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1 EXXON VALDEZ OIL SPILL
2 TRUSTEE COUNCIL
3 Public Meeting
4 Tuesday, January 16, 2001
5 9:30 o'clock a.m.
6 645 G Street
7 Anchorage, Alaska

8 TRUSTEE COUNCIL MEMBERS PRESENT:

9 STATE OF ALASKA - MR. CRAIG TILLERY
10 DEPARTMENT OF LAW: Trustee Representative
11 (Chairman) for the Attorney General
12 U.S. DEPARTMENT OF AGRICULTURE, MR. DAVE GIBBONS
13 U.S. FOREST SERVICE Trustee Representative
14 U.S. DEPARTMENT OF COMMERCE, MR. JAMES W. BALSIGER
15 NMFS: Director, AK Region
16 STATE OF ALASKA - DEPARTMENT MS. CLAUDIA SLATER
17 OF FISH AND GAME: for MR. FRANK RUE
18 Commissioner
19 U.S. DEPARTMENT OF INTERIOR: MS. MARILYN HEIMAN
20 Special Assistant to the
21 Secretary for Alaska
22 STATE OF ALASKA - DEPARTMENT MS. MICHELE BROWN
23 OF ENVIRONMENTAL CONSERVATION: Commissioner
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1 TRUSTEE COUNCIL STAFF PRESENT:

2 MS. MOLLY McCAMMON	Executive Director
3 MS. SANDRA SCHUBERT	Director of Restoration
4 MS. PAULA BANKS	Administrative Assistant
5 DR. BOB SPIES	Chief Scientist
6 MS. SARAH WARD	Community Facilitator
7 MS. DEBBIE HENNIGH	Special Staff Assistant
8 MS. DEDE BOHN	U.S. Geological Service
9 MR. KEN HOLBROOK	U.S. Forest Service
10 MR. STEVE SHUCK	U.S. Fish and Wildlife Svc.
11 MR. BARRY ROTH (Telephonically)	U.S. Department of Interior
12 MS. CAROL FRIES	ADF&G
13 MR. GLENN ELISON	U.S. Fish and Wildlife Svc.
14 MS. CATHERINE BERG	U.S. Fish and Wildlife Svc.
15 MR. ALEX SWIDERSKI	Department of Law
16 MS. GINA BELT	Department of Justice
17 MR. BUD RICE	National Park Service
18 MS. MARIANNE SEE	AKDEC
19 MR. BILL HAUSER	ADF&G

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1 P R O C E E D I N G S

2 (On record - 9:44 a.m.)

3 CHAIRMAN TILLERY: This is Craig Tillery
4 with the State of Alaska, Department of Law. This is the
5 January 16th Trustee Council meeting. Present we have Dave
6 Gibbons from the Forest Service; Marianne See from the
7 Department of Environmental Conservation; Barry Roth is
8 representing, by telephone, the Department of the Interior;
9 Jim Balsiger is representing NMFS; and Claudia Slater is
10 representing the Department of Fish and Game.

11 We will begin the meeting and the first item on the
12 agenda is the approval of the agenda. Is there a motion?

13 MS. McCAMMON: Mr. Chairman, you do have a
14 revised agenda before you.

15 CHAIRMAN TILLERY: Right. And everyone
16 should have a copy of that. I'm not sure if Barry does or
17 not, but there should be something that you have in front
18 of you.

19 MR. ROTH: I believe I have one dated
20 yesterday, I believe.

21 MS. McCAMMON: This one is dated this
22 morning.

23 CHAIRMAN TILLERY: Okay, this is one dated
24 this morning, and I believe it doesn't add anything to the
25 agenda, but simply moves them around a little bit.

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1 MS. McCAMMON: It adds the executive
2 session.

3 CHAIRMAN TILLERY: It adds the executive
4 session and puts the Koniag and Kodiak small parcels after
5 the executive session.

6 MR. GIBBONS: I move to approve the revised
7 agenda of 1/16/01.

8 MS. SEE: Second.

9 CHAIRMAN TILLERY: It's been moved and
10 seconded; is there any opposition?

11 (No audible responses)

12 CHAIRMAN TILLERY: Hearing none, the agenda
13 is approved. The next item is our meeting notes from the
14 December 4th, 5th, and 8th meetings and January 4th. Do I
15 hear a motion?

16 MR. BALSIGER: I move we accept the minutes
17 from the 4th, 5th and 8th and January 4th meetings.

18 MR. GIBBONS: Second.

19 CHAIRMAN TILLERY: It's been moved and
20 seconded; is there any opposition?

21 (No audible responses)

22 (Commission Brown arrives)

23 CHAIRMAN TILLERY: Hearing none, the
24 meeting notes are approved. That brings us to the public
25 comment period which is supposed to begin at 9:45, so we

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1 will begin it. Commissioner Brown has joined us, the
2 record will reflect that.

3 Chuck, you were down here as not wishing to make a
4 comment; do you have a comment at this time?

5 MR. REFT: Chuck Reft?

6 CHAIRMAN TILLERY: Right.

7 MR. REFT: Yeah, actually I do. I attended
8 the last meeting and I asked for a copy of the map covering
9 the conservation easement on the Karluk River, I haven't
10 received that yet.

11 MS. McCAMMON: Yeah, I apologize for that,
12 Chuck, I have the maps made and we thought we were having a
13 meeting in Kodiak last week, and then the meeting didn't
14 occur and so I do have the maps made and ready, I'll make
15 sure they get in the mail to you.

16 MR. REFT: Okay, thank you.

17 MS. McCAMMON: Yeah.

18 MR. REFT: That's all I have.

19 CHAIRMAN TILLERY: Okay. Is there anyone
20 else on line who would like to make a comment at this time?

21 (No audible responses)

22 CHAIRMAN TILLERY: Is there anyone here in
23 Anchorage who would like to make a comment?

24 (No audible responses)

25 CHAIRMAN TILLERY: Okay. If there are no

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1 other comments, then we'll close the public comment
2 session. And the next item on the agenda is the deferred
3 projects.

4 MS. McCAMMON: Mr. Chairman, at the
5 December meeting the Council deferred action on two
6 projects. One was a herring place holder and, as you'll
7 recall, the Council had a herring synthesis workshop in
8 late November 2000 and, at that time, the Department of
9 Fish and Game was considering submitting several proposals
10 as follow-up to that workshop. There were three that were
11 identified, the use of otoliths and lipids to identify
12 subpopulations of herring within Prince William Sound,
13 doing some hind casting for the forecast and then also some
14 additional surveys.

15 One proposal, Project 01538, evaluation of two
16 methods to discriminate Pacific herring stocks along the
17 northern Gulf of Alaska was received and is recommended for
18 funding. It has been reviewed by the Chief Scientist and
19 his recommendation is to go forward with this. It's
20 actually a very small amount for this year of \$10,100 for
21 sample collection with most of the analysis, interpretation
22 and report writing coming in FY02.

23 The other project was 01482, establishment of a
24 biotoxin monitoring program in the Kodiak Island area. And
25 this was deferred pending evaluation of the FY00 results

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1 which were delayed. That report has now been received
2 December 28th, it's under review by the Chief Scientist.
3 The preliminary review indicates there is still pieces of
4 it that are not due until March 2001. In looking at that
5 report, a number of the objectives that they had hoped to
6 achieve this summer, such as using the Kodiak Youth Area
7 Watch and kind of testing the field test kit in Kodiak were
8 not complete. This whole project has a number of multiple
9 sources of funding, it has multiple objectives. There's
10 some additional work that's being done through the Chugach
11 Regional Resource Commission in Prince William Sound. It's
12 very unclear how this particular project -- the proposal
13 that was submitted last April is now obsolete, it's unclear
14 what would actually be sought in this next year. And given
15 the fact that some of the report results are still not in
16 and would need to be reviewed, given the fact that we are
17 very unclear in terms of where the entire overall project
18 is, I'm recommending no funding for FY01, but that the
19 Council consider a new proposal in FY02.

20 So approval of the funding for the herring project
21 would bring the total approved for the FY01 Work Plan to
22 \$5,945,700, which is under the cap of 6,000,000 set by the
23 Trustee Council.

24 And I do have a draft motion here if you're
25 interested in that.

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1 (Ms. Heiman arrives)

2 CHAIRMAN TILLERY: Okay.

3 MS. McCAMMON: And the Chief Scientist is
4 here, also, if you have questions, Bob Spies.

5 CHAIRMAN TILLERY: Okay. Thank you very
6 much. And let the record reflect that Ms. Heiman has
7 joined us and so, Mr. Roth, thank you for your service.

8 MS. HEIMAN: He'll be back again.

9 CHAIRMAN TILLERY: Oh.

10 MS. HEIMAN: 12:30 or whenever.

11 CHAIRMAN TILLERY: Are there questions or
12 comments? Mr. Balsiger.

13 MR. BALSIGER: Mr. Chairman, this is for
14 the Chief Scientist, I guess, and it's more curiosity than
15 anything. I noticed that the herring stock identity is
16 called a pilot study and they're looking for biomarkers, so
17 they're taking -- I gather, collecting herring from
18 spawning stocks in Togiak and Kodiak and a variety of
19 places, and that's cheap to collect those, 10,000 this year
20 is what they want. And it's 47,000 to analyze that, and
21 then what's envisioned then if that's successful in terms
22 of actually looking in Prince William Sound to see if
23 there's two stocks; is there significant more collections
24 and significant more analyses or does the 10,000 plus the
25 47,000 pretty much get around to all of it?

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1 DR. SPIES: Actually my recommendation is a
2 little bit off in that I wrote it with regard to Prince
3 William Sound and the proposal, actually -- and that's what
4 we had in mind, but the proposal actually submitted deals
5 with stocks in other areas of the Gulf of Alaska, including
6 Kodiak Island and the western side of the Shelikof Strait.
7 And that's probably more appropriate given the regional
8 nature of some of the questions about stock identification.

9 There are multiple collections within Prince
10 William Sound to be made as part of that program and we'd
11 see that, hopefully, the pilot study that's being proposed
12 for this year and next year would shed some light on
13 whether we have substocks within the Prince William Sound
14 region and that's been one of the driving questions at the
15 route of research questions of the last 10 years that dealt
16 with herring, is do we have one or two stocks or multiple
17 stocks in Prince William Sound. We tried to determine that
18 by using a variety of genetic techniques and the main
19 divisions that were found as a result of the genetic work
20 were between the Gulf of Alaska and the Bering Sea stocks
21 and some slight indication, possible indication, but it
22 seemed to vary from year to year of some broad scale
23 differences within the Gulf of Alaska, but not enough to
24 really be very inclusive. So this is an application of two
25 other methods to try to resolve those questions.

