDOR: Since Brad has left, why don't we just proceed with what you had planned originally.

MR. AYERS: Okay. Mr. Chairman, the draft restoration plan is out for the public review as noted. The comment ends August 1st and the draft restoration plan will be before you shortly thereafter for adoption or the consideration of changes. One of the discussions -- and adoption of a final

document. One of the discussions that did take place with the PAG, and we have had comments from other public members is clarifying as -- as the

Chairman of the PAG mentioned, a clear mission statement with goals and objectives that are refined and revisited in an implementation structure. That implementation management structure we have circulated at the January 31st meeting, and again in April, and it is in your packet again today, and it's simply a clarification of the mission of the Trustee Council, guiding principle, a couple of which came directly from the PAG's major concern that there be a clear understanding that public participation will include public members at the local level, in all levels and aspects of the planning and implementation process. That particular implementation management structure has been discussed -- has been discussed as I mentioned several times. This draft is in accommodating several of the comments of the public-at-large and the PAG, and it is again, simply a refinement of the restoration plan, more general terms. One of the items in that is an organizational chart, which is also in your packet today, and that organizational diagram is in your packet, as I mentioned, and has been refined, and this is a draft of six, twenty-seven, ninety-four, to respond to the individual comments of PAG members. In particular, let me note that, this organizational structure responds to the comments, both in terms of the public participation, and also having a coordinating group, an ecosystem approach to the coordination of -- of activities, so that they're not just individual projects, and individual project work group, but rather interdisciplinary work groups. The

other issue that is -- has been discussed, and there were comments on from the

individual Trustee Council members, is with regard to the Science Review Board, as we've referred to it in the past. Recently, we have talked about that as a -- a group of core reviewers, but the concept remains the same, and there is a draft, another draft regarding the core reviewers or the Science Review Board, which is now being circulated, and we certainly are interested in the individual Trustee Council member's comments. This scientific review process in the organizational chart has gotten considerable discussion. It is clear to us now that if, in fact, we want to pursue our adaptive management process, where we actually pull scientist together with our individual scientists, our investigators, biologists in Alaska, that and -- with public members -- that that work, which we certainly intend to be a significant part of our adaptive management process, to talk about what is happening in the ecosystem, where are the gaps, what do we need -- what do we need to do next -- that that very effort may require that the Science Review Board be recognized under the FACA, under the Federal Advisory Committee Act, and, actually I think there's an M in there, but in any event, the Federal Advisory Committee Act requires, as I understand it, and there are certainly attorneys that have looked at that much longer and much deeper, although probably not any more painfully than I have, that find that in the event we are trying to generate a consensus of opinion, as I understand it, that there would be a requirement then that we proceed to accommodate the federal

requirement, which means going through the process of having it recognized as a federal committee,

which is somewhat of a task, as you know. As I understand it, you went through it with the PAG. So, our recommendation will be, at this point, is -- is this, that we proceed with the implementation management structure that we have been discussing, that refines, and further defines the restoration plan, and that in that we be clear about our organizational structure, but that the Scientific Review Board continues to be an informal group of core reviewers for this year, while we proceed to develop a clear role and responsibility definition of the Science Review Board, and proceed to work with the federal attorneys in -- in getting it recognized or complying with the Federal Advisory Committee Act. So, you're not necessarily endorsing a final product, but simply the concept with regard to the organizational structure, at this time.

MR. SANDOR: Fine, any comments or questions of Trustees? Carl Rosier.

MR. ROSIER: Mr. Chairman, thank you. I'd like a little bit of clarification. I'm not sure where we -- what are we approving at this time?

MR. AYERS: Mr. Chairman, Commissioner, we're not approving -- we're not asking that you approve anything, we're simply updating you on the draft of the management structure, their goals and objectives that we ultimately will recommend be included in the -- as a refinement of the restoration plan. It will -- that item, in your packet, ultimately would be included in the restoration

plan, probably as an appendix so that it's clear that there is a mission statement and they're guiding principles in it

-- a refinement of those goals and objectives that are in the restoration plan. The organization -- so that's an item of information that we're going to be coming back to you recommending that that be included. As -- as Brad said, it helps clarify for the public what that restoration plan says in terms of a mission statement and goals and objectives. With regard to the organizational structure and specifically the Science Review Board, all we're noting is that we're going to ask, probably at a later meeting, that you adopt that organizational structure, but at this point, all we're doing is pointing out that there are questions. We have an informal core review process going on. We will not use that structure for this year, as we've been advised by Council, but we will be asking to pursue that type of structure in the future, but it will have to go before FACA. We'll be coming back to you with that at the end of August.

MR. ROSIER: Have we taken action on the Science Review Board as a group?

MR. AYERS: Mr. Chairman, Commissioner, you have not taken formal action except to discuss the concept and that it seemed like the reasonable concept, I think was the quote at the last meeting, but that people wanted to see further refinement. There was a -- there have been memos to me about clarifying the Science Review Board role and responsibility. There's a recent draft in here, but you have not taken formal action to -- to actually adopt that document

or that particular Science Review Board concept, yet.

MR. SANDOR: And, as I understand it, no action on that is proposed at this meeting?

MR. AYERS: Mr. Chairman, that is correct. We're not proposing final action. We just want to make sure that we're all talking, and I want to be sure that we were communicating about this before we got to the point of asking you for adoption. This is just a point of information and clarification, at this point.

MR. SANDOR: Any other comments or questions on this item of the agenda? If not, would you move on please.

MR. AYERS: Yes sir. Mr. Chairman, the next item on the agenda is the EIS proposed action, and the EIS proposed action and the EIS itself is out for public review. It, too -- comment period closes August 1st. With regard to the EIS proposed action, which is alternative five in EIS, that will be coming back before the Trustee Council, with public comment in August, and you will be asked at that time to adopt a final alternative or a preferred alternative, and we just note that for the record, that will be coming up in August, and that -- the comments have been coming in, will continue to come in until August 1st. Rod is here. There have been four public meetings thus far, or three?

MR. KUHN: Five (from audience).

MR. AYERS: Five public meetings thus far, and the public notice has

been in the major newspapers, and in -- I don't -- was it Federal Register -- oh, yes, it was Federal Register published, and this, again, Mr. Chairman, noting for the record that during August you will be asked to adopt a final preferred

alternative, that which is out before the public right now is a proposed alternative. We will continue to receive public comment, we'll put those in a review format for you, and get those to you, and, again, we don't know whether there will be a need for an August 8th meeting, or an August 20 teleconference, and it will just depend on how quickly we can process that information and turn it around for you.

MR. SANDOR: Any comments or questions on the EIS process? Yes, Deborah.

MS. WILLIAMS: A quick question. In what form will we be getting an overview of the public meetings?

MR. AYERS: Mr. Chairman, I think at this point Rod, who has far more experience, and with at least five attorneys in the room, I'm -- I'm very careful in my responses to EIS, and I would prefer that Rod actually respond to them.

MR. SANDOR: Rod, would you come forward and ...

MR. AYERS: It's always helpful to have attorneys in the room, it gives you an excuse not to have to respond (indiscernible)

MR. SANDOR: There's five of them. Yes, go ahead.

MR. KUHN: We have five here. Okay, what we've done so far is we -- the public meetings have been in an informal nature, an open house format. We have taken notes -- those notes are being synthesized right now, and what we

would do is we have a summary for each of those meetings which would come forward to the Trustee Council for their review.

MR. AYERS: Mr. Chairman, Rod, it's also my understanding that we are working to develop our spreadsheet format that we have used previously in the '94 plan, so that there would actually be indications of -- of individual public comments as well.

MR. KUHN: Yes.

MR. AYERS: So, we could see summaries of those individual comments outside the public meeting.

MR. KUHN: We're working on a coding form. I was upstairs a little while looking at -- at the format for that, and so we will be coding those so they'll be entered into a data base, very similar to what was done with the brochure and the comments in the summary of public comments that came out in September, but something similar to that. Because of the compressed time schedule we're running on here, and necessarily not be a public document we'll circulate for public review or anything like that. It will be quite short.

MR. AYERS: Mr. Chairman, I would also note that, as Molly points out, we're trying -- we are also doing additional outreach efforts, we are taking collect marine calls from fishermen, etcetera to accommodate those people who would like to give us oral comments, and Molly and Rod and others were over in Cordova last week chatting with people, and we are making in community visits to make sure that we get as much as possible in terms of public perspective.

MR. SANDOR: Any other questions or comments on the

EIS. Yes, Deborah.

MS. WILLIAMS: One last question. Approximately how many written comments have we received so far?

MR. KUHN: I'm not real certain, I mean, just got back from Cordova on some of that, but I believe it's very, very light to date. We only have about five. We've had more turn out in the meetings, and on the 20th there will be a statewide teleconference, and of necessity that will be more formal, and that will be transcribed, a verbatim transcript of that.

MR. SANDOR: Any further comments or questions? Jim would you proceed then with the next item.

MR. AYERS: Yes, thank you. Mr. Chairman, I took the liberty to cover the Science Review Board policy discussion under the other item, the restoration plan. That policy, actually it's a scientific review, including the responsibility of the core reviewers, is currently being circulated and I would appreciate your comments on this most recent draft, and I am working with your respective liaisons on that.

MR. SANDOR: Thank you.

MR. AYERS: The Chief Scientist's contract, that -- Chief Scientist's contract will expire, I believe it's September 30th. We will -- it looks like we will be -- first in appropriately extend that contract, with your concurrence,

through at least this review time period, so that we maintain continuity. We would like to extend the Chief Scientist's contract probably until December 1st.

It does two things. One, it allows us to have

continuity with the Chief Scientist and the peer reviewers that we're using to review the '95 work plan and synthesize the information from the past, with the understanding that our peer reviewers are only making individual comments. We're not generating consensus. Secondly, that we are able to get out an RFP, which is the other thing I wanted to note, that we are going out with a -- the very broad solicitation request for proposals for Chief Scientist and peer review, scientific review, proposal, and that will be going out, and that is being -- that draft RFP is being circulated to your staffs now. We hope to go out in mid-July, actually with the RFP for 45 day, I believe, solicitation of proposals. We will then go through the process and bring that back before the Council, but it probably would be October. So, we would extend the Chief Scientist's contract through December 1st, and in the meantime we're going out with a solicitation for a Chief Scientist.

MR. SANDOR: Carl Rosier.

MR. ROSIER: Yes, thank you, Mr. Chairman. Is the Chief Scientist willing to extend on that basis?

MR. AYERS: Mr. Chairman, Commissioner Rosier, thus far he's been very accommodating and we're having good conversations, and he is in town today, and we're meeting with him again. He'll be at the picnic tonight, and so far, he's been very accommodating, says that meets his terms in -- as indicated that

he would be interested in submitting a proposal, and understands why we need to go forward with the solicitation for other proposals.

MR. SANDOR: Any other comments or questions? You're not asking for any action, or are you, with respect to this?

MR. AYERS: No, Mr. Chairman, I just wanted to clarify that that's my intention. If there's objection -- most of these items are about letting you know, it's a matter of communication. I want to make sure we're all together on this, and if there's objection that I would -- I'd go a different way.

MR. SANDOR: Okay, and there being no comments or questions, could you proceed?

