

1 *Exxon Valdez* OIL SPILL TRUSTEE COUNCIL

2
3 October 14, 2020

4 10:00 A.M.

5 Anchorage, Alaska

6 TRUSTEE COUNCIL MEMBERS:

7 U.S. FOREST SERVICE: Mr. David Schmid

8 AK DEPT OF FISH & GAME: Commissioner Doug Vincent-Lang

9 AK DEPT OF ENVIRON CONSERVATION: Commissioner Jason Brune

10 AK DEPT OF LAW: Mr. Steven Mulder

11 U.S. DEPT OF THE INTERIOR: Mr. Gregg Renkes

12 NATIONAL MARINE FISHERIES SERVICE: Dr. James Balsiger

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1 ALSO PRESENT EVOSTC STAFF:

2 Elise Hsieh, Executive Director, EVOSTC

3 Lauri Adams, Habitat Director, EVOSTC

4 Shiway Wang, Science Director, EVOSTC

5 Linda Kilbourne, Administrative Manager, EVOSTC

6 Austin Quinn-Davidson, Habitat Coordinator, EVOSTC

7 Cherri Womac, Associate Coordinator, EVOSTC

8

9 ALSO PRESENT PARTICIPANTS:

10 Gary Fandrei, EVOSTC Public Advisory Committee

11 Stacey Simmons, EVOSTC Public Advisory Committee

12 Patience Anderson Faulkner, EVOSTC Public Advisory Committee

13 Phillip Johnson, USDOJ

14 Sheri Buretta, Chugach Alaska Corp.

15 Josie Hickel, Chugach Alaska Corp.

16 Diane Kaplan, Rasmuson Foundation

17 Jeff Baird, Rasmuson Foundation

18 Jon Shepherd, Port Graham Corp.

19 Elmer Moonin, Port Graham Corp.

20 Phil Mundy, NOAA (retired)

21 Tara Riemer, Alaska SeaLife Center

22 Chip Arnold, Alaska SeaLife Center

23 Dune Lankard, Eyak Preservation Council

24 Carol Hoover, Eyak Preservation Council

25 Vanessa Norman, Davis, Wright & Tremaine

1 Gerald George, Davis, Wright & Tremaine
2 Patricia Relay, Valdez Museum
3 Jeff Hetrick, Alutiiq Shellfish Hatchery
4 Michael Opheim
5 Shauna Hagna, Koniag, Inc.
6 Diane Selanoff, Port Graham Corp.
7 Donna Aderhold, Prince William Sound Science Center
8 Scott Pegau, Prince William Sound Science Center
9 Hillary Fielder
10 Rick Steiner, Oasis Earth
11 Sydney Thielke, USFWS
12 Veronica Varela, USFWS
13 Kyle Graham, USFWS
14 David Wigglesworth, USFWS
15 Mead Treadwell
16 April Counciller, Alutiiq Museum
17 David Mitchell, Great Land Trust
18 Ellen Kazary, Great Land Trust
19 Walter Young
20 Rys Miranda, ADNR
21 Sylvia Kreel, ADNR
22 Shawna Popovici, ADNR
23 Stephen Payton
24 Ron Britton, USFS
25 Wayne Owen, USFS

1 Ron McClain, USDA
2 William Brighton, USDOJ
3 Erika Wells, USDOJ
4 Craig O'Connor, NOAA
5 Sara Taylor, U.S. Dept. of the Interior
6 Mandy Lindeberg, NOAA
7 Erika Ammann, NOAA Fisheries
8 Rob Suryan, NOAA
9 Jennifer McVey
10 Kari Capozzi
11 Margaret Stock
12 Carolyn Fosnaugh
13 Phyllis Johnson
14 Daniel Jensen
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16 Dan Hull
17 Branden Bornemann, Kenai Watershed Forum
18 Maile Branson
19 Dede Bohn, USGS (retired)
20 Teague Richardson
21 Carol Jansen, Alaska Ocean Observing System
22 Shea Bowman
23 Lisa Docken, Copper River Watershed Project
24 Ann Robertson, Senator Murkowski's Office
25 Pat Conzimus

1 Leslie Jones
2 Wendy Lindskoog
3 Michelle DeBlasi
4 Caryn Rea, Conoco Phillips (retired)
5 Shelley Peterson, Tanquirnaq Native Village, Woody Island Tribe
6 Jana Turvey, Leisnoi, Inc.
7 Norm Regis, City of Seward
8 Mike Unidentified
9 Tom Unidentified
10 Unidentified
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(On record)

CHAIR BRUNE: We'll kick off today's meeting. I do see Trustee Mulder, Trustee Vincent-Lang, Trustee Balsiger, and Trustee Schmid, and Trustee Renkes here with us, and I, of course, I'm Jason Brune. So I'll call this meeting to order at 10:02, and I'll look for, with agenda Item 2., a motion to approve the consent agenda.

COMMISSIONER VINCENT-LANG: Motion to approve the consent agenda.