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1 MR. BALSIGER: I see. And just to be clear
2 then, this is termed a pilot study, at least one place, but
3 it actually will gather information that answers the
4 question in multiple stocks in Prince William Sound, as
5 opposed to just working on what biomarkers might be
6 available to use in future studies to look at stock
7 separation in Prince William Sound.

8 DR. SPIES: Right, right.

9 MR. BALSIGER: Okay, thank you.

10 MR. GIBBONS: Mr. Chairman.

11 CHAIRMAN TILLERY: Mr. Gibbons.

12 MR. GIBBONS: Yeah, follow-up question,
13 Bob. I see Sitka Sound is included in here, too, is that
14 -- Prince William Sound, Kamishak, Kodiak, Togiak and Sitka
15 Sound. Why Sitka?

16 DR. SPIES: Well, Sitka has been used as a
17 control area for a lot of our herring studies as a contrast
18 in the southeast and I think to throw that stock in there
19 is appropriate to get an idea of whether the southeast
20 might be different as well. It's probably not much extra
21 cost. It gives a little bit larger regional picture.

22 MS. SLATER: And I think, Dave, one reason
23 was that the Sitka Sound herring didn't crash in the recent
24 crash the way Prince William Sound did, so that would be an
25 indication that there may be some type of significant

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1 difference between Southeast and Prince William.

2 CHAIRMAN TILLERY: Any other questions for

3 Dr. Spies?

4 (No audible responses)

5 DR. SPIES: I just might mention that the
6 PSP project, we are trying to get some clarification on
7 that, but I did want to mention to the Trustee Council that
8 the review of the most recent data indicates that the NIST
9 test kit that they have and the simplified extract methods
10 that they've developed for taking extractions of bivalves
11 in the field and testing them and seeing if they have toxin
12 is relatively successful. There's a large deal of
13 concordance between the test results for the NIST Test Kit
14 for a short term compared to what can be done with the
15 mouse vial assay, which is typical way of doing it, so I
16 think it's -- your investment is paying off, just we need
17 some clarification about what the next steps are and what's
18 really feasible in terms of applying this.

19 CHAIRMAN TILLERY: Thank you, Dr. Spies.

20 Other questions?

21 (No audible responses)

22 CHAIRMAN TILLERY: Ms. McCammon, is there
23 any additional deferred projects out there?

24 MS. McCAMMON: No. Now, there's always the
25 possibility that something might come up between now and

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1 the end of the year but, at this point, we have nothing
2 anticipated.

3 CHAIRMAN TILLERY: Anything else from
4 Council members?

5 (No audible responses)

6 CHAIRMAN TILLERY: Is there a motion?
7 Would anyone like to make a motion?

8 MR. BALSIGER: Mr. Chairman, I move that
9 the Trustee Council adopt the recommendations for fiscal
10 year 01, deferred projects, as outlined in Spreadsheet A,
11 dated January 10, 2001, with the following conditions, one
12 and two as noted on the blue sheet. I can read those if
13 that's appropriate.

14 CHAIRMAN TILLERY: I don't think that's
15 necessary, I believe everyone has that.

16 MS. BROWN: I'll second.

17 CHAIRMAN TILLERY: It's been moved and
18 seconded by Ms. Brown. Is there any comments by Council
19 members?

20 (No audible responses)

21 CHAIRMAN TILLERY: All in favor of the
22 motion signify by saying aye.

23 IN UNISON: Aye.

24 CHAIRMAN TILLERY: Opposed?

25 (No opposing responses)

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1 CHAIRMAN TILLERY: The motion carries.

2 Okay, that then brings us to a discussion of GEM.

3 Ms. McCammon.

4 MS. McCAMMON: Yes, Mr. Chairman. In your
5 packet you have a number of documents, and I'm going to
6 give you some more -- one more. What you have before you
7 is a revised draft framework for the GEM Plan describing
8 the steps to be taken in developing the draft plan. You
9 have a revised draft outline of the GEM Plan. You have a
10 revised set of figures and tables that will be used to
11 summarize and visualize the GEM Plan. There's a copy of
12 the scope of work for the contracted writing team through
13 Applied Marine Sciences, Dr. Spies' group, and there is a
14 set of the comments that we've received on the drafts that
15 were circulated in mid-December, and all of the agency
16 responses that we received and then our responses back to
17 them. What we've tried to do in these -- and then what I
18 just handed out to you was a draft planning time line for
19 developing the draft plan.

20 What we are looking for from you today is,
21 basically, your concurrence that this approach is on target
22 in terms of trying to get from here to a draft plan in
23 approximately May of this year. We've incorporated
24 comments that we've received from the Trustees, from the
25 National Research Council Review Committee, and from

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1 Trustee agency staff. In some cases the comments received
2 have not been immediately incorporated, but we've asked the
3 writing team to look at those as they revise the draft
4 scientific background and the conceptual foundation for the
5 draft plan.

6 I think we went through these materials in depth in
7 December and let me just emphasize a few of the revisions.
8 Mainly in the framework for development, the biggest
9 addition here was Step One, which was more assumed in the
10 prior version. To describe the current scientific
11 information and understanding of how we think the Gulf of
12 Alaska ecosystem works. Basically revising the scientific
13 background and conceptual foundation. And to do this,
14 we're primarily relying on a team of writers working with
15 Dr. Spies in the next month to six weeks to develop this.
16 And it's taking a lot of the information that was received
17 -- that was in the April 2000 document and then new
18 information that was received at our focus groups held last
19 summer and at the workshop held in October. So that will
20 be substantially updated and revised.

21 It emphasizes, again, that Step Two, that following
22 from our scientific understanding will be species that will
23 provide the focus for GEM, which we're calling GEM
24 reference species, selected from prominent species and
25 species groups in the Gulf, based on criteria identified in

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1 the GEM Program document.

2 And Table 1 has been revised and now what you see
3 there are the species in bold, which would be the long-term
4 GEM reference species, but we've also included in a lighter
5 gray all of those additional species that are currently on
6 the EVOS injured species list. And so we wanted to
7 emphasize to people that, until the recovery objectives are
8 met or until a determination is made that we will not be
9 able to ever determine whether those objectives have been
10 met, that we will be tracking and monitoring those species.
11 And there may be a better way of showing this, but this
12 was, at least, following up on some concerns expressed by
13 the Trustees at the December meeting.

14 In the comments that we received from some agencies
15 we've had a couple of suggestion, most particularly this on
16 birds, a suggestion about being specific about sea ducks
17 would be included over the long term, and we have asked the
18 writing team to look at that -- at being more specific on
19 those. There's also a suggestion to add black
20 oystercatcher and we've asked the team to look at that,
21 too. And I think the question is whether harlequin duck or
22 black oystercatcher is -- which one might be better in
23 terms of being able to show of being able to show long-term
24 use of beaches and kind of the intertidal area, so they're
25 looking at that.

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1 Those are the primary changes and, I think, looking
2 at -- the other change we asked the team to look at was the
3 potential addition of arrowtooth flounder and possibly to
4 either the fish section or to the forage species, since
5 arrowtooth flounder is a major forage species for sea lions
6 and, I think, harbor seals, too. But that's how we revised
7 Table 1.

8 Table 2, the major revision there was a switching
9 of the matrices so that the food, habitat and removals were
10 at the top to give them more emphasis and this was a
11 recommendation actually that came from the National
12 Research Council Review Committee. They expressed concern
13 that by having -- starting with the GEM species in Table 1,
14 that the emphasis in the program might be too great on
15 specific individual species and not on processes and kind
16 of the things that are actually driving the system. And so
17 they felt this was -- even though, theoretically, we would
18 come out going through this process to the same suggestions
19 in the draft plan, they wanted to make sure that was
20 emphasized.

21 And, again, what we found difficult is trying to
22 show many different dimensions in a two-dimensional format
23 on a flat piece of paper. Because what's not included in
24 here is the dimensions of time and space and it's really
25 difficult to do that without -- we haven't figured out

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1 another way of doing it, but maybe over the next few months
2 we might get some additional suggestions on that.

3 Some of the different categories here have changed
4 a little bit and we've asked our writing team to look at
5 these and see how solid the evidence is for the various
6 categorizations here and the various rankings. But you can
7 see -- I think it's useful in that it shows that food and
8 habitat are really, for most species, the driving elements
9 of the system. And then on an individual specific basis,
10 removals, whether it's predation or resource exploitation,
11 disease, contaminants, pollution.

12 And following that are some definitions of those
13 various categories and these have been revised somewhat in
14 response to comments. The other comment that we've
15 received, I think, from some agency scientist is that these
16 categories aren't perfect. It's really impossible --
17 nothing really fits perfectly into all these little boxes
18 and there's some overlap, there's some thing that could go
19 in one or the other and it causes some consternation
20 amongst some people trying to put thing into little boxes
21 like this, but I think it's, at least, useful in terms of
22 trying to pick what are really the key factors that may be
23 limiting productivity for various species.

24 Table 3 has not changed substantially at this
25 point. We've gotten some feedback and some information

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1 from various people that things are either not included
2 correctly or are missing. We do have someone working full
3 time on this database and how we summarize what's in that
4 database, it may be represented differently than you see
5 here, but the concept still exists of knowing, first of
6 all, what other people are doing in the Gulf of Alaska and
7 trying to represent that in some way. And we should have a
8 more complete database by the end of the month.

9 CHAIRMAN TILLERY: Ms. McCammon.

10 MS. McCAMMON: Yeah.

11 CHAIRMAN TILLERY: Who is working on this?

12 MS. McCAMMON: Dede Bohn at USGS.

13 CHAIRMAN TILLERY: Okay. And in addition
14 to this information, does each of these -- there's a number
15 behind of each one of those, does that represent.....

16 MS. McCAMMON: And that's a record in our
17 database that's a full page that has a lot more detail
18 about that project or program.

19 CHAIRMAN TILLERY: Would it have, like, for
20 example, dollars, time lines?

21 MS. McCAMMON: Theoretically.

22 CHAIRMAN TILLERY: Okay.

23 MS. McCAMMON: Ideally, I should say. And,
24 again, that's where it's not a perfect, at this point.

25 It's really been a challenge trying to figure out -- a lot

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1 of people don't know where their money comes from, they
2 think it's from one program and they don't realize that
3 it's actually a subset of a much larger program. And so
4 tracking all of that down -- I think Dede is here and she's
5 still alive and standing, even though she's been working on
6 this now for almost a month. And I don't know if you
7 wanted to, say, ask her anything in particular, I could put
8 her on the spot or not.