MR. AYERS: Yes, Mr. Chairman, the next item -- I'm sorry, Mr. Chairman, I will move back to the Chief Scientist's contract for one moment. One of the -- one of the items that the Chief Scientist did ask is that he receive an evaluation, which I am putting together based on comments, and we can discuss that at another time, or, if you choose, we could go into an executive session. I have put together a draft based on your comments, and the Chief Scientist, Mr. Chairman, Commissioner Rosier, did want to see an evaluation, so he got a feeling of whether or not he would be able to -- he would be interested in competing for -- in the solicitation. So, I did want to mention that, Mr. Chairman.

MR. SANDOR: I believe, fellow Trustees, that if there is an evaluation on the Chief Scientist, whatever is prepared, that we ought to cover that in executive session. Is there any objection to that?

MS. WILLIAMS: No.

MR. SANDOR: Can you proceed, Mr. Ayers.

MR. AYERS: Yes, Mr. Chairman, the next item is the Institute of Marine Science improvements update. The Institute of Marine Science at Seward is a -- there is a recent purpose need in budget draft dated June 29th in your packet, and, I believe that, through cooperative efforts of both federal representatives, including -- and a primary contribution from the Department of Interior who has taken the lead on the EIS, and the efforts of the Department of Fish and Game, in communication with other state agencies, have developed a clear purpose statement and are beginning to work with the scientists from the various agencies in developing a very clear proposal and expansion on the Institute of Marine Science. Kim Sundberg, who is the project leader, is here today, and with your permission we'd take five minutes and just give you a quick architectural and budget update.

MR. SANDOR: Please proceed.

MR. SUNDBERG: Thank you, Mr. Chair. The project for the improvements to the Institute of Marine Science, the purpose of this project is to provide required infrastructure for conducting long-term research and monitoring program needed to restore and enhance resources injured by the Exxon Valdez oil spill. This institute would conduct research and monitoring studies on marine resources in the ecosystem in concert with other existing institutes, and would provide specialized capabilities for studies on marine mammals, marine

birds, and fish genetics that cannot be currently conducted at other existing facilities in Alaska. The research and rehabilitation programs to be carried out by this

proposed facility would, among other things, endeavor to restore to the pre-spill condition those injured, but not recovering resources, including common murre, harbor seal, harlequin duck, marble murrelet, pigeon guillemots, sea otter and pink salmon. What I'd like to do is briefly go through the status of the project, and where we're at, and give a few moments for the project architect to bring the Trustee Council up to speed on where we're at in the design of the project, and then if -- if there's time available, answer any questions. The program -- the research program and functions of the facility have been developed through a scientific work group that has been meeting regularly since March to -- to develop the functions and needs for the facility. This work group has identified projects and needs for particular facilities, space and systems to carry out research on marine mammals, marine birds and fish genetics. The project is currently in a conceptual design stage and is moving to a schematic design stage. We have a budget prepared that's at the end of your document that is a conceptual level. The space for the -- for the facility itself is broken into eight different components, at this point. These -- each of these master components are currently being broken out into a much more detailed, line-by-line budget, which will be brought back and presented on August 8. The main building is approximately thirty-eight thousand two hundred and thirty-seven square feet. It consists on research labs and offices for conducting work on marine mammals,

marine birds, fish in vertebrates, includes a library, a veterinary and husbandry area

and service areas. There are large habitat tanks for sea otters, seals, sea lions and marine birds. These habitat tanks are designed to maintain animals in a naturalistic setting for conducting research on behavior, telemetry, other projects that require animals were in -- living in a more or less natural environment. Approximately thirty-four thousand six hundred and ninety-one square feet are identified for that at this point. Animals that would be in long-term holding at this facility because of injuries that did not allow them to be returned to the wild would also be kept in this area. There are pens and pools. These are primarily designed -- these are totally designed for research, specialized pools and pens for sea otters, seals and sea lions. There's an extensive life support system to supply sea water to the facility, and treat the water from the facility, and also to provide high quality fresh water for fish genetics work. There are civil considerations for developing the site, landscaping, etc., and there is equipment, right now it's shown as fifteen percent, we're developing a detailed equipment list right now for each one of these research functions and spaces, and that will be presented on the 8th. There's a provision for a research vessel and submersible with the project also, and some estimates for acquiring those. Nancy Swanton isn't here. I think I'll just give a brief update on the EIS. The draft Environmental Impact Statement was released to the public, it's out for a fifty day review period, right now.

They're taking public comments. There will be public hearings in Seward on July 26th, and in Anchorage on July 28th.

The public comment period, I believe, closes in -- on August 8th, and the final Environmental Impact Statement will be prepared and the record of decision is scheduled for October 28th. If there's time, I'd like Tom Livingston, who is one of the principal architects to briefly go through the concept design for the facility, and we'd be available for any questions.

MR. SANDOR: Would it be the Trustee's wish to have a brief presentation? I see affirmative nods. If you can, perhaps, put the visuals there so the audience could also see them, that would be helpful. Your name again?

MR. LIVINGSTON: My name is Tom Livingston. I'm with Livingston Slone Architects in Anchorage. This is -- I'll start out with the site plan. The site is located at the south end of the Seward Township, right along Resurrection Bay. The IMS, Institute of Marine Sciences, University of Alaska campus is located over here, and it's these blue buildings. The Railroad Avenue is located along here. We're showing parking in this area, the main building here with research -- outdoor research tanks and pools on either side of the building, in this area. We're -- we're not anticipating any work to this brief little strip here, which is the depot and park in the City of Seward, which is City of Seward property. The ferry dock that is located in Seward, is right now located in this area, and will be relocating that to another site within the

community. The building is a two story affair, sort of L-shaped. There's a partial basement under part of it which accommodates all the live support systems, which are very extensive

for all the different activities that are occurring there. Wrapped around this building then are these research habitats and pools, and I'll show you on the site plan, the floor plan a little more detail. The lower floor, we have indoor research support areas, along this side of the facility, with sort of bare research tanks and pools located here on this west side. On the east side then are research habitat, there more of a naturalistic habitat instead of just a plain pool or tank. We have some educational activities on this side, on the lower floor that bring the public into the building and then the public goes up and along a spine, and on that spine at the upper level their looking on the surface of these tanks, and their looking out above the research facilities on that side, and I'll show you how it looks. So, there is along this spine here, this orange spine is where visitors would look out over onto the research activities on that side, and back onto this side, and the research activities over here. One of the unique things about this facility is that the research is on exhibit, and that's something that doesn't really occur in an integrated fashion anywhere -- anywhere else, that we know of, in America, and so that's a key to this -- to the success of this facility. One of the things we -- we found in our research in visiting different research facilities from Scripps all the way north to Vancouver is that the scientists and the people that were there said you must let the public know what you're doing.

You're a public facility, and in order to receive public support, you have to have that kind of exposure to the public and that education, you might say, as to

what you're doing, so you receive the support that's needed to keep the programs going, and so that's one of the things we've done from the very inception, instead of trying to add something on, like at Scripps they built a separate facility up on the hill a ways away, and at the Hatfield in Oregon, again, they're a ways away, and so there's this distance that's involved for the public, and here we're integrating the two together. So, we've got the research habitat, the naturalistic habitat up on the second level here, which is the surface -- the water surface level, then down at street level we have the other tanks that were on the west side of the building there. We've -- we do anticipate some construction this winter, some marine construction that has to be done when there aren't spawning salmon in the area, so by April 15th we have to have some of the marine work done. We will be constructing right at the water's edge a -- a barrier, a wave barrier to protect the building and the habitats and the tanks from any wave barrier -- any wave damage that might occur due to large storms, hundred year storm cycle. So, we will be doing some of that work starting this winter to start protecting this site, and then, of course, next summer we anticipate general site work and facility construction.

MR. SANDOR: Any comments or questions? If not, please proceed.

MR. LIVINGSTON: In looking at sections through the site, if you were to take a slice through the building, this would be the street out here,

this would be Resurrection Bay. We'll be

bringing in, of course, fresh seawater from Resurrection Bay. One of the things that very unique about Seward is the high quality of seawater that's available. Scientists nationwide are very envious of the quality of water that's in Seward, and so it will be brought in and -- and as necessary, it may be filtered or it may be just used raw. For whatever reason, at the depth that we're bringing it in, which is around two hundred feet, the dissolved oxygen is very high, and so we don't -- we don't anticipate having to do much to the water to make it useful for research. Any water that's discharged back into the bay will be treated in case of any kind of infection or any isolation that may be needed for a particular tank or a particular experiment. That water can be diverted to a separate area that's treated, and that water then is discharged into the bay. So, we're not providing any contamination into -- into Resurrection Bay. Again, it's basically a two story building, some lower level life support systems, mechanical space, at the -- at the second -- basically, at the second level is where we have the surface, the water surface activity, and this naturalistic habitat we have provided artificial rock work and rookery, nesting areas for birds. So, the four major species that we're providing naturalistic habitat for will have a habitat that is -- is conducive to long-range, I should say long-term research for those species, and that would include sea otters, Steller sea lions, seals, mostly harbor seals, pinoped, and marine birds, and this element that you

see in here is really just a net to keep the marine birds within -- within
captivity, and the -- the species

that are brought there for rehabilitation and research will be -- we'll find -- will probably reside in this area most of the time versus the recent -- the purely research activity that happens on the west side of the building over here, these are more for shorter term experiments and research and rehabilitation. There's medical surgery area provided within the facility for isolating animals when they first arrive, and for long-term treatment of animals as they remain at the facility for whatever reason. That's -- that's it in a nutshell. If -- if there are questions, I'd be happy to answer them.

MR. SANDOR: Any questions or comments? I guess I'd ask a question of both of you. Did you do this kind of a presentation for the Public Advisory Group? They seem to have that as one of the items under their list of concerns.

Jim, is that -- would that be possible?

MR. LIVINGSTON: Yes, we're available to do a presentation to the Public Advisory Group.

MR. SANDOR: Why don't you do that because that was one of the points that Brad Phillips mentioned. Any other comments or questions? Yes, Jim.

MR. AYERS: Mr. Chairman, I just want to point out that they were at the last PAG meeting and they did talk with the PAG, and there was some information -- additional information that the PAG asked for and we will go back and do a more thorough presentation. I think that would be helpful.

MR. SANDOR: Those visuals are especially helpful.

MR. AYERS: Yeah.

MR. SANDOR: Yes.

MS. SWANTON: I'm Nancy Swanton out of the Department of Interior.

(Aside comments)

MS. SWANTON: I don't know exactly what Kim had mentioned, I'm sorry I was under the impression we were going to be addressing a little bit later on the agenda, but I wanted to mention also that ...

MR. SANDOR: Identify your name again.

MS. SWANTON: Nancy Swanton, Department of the Interior. I just wanted to mention that for the public meetings that we'll be having, we intend to have an open house from 5:00 until 8:00 in both Seward and Anchorage, for those meetings, and at 7:00 we intend to have Tom or one of his people give a presentation similar to what he's just done, so that the public has an understanding of where this project sits at the moment in terms of its design and development.

MR. SANDOR: Any questions of Ms. Swanton, Kim Sundberg or Tom Livingston? Yes, Deborah.

MS. WILLIAMS: I think I have questions of other Trustee Council members. At past meetings, some Trustee Council members have expressed the

desire to have additional information, more information about the IMS, feeling that they did not have adequate information about the purpose and structure and design. I just wanted to see, are we there yet? Do you still need more

information?

(Laughter)

MR. SANDOR: I see Jim Wolfe raise his hand in the audience. Jim, do you want to step forward and -- identify ...