CHAIR BRUNE: Motion to (indiscernible - speaking simultaneously).....

COMMISSIONER VINCENT-LANG: This is including both the approval of the agenda and the approval of the February 28th, 2020 Meeting Notes.

CHAIR BRUNE: We have a motion by Trustee Vincent-Lang. Is there a second?

DR. BALSIGER: Second.

CHAIR BRUNE: I believe that was Trustee Balsiger as the second. So is there any discussion?

(No audible response).

CHAIR BRUNE: Hearing none, is there any opposition to the motion?

(No audible response).

CHAIR BRUNE: Hearing none, the consent agenda is approved.

1 I heard yesterday's meeting of the PAC was very successful and
2 I'm very happy that Gary Fandrei is -- at least I thought I saw him
3 on, and I'd like to turn the floor over to Gary and thank him and all
4 the PAC for their service, and I look very much forward to your
5 report, Gary.

6 MR. FANDREI: Thank you, Jason. I appreciate the opportunity to
7 be here. As an introduction, I'd like to introduce myself a little
8 bit. My name is Gary Fandrei. I'm the new Chairman of the PAC
9 Committee. I've been on the PAC for a number of years. I think I
10 first joined up as it was called the Public Advisory Group at the time
and
11 that was in 2001. So I've been around for a while with the program.
12 I represent aquaculture and mariculture interests on the PAC, and
13 having said that, I will jump into our report.

14 What I'd like to do is to cover some of the actions that we took
15 at the meeting yesterday and then give just a brief summary at the
16 end of some of the discussion that we had, so that everybody has an
17 understanding as to what the PAC is doing.

18 CHAIR BRUNE: So Gary, before you start, is there a written PAC
19 report that we can follow through on or.....

20 MR. FANDREI: No, there is not.

21 CHAIR BRUNE: Okay.

22 MR. FANDREI: The PAC meeting was yesterday and it was done
23 around noon, and I don't believe there was a report that was prepared
24 and ready to be distributed at this time.

1 CHAIR BRUNE: Okay, thanks.

2 MR. FANDREI: So if there are questions, just interrupt me as we
3 go through this, and I will try to answer them as we go through it.
4 What I'd like to do first, though, is to go through some of the
5 motions that we -- the actions that we took, so that you understand
6 where the PAC was on some of these issues. The first thing that we
7 talked about was the Invitation for proposals for fiscal years 2022
8 and -- through 2031. The PAC reviewed that. They didn't have a
9 whole lot of questions with it and recommended that this be forwarded
10 on to the Council for approval.

11 The next issues we talked about were the long-term monitoring
12 programs and these included the long-term -- I lost the word there,
13 the herring research and monitoring programs, the long-term research
14 and
15 monitoring programs and the data management program. We reviewed
16 each one of those and felt that the proposals that they had presented
17 were worthwhile to present -- forwarding on to the Council for
18 approval. So all three of those were recommended for approval.

19 The next thing we addressed was the non-science
20 program proposals
21 and there were two of those; the pigeon guillemot request, and we
22 recommended that program be forwarded on to the Council for approval,
23 and then we also talked about the ocean acidification proposal, and
24 we also recommended that proposal be forwarded. We were aware of
some of the concerns that the Science Panel and the Science Director

1 have on that and we understood that, but we recommended that they go
2 forward with that program to the Council still.

3 There were a couple of reauthorization projects that were out
4 there. We looked at those and we felt that all three of those should
5 be forwarded on to the Council for reauthorization. These are
6 programs that, as we understand it, were in place last year and we
7 felt that they were worthy of continuing and going forward. They
8 were interrupted, not because of the programs, but because of things
9 outside of their control.

10 CHAIR BRUNE: Gary, can I ask a question? So that's true of the
11 Bookey Parcel and the Outreach Program, but is that true of the
12 Standardized, High-Resolution, Geospatial Program? I thought that
13 was a new study.

14 MR. FANDREI: That's a new program, and I was speaking to the
15 Bookey Program, which is -- there's a project associated with that
16 and the Habitat Project, and then there's also the DNR Outreach
17 Program. Those are the three that I'm referring to here.

18 CHAIR BRUNE: Okay.

19 MR. FANDREI: The other one, the High Resolution Program, we did
20 review that as well, and that is a new program, and we also suggested
21 that that go on to the Council for approval as well. There was a
22 couple of questions regarding that particular project, and one of the
23 things that we're concerned about and we've brought up was whether or
24 not or how it was integrating with other projects that were going on
25 in the area. So that was one of the things that we had discussed

1 briefly, but we still recommended it goes forward, so.....

2 CHAIR BRUNE: So Gary, when you discussed that one, did you
3 discuss whether it should move forward as a multi-year project or
4 whether it should be moving forward for a single year?

5 MR. FANDREI: We did not have that discussion, I'm sorry.

6 CHAIR BRUNE: Okay, thank you.

7 MR. FANDREI: And then -- let's see, I've got to remember where
8 I'm at here. We also took a look at some of the FY21 Budget and
9 reviewed that as well, and we recommended that go forward, as well,
10 to the Trustee Council. We didn't have any significant questions or
11 anything with the budget. Our understanding is it's pretty similar
12 to what was out there last year.