9 MS. BOHN: You want to see examples?

10 MR. BALSIGER: Mr. Chairman.

11 CHAIRMAN TILLERY: Mr. Balsiger.

12 MR. BALSIGER: I don't care to ask any
13 particular questions, but is this database viewable over
14 the Web or is there a CD-ROM or is there a hardcopy or
15 anything like that?

16 MS. McCAMMON: It will be on the Web once
17 it's completed. It's on her website, actually, right now.

18 MS. BOHN: (Indiscernible - away from
19 microphone) I have a Web person who's doing that now.

20 MS. McCAMMON: You have to come up to the
21 seat, Dede.

22 CHAIRMAN TILLERY: Yeah, you have to do
23 that.

24 MS. BOHN: This is Dede Bohn, working on
25 the GAP database. I have it actually translated into HTML,

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1 so it can be on the Web right now, but my problem is
2 structuring a table that you can actually view, because
3 there's so many fields that it just keeps going, going and
4 going. And if I break that, a number of screw-ups happen
5 in the database. But, yes, what I'm doing for the writers
6 is providing hard copies of all of the entries and, of
7 course, it's stacks three inches high when printed out,
8 even if you condense it as best you can. But I'm also
9 summarizing for them in a number of tables, for instance,
10 I'll search for all the killer whale projects, for
11 instance, and I'll give them a title and who's doing it and
12 the number it is in the database. And then I take all
13 those projects and I've done things like here's the
14 geographic scopes. And so they can see how many of these
15 are actually in my area of interest.

16 And then on another page of summaries what's the
17 data available. And for killer whales, of all the four
18 projects, there's no data listed in our database, so that
19 tells them something. Also the duration, whether it's
20 finished or whether it's considered ongoing. And, again,
21 we have too many blanks in our database, but that's what
22 I'm struggling to update.

23 MR. BALSIGER: Thanks.

24 CHAIRMAN TILLERY: These appear to be some
25 individual projects, are they also, somehow, grouped within

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1 programs?

2 MS. BOHN: If the agency or the person
3 who's funded puts it in a program, we include the program
4 title. And I think what you're seeing there is there's
5 great variance in whether we have entered an effort or
6 project or part of a project and first I tried messing with
7 that and then I decided that, basically, what we're
8 interested in here is the effort. If somebody is doing
9 counts of sea lions, that's what we want to know, so I'm
10 not struggling as much to get agencies to tell me what's
11 the official program name as I am to get the individual
12 project people how long is your database and what's in it
13 and where is it covering; does that sound reasonable?

14 CHAIRMAN TILLERY: Uh-huh. Oh, yeah, no,
15 it sounds very reasonable.

16 MS. BOHN: So it's scattered and if you
17 sort by program, you're not going to get very useful
18 information. You're going to see some programs with five
19 entries, mussel watch is under a program and benthic
20 surveillance sites is under that same program and then
21 there might be a separate entry for that program also. And
22 I don't really know how to manage that, at this point, but
23 what I decided to concentrate on was what was the effort as
24 far as an activity that we would want to know about.

25 CHAIRMAN TILLERY: And if I went and just

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1 picked one of these, I could go -- and you could give me a
2 larger printout that would, for example, say who was doing
3 it, how much money they had, what was the duration of the
4 project.

5 MS. BOHN: To the best we know of it. I
6 have a sample here, we show who's doing it, what -- you
7 know, agency name, the administration unit name, if there's
8 a suborganization, the program project, a summary of the
9 project, the website, if we know where it's listed,
10 category birds, keywords, resources and parameters that
11 we're measuring, the kinds of data obtained, the project
12 manager for the database, how to reach that person. Other
13 cooperators, the geographic scope, the objectives, sampling
14 platforms, further information on databases, annual cost of
15 the project, duration, funding, future plans. And we have
16 a category for manuscripts that are produced but I don't
17 think there's anything in any of them. And right now we
18 have about 275 entries in this database, so.....

19 CHAIRMAN TILLERY: Okay. Mr. Balsiger.

20 MR. BALSIGER: I think this is a good
21 thing, but, for example, for sea lions, I know there's a
22 recent document describing sea lions that refers to some
23 300 scientific publications or studies and, obviously, you
24 don't want to put all of those in there, but how do you
25 sort of sort through and decide the best way to include the

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1 most pertinent ones of those. I mean, you have a dozen of
2 them or so here, but that's a reasonably small fraction of
3 the total number that you could put in here about sea
4 lions.

5 MS. BOHN: If I have a copy of the
6 document, I will reference the document and say, you know,
7 that you can get 300 more projects out of here. If I can
8 pick a website where the data is posted, those are my
9 favorite, and then you can list the kinds of things that
10 you can find on the website. I also will try and find
11 geographic coverage, if there is -- in the particular GEM
12 area, I try and pick those out. But I let the project
13 folks do that, I'm sending lots of e-mails saying here's a
14 blank form, here's what I show for you currently, please
15 give me corrections, updates, edits and particularly in
16 your duration field, how long do you think this will go on
17 or are you doing it now? Because I think that's critical
18 for us, so does.....

19 MS. McCAMMON: Mr. Chairman, we also have
20 another product that we're developing, a GEM bibliography
21 which would have the 300 citations in that bibliography.

22 MR. BALSIGER: Yeah, that's exactly what I
23 was struggling between, what do you have in an annotated
24 bibliography or this live document here and how you were
25 making those decisions, but I think the discussion is fine,

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1 thanks.

2 CHAIRMAN TILLERY: Any other questions.....

3 MS. McCAMMON: Do you want to say

4 something?

5 CHAIRMAN TILLERY:for Ms. Bohn?

6 DR. SPIES: I'd just like to mention that
7 is incredibly valuable resource for the Gulf of Alaska that
8 we're developing here and I think it needs to be kind of an
9 ongoing effort, that would be my recommendation to keep it
10 going through the GEM Program. It's a centralized record
11 of where people are doing things and what kind of data is
12 being gathered, it's just incredibly valuable.

13 MS. McCAMMON: I think it's going to be
14 even more valuable just because there are so many different
15 sources of future funding for the Gulf and the Bering Sea
16 with North Pacific Research Board funding, Northern Salmon
17 funding, additional funds that NOAA has for sea lion
18 research and just trying to make sure that datasets are
19 kind of captured and tracked so that they can be
20 coordinated and avoid duplication, I think it's really
21 critical.

22 CHAIRMAN TILLERY: Okay. Ms. McCammon.

23 MS. McCAMMON: So this is Table 3, which
24 again is a work in progress at this point. From that --
25 and, Bob, maybe you shouldn't go too far away.

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1 (Laughter)

2 MS. McCAMMON: From that we get to Table 4
3 and these are examples only, but Tables 3 and 4 combined
4 produce what we refer to as the GAP analysis. First of
5 all, who's doing what, where and when and then what are
6 kind of -- taking from Table 2, what are the key limiting
7 factors that aren't being addressed, therefore, where are
8 the major gaps. And, theoretically, you would look at a
9 table like this, and this is just for illustration purposes
10 only, and say, there are no gaps in population abundance
11 and food quality, the biggest gaps are in the habitat,
12 removals and food production, in these areas. Which helps
13 to focus where you might put your efforts. But this has
14 not been developed yet, it's in the process.

15 But from that, then you would go to Tables 5a and
16 5b, which are basically the same as you saw in December,
17 but these are examples only, where the items in bold would
18 be funded under the GEM Program and you look at the various
19 factors that may be limiting population abundance and look
20 at what strategies might be used to fill those major gaps.
21 And these tables are meant to show that the program is not
22 just a monitoring program, but there's a large aspect of
23 research, which includes the ecosystem process studies,
24 retrospective analysis, modeling, development of tools and
25 technology for managers, data management synthesis and

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1 communication. And so for some species you may do no
2 monitoring at all because that's not really a gap, that's
3 covered under current programs, but you may be tracking it
4 on your database or have a link to existing databases, we
5 may synthesize information, may look at other things.

6 CHAIRMAN TILLERY: Ms. McCammon.

7 MS. McCAMMON: Yes.

8 CHAIRMAN TILLERY: Back on Table 4, am I
9 correct in thinking that where you have these blank boxes,
10 you could come back to 3 and move.....

11 MS. McCAMMON: Correct.

12 CHAIRMAN TILLERY:those in there and
13 we would.....

14 MS. McCAMMON: Correct.

15 CHAIRMAN TILLERY: Okay.

16 MS. McCAMMON: Yes, yes, this shows the
17 gap, yeah. And if there's a blank it means there's no gap,
18 it's basically covered.

19 CHAIRMAN TILLERY: Okay. But there would
20 be -- somewhere be some kind of a matrix that would
21 actually show what's covering that blank.....

22 MS. McCAMMON: Right.

23 CHAIRMAN TILLERY:if somebody wanted
24 to get a look at that?

25 MS. McCAMMON: Correct, uh-huh.

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1 And then, again, Table 6 would be done once we got
2 to following the plan, which would show it from a variety
3 of other perspectives, such as geographic region, habitat
4 type, trophic level.

5 What we have underway right now is the project
6 database is being updated, and that will be summarized in
7 Table 3 and Dede is looking at different ways. We're not
8 sure -- how you see Table 3 now, whether that's the best
9 way to summarize -- to summarize the information from the
10 database, there may be a better way to kind of summarize
11 that succinctly and show that.

12 The draft conceptual foundation with alternative
13 models is being revised by Dr. Spies and Dr. Mundy. We're
14 revising the introduction to and need for the GEM Program,
15 which if you look under the draft outline is Sections 1
16 through 3, and that's taking some of the information about
17 human uses, resource management issues and building on the
18 lessons from the past and just kind of rewriting that and
19 refocusing that a bit.

20 That leads into, then, the scientific background,
21 which is being revised and supporting sections which are
22 being revised by the writing team. That includes the
23 current status of the proposed GEM reference species in the
24 Gulf of Alaska ecosystem and reviews of Tables 1 and 2.

25 We are receiving from the April document, the NRC

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1 interim report on that document, should be received
2 sometime between mid to late February and comments on
3 specific sections will be passed on to the writing team and
4 any response incorporated there. I think their major focus
5 is on things such as peer review, scientific advice, public
6 advice, data management, some of these broader questions on
7 how to manage a large scale long-term program.

8 The proposal now, and we have this still as
9 tentative, is when we get that draft material then to have
10 a two-day work session sometime in mid-March or so, mid to
11 late March, the first day with the writing team, the second
12 with some of the agency experts going through and looking
13 once again at our current knowledge of these species and
14 the Gulf of Alaska, identifying the major gaps and trying
15 to develop a consensus on the major elements of a draft
16 plan. And the results of that workshop then would be
17 incorporated into the draft plan. And this is described in
18 the planning time line that you have before you.