MR. WOLFE: Jim Wolfe of the Forest Service. We did ask for that additional information, and also all the general council from the federal side have a list of legal issues that we had raised. The -- we understand that there is a paper that was handed out today, and we haven't had a chance to review it, and just a brief look through it, I did not see that it addressed some of the legal questions, and it still doesn't in -- in my brief review, did the link with the spill injuries, and so we still need to look that in and clean that up. But, I assume part of it's there, but we just haven't had a chance to see what was handed out today, so.

MR. SANDOR: I would suggest Jim that between now -- and, I guess Ms. Swanton, and Sundberg and Livingston, can you between now and August -- our August 8th meeting, determine what gaps remain from the material that -- Jim.

MR. WOLFE: Sure.

MR. SANDOR: Any other comments or questions. Yes, Mr. Ayers.

MR. AYERS: Mr. Chairman, we are working -- trying to accommodate that. We have been in touch with the -- the -- and working closely. We've had

several conversations about this very issue and going through -- matter of fact,
this most recent draft,

and I think that it -- it does begin to address many of the questions that I have understood were raised by federal counsel. Let me also say that there are two other items that we are working closely on and we had a teleconference this week about -- and one is that we are clarifying the cost of this particular project and the aspects of those costs which are appropriate under the civil trust, or -- or, well, maybe more appropriate under other funds, and we are working on that budget, and we'll be bringing that back to you. The other thing is the organizational or the governing structure of this entity, which is the non-profit organization, the Seward Advancement for Marine -- Association for Marine -- Advanced Marine Science, SAAMS. We are working with that non-profit organization and the City of Seward, and I've talked to them specifically about having members of the scientific community and the scientific agencies responsible for the management of fish and wildlife that will be associated with this project on their actual governing board, specifically, the university, the Department of Fish and Game, and NOAA, and we've talked to them about that, and I know that they are -- they will be contacting and are working with representatives of those agencies.

MR. SANDOR: Thank you. Mr. Rosier.

MR. ROSIER: Thank you, Mr. Chairman. Jim, is there any -- anything to report or update the Council on in regards to private funding sources for this

project?

MR. AYERS: Mr. Chairman, again, I'll -- I asked that question of Kim, and I'll let him respond to that. They have begun

a kind of three-prong attack here. I'll let him go through that.

MR. SUNDBERG: SAAMS has contracted with a private philanthropical consulting company called Jay Donovan & Associates. It's a national company. They -- they're in charge of doing the fund-raising, for example, for Providence Hospital, and they are currently working on a fund-raising plan for the private donations to this project. Currently they are going out for interviews with fifty individuals or foundations who would be likely donors to this project, to get a gauge of how much private funding there would be available, and they are supposed to bringing a report back on August 15th to the SAAMS people, a report on that. It's my understanding that they -- this company feels that they would have a very good idea within some confidence interval of how much private funds could be raised for the project. They're looking right now at two different types of categories of funding. One would be for the capital construction, and also gauging how much is out there for endowment of -- of research faculty chairs, and their target that they're looking at right now is about ten million dollars for capital project, and about six million dollars for endowment of research positions.

MR. SANDOR: Any other comments or questions? Well, Ms. Swanton, Kim Sundberg and Tim Livingston, we appreciate your presentation and understand you'll be providing additional information to the PAG, and also be working with

Jim Wolfe and others to determine what, if any, questions remain, and have a report again at our August 8th meeting. If nothing else, thank

you, and Jim, can you proceed with your agenda?

MR. AYERS: Thank you, Mr. Chairman. The next item on the agenda is an update on habitat protection and acquisition effort. Let me say that in the FY '95 proposals, there are a number of -- actually, there aren't a large number, but there are very significant, very positive proposals with regard to participation with private landowners with regard to habitat protection. That was something that the Council had been very concerned about in the past, that we were looking only at acquisition, and the PAG had talked about protection measures, including those that were -- that were beyond just acquisition. We are working with some private landowners. We've also talked to members of the PAG about an approach to working with private landowners and habitat protection measures, and that is -- there is a project, actually there are a couple of projects in the FY '94 work plan, and we'll be discussing those over the next two days. With regard to habitat acquisition efforts of those that are in negotiation stage, I'll just walk through those if that's acceptable, Mr. Chairman ...

MR. SANDOR: Please proceed.

MR. AYERS: There are members of the various negotiating teams here that -- if you want to answer detailed questions -- if you have detailed questions, I'm sure they or I can answer them. Afognak Joint Venture effort in

the northern Afognak lands, those lands and those parcels that have been identified under the comprehensive habitat analysis package, are in the

process of being appraised. In addition, and at the -- the negotiating team is working with the habitat working group and have attempted to develop a packaging of parcels that will allow us to actually meet our goal of maximum protection at a reasonable and affordable price. AJV gave their authorization to appraise the following parcels on June 20th. An appraisal has been requested and in its process of being organized. The AJV 04, 05 and 06, and also then the 07 Tonky Bay, and the 08 which is the west Tonky Bay. The appraisal are in -- will begin, obviously there will be a substantial question, and I'll talk about that at the end, with regard to timber cruise efforts and schedule. The -- I'll try and -- these were put in alphabetically order, I'll try and keep them in -- in location order. The -- moving to -- let me deal with Shuyak while we're up in the northern end of the Archipelago there. The Shuyak proposal, in working with the Kodiak Island Borough, DOL -- the Department of Law -- has the lead on that. The discussion center primarily on fee simple, or actually entirely on fee simple. It's approximately twenty-seven thousand nine hundred acres. The -- an appraisal was requested on April 12th, and we are in the process of commencing with that appraisal during July and we were waiting to hear back on the actual date of commencement, including, of course again, the timber cruise. We anticipate and hope that the draft appraisal will be completed by September 1st which was the original proposed completion date, depending on timber cruise. Kodiak Island

Borough has commissioned an independent appraisal, as many of them, we suspect, will, under our twelve point appraisal

process that we discussed at our previous meeting. Many of the private landowners are conducting their own independent appraisal, and that will be probably a topic of discussion. As you recall, under the appraisal process, the appraisal once completed is then given to review appraisers. If, in fact, the private landowner does their own independent appraisal, so long as it's done in compliance with the federal regulations, UASFLA (Uniform Appraisal Standards for Federal Land Acquisition). The review appraisers will also look at their independent appraisal. The -- move down to the southern Kodiak area, Koniag, the U.S. Fish & Wildlife Service has the lead on that. Negotiations are directed towards fee simple acquisition. The land ownership patterns are somewhat complex because various Koniag conveyances have already happen in some cases, and there are discussions ongoing to clarify the legal description, although that seems to have a remedy in the offing. Koniag has granted authority to appraise, and it should commence in mid-July. Issues there, the -- there is a request to recognize and actually identify in the ultimate agreement that subsistence rights would be retained, and in addition to that there will be a discussion of the 22(g) issue under ANCSA, which actually refers to the use of those lands around the refuge. Koniag is in discussion with us about some specific areas that we might be interested in. In addition, we have contacted the community of Karluk at the request of a couple of Trustee Council members, identifying that the lower

Karluk River which has high value, has not been included in discussions to date,
and we have not been able to get a response

from -- from the Karluk community, yet, but that -- the ownership of that lower five miles to the river that does have high value in that particular area is not in ownership of the regional corporation, but is the property of the village. The time line, we hope the appraisal will be completed by August and a review by early September, and the earliest the proposal could possibly be available would probably be late September, but as you know, will -- to bring appraisals forward with negotiations for your consideration, but final action would not be taken until after the close of the EIS in October. In Akhiok-Kaguyak lands, again U.S. Fish & Wildlife had the lead. The negotiations with AKI are moving steadily towards fee simple. The appraisal is ongoing, and again the landowner is conducting their own appraisal, according to our specifications. The reservation of a subsistence issue, again is raised, and will require some discussion. The review and approved appraisal, we hope to have by September, late September is probably the earliest that we would see the details, and again, finally decision would be in October when you see the whole package consideration. We finished the southern Kodiak area, and that will finish, and I'll actually stop there in case there are questions regarding any of that. There's the Old Harbor land as well in the Kodiak-Afognak archipelago, the Old Harbor lands, U.S. Fish and Wildlife Service does have the lead. Negotiations with Old Harbor are moving towards fee simple. The appraisal is ongoing, and in this particular case the

U.S. Fish and Wildlife Service notes that they had begun the discussion and will most likely pay with -- the

funds for this appraisal will probably be offset with federal criminal restitution funds. The landowner is conducting their own appraisal, using the specifications we've identified. There is a discussion regarding Barling and Midway Bays, and at this point, it's very likely, it's two thousand acres of area that is primarily subsistence use. There is discussion of either an easement or just simply withdrawing those primary subsistence areas from the discussion. It's some two thousand acres of the overall thirty-two thousand acres. Land is being appraised with and without this particular subsistence reservation, so there's a consideration, identification of what the difference would be. The appraisal review should be completed in early September, and as the others are filed -- proposal and specifics could be as early as late September, but final decision would not be made until October. I'll stop there with that particular area, and see if there are questions.

MR. SANDOR: Any questions at this point? Mr. Tillery.

MR. TILLERY: Mr. Chairman, Mr. Ayers, I -- some of these have a somewhat late completion date, and I guess I'm worried or concerned, mostly about the ones that involve timber cruise since they have additional steps. Are those cruises being done serially or simultaneously?

MR. AYERS: Mr. Chairman, Mr. Tillery. I recently met with Mr. Gibbons of the Forest Service and I was talking earlier, and I -- I think that --

that in order to answer the question, what we need to do is we need to have a
work -- a brief work session

with the -- with the primary contractor, Blackstone, who's doing the appraisal, and the primary timber cruise contractor, Manley, and a representative of -- of the state. I'd mentioned this to Mr. Swiderski and there's actually a memo to Mr. Swiderski and Mr. Sheridan of the Forest Service to try and put together a meeting as soon as possible. I just -- have a discussion to answer specifically the question of time lines and schedules and costs of appraisal, including the completion of the timber cruise, and I think it's safe to say that until that meeting takes place I'm -- I'm unable to answer your question.

MR. SANDOR: Any other questions or comments of -- to this point? Please proceed, Mr. Ayers.

MR. AYERS: The -- I'll move to the Kenai because the Kenai area, Cook Inlet, Kenai area is -- is either easily or more complex, depending on your perspective. The Kenai Island -- the Kenai Borough has been contacted, actually we -- we are following up a letter that was sent to them to see if they have land that they own that would -- that is of critical habitat nature, and whether or not their interested in talking with the Trustee Council regarding habitat protection. There are two other primary landowners that have been in discussion with us regarding critical habitat area in the Kenai area. They are Port Graham and English Bay. The National Park Service has the lead on the Port Graham land, and discussion with Port Graham and Chugiak began with authorization from the

federal Trustees utilizing criminal restitution funding. The ultimate acquisition, however, of these

important lands, may include the civil trust funds, however, at -- although there was discussion of fee simple and -- primarily fee simple on high value lands with some conservation easement. At this time, the appraisal that was previously conducted was not found to be consistent by the federal reviewers, and a review of the review has been submitted to the Department of Justice for their review, and an opinion is expected in some time late July or August. No further discussions with Port Graham, or their representative, has taken place, unless there's somebody here to correct that from the National Park Service, nor do we anticipate that there would be any discussions in the near future, until there is the Department of Justice finding on the review. Without belaboring the point, the same is true -- Mr. Chairman, members of the committee -- the same is true in English Bay, that there was an appraisal completed, it was not accepted by the federal reviewers, and all parties have agreed to send the review of that appraisal and the appraisal to the Department of Justice. No further discussions will take place with English Bay until we have received an opinion. And, it is our understanding that a completion by the Department of Justice will not be forthcoming, at least until late July or August.