13 So with those motions and actions that were taken, we also heard
14 from the public through the public comment period and had a chance to
15 review some unsolicited programs, as well. As a result of that,
16 there was some discussion by the PAC as to some of these issues that
17 were out there. We recognize that the PAC does represent the public
18 and felt that there may be an opportunity, there may be a need at
19 some point in the future to maybe have more frequent PAC meetings so
20 that we can interact with the public a little bit more.

21 There were no recommendations that were made at that point.

22 That was just a discussion that was out there that we had on it -- on
23 that issue. It was also noted that the PAC is a reactionary
24 organization, in that we react to the proposals that are coming
25 forward from the Council and that's where we focus most of our

1 attention on our activities.

2 We stumbled a little bit, I guess the way to say that is that
3 there was some unsolicited proposals that came forward. We did take
4 a look at those, but we really didn't know how to react to those
5 because we're really, you know, as we said, we're a reactionary
6 organization or reactionary committee, and those were things that we
7 hadn't seen before and so we did discuss them, but we did not take
8 any actions or make any recommendations on any of those proposals
9 that we looked at, at that point.

10 We also heard quite a bit from the public regarding
11 reorganization of the EVOSTC Program. We believe that the PAC should
12 be involved in that somewhat in the future. We did not make any
13 recommendations as to how to go forward with anything on that
14 particular program, but we are interested in following through on
15 that. So if there's any need for the PAC to be involved in that,
16 we're certainly willing to step forward and move that forward, so --
17 and with that, I guess -- I think that pretty much covers it. I hope
18 I didn't miss anything, and would be happy to answer any questions
19 that the Council has.

20 Chair Brune: Yes, Gary, thank you so much, and again,
21 thanks to all the members of the PAC. I served with Gary on the PAC
22 years ago and it's great to see you again, and I appreciate all of
23 the effort that that group puts in. It's a lot of work and your
24 recommendations are very appreciated. I know Trustee Vincent-Lang
25 has a question for you.

1 COMMISSIONER VINCENT-LANG: So Gary, how is your participation
2 in the PAC meeting? How many members did you have to inform the
3 discussions and who was absent and who was present? Was it kind of a
4 full body or.....

5 MR. FANDREI: That's a good question and I probably should have
6 mentioned that in the beginning. The current PAC has seven members
7 on the PAC. There are three vacant positions on there that aren't
8 filled. I believe we had six of the seven members participating in
9 this discussion.

10 COMMISSIONER VINCENT-LANG: Thank you.

11 CHAIR BRUNE: Gary, could I ask, those three vacant positions,
12 do you know what those categories fall under? Trustee Renkes is on,
13 and I believe those positions are filled from Department of Interior,
14 so we'll want to make sure, since he's new to EVOSTC, that he is
15 aware that those positions need to be filled.

16 MR. FANDREI: I apologize, I don't have that information right
17 in front of me, as to which ones they are. I did review that
18 earlier, but I don't have it, and I think Phil Johnson's on there and
19 he maybe can answer that question.

20 MR. JOHNSON: Yeah, I will double check on that. I do know --
21 I'm going to have to check an email to make sure I speak correctly,
22 but those nominations were forwarded to our Washington, D.C. office
23 by Mr. Steve Wackowski before he moved on from his current position
24 or his former position with DOI, and so my understanding is those
25 positions are back in D.C. being considered at this point, and I'll -

1 - I will double check on which positions those are and I'll get back
2 to you.

3 CHAIR BRUNE: Thank you so much.

4 MR. JOHNSON: Yes.

5 MR. RENKES: And this is Gregg. I'll check on them too on our
6 end, on the receiving end. It sounds like we did the (indiscernible)
7 and we got the nominations forwarded, so I will try to find them now
8 and I'll look back with Phil.

9 MR. JOHNSON: Thank you.

10 CHAIR BRUNE: And yeah, that's great. I'm looking at Trustee
11 Schmid. It looks like he's wanting to make a comment or -- no -- no
12 comments from you. Just because we're on Zoom, I want to make sure
13 that I'm going around. Trustee Balsiger, any comments?

14 DR. BALSIGER: (No audible response).

15 CHAIR BRUNE: No. Trustee Mulder?

16 MR. MULDER: Nothing from me, thanks.

17 CHAIR BRUNE: And Trustee Renkes?

18 MR. RENKES: No, nothing from me. I guess just one, again, echo
19 Jason's thanks to the PAC and thanks to Gary. I mean, to do -- all
20 the work you guys are doing in terms of informing our decisions is
21 great and we really truly appreciate it. So thank you for coming
22 together the day before our meeting and going through the agenda. We
23 appreciate the insights and info, thank you.