19 MR. BALSIGER: Mr. Chairman.

20 CHAIRMAN TILLERY: Mr. Balsiger.

21 MR. BALSIGER: Molly, and then so this two-
22 day workshop would sort of go through these tables and sort
23 of verify that the yellow and the green and the white and
24 the gray is in the right places and -- or is that sort of a
25 given, this part of.....

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1 MS. McCAMMON: The writing team is going
2 through those now and verifying those and, in all
3 likelihood, there will be revisions, based on their
4 product. What we heard, basically, from NRC is that they
5 would like to see that scientific background, basically
6 what is being produced as the current state of the Gulf,
7 and they would like to see that upgraded to a publishable
8 manuscript. And so all of our writing team has been
9 provided, we've had the librarian do a literature search
10 for all of these species and work being done in the Gulf.
11 They've been provided that list already and they should
12 have a pretty solid end product.

13 MR. BALSIGER: Okay. And so, just as an
14 example, were you to look at sea lions.....

15 MS. McCAMMON: Uh-huh.

16 MR. BALSIGER:I notice that, of
17 course, the food thing is all high potential of impacting
18 them, habitat is low or medium, removals by prey is rated
19 as high, but if you get over to disease, that's rated high.
20 I don't know about that. I don't where we've seen diseased
21 sea lions, so if I go to Table 3, then, is the intent that
22 if I look under sea lions I'll be able to find the paper in
23 here that is identified where they've seen diseased sea
24 lions?

25 MS. McCAMMON: You will be able to

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1 find.....

2 MR. BALSIGER: It's not going to track like

3 that.....

4 MS. McCAMMON: It's in the scientific
5 background in that section, disease as a high limiting
6 factor will be addressed and there will be a citation.

7 MR. BALSIGER: I see. But it's not meant
8 to track through the next table necessarily? Because
9 this.....

10 MS. McCAMMON: Well, it should.

11 DR. SPIES: Well, there's an E there for
12 evidence, and that would be hopefully.....

13 MS. McCAMMON: It should, yeah.

14 DR. SPIES:in a footnote somewhere
15 that you would be able to track that down.

16 MS. McCAMMON: Right.

17 MR. BALSIGER: I see. Okay, thank you.

18 MS. McCAMMON: There should -- everything
19 in these boxes should be tracked in subsequent materials,
20 yes.

21 MR. BALSIGER: Uh-huh. Yeah, that's great.

22 MS. HEIMAN: Can I ask you a question on
23 this table, also? Because this is the table that gives me
24 the most angst, I think, of any table in here. Are each of
25 these high, low, medium, uncertain -- I'm not sure what the

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1 U is [sic] unknown, is that based on clear scientific
2 evidence or is there some, you know, subjective review that
3 is overlaying that?

4 MS. McCAMMON: Well, if you look in here,
5 if it says E, that's scientific evidence.

6 MS. HEIMAN: Uh-huh.

7 MS. McCAMMON: If it's C, it's the
8 conceptual foundation, it's the conceptual model, it's what
9 people think is happening.

10 DR. SPIES: There's a judgment that's gone
11 into that.

12 MS. McCAMMON: There's a judgment, yeah.

13 DR. SPIES: You know, have we proved cause
14 and effect beyond a reasonable doubt? Maybe, for some of
15 them.

16 MS. HEIMAN: Seems like this is the
17 kind.....

18 DR. SPIES: Other ones, you know, it looks
19 like the weight of evidence makes it just.....

20 MS. HEIMAN: It seems like this chart is
21 the kind of thing you want to do after you've done all this
22 research, you know, I feel like we have so many unknowns
23 and -- I mean, I look at contaminants and then I -- you
24 know, my hackles go up because I -- you know, I think in
25 all those cases there's just so much unknown, I would put a

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1 gray there, you know, I mean, I just don't know how anyone
2 can really make some of these judgments. I mean, I know
3 there's studies that shows there's some concerns and
4 specific species in specific area, it's just -- I don't
5 know, this table makes me nervous because I'm worried this
6 is going to guide where we go next and I'm worried about
7 sort of judgment calls -- I mean, I know we do that anyway,
8 but this is sort of putting into a table and saying, well,
9 see, we said it was high so that's where we focused our
10 money and our energy, where maybe some other things may not
11 have had enough information to show that it should be high
12 and so money and energy wasn't focused there. I will just
13 raise that concern.

14 MS. McCAMMON: No, I think that's a
15 legitimate concern and -- but you are right, this is used
16 to help focus future plans, that is the purpose of it. But
17 I think it has to be used as a guide because when I look at
18 this, first of all, maybe all of these highs, somebody else
19 is addressing all of these and so GEM won't do any of this,
20 except they'll be tracking what other people are doing on
21 these elements to it. Some of these other things that are
22 low may be low now, but if they ever became moderate or
23 high would pose significant problems, so maybe you want to
24 have some kind of a low level tracking program at this
25 point just to keep some kind of observation on that, just

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1 to make sure, so that you do know if it does become a more
2 significant problems. So it helps you make those kinds of
3 decisions, it's not absolute that you're only going to fund
4 anything that says high at all, but it does give you some
5 guidance in terms of what people think of really is the
6 most significant factors right now that are affecting
7 production.

8 MS. HEIMAN: Well.....

9 DR. SPIES: Also, if this program is going
10 to be adaptive, this table has to be looked as constantly
11 being revised.....

12 MS. McCAMMON: Correct.

13 DR. SPIES:as a living table.

14 MS. McCAMMON: Correct.

15 DR. SPIES: As new information becomes
16 available, either through the research program or through
17 other monitoring and research efforts that are related, we
18 have to be able to respond to that information. And that
19 was the whole idea, when we were thinking about human
20 alterations and habitat alterations is we need to be doing
21 some things now, but we need to have our, you know, feelers
22 out there to see, in fact, if there are some changes that
23 are occurring out there in the Gulf of Alaska, the system
24 is relatively pristine in some senses now, particularly
25 with regard to some contaminants. We need to track those

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1 and be able to respond to change that we see in the future.

2 MR. BALSIGER: That's what I was going to
3 say, I think this has to be a live document.....

4 MS. McCAMMON: Right.

5 MR. BALSIGER:so people -- again,
6 under sea lions, and I don't know why I'm thinking about
7 that a lot, but.....

8 (Laughter)

9 MS. McCAMMON: Can't imagine.

10 MR. BALSIGER:under predation it's
11 high, you know, because I think people believe killer
12 whales eat them. Well, we're going to study that and if we
13 learn that they don't, that all of a sudden gets to be
14 green or something like that, so it has to be a live.....

15 DR. SPIES: Well, we need to have a basis
16 for our program, so we have to make some judgments now as
17 to -- and it does make us a bit uncomfortable, but we have
18 to move forward.

19 MS. McCAMMON: Well, I think one of the
20 comments from one of the agency folks is, well, even the
21 things we know, we don't really know all that well, as well
22 as we should know them and so you should take all the
23 rankings out or make it all unknown and, you know, that is
24 one approach to doing it, but it doesn't really help, then,
25 when you have to weigh and balance, you really do have to

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1 make choices here because the fact of the matter is we have
2 a limited scope program.

3 The other, and I didn't mention it, the other
4 comment that we did receive from a number of people is
5 where's the science driving this whole thing? And we had
6 had that in the text but since a lot of people are looking
7 at the table as being kind of the program we put this blank
8 page at the beginning, Figures 1 through whatever, and
9 we've been working on some different graphics to show kind
10 of the current understanding of the system and various
11 things, but that will be part of it, too, so that people do
12 know that it's the science and what people think is
13 happening with the system that really does drive the whole
14 program and everything else follows from that.

15 So this is the plan for right now, unless you tell
16 us otherwise. Otherwise I'll go on a long vacation.

17 CHAIRMAN TILLERY: Questions?

18 (No audible responses)

19 CHAIRMAN TILLERY: Ms. McCammon, is the
20 contract, is there any -- that's not an action item of any
21 sort?

22 MS. McCAMMON: No. No, that's already
23 been.....

24 CHAIRMAN TILLERY: That's already funded,
25 that's just for our information.

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1 MS. McCAMMON: Right.
2 MR. BALSIGER: Mr. Chairman, if we move
3 down to the contract, it's not a question -- and I'm sure I
4 should know this, but who is AMS and why are they.....
5 MS. McCAMMON: That's Bob Spies' company.
6 MR. BALSIGER: Oh, I see. Like I said, I
7 probably should have known that. So the contract is
8 between Bob Spies -- thank you.
9 MS. McCAMMON: Right.
10 MR. BALSIGER: Thank you.
11 CHAIRMAN TILLERY: Is there.....
12 DR. SPIES: These are not being done by my
13 staff, it's -- we're just a mechanism to contract the
14 effort from independent con -- retired university
15 professors and so forth.
16 MR. BALSIGER: I didn't completely
17 understand that.
18 DR. SPIES: Yeah.
19 MR. BALSIGER: And I probably don't right
20 now, but it's filtering through my brain, so thanks. I
21 just couldn't put a focus on AMS.
22 CHAIRMAN TILLERY: Okay.
23 MS. SLATER: One last question. I was just
24 wondering -- I suspect that the area, perhaps, of the
25 greatest subjectivity is how distinctions were made between

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1 high, medium and low. Can Dr. Spies give us some idea as
2 to how those distinctions or lines were drawn?

3 DR. SPIES: Well, take the examples of
4 harbor seals, for instance. We know that -- or strongly
5 suspect that based on our conceptual model that the quality
6 of the food and the quantity of food that's available to
7 harbor seals is an important determinant of their
8 population fluctuations. We've seen a long-term decline in
9 harbor seals in Prince William Sound, it is consistent with
10 long-term ecological changes that have affected their prey
11 species, so we've tentatively labeled that as a high, based
12 on mostly conceptual model and some evidence. And we don't
13 think that habitat availability, for instance, and habitat
14 degradation are important factors controlling the
15 population, so those are rated as low right now.

16 And then we have some mediums there, we have
17 contaminants, as one example. We know that in the case of
18 the spill that they did accumulate some polynuclear
19 hydrocarbons in their blubber at relatively high levels and
20 could be detected in their gall bladders. We do have
21 evidence for population level effects at the time of the
22 spill, so contaminants is rated as a medium. A potential
23 one, probably not affecting them now, but potentially
24 sensitive and -- so that's kind of the way we went through
25 that.