MR. SANDOR: Any questions or comments? Please proceed.

MR. AYERS: Mr. Chairman, that moves us to the Prince William Sound area, and in the Prince William Sound area there are the Chenega and Eyak land

discussions. In the Chenega area, the

U.S. Forest Service has the lead the -- with the Department of Law. The discussion centers around fee simple acquisitions of the parcels -- high value parcels of the Eschamy Bay and Jack Pot Bay. The appraisal has progressed to the timber cruise portion, and it is, hopefully, expected that the appraisal will be completed shortly after the completion of the timber cruise. Further negotiations will commence upon acceptance of an approved appraisal. The appraisal review was hopefully going to be completed in late August, but we are, as I say, waiting a meeting with the primary contractor and the timber cruise through the Forest Service, and we'll get back to you on an actual schedule and completion and costs. That's Chenega. There -- there is a discussion beyond those critical -- those habitat -- those high value habitats, areas of fee simple. There are also some additional high value and moderate habitat properties - parcels that are being discussed and appraised, but they would be discussion of -- under easements. Eyak, the U.S. Forest Service has the lead working with the Department of Law. Trustee Council passed the resolution on May 3rd to acquire timber interests in Orca Narrows, as you know. In addition to that, Eyak has submitted a detailed proposal which raised the primary issue of public access and less than fee acquisition. We discussed those earlier, and there is a committee of the PAG, and the Department of Law and the Forest Service is working with that committee to develop of a general policy for consideration

by the Trustee Council. The appraisal has been ordered. Timber cruise has also been requested,

and again be subject to a discussion with the -- through the Forest Service with the primary contractor and the timber cruise contractor to determine completion dates, and additional costs. Let me mention that Tatitlek has contacted us, the Department of Law, and the U.S. Forest Service has the lead, Tatitlek continues to indicate an interest in -- in a less than fee sale, with a possibility of some fee simple parcel sales. The Habitat Working Group is evaluating the Tatitlek lands that they have proposed for sale, and the Department of Law and the U.S. Forest Service will be meeting with Tatitlek to discuss those valued lands for acquisition. Chugach, Alaska in the Prince William Sound area has also contacted us. Department of Law and U.S. Forest Service have the lead. Chugach, obviously, has several holdings in Prince William Sound, however, a majority of them were ranked moderate. Let me also mention that Chugach -- this came up at the previous meeting -- Chugach does have the subsurface rights to all of those properties that we have previously discussed. The estate holder for all of the lands in Prince William Sound held by the private Native corporations, as well as the Kenai fjords that are presently being considered, and Chugach has indicated a willingness to discuss -- a sale may be appropriate of the subsurface rights, particularly if it can be packaged with other parcels of -- of habitat value that their interested in selling. Those discussions are ongoing. Mr. Chairman, I'll stop there and see if there are questions about the Prince William Sound lands.

MR. SANDOR: Any questions or comments on the Prince

William Sound habitat protection acquisition package? If not, as I understand, it completes the habitat protection acquisition discussion.

MR. AYERS: Let me mention one other thing, Mr. Chairman, that I did allude to several times, and it follows Mr. Tillery's comment, and that is we have -- we suddenly have serious interest by the landowners. The reluctance seems to have -- to have subsided and now many are interested all at the same time and I don't know if that is the result of the clock or the weather. The interest is now moving very quickly and intensely, and it means that we need to have a conversation with the Forest Service and their contractors regarding time and the actual cost to complete these efforts. There is additional costs, I suspect, beyond what we currently have funded for the appraisal and timber cruises that are now required to get all of this work done, and I'll be bringing that back to you after I've had the opportunity to meet with the Forest Service and their primary contractors and the Department of Law.

MR. SANDOR: Thank you. Any other comments or questions on this habitat protection and acquisition item? If not, it being six minutes after three, we will take a twenty minute break, and -- if there's no objection, and come back with an exciting financial report by our Executor.

MR. AYERS: Mr. Chairman, it's certainly my believe that we can complete this long before five o'clock and after the break I -- I will -- some

other members had asked that question and

it's certainly my intention to be wrapped up long before five o'clock.

MR. SANDOR: Thank you. We'll take a break then.

(Off Record 3:06 p.m.)

(On Record 3:28 p.m.)

MR. SANDOR: The next item on the Executive Director's agenda is his exciting financial report. (Laughter)

MR. AYERS: Mr. Chairman, this is -- is primarily in response to some of the questions that came up at our previous meeting and with the PAG, and I just would like to -- I said, what I'll do is summarize them briefly, there will be an official statement of Exxon settlement funds as of June 30th. It will be released as soon as we're able to complete some work with the court registry, but that will probably be next week, and it will come to you before our August meeting. The -- the status as of -- with regard to the interest questions that have come up is that there is -- there has been five million four hundred and forty thousand dollars that has been earned on settlement funds, including that in the United States and State of Alaska accounts. There were -- the court interest question specifically, the average earning percentages to date have been three point eight four percent on the court registry funds. Our reason analysis on State of Alaska is four point seven eight percent. There is a lot of discussion about why such a difference. With regard to federal funds this --

actually we've learned a great deal, and June Sinclair did come to Anchorage last week and met with Bob Bauldoff of the federal OMB,

is he with?

UNKNOWN: No, Interior.

MR. AYERS: ... Interior, but works -- but had contacted the OMB with regard to specifically to the NRDA account. Interestingly enough, those funds which are invested through the court registry, the court registry investment system, are pooled with other district court funds in a liquidity fund. Those funds are only invested in short-term Treasury securities, and they provide weekly liquidity, just like a money market fund would, so you're getting minimal return. However, there's a rule that no funds may be held by a bank, or another entity and that's the reason we got into our discussion earlier about the -- where could the funds be held. They must be held within the court registry investment system until the Council takes action and an actual request is made of them and the funds are released. Then, they must be released to either the state or the federal government as you know. The State of Alaska account -- the settlement funds are pooled with state general funds and invested primarily in U.S. Treasury certificates, only a little longer term, corporate notes and commercial paper. Bob Storer the chief investment officer of the Department of Revenue is pulling information together regarding possible investment strategies for both the state funds and also our reserve account with the court registry. The clerk of the court, Michael Milby was interested -- clerk of the court

registry investment system, Michael Milby, is interested in the establishment of long-term reserve accounts, and sees that -- and

believes there will be no problem. We need to continue to pursue that and we will. In this situation, Mr. Milby believes that funds may or may not be pooled, depending on what our needs and requests would be with other funds that they believe they have available for long-term higher interest rate investment, but we would have to give them the direction on that particular investment strategy. We are working with Bob Storer, the chief investment officer of the Department of Revenue to put together some alternatives for you. On the federal side, settlement funds are pooled in a NRDA account and investments are restricted to U.S. Treasury certificate bills or bonds. One of the things that we just learned, and you may have already known this, the funds are transferred out of this account to an individual agency, i. e. NOAA, DOI or the U.S. Forest Service, as the requests come through. The point that I would note there, and the reason that I'm belaboring this is individual agency accounts do not earn interest, so there's actually a potential for lost income, or, at least, lost opportunity if the funds are not either spent immediately, or, coincidentally, the way that we have been transacting business, we have been moving forward with our project implementation through the agencies prior to actually transfer of funds from the court registry which is, as a matter of fact, coincidentally, to our benefit because once those funds are transferred to NRDA and then to the respective agency, we begin to lose interest, we're no longer making interest. Whereas, the

longer those funds are held, the more interest that actually accrues. We have invited Mr. Milby and Mr. Storer to come to meet

with the Trustee Council once we've been able to put together a strategy paper. We will circulate that to you, and either at the August, late August meeting or the September meeting, we will have Mr. Milby from the court registry investment system, hopefully, and Mr. Bob Storer, the chief investment officer, State of Alaska, meet with the Trustee Council to discuss the various strategies for the reserve. The only other item with regard to the financial report, Mr. Chairman, is that Ms. Sinclair has also been working with the Department of Administration and talked with Mr. Bauldoff about an audit, and it certainly is -- I mentioned earlier -- actually, at another earlier -- couple of meetings that I think that an audit -- independent audit of both our funds and our program funds, financial procedures inventory review and internal controls is in order, and she is working with the Department of Administration and Mr. Bauldoff from the federal side to put together a scope of an audit that would be conducted probably in the fall, and we would do so through an RFP process and solicitation and get an independent audit. That concludes the financial report, and as I said you will receive the first of August the quarterly financial -- official quarterly financial report.

MR. SANDOR: Thank you, Mr. Ayers. Are there any questions or comments from the Trustees? If not, are there any other items to (indiscernible - simultaneous talking).

MR. AYERS: Mr. Chairman, that concludes my report.

MR. SANDOR: Thank you for a very thorough report. Any questions of the Executive Director on any issues that he did not

cover? Let's move on to the action items, and I trust you are going to lead the discussion -- all those, Jim.

MR. AYERS: Yes, Mr. Chairman, the publication policy has been circulated to you, it is a memo from me dated July 9th that was handed out today.

I apologize for not getting that to you sooner, actually I didn't know the issue was -- was moving to the front burner so quickly. I don't know if you've had a chance to read this memo dated July 9th, 1994. The topic is regarding publications in reference to Trustee Council funded research.

MR. SANDOR: Why don't you summarize it, Jim?

MR. AYERS: In a nutshell, Mr. Chairman, the issue is actually two issues, with regard to publications and Trustee Council funded research. The first issue is there are occasions where the research that's been conducted that's been funded by the Trustee Council, certainly is of great interest to the scientific community and to the public, and investigators, biologists, or project personnel have taken the opportunity to publish articles related to their research. The issue is related to under what particular acknowledgement we would want them to express -- what acknowledgement would we want them to express with regard to their relationship to the Trustee Council. My recommendation is that there be a disclaimer associated with any research that's published outside of a specific authorization of the Trustee Council, so that anytime that a researcher

is publishing an article, or submitting an article for publication, they note that the fund -- that the research was funded by the Trustee Council, but in particular that

as it is noted here, that the research described, although supported by the Trustee Council, the findings and conclusions presented by the author are their own and do not necessarily reflect the views or position of the Trustee Council.

That's on the back page of the memo that you have in your hand, dated July 9th, second paragraph on the second page under my recommendation. The other issue, maybe I'll stop there and answer questions with regard to investigators working on projects sponsored by the Trustee Council that may be interested in submitting those for a journal article or other publication.

MR. ROSIER: Well, we're fortunate, Mr. Chairman to have several people on the Trustee that have experience in dealing with these kinds of issues.

MR. SANDOR: Deborah.

MS. WILLIAMS: Well, Mr. Chairman, I would just like to move to adopt this proposal and specifically to adopt the language set forth to being incorporated in publications arising from research financed by the EVOS Trustee Council.

MR. SANDOR: Is there a second to that motion?

MR. JANIK: Second the motion.

MR. SANDOR: Seconded by Phil Janik. Any discussion? Carl Rosier?

MR. ROSIER: I need some clarification on that motion, Mr. Chairman. I want -- would you explain your motion please, Deborah.