24 CHAIR BRUNE: And just so everyone knows, thank you, Trustee
25 Vincent-Lang. I've gotten an update from staff that the three vacant

1 positions are conservation, sportfish, and science tech. So that's
2 something that -- I appreciate that and we'll hopefully have those
3 filled for the next opportunity with the PAC. Thanks again, Gary,
4 and we'll go ahead and move on to the next agenda item, which is
5 Elise with Asset Allocation.

6 MS. HSIEH: Thank you, Jason. The EVOSTC Investment Working
7 Group meets annually to review a presentation by the Alaska
8 Department of Revenue and to determine an asset allocation
9 recommendation for the next EVOSTC fiscal year, which starts February
10 1st.

11 The Investment Working Group is assembled in the spring and
12 Trustees are always welcome to join and participate. This year's
13 participants included myself, Lauri Adams, Shiway Wang, Austin Quinn-
14 Davidson, Elizabeth Gobeski from the Department of Interior,
15 Steve Mulder, Trustee, from Department of Law, and Bob Mitchell, the
16 Chief Investment Officer of the Alaska Department of Revenue, who has
17 recently retired.

18 The Investment Working Group reviewed Department of Revenue's
19 presentation dated March 31, 2020. It's in your meeting materials,
20 and echoed the Department of Revenue's recommendation to
21 continue with the asset allocation Mix Number 4. It's in the
22 presentation, page 12. I can also read off those numbers, if that's
23 significant.

24 I talked to -- since Bob Mitchell has retired, we should have, I
25 believe -- I'm not sure if they're on the phone, but the new Chief

1 Investment Officer for the Department of Revenue, Zach, and also
2 Shane, are both working with us; Zach Hannah and Shane Carson. They
3 may be on. They were supposed to be, but this is their first year
4 and it's Zoom. So I'm not sure if that got mixed up, but they were
5 to be on for any questions, but we had some initial conversations
6 over the last couple of weeks, given the potential cash outflows the
7 Trustees may authorize at this meeting or a future meeting before the
8 end of the fiscal year, and the impacts of COVID on the market.

9 We recommend the Trustees review this recommendation for
10 adoption at this meeting for approval, and after this meeting, if the
11 Trustees have authorized unanticipated cash outflows, then we would
12 revisit the asset allocations, and if needed, pull the Investment
13 Working Group back together and come back to you with a revised asset
14 allocation.

15 The next set of capital market assumptions will be ready in
16 February and may also be integrated with anticipated EVOSTC outflows
17 to inform -- to inform an updated Investment Working Group. So if we
18 see those capital assumptions are radically different, we might email
19 you and say we're pulling together the Investment Working Group and
20 want to revisit that asset allocation, which we actually will do at
21 any time, with any sort of market investment shift that would prompt
22 that.

23 So I just kind of wanted to let you know the recommendation is
24 to go ahead and adopt that asset allocation, Mix Number 4. We have a
25 draft motion for you consistent with that, but just so you know,

1 we'll be watching and monitoring the cash authorizations, the funding
2 authorizations and perhaps revisiting and coming back to you, if
3 that's necessary.

4 CHAIR BRUNE: Thank you, Elise. Trustee Vincent-Lang.

5 COMMISSIONER VINCENT-LANG: Yes, what would constitute an
6 unanticipated cash draw? What's that level that would require you to
7 come back together?

8 MS. HSIEH: Something that.....

9 COMMISSIONER VINCENT-LANG: Ten million, one million?

10 MS. HSIEH: Not one million, probably not 10 million,
11 because.....

12 COMMISSIONER VINCENT-LANG: Okay.

13 MS. HSIEH:usually what typically happens is the Trustees
14 authorize funding in the fall, but we actually don't release it until
15 projects are ready. Some is released right away. So we would look
16 at how that, you know, the period of time that it's released over,
17 but if -- for example, let's say the Trustee Council decided today,
18 or in January or February, that they want to do a bunch of habitat
19 enhancement projects that are, I would say -- and I would talk to the
20 Department of Revenue, but I -- my own gut would be upwards of 10
21 million. I'd probably go to them and say -- and also, I'd have to
22 look at the number of years. If it's a habitat enhancement project
23 that's going to go for three or four years, I actually don't release
24 the funds from the investment account providing income, and then I
25 release it as the project moves forward and reaches certain

1 benchmarks. So I'd have to look at the length of time and the cash
2 out -- cash out close, if that makes sense.

3 For example, the Prince William Sound Science Center was, you
4 know, about \$25 million, but we didn't sort of rush and release all
5 the cash. We've been letting it out in increments, as appropriate,
6 with the -- with the construction progress, so that we can continue
7 to make investment income on that amount. So does that help?

8 COMMISSIONER VINCENT-LANG: Yes, that helps a lot. Thank you.

9 CHAIR BRUNE: Are there other questions from Trustee?

10 (No audible response).

11 CHAIR BRUNE: Trustee Vincent-Lang.

12 COMMISSIONER VINCENT-LANG: I move we adopt the asset allocation
13 recommended by the Investment Working Group, Mix Number 4 on page 12
14 of Alaska Department of Revenue's March 31, 2020 presentation, for
15 the period February 1, 2021 through January 31, 2022.