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1 The high, medium and low, we didn't have strict
2 definitions of what those were. What we thought was an
3 important controlling factor at the present time we called
4 it a high, if we thought it could be or might be, it was a
5 medium, if we had no evidence and suspected it didn't then
6 we called it a low.

7 MS. McCAMMON: It's very subjective,
8 really.

9 CHAIRMAN TILLERY: Ms. McCammon, is there
10 going to be some great point of public debate over these
11 decisions and categories and so forth?

12 MS. McCAMMON: Well, you know, again, I
13 think the response -- the Public Advisory Group really like
14 it, they liked it a lot. And they recognized that it's
15 somewhat subjective and, you know, you could have a group
16 of people looking at this and there would be some
17 difference in option.

18 CHAIRMAN TILLERY: Right.

19 MS. McCAMMON: Kind of the scientists have
20 looked at it, you know, some people just hate the idea of
21 being put in -- forced into a table, so they just
22 automatically react that way, but I think the majority of
23 them, I think that is -- that's a fairly small number, I
24 think the majority of them look at it and say, well, I'm
25 not really sure this is a high, I would argue maybe more as

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1 a moderate or -- and then we have told them, well, show us
2 what evidence and we're passing that on to the writing team
3 working on these various sections and they'll be looking at
4 that. And my guess is they'll be quite a bit of changes of
5 this.....

6 CHAIRMAN TILLERY: Right.

7 MS. McCAMMON: over the next two
8 months just to reflect that.

9 CHAIRMAN TILLERY: I was asking less of
10 sort of a format or anything. More just is there going to
11 be some place where it's sort of come now and present your
12 evidence for a high or forever hold your peace sort of a
13 thing, a symposium, something that culminates in, okay,
14 now, this is where we are?

15 MS. McCAMMON: No, I think -- this is one
16 of the things that the writing team is suppose to look at
17 when they write their summary of the current state of
18 knowledge of these species and of these processes. And
19 they have to show the evidence to back that up and those
20 will go through peer review and that will basically reflect
21 it.

22 CHAIRMAN TILLERY: Okay.

23 MS. McCAMMON: Be we weren't planning on a
24 symposium on this. Although, just this -- additional
25 people look through it and they add things and they provide

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1 information, it'll be revised over.....

2 CHAIRMAN TILLERY: So this two-day.....

3 MS. McCAMMON:on an ongoing basis.

4 CHAIRMAN TILLERY:work session won't
5 be sort of a.....

6 MS. McCAMMON: Not so much focusing on
7 this, it'll be more focusing on what are the gaps and what
8 are the elements of the GEM Plan.

9 CHAIRMAN TILLERY: Mr. Balsiger.

10 MR. BALSIGER: I can't imagine that
11 discussion won't involve looking at reds and greens and
12 yellow areas, it'll no doubt result in some change or two
13 here or there.....

14 MS. McCAMMON: Oh, yeah.

15 MR. BALSIGER:even though that's not
16 the focus.

17 MS. McCAMMON: Right.

18 CHAIRMAN TILLERY: Are there any other
19 questions or comments about GEM? Does this conclude your
20 presentation then?

21 MS. McCAMMON: Yes.

22 CHAIRMAN TILLERY: And what are you looking
23 for then?

24 MS. McCAMMON: Basically just your
25 concurrence that the approach, not every detail in here

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1 that you're blessing, but that the approach is basically
2 appropriate at this time and to keep moving forward.

3 CHAIRMAN TILLERY: Anyone like to comment
4 on their views? Mr. Balsiger.

5 MR. BALSIGER: Yes, thanks, Mr. Chairman.
6 I think this is a good way to organize this plan and I
7 suggest that it move forward. I like when Molly summarized
8 it, we're not blessing every detail right now, that
9 obviously has to work out through the scientists and the
10 workshops, but the approach seems appropriate and I think
11 it should continue.

12 CHAIRMAN TILLERY: The record should
13 reflect that Ms. Brown is nodding her head.

14 MS. BROWN: I concur. Also, I like the
15 approach and I'd just like to echo what Mr. Tillery said,
16 the more public involvement the better as we go through
17 this.

18 CHAIRMAN TILLERY: Appears to me that you
19 have general concurrence, if not every detail.

20 MS. McCAMMON: Good. Thank you.

21 CHAIRMAN TILLERY: Okay. That brings us to
22 small parcel habitat grant.

23 MS. McCAMMON: Yes. And I'm going to ask --
24 Sandra, could you come up here, too, maybe?

25 Okay, at the December meeting you reviewed a draft

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1 of a grant to The Conservation Fund, and the Nature
2 Conservancy for small parcel habitat protection. The
3 resolution and grant in your binder differ from the version
4 that you reviewed at the December meeting in response to
5 comments that you made at that meeting and further review
6 by the attorneys, some comments received from The
7 Conservation Fund and Nature Conservancy and also from the
8 Public Advisory Group. The Public Advisory Group has
9 looked at this twice and they've looked at this most recent
10 version and they were very positive about the recent
11 version.

12 The primary difference in this version is that it
13 eliminates references to a possible future \$25,000,000
14 grant, this focuses strictly on a \$1,000,000 grant only.
15 It no longer calls it a pilot project, it no longer
16 references that there's the possibility of a larger grant
17 down the road, it is just strictly limited to the
18 \$1,000,000 grant.

19 It specifies a termination date of the \$1,000,000
20 grant, December 30th, 2002, unless an extension is mutually
21 agreed to by the parties. And the primary reason for
22 potentially extending it would be, just in time only, would
23 be if it was very close to one acquisition or coming to
24 agreement on that and some additional time was needed. It
25 also provides for one of the non-profits to become the sole

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1 recipient of the grant if the other non-profit wants to
2 terminate.

3 We spent a lot of time discussing how to ensure
4 that agency costs and the Department of Interior's
5 administrative costs were addressed and whether to reduce
6 the size of the grant and have a specific amount for those
7 costs. And since we still don't know whether the two
8 groups will be coming up with a package of 10 parcels or
9 one parcel, it's hard to know how much those costs will
10 actually be. And so we still kept the language in there to
11 provide for those costs from within the \$1,000,000. So
12 it's \$1,000,000 with costs backed out.

13 And DOI's general administration costs are based on
14 the Trustee Council's procedures and once we know what
15 kinds of parcels the two groups will be looking at, then
16 the agencies can submit budgets requesting that their
17 direct costs for their participation in the program would
18 be submitted and approved by the Council, once those
19 parcels have been selected. And it clarifies that the
20 \$1,000,000 will remain in the Trustee Council State
21 Investment Fund until disbursed. It clarifies the
22 requirement that the grant recipients consult with the
23 acquiring agencies about potential parcels prior to
24 consulting with the Council about which parcels to pursue.
25 So rather than coming to the Council with a number of

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1 parcels they would be some discussion with potential
2 acquiring agencies in advance of that.

3 It doesn't require just governments to be able to
4 own land, it also includes the ability -- or the State and
5 Federal governments, it also includes the ability for
6 municipalities, boroughs and other appropriate entities,
7 such as a land trust or someone like that.

8 It clarifies that the appraisals conducted by the
9 grant recipient must be approved by the acquiring
10 government. It provides for the governments to perform the
11 hazardous materials surveys. It defines the acquiring
12 government and non-acquiring government and clarifies that
13 both will review title and conduct inspections since both
14 would hold an interest in those lands.

15 So there is attached a summary of the process under
16 the proposed grant, referred to as the steps, and that's
17 under a separate heading here. And then a comparison
18 describing the draft grant as compared to the current
19 process, and this was in response to some requests made by
20 Mr. Gibbons and Mr. Rue in terms of describing those.

21 So we think that the attachment, the draft grant
22 agreement, has substantively all of the information needed
23 in it, it still doesn't have all of, kind of, the
24 boilerplate grant language that would be added to it by
25 Interior. And so the resolution asks that any substantive

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1 changes in that language in that grant would have to come
2 back to the Trustee Council, but non-substantive changes
3 could be made by the Department of the Interior.

4 So I think that what you see before you is -- we've
5 responded to all of the concerns raised by the agencies, by
6 the grantees, by the attorneys and reflects the staff's
7 recommendation to you for action today.

8 CHAIRMAN TILLERY: Questions or comments?
9 Mr. Gibbons.

10 MR. GIBBONS: Mr. Chairman. Molly, you
11 mentioned -- maybe I didn't hear you correctly, but you
12 talked -- it says, require the grant recipients to consult
13 with the acquiring agencies. And then you mentioned
14 boroughs or -- did I miss something there or would they be
15 also an acquiring agency that, you know, these -- Nature
16 Conservancy, whatever, would work for?

17 MS. McCAMMON: Well, I think the concern by
18 some of the agencies was that the grantee would identify a
19 parcel, come to the Council and say we found this great
20 parcel and, gee, Department of Natural Resources, you
21 really need to take this at the Council level, rather than
22 in advance going to the Department of Natural Resources and
23 seeing if it's even something that they would be remotely
24 interested or able to manage. And, if not, then be able to
25 identify up front if there is the potential of some other

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1 entity taking over management.

2 MR. GIBBONS: Okay. Yeah, because I like
3 the part about consulting.....

4 MS. McCAMMON: There was a concern they
5 didn't want to be forced.

6 MR. GIBBONS:with agencies if they're
7 interested in acquiring it.

8 MS. McCAMMON: Right.

9 MR. GIBBONS: But then I thought you might
10 go to, like, Kodiak Borough and say, are you interested in
11 acquiring this? And then that would be outside of our
12 process then?

13 MS. McCAMMON: No, that would still be part
14 of the same process. For example, right now the Homer Spit
15 parcels are owned and managed by the City of Homer.

16 MR. GIBBONS: Right.

17 MS. McCAMMON: It would something along
18 those lines. Although both the Federal and State
19 governments have conservation easements on them, so there
20 is an interest in those lands, but they're managed by the
21 City of Homer, it would be the same kind of thing.

22 CHAIRMAN TILLERY: Mr. Balsiger.

23 MR. BALSIGER: So would any of these
24 purchases, acquisitions, be managed by the grantees
25 themselves or are they all going to be -- are they

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1 purchased by the grantees and turned over to agencies,
2 whether -- from the borough on up?

3 MS. McCAMMON: They may be managed -- there
4 may be some situations, and the grant allows for that,
5 where they may want to do -- actually hold title for an
6 interim basis, there may be some reason that the future
7 acquiring entity, whether it's a land trust or the borough
8 or the State or Federal governments cannot do that
9 acquisition that quickly and so they may acquire it on an
10 interim basis. But they do not -- it's not their goal to
11 hold these lands permanently. The Conservation Fund
12 doesn't -- typically they only hold lands on a short-term
13 basis, typically. Nature Conservancy does elsewhere hold
14 lands permanently, they don't have any plans to with these
15 grant funds.