MS. WILLIAMS: Basically, to adopt Mr. Ayers'

recommendation that all research papers published wherein the research was funded in part by the Exxon Valdez Oil Spill Trustee Council, have the language recommended on page two of Mr. Ayers' proposal.

MR. SANDOR: Any other points of clarification or questions? Mr. Collinsworth.

MR. COLLINSWORTH: Thank you, Mr. Chairman. This would -- this disclaimer would be on all publications, journal articles?

MR. AYERS: Mr. Chairman.

MR. SANDOR: Yes.

MR. COLLINSWORTH: It -- it would seem to me that, I mean, that the -- at some point the Trustee Council or a principal investigator or an author, should be able to publish with the acknowledgement and the blessing of the -- of the Trustee Council, that is, in fact, something the Trustee Council agrees with, and that we're going to be putting out a lot of scientific information with this disclaimer on it, how does the public ever become -- be able to synthesize whether or not the Trustee Council agrees with something. Is there some way to get a Good Housekeeping seal?

MR. AYERS: Mr. Chairman.

MS. WILLIAMS: If I could clarify my motion, and thank you because I would like to clarify it. Any researcher who wished to get the Trustee Council

approval could do so, and so this is the presumption, but that presumption could be rebutted if we were specifically requested and if we as a Council agreed to endorse the paper in question, and the conclusions in question. So, yes, that

would be available.

MR. SANDOR: Jim, do you have something to add?

MR. AYERS: Well, Mr. Chairman, that -- that is exactly the recommendation and perhaps I could have made that clearer, but that is the recommendation, that the specific request could come before the Council and the Council could specifically authorize an acknowledgement that the Trustee Council supports that particular paper, but other than that, in order -- in order to maintain some semblance of control at this point, we have a number of research projects going on. Many -- and it is our recent experience, that research that is being conducted, that we -- that you, the Trustee Council are funding is generating information that may be of interest for publication. However, some of that information that's being published very well may not be supported even by our Chief Scientist and our peer reviewers. And I think it's important for the credibility of the Trustee Council to not be, particularly associated with scientific publications that have not been specifically approved by you or your Chief Scientist, and that right now is occurring, and we need to have a policy.

MR. SANDOR: So, Deborah, I guess to clarify the end, Jim Ayers is well to clarify the motion on the table. The motion on the table then is, except in those instances where the Trustee Council and/or the Chief Scientist approved items for publications, then this recommendation would apply, is that true?

MS. WILLIAMS: Yes. That's correct. That's a very good clarification, thank you.

MR. SANDOR: And that motion has been seconded by Phil Janik. Any objection to that motion -- that recommendation? The recommendation, therefore, is adopted. You want to proceed ...

MR. AYERS: Yes, Mr. Chairman, the second issue with regard to publication policy, and perhaps we -- we don't need to explore this anymore than to say there's a question at this point that needs to be resolved, and that is that in the event that the Trustee Council authorizes an expenditure for the publication of information, there is a question of whether or not then the Trustee Council would reserve the right to have its Chief Scientist and peer reviewers review articles that would be submitted for the publication for which you are paying or defraying the cost. For example, if you're going to spend money on the publication of a marine mammal publication or another scientific journal, and you actually are funding the publication of that journal, do you want to reserve the right to review or to have our Chief Scientist and our peer reviewers review the particular articles that are going to be going in -- into that publication? There are two thoughts, two schools of thought. One school of thought is that's not how it's done. You don't retain, quote, a -- you don't reserve a right to review articles just because you put money in. You're controlling free thought, perhaps, is the argument there. On the other hand, there is something to be said from my point of view that there is a question of

credibility of the Trustee Council, and I think that the Trustee Council may or may not invest in additional -- in other publications in the future, but I think we do need to think through

in the future if we're investing in a publication, whether or not the Council ought to have its Chief Scientist and peer reviewers involved in the editorial review of the articles, and I don't have a recommendation, except I think that it's -- it's a serious question for us to consider in the future.

MR. SANDOR: Deborah.

MS. WILLIAMS: Mr. Chairman. Mr. Ayers, are we currently investing or proposing in the fiscal year '95 work plan to invest in publications?

MR. AYERS: No. Mr. Chairman, Ms. Williams, we -- the Trustee Council authorized an expenditure of funds in FY '94 for the expenditure of -- of funds for the publication -- for a publication, and we reserved no rights for that publication. It's a publication of marine mammal -- articles on marine mammals, and I don't recall the ...

DR. BYRON MORRIS: Effects of Exxon Valdez on Marine Mammals.

MR. AYERS: The effects of Exxon Valdez oil spill on marine mammals, and there are articles being published, and we participated in that publication, but reserve no right, and in my inquiry of -- of articles, I found that we had reserve no rights to review those articles, nor to have our Chief Scientist review those articles, which seems to be consistent in some quarters with contributing to publication, and it is with NIPS (ph) and I have talked to Steven

Pennoyer and we have talked with the editor, I don't know ...

MR. MORRIS: Tom Loft.

MR. AYERS: ... yeah, Tom Loft the editor in Seattle about this -- this disclaimer, and I think we have agreed that the disclaimer will go in subject to your action today -- disclaimer will go into that publication, but beyond that it is my view that any future investment in publications ought to be clearly reviewed and our participation ought to be clearly reviewed, because there is a difference of opinion in scientific community of how some of the articles, or about some of the scientific information, and we ought to be clear on our contribution.

MR. SANDOR: Carl, do you -- excuse me.

MR. ROSIER: Thank you, Mr. Chairman. A couple of things, Jim it -- it seems to me that we've at least taken care of part of the problem with what -- with our previous actions on this, at this point. I'm not sure, you know, from my perspective that I'd like to see us go much further than this, in that somebody is going to come to us for publication of -- of a piece of work here on this. I mean, are our internal review system of looking at the project and looking at the work that's been done on this, certainly gives us the background, I think, to make a determination of, one, whether we want to endorse that, or whether we want to put out as a publication for public consumption as a, you know, with a disclaimer statement on it, or whether we endorse the work that's --

that's been accomplished and the publication that's coming out of that. But, it seems to me that -- that we've got that pre-publication time, making the decision to participate, we get a

look-see at that. I don't think that we should then come back and reserve, quote, the peer review of the publication itself on that. I -- it seems to me that's -- that has the connotation of censoring the scientific journals a little bit here on this, and I'm not sure I want to move that -- move that far in terms of our role in publications at this point.

MR. SANDOR: Any other comments or questions? I guess, I would observe that should we not be trying to get information out, encourage information to go out. I know we want controls, but a lot of money is passing through this, you know, the various projects. Why wouldn't we -- and even though our differences of opinion, wouldn't we want to promote the expression of views, and I guess, I -- would say that the resolution that's been passed is probably enough controls, but wouldn't we also want to encourage a dissemination, not only in scientific journals, but perhaps other places as well, the information that's generated ...

MR. AYERS: Mr. Chairman, yes, and we are -- we are doing that, and we are trying to expand our public participation and this exactly what this is, as well as an understanding in the scientific community about what's been transpired. The essence of this particular issue is in the event that our Chief Scientist or peer reviewers do not concur with the article that's being produced or the report because it has not been accepted by the Trustee Council's Chief

Scientist and peer reviewers, it very well may be that the Trustee Council does not want to associate necessarily themselves, if that report has not been accepted, and there's a

difference of opinion of the Chief Scientist and peer reviewers, and that's really the crux of the issue here, where you would actually be endorsing the publication of a particular article that is not necessarily consistent with the findings of your own staff, Chief Scientist and peer reviewers. Now, that is -- that is your explanation of it, or your -- is exactly the question. Maybe the Trustee Council, at any given point, would want to fund that open debate in the scientific community, even though it's in contrast with what you Chief Scientist and peer reviewers are finding. And, I'm just saying that that -- that will be on an issue by issue basis, I suspect, but it's not necessarily -- I have not been able to get it to an open and shut case in a general policy format because there's a substantive issue there.

MR. SANDOR: At this point in time, are there any other publication policy issues that we want to resolve at this time, or deal with at this time? Yes, Phil Janik.

MR. JANIK: I would just like to reenforce, I think the logic behind the action we just took on the first issue, to me anyway, that does provide more freedom for the open debate. As we are not put in the position of having to past judgment one way or another. As to the further funding to publish information, I guess I'd like to give that some more thought.

MR. SANDOR: Let's do that. Any other comments on this issue? If

not, may we proceed to the Peterson resolution.

MR. AYERS: Yes, Mr. Chairman, there is a resolution that's been handed out, and should be in your packet regarding Dr.

Peterson, and who we all know is -- as Pete Peterson, and I don't know if he's in town this evening? No. And, we're hoping that we could actually complete the resolution and get it signed today. Mr. Peterson, and I circulated some information previously to you regarding the Pugh Scholars program, and Dr. Peterson was recognized the -- by the Pugh Scholars program and conservation and the environment with his exceptional, professional contribution to the conservation of biological diversity and related environmental issues, and I believe the award was a five year -- three year, a hundred and fifty thousand dollar research award for him to explore scientific thought, and with that said, let me say that we recommend it to resolution, if possible, be adopted and signed today.

MR. SANDOR: Carl Rosier.

MR. ROSIER: So moved.

MS. WILLIAMS: Second.

MR. SANDOR: Moved by Carl Rosier, seconded by Deborah Williams, that the resolution before us be passed. Any objection to that? There being no objection the resolution is passed.

MR. AYERS: And, I'll circulate the resolution while we chat here, that is the original. Mr. Chairman, the next item on the agenda is with reference to the outline of the draft FY '95 work plan, and there's been

considerable discussion, as -- as Brad Phillips so clearly pointed out, it's a bundle of paper, and what we would propose is that the FY '95 draft work plan be put into a format that would be helpful to the public and better, or actually

enhance their ability to participate and review the '95 work plan. So, what we're proposing is that there would be a summary of the draft FY '95 work plan that would consist, it would actually have all the projects, but it would have an introduction and tables that identify priority one projects, those priority one projects would be those lists of projects that best need -- meet -- the need of restoration. There would be a narrative that puts the set of priority one projects into the context of our overall goals and objectives and strategies. There would be a listing of priority two projects, and those priority two projects actually would be projects that would include a number of projects that were permissible, but of a lower priority. And, then there would be a set of projects, or a list of the projects of all the other projects that were actually submitted for consideration. Now, that would be a summary, and that -- that particular document would receive wide circulation to the Trustee Council mailing list. There would be a supplement that would be available that would have the brief project descriptions for all the projects of priority one and priority two, and it would also have the information on how to obtain the brief project description on other projects, if you were interested. Now, this would receive limited mail circulation, but would be noticed, in public notice that it's available, and it also would be in the library. There would be another supplement, and this document would consist of all of the stuff, the detailed

budget forms for priority one and priority two projects, and this also would --
this would be provided to agencies for their internal

review, and this also would be available at libraries for public review, and actually if someone -- member of the public were interested, they could come in and get the whole nine yards, so to speak. So, our recommendation, Mr. Chairman, is that there be an outline for the '95 work plan, that you in fact give us the guidance to proceed with the '95 work plan based on that outline, and in addition to that, with regard to the priority one projects, we're seeking some guidance on the amount of -- of funding, a general amount. I propose that it be some eighteen to twenty-five million, it could be thirty million, and that in the priority one, depending on what the actual needs and restoration measures addressed were. The essence of the question is an outline question, not a decision to throw anything out. The essence is, because you're not going to make a decision until October about actually adopting a work plan. The question that's before you is, is this an acceptable outline of a package that we could take to the general public.