16 CHAIR BRUNE: We have a motion on the floor from Trustee
17 Vincent-Lang. Is there a second?

18 MR. MULDER: Steve Mulder, I'll second it.

19 CHAIR BRUNE: There's a second from Trustee Mulder. Is there
20 any discussion?

21 MS. HSIEH: Jason, may I make a correction to my number? The
22 Prince William Sound Science Center was 17.5. It's been a long time
23 since I'd looked at it and I think I'm thinking of something else, so
24 my apologies.

25 CHAIR BRUNE: No worries, no worries. Any discussion from

1 Trustees? Dave, it looks like you've unmuted yourself. No?

2 MR. SCHMID: No.

3 CHAIR BRUNE: Okay. Hearing no discussion, is there any
4 opposition to the motion?

5 (No audible response).

6 CHAIR BRUNE: Hearing none, the motion is approved unanimously,
7 and we will move to agenda Item 5. The item for discussion is
8 whether EVOSTC Trust Funds may be given to a private endowment, "the
9 Think Tank New Vision." We will be hearing presentations from Erika
10 Wells with the Department of Justice, Bill Brighton with the
11 Department of Justice and Steve Mulder with the Alaska Department of
12 Law, also a Trustee. So with that, I believe I'm going to be turning
13 the floor over to Erika.

14 UNIDENTIFIED SPEAKER: Actually, I think Bill's going to start
15 and he's on the.....

16 CHAIR BRUNE: Thank you. Bill, go ahead.

17 MR. BRIGHTON: Yes, can you -- yes, can you hear me?

18 CHAIR BRUNE: Perfectly, thank you, Bill.

19 MR. BRIGHTON: Excellent, okay. So we've had some back and
20 forth on this and maybe some -- this is good to be able to sort of
21 lay out. The funds are of course, they're both federal
22 money and there's state money at the same time, and so they're
23 subject to the federal law rules for how money is handled and how
24 it's used, and also the state's law rules for the same thing, and
25 the primary federal legal authority for the recovery of natural

1 resource damages(indiscernible) is here, as the (indiscernible) coming
back

2 just a second, I mean, the normal principle for when there's a
3 recovery and litigation from a private party to the federal
4 government, and I imagine the state has pretty much the same rule,
5 the money goes in the Treasury, and then Congress decides how it gets
6 used.

7 For natural resource damages(indiscernible) the Clean Water Act
8 provides a special rule that allows the money to be kept and spent
9 for restoration and rehabilitation or acquisition of the equivalent
10 of the injured resources and the federal statutory language says by
11 the federal -- authorized federal or state officials, and what that
12 connotes, and this is the same thing under CERCLA, the same thing
13 under the Air Pollution Act or (indiscernible), you know, they're
14 (indiscernible) more elaborate statutory standards, but at the time,
15 what is clear is that the Trustees are responsible, as have been named
16 by the President (indiscernible) by their government or state for
17 making sure that the money is spent for those authorized uses, which
18 is restoration, rehabilitation, acquisition of the equivalent of the
19 injured resources.

20 So you know, then the question is, to what extent can that be
21 delegated, and it seems quite clear that responsibility can't be
22 delegated away. If we step back and look at the Think Tank and most
23 other endowments (indiscernible) in light of that principle, and you
24 know, certainly the Trustees can have advisors. They can look at

1 outside organizations to give them ideas, to vet proposals, but the
2 Trustees need to have, you know, to be responsible to make it openly,
3 the decisions of how the money gets used.

4 An endowment proposal typically isn't like that. It really is,
5 you know, the money gets transferred into a separate Trust Fund
6 that's under control of the endowment beneficiaries and they, in
7 general, I think that's a fair reading of the Think Tank proposal
8 is that the those who then would control the money in the private
9 sector would have a good deal of discretion about what kinds of
10 things should be done and whether they're consistent with the
11 statutory limitations on how the money's to be used, and of course,
12 you know, let me emphasize, this not about who would be better at,
13 you know, making good decisions in the end, because you know, I don't
14 know. I don't have an opinion on that, but the way we interpret the
15 law is that that degree of discretion without close oversight by the
16 Trustees is inconsistent with the statutory claim and the terms of
17 which the money was kept out of the Treasury in the first place.

18 So that's an existing limitation, not to say that there are
19 other kinds of (indiscernible) that would be, you know, perfectly
20 appropriate. Again, as I said, the Trustees can look to all kinds of
21 other people to help them make decisions and so I think I'll stop
22 there. Erika, Steve, do you want to add anything?

23 MR. MULDER: This is Steve Mulder. So I'd echo Bill's comments
24 that the (indiscernible) provision that this recovery -- we recovered
25 the funds -- originally mandates that they -- the federal Trustees are

1 responsible for overseeing them in a trust role and for the decision
2 making on the expenditures.