16 MR. BALSIGER: That's the way it looked, as
17 if they could do that, at least on an interim basis, but
18 it's not clear to me they couldn't keep them in perpetuity,
19 and maybe we don't care, but I was just wondering whether
20 it was possible under the terms here.

21 MS. McCAMMON: I don't believe the way the
22 grant is written that they could hold them unless it was
23 with the Trustee Council's approval.

24 CHAIRMAN TILLERY: I think that's correct,
25 with the Trustee Council's approval. And in that event I

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1 think the governments would hold conservation easements on
2 them.

3 MS. McCAMMON: Correct.

4 CHAIRMAN TILLERY: Ms. Brown.

5 MS. BROWN: Thank you. I think this
6 comparison chart, by the way, is great, it really.....

7 MS. McCAMMON: Sandra did a good job on it.

8 MS. BROWN: Thank you. It really helps lay
9 this out. There were some concerns raised by Department of
10 Natural Resources that I think have been addressed, at
11 least I understand, but I just want to see if it's possible
12 to ask them, a quick check to see if there are any issues
13 still outstanding to make sure we can clarify.

14 MS. FRIES: We had one.....

15 CHAIRMAN TILLERY: I'm sorry, Carol, you'll
16 need to.....

17 MS. FRIES: My name is Carol Fries,
18 F-R-I-E-S. We had two concerns, one was regarding -- there
19 is a requirement in the grant that requests that we provide
20 land ownership information, habitat information. I
21 understand that the intent of this is to have the agencies
22 contribute some to the support of purchases for which we
23 have an interest, but DNR sometimes is involved in
24 providing land ownership data and technical support when
25 we're not the acquiring agency. And oftentimes it's a

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1 minimal effort, but there are instances where it has taken
2 some considerable effort and we just wanted to be able to
3 recover those costs in the event that it would be something
4 above and beyond the ordinary. And we weren't clear that
5 that provision was still within the scope of the grant or
6 Attachment B, I think it is.

7 And then one other concern that we had, and I don't
8 think it has to be terribly complicated, was that we felt
9 that from the public's perspective it might be good to
10 require the recipients to have a consistent process and
11 just have that process in writing so that the public knows
12 how we go about acquiring the parcels. And I think -- I
13 mean, that could be dealt with in three words or less. And
14 that was just one of the concerns that we had.

15 And I understand that in the interim we've
16 identified the parcels, but if the grant agreement is
17 extended in the future I think it would -- and the people
18 within the agency have thought it would be a good idea if
19 the public was aware of how parcels are identified and
20 acquired and pursued.

21 And those were the only two comments that weren't
22 clearly addressed, from our perspective.

23 CHAIRMAN TILLERY: I understand from
24 Attachment B that the kinds of things that, I think, you're
25 talking about would be eligible for funding, such as title

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1 review by the acquiring government and the non-acquiring
2 government, which I think is one that you're definitely
3 going to get hit for.

4 MS. FRIES: Right.

5 CHAIRMAN TILLERY: Hazardous materials
6 inspection is also in there. When I looked through this I
7 thought your costs, the kinds that you're describing, are
8 covered. Having sort of looked through that again, are you
9 fairly comfortable with that?

10 MS. FRIES: If it could be construed that
11 land ownership research in the initial phases could be
12 considered to be title research, yes. But I -- and maybe
13 it's a fine point, but oftentimes there is some land
14 ownership research that is done up front that's not part of
15 the title review.

16 CHAIRMAN TILLERY: Okay.

17 MS. FRIES: And usually it's not that time
18 intensive, but occasionally we do run into a situation.

19 CHAIRMAN TILLERY: I'm guessing this would
20 be when someone comes to you, says there's this parcel,
21 somebody wants to sell it, but we're concerned that this
22 person really has title and before we invest time and money
23 in it.....

24 MS. FRIES: Right.

25 CHAIRMAN TILLERY:we'd like to make

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1 sure there's not a whole bunch of other heirs out there or
2 easements or something else.....
3 MS. FRIES: Right.
4 CHAIRMAN TILLERY:that kind of thing.
5 MS. FRIES: Yeah.
6 MS. McCAMMON: But that's like a
7 preliminary title review or preliminary research leading
8 to.....
9 MS. FRIES: Yeah, and if we could.....
10 MS. McCAMMON:that would lead to a
11 title review, so I kind of thought that was part of any
12 potential title review.
13 MS. FRIES: Okay, if it could be construed.
14 CHAIRMAN TILLERY: I would understand that
15 covered.....
16 MS. FRIES: Okay.
17 CHAIRMAN TILLERY: Now, then, I also
18 understood that you were -- I thought -- you said that the
19 parcels had already been determined?
20 MS. FRIES: For the interim grant, I think.
21 Didn't we identify four or five parcels?
22 CHAIRMAN TILLERY: No.
23 MS. McCAMMON: No, none have been
24 identified, no.
25 CHAIRMAN TILLERY: I think there are still

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1 some sort of left over parcels that people could look into,
2 but they are not at all necessarily.....

3 MS. FRIES: Part of, okay.

4 CHAIRMAN TILLERY:going to be
5 involved in this, as I understand it.

6 MS. FRIES: Well, and then -- we thought
7 that it would be beneficial for the public to understand
8 how the process works and that was the primary concern.
9 And the recipients can certainly determine that and
10 outline, I don't think it.....

11 CHAIRMAN TILLERY: Yeah. And I would think
12 that it would also be important, and I would think that
13 this Council should be basically sort of saying that at
14 meetings or whatever, that explains how that happens, but I
15 guess I don't see, given the amount here, that any large
16 campaign to solicit public participation or something
17 should be undertaken, simply because, first of all, you
18 don't have enough money and you're going to raise
19 expectations and you may end up being swamped, but that
20 rather if people come in, yes, but otherwise.....

21 MS. FRIES: Right.

22 CHAIRMAN TILLERY:the point of these
23 grantees is that they have expertise in looking.

24 MS. FRIES: Yeah, I would agree. And I
25 don't think there was any intent to imply that there should

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1 be a public solicitation process, but if the public comes
2 and says, you know, how does this work or we have a parcel,
3 at least there's something to point them toward.

4 MS. SLATER: Like if they're asked how are
5 parcels identified? How are parcels evaluated? Is that
6 what you're getting at, Carol?

7 MS. FRIES: Yeah, uh-huh.

8 MS. SLATER: Some kind of a clear process
9 and description that could be shared with anybody that
10 would make those kind of inquiries.

11 CHAIRMAN TILLERY: For example, the
12 criteria that are established in the grant agreements; is
13 that what you're looking for? Something that when the
14 public comes and they say, how do you pick parcels that
15 you're going to pursue? And the answer is, well, here are
16 our criteria, these are what we look at.

17 MS. SLATER: Uh-huh.

18 MS. FRIES: Here are the criteria and if
19 you have a parcel that's important to you, this is what you
20 do.

21 CHAIRMAN TILLERY: And here are the steps
22 you do to bring it to our attention and so forth.

23 MS. FRIES: Right. And the recipients can
24 certainly lay that out.

25 CHAIRMAN TILLERY: Yeah.

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1 MS. FRIES: I mean, it doesn't have to be
2 laid out here.

3 MS. McCAMMON: Well, actually, a lot of it
4 -- I mean, it's still a combination of the recipients and
5 the acquiring government and the Trustee Council process,
6 so it's not just everything the recipients do, too. But we
7 could put a little -- we could, just internally here, put
8 together a little response to give to people if anybody
9 submits a parcel so that it's clear what they do. We can
10 do that.

11 CHAIRMAN TILLERY: Okay. And does that
12 pretty much deal with DNR's.....

13 MS. FRIES: Yeah, those were the -- yeah,
14 that was the last.

15 CHAIRMAN TILLERY:concerns?

16 MS. FRIES: Thank you.

17 CHAIRMAN TILLERY: Thank you. Thank you,
18 Michele.

19 MS. BROWN: Thank you.

20 MS. FRIES: Okay.

21 CHAIRMAN TILLERY: Is there anything else,
22 Ms. McCammon?

23 MS. McCAMMON: I don't think so. Is there
24 anything else, Sandra?

25 MS. SCHUBERT: (Shake head negatively)

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1 CHAIRMAN TILLERY: Any other questions or
2 comments?

3 (No audible responses)

4 CHAIRMAN TILLERY: I believe this is an
5 action item with a draft resolution. Does anybody want to
6 move to resolve anything? Ms. Heiman.

7 MS. HEIMAN: I move Resolution 01-07
8 regarding grant for habitat protection. What else do you
9 want me to say, that enough?

10 CHAIRMAN TILLERY: That was good, thank
11 you.

12 MS. BROWN: Second.

13 CHAIRMAN TILLERY: It's been moved and
14 seconded by Ms. Brown. Are there any comments Council
15 members would like to make?

16 (No audible responses)

17 CHAIRMAN TILLERY: All in favor of the
18 resolution signify by saying aye.

19 IN UNISON: Aye.

20 CHAIRMAN TILLERY: Opposed?

21 (No opposing responses)

22 CHAIRMAN TILLERY: The resolution passes.
23 That brings us to executive session. It's now almost 11,
24 how long would you anticipate executive session would last?
25 Well, actually before you say that, let me -- Ms. Heiman,

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1 is your schedule is you have to go?

2 MS. McCAMMON: Do you have to leave?

3 MS. HEIMAN: I have to leave at 12:15, but

4 Barry can be on the line.

5 MS. McCAMMON: We need you.

6 MS. HEIMAN: I know, but I let people know.

7 I really can't be here. Can we switch things, do something

8 in different order? No, okay.

9 MS. McCAMMON: We could make the executive

10 session quick.

11 MS. HEIMAN: That's a good idea.

12 CHAIRMAN TILLERY: Do you want to try do

13 anything now and do executive session later or do executive

14 session and figure we'll have 15 minutes at the end of it?

15 MS. McCAMMON: Yeah.

16 CHAIRMAN TILLERY: Okay. So what we'll try

17 to do is have an executive session -- you have to leave

18 here at 12:15?

19 MS. HEIMAN: Yeah.

20 CHAIRMAN TILLERY: Okay. Oh, I see, we

21 have a fair amount of time then. We will try to come back

22 from executive session by 11:45, is that.....

23 MS. McCAMMON: 11:30.

24 CHAIRMAN TILLERY: 11:30. Okay, we will

25 try to get done by 11:30.

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1 MS. McCAMMON: We should be able to.