MR. SANDOR: The question before us then is the proposal that -- that was outlined by Jim Ayers acceptable or it would be proposed to modify in any way. Deborah Williams.

MS. WILLIAMS: Thank you, Mr. Chairman. Mr. Ayers, can you remind the Trustee Council how projects are prioritized, the process for putting something in the draft work plan into priority one versus priority two?

MR. AYERS: Mr. Chairman, Ms. Williams, this particular year -- this has not been done in the past, this

particular year, we will do that based upon a basic review that we're going to do. We have -- we have submitted the -- the projects to our peer reviewers, to our core peer reviewers and our Chief Scientist. They are making independent comments and recommending to us based on their individual observations to what they think is really an important project, that clearly identifies a restoration need and has a direct link to an injured resource and a restoration measure that's linked to that injured resource. Those are the projects that we will put into priority one. Want to add anything to that? I feel you ...

MS. McCAMMON: Well, if you saw a copy of the general invitation that we went out to the public for April 15th to May 15th, that reflected a number of workshops that were held this spring and over the winter to kind of give some guidance to the public in terms of what the research priorities were from the scientific community, and in looking at prioritizing the research proposals, we'll go back to that guidance, that invitation document, and see how closely the proposals actually track that guidance that was put out.

MS. WILLIAMS: And that's for research on how the -- the other restoration ...

MR. AYERS: It -- it actually is all categories -- it's actually in all categories. We -- we have been working with the scientist and with the public members, and by scientist I mean the core reviewers, our own scientist and

the public, in looking at general restoration efforts, goals and objectives,
monitoring and

research, goals and objectives as well as habitat protection goals and objectives, and that will be the basis. And, you find that in that in the actual solicitation that we sent out, and we're actually going to use that to measure did people follow the general guidelines in that solicitation, and that was the reason we put together the solicitation. So we had some parameters, if you will, on what we were looking for, and specifically it is related to, do you address a particular goal and objective of restoration, and if you clearly establish that the strategy that you propose in your project will lead to restoration, and, if so, how? And, we will use that, if -- and assuming they follow those guidelines, then -- and it is consistent with what scientist believe is -- is good science, then that project would fall into priority one, and right now I couldn't tell you actually whether it would be twenty million or thirty million, and then, that would be in priority one. There would be priority two that had lesser restoration importance for -- it might not meet many of the guidelines that we put out, or, in fact, it might simply be a project that did not merit -- scientifically merit higher consideration. The other projects would be those projects that is identified in the footnote that are identified as being incomplete, inconsistent with our restoration effort, or having significant legal or technical problems. And, let me say at that point, we would not necessarily -- we're not going to throw those out. The public will get to see those, but on

the other hand we want to note that they have significant -- we want the public to know what the problems are with those projects,

and we are working with the attorneys to get that money stated. All of the attorneys, including the federal attorneys have been very helpful, including the state attorney (laughter), have been very helpful, in helping us take a look at this early package. So, that's -- that's in essence the breakout. But, it will help the public, the PAG was overwhelmed, and it was them that said, you can't do this, you can't send this out to the public and say, you have to give us some indication of what you're thinking and what the scientist think, and that's what we're trying to do, is give the public an indication of what we think are really good projects. And, by we I mean the scientists and us as staff. What we're asking for is your guidance and blessing, so to speak, on this as an outline. It is not our -- it is not our intention, let me be clear, it is not our intention to come back here on August 8th and say, geez, you want to take out some projects because, in fact, we have the EIS and some other issues going on, and you need to -- you're going to hear from the public based on what we take out to the public, you're going to hear back from them, and you'll get to make the final decision to add or subtract in the October final meeting.

MR. SANDOR: Are there any questions about the latest as being displayed or what it means? Mr. Janik.

MR. JANIK: I have just a clarification question, Mr. Chairman. The eighteen twenty-five million dollar figure, which is apparently is what we're

targeting for that first priority, how was that decided upon?

MR. AYERS: Mr. Chairman, Mr. Janik, it is generally arranged, that is sustainable in the long run, and in this particular regard it is not a final decision, it was simply my recommendation. It was simply me trying to set some boundaries and give some guidance to the scientists and the staff about trying to come up with a ...

MR. JANIK: The second question is, priority two then, are the projects intended to be acceptable but exceeding that amount. In other words a lesser priority.

MR. AYERS: Yes.

MR. JANIK: Thank you.

MR. SANDOR: How so? I had a different interpretation, but go ahead Endeavor. (Laughter)

MS. WILLIAMS: A very specific question about your outline. The second bullet, a narrative that puts us at a priority one, is that one a project-by-project basis, so each project in priority one would have a little statement why that project was in priority one?

MR. AYERS: Yes.

MS. WILLIAMS: Okay.

MR. AYERS: That is our intention, and -- and let me say that's -- we spent a lot of time with -- with the staff, with the staff scientist, with the

scientists from the various agencies, taking a look at what it is that they believe meet, you know, is important for restoration. We've had the Chief Scientist and these core reviewers participating in that. Let me also say that it was

our intention to try and drive forward. Hopefully at this meeting we'd be saying to you, here's what we recommend as the right number, the eighteen -- it ought to be nineteen or twenty, but it's my understanding, clearly my understanding from the attorneys, that that is not a decision that -- that we're allowed or prepared to make at this time. We really need to just simply bundle it so that the public can participate in it. Let them comment back and then have a go -- and actually complete the EIS, and then have a go at what can actually be funded. And, I think that's what I've -- Maria -- that's very consistent with what I've been advised, isn't it?

MS. MARIA LISOWSKI: Yeah, the only other suggestion I make is to make sure that you keep an administrative record of those projects when you're saying that they don't meet the criteria, make sure that you keep a record of why and how they don't meet.

MR. AYERS: Thank you.

MR. SANDOR: Carl Rosier.

MR. ROSIER: Thank you Mr. Chairman. Jim, I just want to clarify something here, and it seems to me you've got an eighteen to twenty-five million limit provided for, or range I should say, not limit, associated with priority one there. It seems to me that we've got a fair amount of flexibility with that wording, or that amount determined appropriate. Who determines that? Is that

the Council?

MR. AYERS: Yes. That -- that clearly is your

decision, that's the reason that's in there. Is it that -- we will -- we are simply making a recommendation, but the amount actually finally determined would be -- would be the Trustee Council. What we hoped to do is -- is go through these over the next two or three days and see how close we are, and then through your liaisons we'll be talking about should that number be thirty or should it be twenty-four, and you would participate in that way. But, the final decision of what that amount is, you would hear from the public about. So, you would actually then, perhaps hear from the public and make the decision in October that you want to reach down into priority two and bring them up to priority one and then support all of priority one for funding because you determined that the actual need for restoration in '95.

MR. SANDOR: Mr. Tillery.

MR. TILLERY: Yes, Mr. Chairman, I -- Mr. Ayers, I think I maybe misread this when I first looked at it. I thought this described a process by which you had separated projects into priority one, being ones that were of particular importance, and met the guidelines in priority two that weren't. You added those up and come up with eighteen to twenty-five million. It sounds like what you're telling me is you started with eighteen to twenty-five million and you saw what fit in there? Is that -- what you propose to do?

MR. AYERS: Yes. The latter is accurate. We don't know if that --

we don't know if that number is eighteen to twenty-five or twenty-seven or twenty-eight or twenty-nine or thirty.

MR. TILLERY: Wouldn't it provide more guidance to the public to let them know the ones that have scientific importance or restoration importance?

MR. AYERS: That's what we're doing. That's what priority one will be.

MR. TILLERY: Well, it sounds that like they're the ones that have restoration importance, or importance that fit under the cap.

MR. AYERS: We won't know that -- we don't know what the cap is. Take out the eighteen to twenty-five and put, or that determined appropriate.

MR. TILLERY: Okay. I guess I wonder why you have to have a cap or anything at all.

MR. AYERS: At some, the point of this -- Mr. Chairman, Mr. Tillery, the point is to make it clear to the public that there -- and to the proposers that there is going to be discipline in the process. That there is going to be a priority one, a priority two, and other projects. Otherwise, we would simply do what, in some ways we have done it, you would bundle up everything and send it out to the public. We're trying to establish that there is going to be a priority one group, and that they -- whatever that number ends up being. It's not going to be everything.

MR. SANDOR: Mr. Chairman, I had -- or Mr. Executive Director, I had that same problem. I had thought that we -- we were going to have a system of

categorizing or placing these

projects into either a high, medium or a low grouping by the value of the project from a scientific or restoration criteria basis, and that ...

MR. AYERS: That is the way that it will turn out, yes.

MR. SANDOR: But, in thus if was thirty million in priority one, that -- that would be that way.

MR. AYERS: Yes. It may be it -- and that's the reason that it says eighteen to twenty-five million, or that amount determined appropriate, and you could take out the eighteen to twenty-five.

MR. SANDOR: Or, conversely, if there was just twelve or fifteen million, it would be below that.

MR. AYERS: It could be --it could be below that.

MR. SANDOR: So, the priority -- so, then there is no cap or-- that's the -- the values, eighteen, twenty-five or whatever is not driving the classification.

MR. AYERS: That's correct. Mr. Chairman, at some point in the future, it is certainly my view today, at some point in the future, the Trustee Council, I think, will chose in the future to do that based on all of the other things that you want to get accomplished. You're going to have to say to the research and scientific community, this is how much we're going to spend this year, so that they know. So, that they know that they're competing. The Council

will have to establish with the public and with the scientific research community
and the monitoring people

that there is going to be, that there's a limit. So -- and that clarifies this expectation that in some way there's an inordinate or -- or an infinite supply of money. And, I would recommend that we do that this year, except you can't do it this year until after you've actually been through the whole EIS process and been out to the public. So, that's the reason that it's a completely open-ended question at this time.

MR. SANDER: So, priority one, two and three are equivalent to high, medium and low value from the standpoint of its scientific objective or its restoration potential?

MR. AYERS: Yes. In my view, the way you've asked the question, the answer is yes.

MR. SANDOR: The ...

MR. AYERS: I don't know about medium, it's the only thing I'm hesitating on.

MR. SANDOR: Oh, I was just trying to wonder between priority one, two and three.

(Aside remarks)

MR. SANDOR: Deborah what -- would you repeat that?

MS. WILLIAMS: It seems like it's high, low and unacceptable.

MR. SANDOR: Well, that gets to the off-the-wall projects. (Laughter)

Or the ones that do not meet the legal criteria for -- and so then it -- it is high, medium and unacceptable, or -- I'm still confused, maybe ...

MR. AYERS: I think that's -- Mr. Chairman, I think

you'll find, well, maybe not, but it is the reason that we went to priority one, two and other, because we could only -- we believe that it is possible to look at this -- that restoration needs, the project, does it meet restoration needs, is it linked to an injured resource, and is it scientifically creditable, based on our independent science recommendation. If it is, then it goes in priority one.

If it, for some reason, doesn't have -- it has flaws, it's incomplete, there may be other problems with it, but it -- but it does have some merit, I mean it could have merit, then, it's going to be a priority too. There may be projects that just are legally unacceptable because they are not consistent with the consent decree, or, they're -- as you say, off the wall, and those would be projects that we're calling other projects. You could call them low or ...