3 That flows through the Consent Decree and the court-approved
4 Memorandum of Agreement between the governments that have set up our
5 Trustee Council and provides that we have to have the unanimous
6 approval of the six state and federal Trustees. Those Trustee
7 obligations flow through the 1994 Restoration Plan and through the
8 Council's operating procedures.

9 It's also a requirement of your state law. The state statutes
10 require that the state Trustees comport with the court-approved
11 Memorandum of Agreement and with the Consent Decree. So I would just
12 echo Bill's comments on what the legal framework is, is it's
13 basically inconsistent with handing the money over to private
14 endowments and the decision-making role off to someone other than the
15 Trustees.

16 MS. WELLS: Thank you, Steve. This is Erika Wells and I don't
17 have anything to add further to that.

18 CHAIR BRUNE: Thank you. A quick question for Elise. Elise, I
19 just want to make sure that the public is aware of the document that
20 has been prepared. Can you talk a little bit to that, please?

21 MS. HSIEH: I think you're referring to a memo to Trustee
22 Council from Bill Brighton and Erika Wells, Department of Justice,
23 Steve Mulder, Craig O'Connor, NOAA Office General Counsel, Elizabeth
24 Gobeski, Department of Interior Solicitors Office, Ron McClain, USDA,
25 dated September 17th, regarding the (indiscernible) requirements

1 applicable to the potential uses of the Council restoration funds,
2 context and purpose, different components like that was posted on our
3 website. Is that what you're referencing?

4 CHAIR BRUNE: Right, right.

5 MS. HSIEH: Correct.

6 CHAIR BRUNE: And it was posted on the website on September 17th?

7 MS. HSIEH: I believe it was very close to that date. Shiway
8 Wang may have a recollection. Do you mind if Shiway or Cherri, who
8 may have a.....

9 CHAIR BRUNE: Sure.

10 MS. HSIEH: I believe it was very close to that date. You guys
11 are muted (indiscernible).

12 MS. WANG: It was very close to that date. I can't.....

13 CHAIR BRUNE: Shiway, that's great. I just wanted to make sure
14 that the public is aware that that actually was prepared. Trustee
15 Vincent-Lang.

16 COMMISSIONER VINCENT-LANG: Yeah, I've got a question for the
17 lawyers. So what I think I've read now and heard is that there are
18 both statutory impedances, as well as judicial impedance to trying to
19 transfer remaining portions or all of the assets from the Trust Fund
20 into a private entity. It's just not simply going to fix either
21 federal statutes, federal law, that it would require a two-pronged
22 approach in dealing with both the original settlement through the
23 court, as well as state and federal statutes, is that correct?

24 UNIDENTIFIED SPEAKER: Yeah, that's correct.

1 DR. BALSIGER: So Mr. Chairman, if I could, please?CHAIR BRUNE:
Yes, Trustee Balsiger.

2 DR. BALSIGER: Not to belabor this, but would it be possible to
3 put enough restrictions and covenants, or whatever you would call
4 them, on a portion of the funds or all of the funds and give it to a
5 group to manage for us? To me, it's a little bit like a contract,
6 and once you hire a contractor, you have to follow exactly what's done
7 and they wouldn't actually have the freedom to do anything, other
8 than what was said, and perhaps if we put enough restrictions on it,
9 it wouldn't be any different than the process we're under now, but I
10 wonder if you could elaborate on that just a little bit?

11 CHAIR BRUNE: Bill?

12 MR. BRIGHTON: Well, I really need to think. First of all, you
13 know, the way the fund is invested, in terms of, you know, a Trust
14 Fund that's earning a rate of return, I doubt that any private group
15 is going to do better than the, you know, the Alaska Investment Fund,
16 which has had a spectacular rate of return, and so putting it in a
17 private trust, you know, there'd be -- the question you should at
18 least think about -- about, you know, what that does to the level of
19 income.

20 CHAIR BRUNE: Then -- if you could -- as a -- I -- regardless of
21 performance, that doesn't address Trustee Balsiger's question. Could
22 you (indiscernible - speaking simultaneously).....

23 MR. BRIGHTON: The (indiscernible - speaking
24 simultaneously).....

1 CHAIR BRUNE:the question?

2 MR. BRIGHTON: Right, no, I'm -- I -- I'll definitely go on to
3 that. More fundamentally, in -- as long as the Trustees are openly
4 making the decisions, then it might be possible to design a variety
5 of different arrangements. How different that would be from the
6 present process is (indiscernible) unclear, but I guess the idea
7 would be the other group would really be a new entity working for the
8 Trustees, figuring out what to do with the money and teeing up
9 proposals, and that, you know, I can imagine that being something
10 that could be made consistent with federal law. I don't mean to jump
11 in on interpretation of state law.

12 CHAIR BRUNE: Trustee Balsiger, do you have a follow-up?

13 DR. BALSIGER: No, and thank you for that, and I don't want
14 anyone to read into this that I am desirous of doing that, but I've
15 had these questions posed to me several times over the past two weeks
16 and so I just wanted to have that explicitly stated. So I appreciate
17 the response.