2 CHAIRMAN TILLERY: And we need a motion to
3 go into executive session that describes the executive
4 session.

5 MR. BALSIGER: Sorry, I didn't hear the
6 last bit, describes the executive session?

7 CHAIRMAN TILLERY: Yes, what we'll be
8 discussing in executive session.

9 MR. GIBBONS: I move that we move to
10 executive session to discuss habitat protection,
11 specifically the Koniag and the 10-acre parcels.

12 MS. HEIMAN: Second.

13 CHAIRMAN TILLERY: It's been moved and
14 seconded; is anyone opposed?

15 (No audible responses)

16 CHAIRMAN TILLERY: Hearing none, the motion
17 passes and we will be in executive session. And we'll try
18 to be back out of it at 11:30.

19 (Off record - 10:59 a.m.)

20 (On record - 11:50 a.m.)

21 CHAIRMAN TILLERY: Okay, we're back on the
22 record following executive session. During the executive
23 session we discussed those issues described in the motion,
24 habitat protection related to Koniag and to 10-acre
25 parcels.

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1 The next item on the agenda is the Koniag
2 Conservation Easement. Ms. Heiman.

3 MS. HEIMAN: Mr. Chairman, I would like to
4 ask Glenn Elison to please come up and just before I make
5 any motion, I'd like him to just briefly explain some of
6 the provisions that have changed in the agreement.

7 MR. ELISON: Thank you, Mr. Chairman. Very
8 briefly, as a result.....

9 (Off record comments - poor connection with
10 conference operator)

11 CHAIRMAN TILLERY: Okay.

12 MR. ELISON: Thank you, Mr. Chairman. Very
13 briefly. The Trustees in their authorized offer on January
14 4th was transmitted to Koniag. This board met last
15 Wednesday and Friday. As a result of that their resolution
16 was not completely acceptable because of concerns about
17 lands on the east side of Uyak Bay and Zachar Bay and some
18 other minor concerns. We subsequently have been in
19 negotiations with Koniag over the weekend. The motion
20 before and the modifications to the agreement have the
21 following changes.

22 First, it revised Section I of the conservation
23 easement to clarify that unguided public use is a purpose
24 of the conservation easement and this agreement. There is
25 a change in Section X dealing with enforcement language, it

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1 changes some typos that were in the special fund account
2 description, it provides a condition precedent related to
3 possible action by the court.

4 The most substantive change and where most of the
5 discussion is that it provides to deal with the lands on
6 the east side of Uyak Bay and Zachar Bay, that these lands
7 will be covered by the agreement, it provides that the
8 investment account will be increased by \$250,000, it
9 provides an option for Koniag to elect to enter into an
10 exchange with the Interior Department for those lands on
11 the east side of Uyak Bay for lands which are generally
12 south of the Village of Larsen Bay. Some of those lands
13 are currently encumbered with the State easement and any
14 exchange would be subject to that State easement. The
15 election, again, would be Koniag's by December 1st of 2001.

16 The Fish and Wildlife Service is willing, if the
17 exchange goes through, to enter into a management agreement
18 with the State of Alaska, DNR specifically, to manage that
19 easement and the State interest therein.

20 That, in a nutshell, is a summary of the changes.
21 The agreement, other than that, remains as you saw it on
22 January 4th.

23 CHAIRMAN TILLERY: Thank you. Are there
24 questions for Mr. Elison?

25 (No audible responses)

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1 CHAIRMAN TILLERY: Ms. Heiman.

2 MS. HEIMAN: Mr. Chairman, I'd like to make
3 a conceptual motion on the changes that would need to be
4 made to the agreement that we signed at the last meeting.
5 What the changes would include, as Glenn has just pointed
6 out, there would be an additional \$250,000 for lands on the
7 east side of Uyak Bay, 100,000 of that would come from the
8 Department of Interior criminal money -- no, 100,000 of
9 that would come from EVOS Trustee Council, 50,000 from
10 Kodiak 10-acre parcel -- money that's already earmarked for
11 Kodiak 10-acre parcels and the other 50,000 would come from
12 the 55,000,000 set up for the 2002 [sic]. And then the
13 Department of Interior would cover the other 150,000 out of
14 our criminal money. However, none of this additional
15 funding will be necessary unless this land exchange, that
16 was just discussed, we cannot come to an agreement. But
17 that's our hope that this land exchange would go through
18 and that the additional funds would not be available, but
19 in case they don't [sic].

20 Also the Department, as Glenn mentioned, agrees to
21 accept responsibility for management of the State
22 conservation easement and also the clarifying language for
23 unguided public use on the river. But that's a conceptual
24 motion, I want to add to that motion that we believe this
25 is a very fair agreement and that the Council has really

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1 gone, I think, the extra steps necessary to make this all
2 work out, if this is approved today. So we hope that there
3 would not be any further changes in the agreement after
4 this date.

5 CHAIRMAN TILLERY: Thank you. Is there a
6 second?

7 MS. BROWN: Second.

8 CHAIRMAN TILLERY: It's been seconded by
9 Ms. Brown. It's been moved and seconded. Are there
10 Trustee Council comments?

11 (No audible responses)

12 CHAIRMAN TILLERY: And, perhaps, I'd like
13 to restate to make sure I understand what the -- your
14 motion is to adopt, in concept, the draft resolution with
15 those changes to be incorporated into the resolution when
16 it's circulated for signature by the Council members?

17 MS. HEIMAN: Right, I just highlighted what
18 the changes were for the record and in the motion.

19 CHAIRMAN TILLERY: Are there other
20 comments?

21 MR. ELISON: Mr. Chairman, if I may?

22 CHAIRMAN TILLERY: Mr. Elison.

23 MR. ELISON: There's been a flurried
24 discussion about the Fish and Wildlife's willingness to get
25 involved dealing with the State on the easement, I want to

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1 just make sure I understand and clarify for the record,
2 because I've heard some concern about this. The Fish and
3 Wildlife Service is fully willing to be involved in the
4 management of that easement and help DNR in any way that it
5 can to achieve the purposes of the easement. What we would
6 like to see set up as a long-term relationship is that our
7 rights under that easement are subservient to the State's
8 rights and not independent of those rights.

9 CHAIRMAN TILLERY: That's the way I
10 understand it.

11 MR. ELISON: Okay, thanks.

12 CHAIRMAN TILLERY: Are there.....

13 MR. BALSIGER: Mr. Chairman.

14 CHAIRMAN TILLERY: Mr. Balsiger.

15 MR. BALSIGER: Could I just clarify then
16 that none of the Koniag easements or purchases or
17 conditions we talked about at the last meeting will go
18 forward until all of this is resolved; is that correct?

19 MR. ELISON: It's my expectation that if
20 the motion before you is approved that it will be forwarded
21 to Koniag, their board will act upon it, and if they accept
22 it, then we'll start taking care of the conditions
23 precedent wrapping up to closing.

24 MR. BALSIGER: We're not doing part of it
25 because most of it was agreed on -- it's all one big

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1 package yet?

2 MR. ELISON: This is all one package.

3 MR. BALSIGER: Okay, thank you.

4 CHAIRMAN TILLERY: But it's never been
5 accepted.

6 MR. BALSIGER: No, I understand that as
7 well.

8 CHAIRMAN TILLERY: Right. Mr. Swiderski,
9 you need to come up.

10 MR. SWIDERSKI: I have a little concern
11 about the subservient language that Mr. Elison mentioned.
12 I think what DNR's understanding was, at least from the
13 conversation I had, that DNR would convey to the Fish and
14 Wildlife Service a right to enforce the provision of the
15 easement which is not a position, I think, Koniag is
16 particularly happy about, but it is something that DNR
17 requested me to ask the Council to do.

18 CHAIRMAN TILLERY: Yeah. I would be sure
19 -- I mean, so that it wouldn't necessarily end up that way,
20 that there may be some kind of a management delegation but,
21 in any event, the State would not want to lose its ability
22 to hold on to that easement.

23 MR. SWIDERSKI: Yeah, it wouldn't lose its
24 ability, but it would convey to the Fish and Wildlife
25 Service an equivalent right to enforce while retaining the

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1 rights that it has.

2 MR. ELISON: A right to enforce, but not an
3 interest in the easement, per se.

4 CHAIRMAN TILLERY: Right, not an interest
5 in the easement, but perhaps a management agreement or
6 something that would give you the ability to monitor,
7 manage, whatever, is that.....

8 MR. ELISON: That's what we hope to
9 achieve.

10 MR. SWIDERSKI: Would that include the
11 right, for example, to take court action to enforce the
12 provisions of the easement?

13 MR. ELISON: I would need to consult with
14 our counsel as to whether that defaults into an interest in
15 land or not, which I think is the situation.....

16 MR. SWIDERSKI: I think that's the concern
17 that DNR has.

18 MR. ELISON: We're willing to do a whole
19 lot of leg work here for DNR to help them with this
20 easement, but for some reasons that Mr. Swiderski alluded
21 to, we don't want to be co-equals in the interest in this
22 easement.

23 CHAIRMAN TILLERY: Okay. Other comments or
24 questions?

25 (No audible responses)

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1 CHAIRMAN TILLERY: I know this deal has
2 been a very long time in the making, years in the making,
3 and I think that all along the way the actions of Federal
4 and State negotiators has been characterized by a
5 willingness to be flexible, by imagination and by
6 creativity. Without that, I don't think you -- I guess,
7 initially, I was skeptical that we would ever get to this
8 day and I think that your ability to be creative and to sit
9 down and to work long hours has gotten this deal in a
10 position where the Council can vote on it today. I would
11 like to thank all of you for that, I appreciate that very
12 much.

13 I think that this deal is a good one, I think it's
14 not a final deal for the lands, but it sets in motion
15 events that can lead to the land and it provides for
16 adequate and actually more than adequate, it provides for
17 good protections in the interim and, in my view, it is
18 something that we should approve.

19 MS. HEIMAN: I agree 100 percent with your
20 statements, Mr. Tillery.

21 CHAIRMAN TILLERY: Are there any other
22 comments?

23 (No audible responses)

24 CHAIRMAN TILLERY: Okay, there is a motion
25 on the table, all in favor of the motion signify by saying

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1 aye.

2 IN UNISON: Aye.

3 CHAIRMAN TILLERY: Opposed?

4 (No opposing responses)

5 CHAIRMAN TILLERY: The motion carries.

6 Thank you.

7 MR. ELISON: Thank you, Mr. Chairman and
8 members of the Trustees. I'd just like, if I can, like to
9 recognize Alex Swiderski and Barry Roth, my co-negotiators
10 for their long and hard work in this and they were
11 stalwarts the whole way and I really appreciate their
12 involvement. Thank you for the Council support.