MR. SANDOR: Mr. Chair -- I -- that's a problem, I guess. I'm mixing the low scientific value with the legally unacceptable. You know, it just seems to me that -- that the system, and it ought to be fairly well defined, you know, and we invite projects, the criteria that would allow projects to be either in the number one, two or three priority projects. It seems like there would be some that have great scientific value that simply do not meet legal requirements, and so, we wouldn't want to mix those illegal ones or questionable ones with ...

MR. AYERS: Perhaps policy and legal questions ought to be a separate category from incomplete projects, or those projects that do not have a

significant relationship to an injured

resource or service.

MR. SANDOR: Well, that's just one person's view, but I think, if three is a mix of low scientific value and illegal projects, or projects that don't meet the criteria, then I think that's a mistake, and it would be a good -- it's really necessary to get feed back to those who propose these projects as the reasons why they're in category two or three, and if the third one is a defect from a scientific basis as opposed to a -- not meeting the legal criteria, then it ought to show that, but that's just my thought. Any other comments or questions from the Trustees? Deborah.

MR. WILLIAMS: Well, tagging very much, Mr. Chairman, on what you just said, again looking at your outline Mr. -- at the outline, Mr. Chairman and Mr. Ayers, I guess my initial instinct would be to have a little narrative under listing priority two projects that would just state in very short terms why that was in the project -- the priority two project, and as the Chair just said, a little narrative per project, more work, but would say why it was listed as another project. Now, that may be prohibitive, but that would certainly be helpful, I think, to the Council.

MR. SANDOR: Carl Rosier.

MR. ROSIER: Mr. Chairman. We seem to be working from different sides of the paper here on this thing. I think the wording that you're talking about

is provided in the footnotes on the backside of the page here. To the specific rationale for why a particular project is prepared for this category, meaning

category three, will be provided for each project.

MR. AYERS: Mr. Chairman, Ms. Williams, we do intend to do all of the things you mentioned. The significant difference is, and we discussed this, but is -- and that is why we brought it to you. It's my understanding that the only -- the primary difference that you're suggesting is that we would take out those -- those projects that have been identified to have serious policy or legal questions and make them a separate category, then just priority one, two or other projects. That other projects that have little value or much lower scientific value, or fail, or doesn't -- do not identify a significant relationship to an injured resource or service, or has problem with technical merit, all those would be in that category three, priority three. But, we would set up a separate category for policy and legal.

MR. SANDOR: Any other comments or questions? Deborah.

MR. WILLIAMS: I -- I would agree with that approach, and then that goes to the Chair's initial reaction which would be high, medium, low and other categorization, and I think -- I think that makes sense.

MR. SANDOR: So then, Jim.

MR. AYERS: Yes.

MR. SANDOR: In that first footnote, the last sentence, we are going to use that cap or drop that cap?

MR. AYERS: Why don't we -- why don't we take out everything in cumulative total, and take out approximately eighteen to twenty-five million all the way to an amount determined

appropriate.

MR. SANDOR: So, we're going to put the period after fiscal year '95?

Or what?

MR. AYERS: Could do that.

MR. SANDOR: Well, I'm just -- it seems to me we ought to crank ...

MR. TILLERY: Mr. Chairman, I -- I would propose putting the period after fiscal year '95 and then up in the third line above that, where it talks about, includes general restoration, monitoring research, habitat protection projects, I would insert of a high priority that are responsive to this fiscal year '95 period. Delete any reference to caps.

MR. SANDOR: Yeah. Just incidentally, does the public have copies of this? Well, I guess they do not, and they really should have had -- I apologize for not distributing these, cause then your even in the darker, dark than some of us our.

MR. AYERS: There are some out there, Mr. Chairman.

MR. SANDOR: Oh, there are, okay.

MR. AYERS: ... and they have been. We just put this together this, you know, we've been --

MR. SANDOR: Yeah, why don't you pick them up there on the table, I guess. Well, is there any objection to -- to Mr. Tillery's suggestion. Carl?

MR. ROSIER: Not an objection, Mr. Chairman, where did you insert that of high priority?

MR. TILLERY: After (indiscernible) projects ...

MR. ROSIER: Footnote one

MR. SANDOR: Administration projects. Okay. Of high priority.

MR. TILLERY: High priority.

MR. AYERS: And are responsive to the -- is that correct?

MR. TILLERY: I would say of a high priority that are -- well,
either way.

MR. AYERS: And a period after '95?

MR. SANDOR: Were you able to get them up there?

(Aside discussion)

MR. SANDOR: Oh, they're going to copy somewhere, okay, thank you.

MR. AYERS: Therefore, Mr. Chairman, it's my understanding that what we would accomplish here then is that we would put together the packet as described with those changes, and actually we will ensure that it is packaged as we have described it here. There would be a summary draft, it would be widely distributed, there would be a supplement volume one which would be available with the brief project descriptions for all the ones and twos and a list of the others, and then there would be a supplement two that would include everything including the budget forms. Actually, the second would include primarily the budget forms -- supplement two. We're talking about more than a thousand pages of information broken out in a manner that allows the public to quickly look at

projects and see where they are, then if they want

more information they'd come back and get a -- get a supplement one. If they then wanted to go through the detailed budgets which would probably be another thousand pages, they could actually come in and solicit that information as well.

MR. SANDOR: Any other comments or questions on this? Yes, Mr. Tillery.

MR. TILLERY: One, Mr. Sandor, I would assume that this will carry some kind of a disclaimer that says the this Trustee Council is not -- endorse this priorities, so as to assure people that we have not prejudged prior to receiving their comments.

MR. AYERS: Mr. Chairman, Mr. Tillery. If -- and that gets us to the August 8th meeting, Mr. Chairman. (Laughter) This disclaimer certainly obviates the necessity for the August 8th meeting. On the other hand, if in fact you decide that you want to participate in the discussion of which, then we'll have to have an August 8th meeting. The disclaimer is what I would recommend, Mr. Chairman, but I just want for a point of clarity, that we're going to be working to put this together over the next three days in terms of just how -- how we would break them out working with the scientists and others. Then, there will be a -- then there will work just actually putting it together in terms of a package for printing. If you decide you want to get involved in the review of the priority, then that's a whole other level of participation and another meeting,

which we don't recommend. We recommend that you do, if you so desire, the disclaimer, but it's up to you obviously.

MR. SANDOR: Any thoughts on this issue -- the

question? Yes, Deborah.

MS. WILLIAMS: I would support the disclaimer and not getting involved in the prioritization and then taking a fresh look at this once the public has had a chance to comment on the staff's initial work product, and then at that point we could call balls and strikes on what gets funded.

MR. SANDOR: Is that a motion?

MS. WILLIAMS: Yes.

MR. ROSIER: I would second that motion.

MR. SANDOR: It's been moved and seconded as Deborah Williams outlines, is there any discussion of this question? There being none, the motion is passed. Phil Janik, did you have a question or comment?

MR. JANIK: Just a comment, maybe an observation, Mr. Chairman. It just occurred to me that when we're looking at priority two projects, it may not be, in fact, of lesser importance, projects that end up there -- there would seem to also be a reference, and I think it's correctly stated, lower priority for fiscal year '95. There may be a reason why a project would not be as appropriate for '95 as perhaps a subsequent year, but not necessarily be of lesser importance. Perhaps, it would be a sequential kind of thing. So, I think we need to be careful how we characterize priority two.

MR. SANDOR: Any other points? Yes, Deborah.

MS. WILLIAMS: I'll revisit a point I made earlier, and that is,
it was unclear how the response in my point, I would still

like to see in the main, you know, document, a brief statement of why a project is in priority two or in priority three.

MR. AYERS: Yes.

MS. WILLIAMS: And, I don't think that is covered in the footnote, which I -- I thank the Commissioner for bringing to my attention, but I think it would be very helpful for the Trustee Council to know up front, and then, of course, the public can comment on that up front.

MR. AYERS: Mr. Chairman, duly noted and it certainly is our attempt to do so.

MS. WILLIAMS: Okay.

MR. SANDOR: Might even be some value in offering the opportunity for, especially those who write these projects to comment on the priority ranking process itself. Any other questions or comments on this? I hate bringing this issue up, but since there's no possible way, I guess of -- with respect to projects that are opposed by agencies, federal and/or state versus the community or other institutions which we've heard much about over the last several years -- hopefully, there's no bias (laughter) with respect -- who does these rankings? And, are these -- because we've heard questions raised about, perhaps projects -- not enough projects going to the private sector, independent sector ...

MR. AYERS: Mr. Chairman, the recommendation that you received for

the '94 projects and you that you will receive from the '95 projects, will be a recommendation -- you will see the

recommendation of the Executive Director, and I will include in that the recommendation of the Chief Scientist. Those recommendations are based to the best of my ability on that which I find to be consistent with the Chief Scientist's view of technical merit, and the information that's provided by staff. And, I guess, I think that -- that the Council has established at least that credibility to hold me responsible for those recommendations, independent of agency pressure, which is why the six of you have me as your charge. I don't work for a particular agency, nor do I feel any obligation to any particular agency. And, actually that was brought to light in Cordova recently by some people in Cordova, as what they found to be the most meritorious movement this year was -- not necessarily my employment, although I was happy and my wife was, but -- but the fact that the Trustee Council has credibility that there -- that there -- whether it's me or someone else, that it's beyond the agency purview, that it's beyond the agency obligation, and I feel no way -- I feel no agency obligation whatsoever. I do utilize your staff because they have far more detailed information on specific topics than I do, but with the Chief Scientist and independent conversations with the peer reviewers, I felt like your '94 recommendation was clear and sincere recommendations based on the merit of restoration, and I feel that '95 will be as well.

MR. SANDOR: So that the rankings ...

MR. AYERS: The rankings will be based on those recommendations, and although there will be members of the public

and members of scientists of the agencies that will participate in that, and there certainly will be differences of opinion, those recommendations of ranking will be based on that discussion, and then finally on my recommendation. Let me add, one of the other things that the federal attorneys have pointed out that consensus is not something that we need -- that we can actually even drive for at this point because we have not been through FACA. So, I don't intend to try -- try and drive towards consensus and fairly confident it probably wouldn't be in most cases. It will be based on an independent review and comments from them, but it will be that of the Chief Scientist, the peer reviewers, staff and myself.

MR. SANDOR: Okay, any other comments or questions on this? Carl Rosier.

MR. ROSIER: Question, Mr. Chairman. Jim, how does the PAG fit into this -- this whole scheme.

MR. AYERS: Mr. Chairman, Commissioner Rosier, three ways. One, we have been involving representatives of the PAG, as Brad pointed out, just in our discussions of what are the important things that we ought to be looking at, and we've -- they help put together our solicitation package. Two, over these next three days, we actually have representatives appointed by the PAG chairman that will be working with us and reviewing these projects and having the very discussion about projects. Three, on August 2nd they're going to get, they've

had their way -- they're ahead of where they were before, and that is what Brad pointed out the one thing that he's grateful for, he had this big package and only had

four days. Well, he actually has three months to review it, because on August 2nd and then October 2nd, actually, they're going to have hold -- on August 2nd they're going to have another discussion seeing what's going out to the public, and they get to talk about it, and then they're going to work, and depending on your direction, will have a staff person work with them and put together their comments. Then, they will get to see the public comment that comes back of this draft packet that's going to the public, and they will get another shot at it in October before you actually meet again.

MR. SANDOR: Any other comments or questions on this item -- draft work plan? If not, can we go to the future meeting schedule?