18 MR. MULDER: This is Steve Mulder. I just want to follow up on
19 that, Jim, is that -- so there's two pieces. There's the oversight
20 and the decision-making on the funding or the expenditures, but then
21 there's also the investment piece, who's managing -- where is that
22 money parked, and currently, it's being managed by the State
23 Department of Revenue, and that's pursuant to a law that was passed
24 in 1999, that contained some restrictions on what kinds of accounts
25 qualify.

1 So there would be a process to -- if you want to move from the
2 Department of Revenue, it's not -- there would be some hoops to jump
3 through to make sure it's a qualifying account in the 1999 law passed
4 by Congress.

5 MR. BRIGHTON: So that's limited there. That's -- thanks for
6 raising that, Steve. It probably would take an act of Congress to
7 make it permissible to shift the money to a private fund.

8 CHAIR BRUNE: Are there other questions from Trustees?

9 COMMISSIONER VINCENT-LANG: So this is Doug, one more question.
10 So if we did -- it falls back on what Jim was asking, so even if we
11 were to transfer the funds to a private entity, I think what I heard
12 the answer was, is that it wouldn't alleviate the Trustees from
13 having active involvement in how that money was spent through the
14 foundation.

15 MR. BRIGHTON: It would not alleviate it. That's correct.

16 COMMISSIONER VINCENT-LANG: Okay, thank you.

17 CHAIR BRUNE: Trustee Mulder, did I see your hand up?

18 (No audible response).

19 CHAIR BRUNE: No, okay. Other questions or thoughts from
20 Trustees?

21 (No audible response).

22 CHAIR BRUNE: Bill or Erika, any other additional comments?

23 MR. BRIGHTON: Nothing more from me.

24 CHAIR BRUNE: So my intention is to allow public comments to
25 proceed. We're going to actually split the public comment up into

1 two segments, giving the Think Tank -- I know that there's seven or
2 eight folks from the Think Tank that have signed up and I was
3 informed through a couple of conversations that occurred yesterday
4 that rather than giving three minutes to eight different people, that
5 there was desire to have one individual give that presentation on
6 behalf of the Think Tank.

7 Before I go forward on that, I wanted to see if there were any
8 concerns with that from Trustees.

9 (No audible response).

10 CHAIR BRUNE: I'm seeing heads saying no. So what I would like
11 to do then is open the floor up for the Think Tank as the first
12 entity. We're going to split the public comment section, agenda Item
13 6., up into two segments. One is going to be the Think Tank giving
14 their presentation, limited to the 15 minutes, followed by any other
15 comments specific to agenda Item 5., and then after we've heard
16 those, we will open the public comments up for additional issues.

17 So with that, Austin, I don't know specifically if it was going
18 to be former Lieutenant Governor Mead Treadwell or someone else that
19 was going to be making that presentation, but I wanted to open the
20 floor for that individual to begin the presentation.

21 MS. KAPLAN: Mr. Chairman, this is Diane Kaplan. I'm going to
22 be starting out the presentation for the Think Tank.

23 CHAIR BRUNE: Diane, thank you very much. I just want to
24 confirm that we will be limiting the Think Tank's presentation to 15
25 minutes.

1 MS. KAPLAN: Absolutely.

2 CHAIR BRUNE: Okay, thank you. You have the floor.

3 MS. KAPLAN: Thank you so much for this opportunity to the
4 Trustees. We appreciate it very much. I wanted to introduce myself
5 and the other Think Tank members who are present today. My name is
6 Diane Kaplan. I'm President and CEO of Rasmuson Foundation. We're a
7 family foundation that was established in Alaska 65 years ago by the
8 family that owned the National Bank of Alaska for about 100 years.
9 We distribute about 25 to \$30 million annually across Alaska.

10 Also present with me today is Sheri Buretta, who is from
11 Tatitlek, and Chair of the Chugach Alaska Corporation and its Acting
12 President, Shauna Hegna, will be sharing this presentation from Port
13 Lions, President of Koniag Corporation, Mead Treadwell, the former
14 Lieutenant Governor of Alaska, Phil Mundy, former laboratory director
15 for the NOAA Fisheries, and also Josie Hickel from Chugach Alaska,
16 and Rachel Kallander of Cordova, who's with Kallander and Associates
17 and works with the Think Tank.

18 Rachel, if you could share your screen? About three years ago,
19 I was approached by the heads of the Prince William Sound Science
20 Center and the SeaLife Center to see if Rasmuson Foundation would
21 assist them in looking at the long-term sustainability of those two
22 organizations.

23 They were concerned that the current plan in place for the
24 EVOSTC Fund, which as created both of those organizations was to
25 spend out the balance of funding and that their organizations would

1 benefit if there was a way to have a legacy fund, some ongoing
2 funding to ensure their sustainability.

3 This is not an area that Rasmuson Foundation was familiar with.
4 Our main interaction with EVOSTC was around co-funding of the Cordova
5 Center in years past, but frankly, we were not aware there was a \$200
6 million endowment, nor very much about it.