13 CHAIRMAN TILLERY: Thank you, we appreciate
14 it.

15 Ms. McCammon, we have two items left, we have the
16 10-acre parcels and we have Ms. Heiman, what order should
17 we do those in?

18 MS. McCAMMON: Well, we only have 11
19 minutes.

20 CHAIRMAN TILLERY: I suggest we do
21 Ms. Heiman first.

22 MS. McCAMMON: I think so, too.

23 CHAIRMAN TILLERY: At this time we are
24 losing one of our members after this meeting, Marilyn
25 Heiman, the representative of the U.S. Department of the

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1 Interior and so we will -- I guess we'll stay on the record
2 for the moment, but we will probably go off in a little
3 bit. And for those of you on line, Ms. McCammon is
4 bringing in a large thing.

5 MS. McCAMMON: Well, this actually has a
6 story behind it because -- I mean, this is actually
7 something that we actually give to a lot of Trustee members
8 as they leave, is a copy of the Trustee Council poster
9 signed by all the current Trustees. And for the Department
10 of the Interior we sent the poster back to Secretary
11 Babbitt to have the Secretary sign it, which he did, but he
12 crushed the poster incredibly. I mean, it was just
13 practically demolished after he got through with it, or his
14 staff, I shouldn't say. Whoever.

15 UNIDENTIFIED VOICE: I'm sure it was his staff.

16 (Laughter)

17 MS. McCAMMON: But we wanted to preserve
18 the signature so what they had to do in framing it is take
19 another poster, but the signature part of it.....

20 MS. HEIMAN: Oh, wow.

21 MS. McCAMMON:and then there's these
22 little windows in it, which means it's about half again as
23 large as it typically is and weighs half again as much, so
24 good luck hanging it.

25 (Laughter)

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1 MS. HEIMAN: That's great, thank you.

2 That's great.

3 MS. McCAMMON: On behalf of all the
4 Trustees, Marilyn, and for me as Executive Director, it's
5 been a real pleasure working with you for the last two
6 years and we're going to miss you a lot.

7 MS. HEIMAN: Well, I will miss all of you.
8 Thank you very much, that's great.

9 MS. McCAMMON: Good.

10 (Applause)

11 CHAIRMAN TILLERY: Do we have any comments
12 Council members would like to make? Claudia.

13 MS. SLATER: Well, if I could, on behalf of
14 Frank, Marilyn, Frank asked me to say just a few brief
15 words. First of all, he was very sorry that he wasn't able
16 to attend personally today and he sends his regrets for not
17 being able to be here, but he did want to extend his
18 appreciation for working with you on the Council and the
19 contributions that you have made to the Council and that
20 your strength and your persistence has gone a long ways
21 towards promoting the recovery of injured resources and
22 keeping the Trustee Council on the right track over the
23 next couple of years. So he wanted to extend his thanks.

24 MS. HEIMAN: Thank you.

25 CHAIRMAN TILLERY: Ms. Brown.

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1 MS. BROWN: I'll just add a few words
2 because Marilyn is such a force that's been involved in
3 this issue since the oil first hit the ground and then
4 involved in efforts to prevent additional ones and now in
5 the recovery end. On behalf of the Alaskans, at least,
6 that I represent or stand for, I just think you are an
7 incredible force for protecting Alaska and thank you.

8 MS. HEIMAN: Thank you.

9 CHAIRMAN TILLERY: Mr. Gibbons.

10 MR. GIBBONS: I'll just thank you for being
11 here, you know, for the last two years and a person you can
12 visit with and talk and I appreciate that.

13 MR. BALSIGER: Mr. Chairman, I haven't
14 overlapped very many meetings with Ms. Heiman, but it's
15 obvious she has the resource at heart and the people and as
16 far as I can tell never anything hidden in the agendas that
17 she is pursuing.

18 (Laughter)

19 MR. BALSIGER: And that's a good thing for
20 a person who sits on a board, so I appreciate that and I
21 hope we'll see her around.

22 MS. McCAMMON: That's true. You wouldn't
23 be a good poker player.

24 CHAIRMAN TILLERY: Yeah. You know, it
25 seems like it wasn't very long ago that I was chairing a

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1 meeting when we said good-bye to Steve Pennoyer and I've
2 seen some other meetings where we've said good-bye to
3 people. And one of the things that's consistent when we
4 say good-bye is that these people have done a great job and
5 we miss them. And people come in and they've taken over
6 and I think when Deborah Williams left it was wonderful
7 that you came and took over and, without missing a beat,
8 kept right up with the program. And Marilyn and I were
9 talking that she came in and her first meeting was the
10 meeting where we set up the reserve account, probably one
11 of the most significant meetings this Council has ever had.
12 Your last meeting is the Koniag deal, which is certainly
13 one of the longest running issues this Council has ever had
14 and in between it's been a really good ride. It has been a
15 pleasure, personally, to have you on this Council, I mean,
16 it's just been a delight and a joy and professionally
17 you've accomplished a lot by the force of your personality
18 and strongly held views and willingness to work with
19 everybody. And I do think that those contributions are
20 well recognized now and in 25 years they will be even more
21 recognized, because the stuff you've done, in particular,
22 will last past us. So thank you very much, Marilyn.
23 MS. HEIMAN: Thank you. Thank you very
24 much. Thank you, all, it's been a great pleasure working
25 with all of you and sitting on this Council and I've

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1 learned a lot. And thank you, Molly, very much for helping
2 me come along and learn these things because I know I can
3 get frustrated sometimes in trying to figure out how to get
4 things done, but I have really learned a great deal and
5 this has been a great experience for me, so I really
6 appreciate all of you working with me and for all the
7 things that we have been able to accomplish. It's been
8 great, so thanks. And thank all of you, too, and good
9 luck.

10 MS. McCAMMON: We do have food out there
11 afterwards for all of us to, you know, join in with
12 Marilyn.....

13 MS. HEIMAN: Chit-chat

14 (No audible responses)

15 MS. McCAMMON:but she's leaving,
16 so.....

17 MS. HEIMAN: This is great, thank you.

18 MS. McCAMMON: You should also know that in
19 spite of the fact that we sent the pen to sign this with,
20 Frank Rue was the only one who signed in blue ink.

21 (Laughter)

22 MS. HEIMAN: That's great. It looks nice.

23 MS. McCAMMON: But that's Frank.

24 CHAIRMAN TILLERY: Good for Frank, that's
25 perfect.

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1 MS. McCAMMON: He likes to be distinctive.
2 And we can send it over later if you want, rather than
3 taking it now.

4 MS. HEIMAN: Oh, that would be great, that
5 would help me out a lot.

6 CHAIRMAN TILLERY: Marilyn, do you have
7 time to join us for one last Kodiak 10-small [sic] parcels
8 or do you need to go?

9 MS. HEIMAN: Okay, yeah, I can quickly do
10 that.

11 CHAIRMAN TILLERY: Barry can handle it if
12 you need to get on the road.

13 MS. HEIMAN: No, let's go.

14 CHAIRMAN TILLERY: All right, the last item
15 on the agenda, then, are the Kodiak 10-acre parcels.
16 Mr. Elison, I suppose, you'll take us briefly.....

17 MR. ELISON: Very briefly through it. The
18 resolution before you identified three parcels. I
19 recommend that the parcel owned by the Danelskis on the
20 west side of Uyak Bay be removed from the resolution. The
21 two remaining parcels owned by Jacob Wick are located in
22 the very strategic location in Zachar Bay. They have
23 protected coastal access, have important resource values
24 for pigeon guillemots, harlequin ducks, a variety of other
25 sea ducks. Black oystercatchers, sea otters, bald eagles

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1 and other resources.

2 The parcels are 10 acres, the appraised value is
3 \$18,000 for each of the two parcels. I think that their
4 resources values and strategic location make them a good
5 acquisition to protect resource values in the long haul,
6 particularly in light of the fact that the lands already
7 acquired by the Council in that area were ranked high by
8 the HPWG Group, I think it does a nice job of helping
9 fill in the holes.

10 CHAIRMAN TILLERY: Thank you. Are there
11 any questions for Mr. Elison?

12 (No audible responses)

13 CHAIRMAN TILLERY: Is there a motion?

14 MS. HEIMAN: Mr. Chairman.

15 CHAIRMAN TILLERY: Yes.

16 MS. HEIMAN: I move that the Council
17 approve these two 10-acre parcels, do you need the names?

18 MR. ELISON: They're both owned by Jacob
19 Wick.

20 MS. McCAMMON: 2067 and 2068.

21 MS. HEIMAN: 2067 and 2068.

22 CHAIRMAN TILLERY: I assume that you're
23 moving the adoption of the resolution.....

24 MS. HEIMAN: As well, yeah.

25 CHAIRMAN TILLERY:with the changes

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1 Mr. Elison.....

2 MS. HEIMAN: Yeah.

3 MS. BROWN: Second.

4 CHAIRMAN TILLERY: It's been moved and
5 seconded by Commissioner Brown. Are there comments by
6 Council members?

7 (No audible responses)

8 CHAIRMAN TILLERY: All in favor of the
9 motion signify by saying aye.

10 IN UNISON: Aye.

11 CHAIRMAN TILLERY: Opposed?

12 (No opposing responses)

13 CHAIRMAN TILLERY: The motion carries. And
14 I believe that brings us to a motion to adjourn. Is there
15 any other business for the Council? Mr. Balsiger.

16 MR. BALSIGER: Mr. Chairman, do we have an
17 understanding when the next meeting is going to be?

18 MS. McCAMMON: March sometime when people
19 are available.

20 MR. BALSIGER: But no dates yet?

21 MS. McCAMMON: The Chairman of the NRC
22 Review Committee wanted to present their report to the
23 Trustee Council and also -- so it's dependent on your
24 schedule and his schedule and then also it's on schedule to
25 review the Council's Asset Allocation Plan and status of

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1 investments.

2 CHAIRMAN TILLERY: Anything else to come
3 before the Council?

4 (No audible responses)

5 CHAIRMAN TILLERY: Is there a motion?

6 MS. HEIMAN: I move we adjourn.

7 MS. BROWN: Second.

8 CHAIRMAN TILLERY: It's been moved and
9 seconded by Ms. Brown that we adjourn. All in favor, aye.

10 IN UNISON: Aye.

11 CHAIRMAN TILLERY: Opposed?

12 (No opposing responses)

13 CHAIRMAN TILLERY: We're out of here.

14 (Off record - 12:14 p.m.)

15 (MEETING ADJOURNED)