MR. AYERS: Mr. Chairman, at this point I -- I think that the future meeting schedule will depend on the significance of any changes that you may want to see to the restoration plan once we have public comment in, and then that of the EIS. And, as soon as we can get those comments together, we would get those to you. If you have then any additional items that would need to come before you, I would suggest that it would be sometime mid to late August would be the next meeting, which would be consistent with our effort to have a monthly meeting while we have all of this going on. Whether it will have to be a teleconference or an actually scheduled meeting will depend on what information we get in and which items are to come before you.

MR. SANDOR: We've had several items and references to

our meeting August 8, and so there is a meeting, at least tentatively set for August 8?

MR. AYERS: There's a meeting tentatively now scheduled for August 8th. We don't know if we'll be ready for the August 8th meeting, or if it will have to be, perhaps like an August 20th meeting, but it will be some place in that neighborhood.

MR. SANDOR: I thought that our intent was to have this schedule printed out, which we have -- that -- we -- those are on my calendar now. If they're going to be changed, the sooner we know that the better.

MR. AYERS: But, the point of the August 8th meeting, you took care of with the disclaimer. You very well -- it depends on whether we can get it, and I know that you want to lock in the dates, Mr. Chairman, and we're struggling to do that, and that was the point of -- of comment by you and others, and we're trying to do that. We don't know what comments will come in on the EIS and the restoration plan. We'll compile those as quickly as possible, and hopefully we'll get that to you so you can just make a final decision on the EIS and restoration plan on -- on the 8th, but we don't know that at this point. The only other thing that was going to come before you of significance on the 8th was this particular item which you are now -- you've just taken care of, which is the '95 work plan going out for public review.

MR. SANDOR: Deborah Williams.

MS. WILLIAMS: Mr. Chairman, two points. One, there was

one issue that came up today regarding appraisals and funding for appraisals that I think the Trustee Council will need to address within the next week or so, and so I will in just a little bit, make a motion to recess instead of adjourn so that we can address this very important and pressing issue. I don't see that requiring a huge meeting; rather, a very targeted meeting to talk about where we are. Forest Service is going to do a real in-depth analysis over the next several days to determine where we are appraisals, how much additional money we may need and some other constraints, and I think we're going to -- if we're going to meet our September, October schedule, we have to address that very quickly. With respect to August 8th, I guess, Mr. Chairman, my tendencies would be to say that probably that is pressing it a little bit in terms of allowing staff to collect and analyze the public comment. I mean, let's be candid, we can expect a huge, you know, mail bag of public comment on July 31. I mean, that's just how it works, and so for staff to analyze that and get us a -- you know, a summary that we could use will probably take staff a week or two, so if we're going to make a cut on the restoration plan, I think more realistically, we're probably looking at that in the August, you know, as Mr. Ayers said, that, you know, late teens, early twenties time frame, or even the 29th. I do you think we've obviated the primary need for the August 8th meeting, and so I guess I would make just the tentative recommendation that, unless something comes up, we not plan on

the August 8 meeting, but instead plan on this, you know, interim meeting on appraisals, and then a subsequent

meeting in August to look more thoughtfully at the public comments.

MR. SANDOR: Mr. Ayers, what is on the table for our consideration with respect to meetings? What Deborah Williams suggests is that instead of the August 8 meeting, that we have a -- a earlier meeting and possibly a meeting later in August than August 8, but what's your recommendation?

MR. AYERS: Mr. Chairman, the other item with regard to meetings is the one that Deborah covered. It is -- and we've talked with the Forest Service -- we have got to bring the schedule and the cost regarding appraisals and timber cruises back before the Council in the near future, and we don't know when that will be, but I assume it will be a teleconference in the next week to ten days. The next meeting, I was just talking with Rod Kuhn, who is responsible for the EIS process, he believes that it will not -- it will not cause a delay and maybe more effective if, in fact, sometime after the 15th or the week of August 15th we plan to have our next meeting, since that would give the staff time to put the information together.

MR. SANDOR: Do you want to pick a date for that meeting now or propose one?

MR. AYERS: Mr. Chairman, what Rod is saying is that you could do that by teleconference, and we could put that material together for you, and you could pick a date, and you could -- it would -- it is the case you're going to

have to meet on the 29th because there is an issue, unless we were able to put interim budget approvals together -- interim budget approvals have to be

put together, and those are items that will have to be funded, projects that will have to be funded before October. And, that will be before you in August also. Perhaps, if we could do it, as Rod is suggesting, sometime between the 15th and the 25th, we could get both of those items together and do those, interim budget for '95 and also the EIS and the restoration plan.

MR. SANDOR: Carl Rosier.

MR. ROSIER: Mr. Chairman, if we have the opportunity here on this to consolidate some of the meetings on this, I would certainly appreciate that opportunity here. If we could move -- if there's no impact on anything through the 29th, I recommend that we have a combined meeting on the 29th, and move ahead.

MR. SANDOR: 29th of ...

MR. ROSIER: ... of August.

MR. SANDOR: Don Collinworth.

MR. COLLINSWORTH: Yes, Mr. Chairman. Mr Pennoyer will not be available on August 29th, but would be available on the 25th or the 26th.

MR. AYERS: Mr. Chairman.

MR. SANDOR: Yes, Jim Ayers.

MR. AYERS: That's -- that's one of the reasons we got into this situation before was because the 29th is too late for the restoration plan and

the FEIS to get approved and get back out, to get printed to go back out as the FEIS, in order to keep our schedule going. So, it actually has to be the week -- sometime between the 15th and the 22nd. It can be -- so, it's the 16th to

the 22nd, those days included, or you can have three separate teleconferences.

(Laughter)

MR. SANDOR: Carl Rosier.

MR. ROSIER: I recommend we have three separate teleconferences.

MR. SANDOR: Deborah Williams.

MS. WILLIAMS: I guess I will, at least tentatively disagree with that recommendation. I think that when we chat about the restoration plan, we need to do that together in the public. That's going to be a very important meeting, and I think the public will want to see all of our bright shiny faces in front of them debating that one out. If we can consolidate into one meeting the week of the 15th to the 22nd the items that are on the agenda for August 29th, that would be my recommendation to just put it into one substantial meeting, but all meet and do it in public.

MR. SANDOR: Craig Tillery.

MR. TILLERY: Mr. Chairman, I was -- I was just (indiscernible) I am not currently planned to be at a location that has a telephone between the 13th and 21st.

MR. SANDOR: Of August?

MR. TILLERY: ... of August.

MR. SANDOR: Mr. Janik.

MR. JANIK: I'm fine with the 22nd, Mr. Chairman.

MR. SANDOR: It seems clearer that the present schedule of meetings on August 8, August 20 approximately, August 29,

September 28, October 30 has to be modified, and so, but I'm unclear as -- it will -- since -- since I trust we are chairing the meeting (laughter) that we would want to identify the next meeting date, or are we going to do have a follow-up to this meeting by teleconference, or what?

MR. AYERS: Mr. Chairman, there does need to be a teleconference in the next ten days to resolve the issue of funding for additional funds for appraisal and timber cruise.

MR. SANDOR: For it -- can we set that teleconference date now, and then have at that time a new schedule of Trustee Council -- you know, confer with individual Trustees to see ...

MR. AYERS: Mr. Chairman, that -- that is subject to the Forest Service advice.

MR. SANDOR: Do you want to pick a -- Phil do you or your staff want to pick a date?

MR. JANIK: Yes, just let me make a comment before I ask maybe some of the folks here in the back who are involved in looking at this information, but based on the short briefings I received, I believe we need to get at this quickly, within the next few days, because we may very well be having to bring back to this body a suggestion of additional funding that would be needed to meet the established deadlines, given the acceleration of all these parcels coming on

as they have. Jim, you got any insights, or anyone else as to what might be feasible?

(Aside comments - Laughter)

MR. SANDOR: Invisible man is back there.

MR. WOLFE: Phil, I think you're right. We do need to -- to move ahead as rapidly as we can, and Jim has expressed an interest to -- I would shoot for either the 15th or maybe the 18th at the latest. I just need a little time to get with the -- some of the staff to make sure we're where we need to be, and some of those staff are on leave, and they're going to have to come back off leave to -- to wrap this up, so it will take a little bit of time to get it organized, so if we could -- if we could hold off until the 15th, maybe the 14th, but the 15th or the 18th would be preferable.

MR. SANDOR: Is there an expression of preference on any of the Trustees on the 15th, 16th, 17th, or 18th? 15th? You're going to be gone -- you're going to be here, Craig?

MR. TILLERY: Friday, of July, just Friday. I don't know what we're doing this Friday, we've had this discussion earlier.

MR. SANDOR: Oh, that's been cancelled, or postponed, hopefully indefinitely.

MS. WILLIAMS: The 18th would be ...

MR AYERS: ... but it won't be now.

(Laughter - aside comments)

MR. SANDOR: Did we agree on the 18th?

(Laughter)

MR. AYERS: Monday, the 18th is Monday.

Mr. SANDOR: So, there would be a teleconference at approximately what time on Monday?

MR. WOLFE: It would be preferable if it was Monday morning. Phil and I both have a close-out meeting with a group of folks after lunch, so late afternoon or in the morning.

MR. SANDOR: So, then this meeting would be recessed until Monday morning, July 18th.

MR. WOLFE: 10:00 o'clock.

MR. AYERS: Mr. Chairman, in the meantime, we will work to try and consolidate the agenda, work with the people with the -- from the -- working on the EIS and see if we can't consolidate the agenda to establish at that -- during that 18th teleconference, when the August meeting would actually occur.

MR. SANDOR: And touch base, I presume, with the Public Advisory Group?

MR. AYERS: Yes sir.

MR. SANDOR: Okay. Deborah.

MS. WILLIAMS: Mr. Chairman, 10:00 o'clock is not good for me -- late afternoon, but if we could just let someone on your staff touch base Monday, that will be ...

MR. AYERS: Yes, Rebecca will -- we'll coordinate the teleconference for the 18th. I'll be in travel status also, and we -- but, we'll work it out with Rebecca and the Forest Service.

MR. SANDOR: Yes.

MS. WILLIAMS: 3:00

MR. WOLFE: 3:00 should be fine.

(Aside comments)

MR. AYERS: Rebecca will put that together with the

phone numbers ...

MR. SANDOR: 3:00 o'clock on the 18th.

MR. AYERS: 3:00 o'clock on the 18th a teleconference. The items that -- the items for that we know of today are the issue of appraisal -- completion of appraisal, time lines and costs, and the setting of meeting dates for August.

MR. SANDOR: Okay, Mr. Ayers, are there any other items that you would bring before this group?

MR. AYERS: No, sir.

MR. SANDOR: Are there any -- do the Trustee Council members have any items to bring before we recess? The picnic again is when and where?

MR. AYERS: The picnic will begin in -- as soon as people arrive with food at the Valley of the Moon Park.

MR. SANDOR: Valley of the Moon Park and people ...

MR. AYERS: E Street and Arctic Boulevard.

MR. SANDOR: Paper plates and all that stuff is there, but we're to bring ...

MS. McCAMMON: We've got extra food too ...

MR. SANDOR: But, we can stop ...

MR. AYERS: It says food and sports equipment.

MR. SANDOR: Okay, then without objection -- is there a motion that we recess?

MS. WILLIAMS: So moved.

MR. ROSIER:: So moved.

MR. SANDOR: Second. Until Monday the 18th at 3:00

p. m.

(Off Record at 4:47 p. m)

END OF PROCEEDINGS

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