7 What we chose to do is provide funding for two legal opinions
8 and we received those, and we do have our attorneys online. They
9 will be just commenting on the legal opinions under the public
10 testimony, but they are available to answer any questions, and we did
11 receive (indiscernible) from both that there is a legal path forward
12 that could be followed to accomplish endowments for organization.

13 We met with the congressional delegation, all three. We
14 received very strong support from them to review this opportunity.
15 We also met with the Governor of Alaska at the time and after getting
16 their go-ahead, Rasmuson Foundation invited people with very deep
17 representation (indiscernible) reason, as well as people who have
18 been directly involved in the spill when it happened and in the
19 creation of the EVOSTC Trust to join us and come together in work
20 groups for about a year's time to come up with a new vision for
21 EVOSTC, and that's what we want to tell you about today, and we know
22 there have been legal issues raised. However, we believe we have
23 responses on all of those that we would share at the Trustee's
24 request.

25 Next slide, please. The members of the Trust -- let's see, go

1 ahead to the next slide. As I mentioned, the people who are already
2 mentioned here, along with Marilyn Leeland, who is head of Cordova
3 District Fishermen at the time of the spill, and then head of the
4 Prince William Sound Regional Citizens Advisory Committee, Molly
5 McCammon, former Executive Director of EVOSTC and former Chief of
6 Staff and Deputy Press Secretary to Governor Sheffield, Anne Rothe who
is the former Director of Trustees for Alaska and the
7 Alaska Conservation Foundation and was deeply involved with spill
8 restoration, and Fran Ulmer, former Lieutenant Governor of Alaska,
9 Chancellor of UAA and also was appointed by President -- to the Exxon
10 -- to the BP Deepwater Horizon Oil Spill Commission, so very deep
11 experience.

12 The first thing we did as a group, because we all came from very
13 different backgrounds, was establish guiding principles for the
14 proposal that we'd come up with. They're presented here; adherence
15 to the original intent of the settlement documents, 1), 2) benefit to
16 the community's resources and institutions in the spill region,
17 third, honoring existing commitments that have been made by the
18 Trustees for the spill-affected regions, fourth, focusing habitat
19 acquisition on long-term protection and local control and use of
20 lands so that any further habitat acquisitions would keep that land
21 in State of Alaska's hands; provide opportunity for meaningful public
22 participation with significant impact and representation from the
23 spill region; reduce administrative cost significantly; support human
24 services damaged by the oil spill; and maintain the current
25 scientific and financial integrity. And the group unanimously worked

1 these out and agreed to these principles and they (indiscernible) be
2 put forward.

3 Next slide. Our goal and our solution is to benefit the
4 communities, people and habitat of the spill-impacted regions in
5 perpetuity, and that's the essence of this proposal, and really
6 what's in front of you is the question; do we want to spend-out all
7 of the funds or do we want to have a lasting legacy created by this
8 opportunity with the EVOS Trust Fund to provide stability, ongoing
9 research and benefits to the spill-affected regions in perpetuity,
10 and that's what we propose to do.

11 I'm going to turn it over now to Shauna Hegna to talk about the
12 specific elements. Shauna.

13 MS. HEGNA: Quyanaa, Trustees, and thank you so much for
14 dedicating some time. As you know, this is a slide that's about your
15 own structure. I'm not going to go over it because you're familiar
16 with it.

17 Next slide, please. I really want to spend some time talking
18 about the key elements of our proposal, which essentially, as Diane
19 has mentioned is to transfer the remaining assets into a permanent
20 endowment model that would be managed for the benefit of the spill-
21 impacted region in perpetuity. So it's about caring for people
22 through generations and the resources that have been impacted for
23 generations to come.

24 The important thing is that a key part of our proposal is to do
25 no harm. Right, so Diane mentioned we expect that current financial

1 commitments will be honored going into the future. So we just really
2 want to emphasize that it's about caring for the long-term resources
3 in the spill-impacted region.

4 Another critical part of our proposal is to establish a
5 permanent annual endowment for some critical entities that were
6 largely created by EVOSTC to fund scientific research, cultural
7 preservation, and human services, and then of course, to allocate the
8 remaining funds to a competitive, very transparent grant application
9 process that -- where decisions would be recommended by a panel of
10 experts, and so the idea is not unlike the current process, where the
11 Trustees ratify decisions that are recommendations made by a panel of
12 experts. I really want to emphasize, that you know, our proposal
13 expects that the Trustees would continue to have a level of oversight
14 and involvement going forward.

15 Next slide, please. This slide gives you a brief summary of
16 recommended use (indiscernible) subaccounts, and that's really to, as
17 I said, continue to fund the current research commitments,
18 potentially create (indiscernible) endowment to ensure that regional
19 resource organizations can continue their scientific activity
20 (indiscernible) work and then with the remaining funds within that
21 subaccount, to create an ocean research fund and here, we mentioned
22 the Alaska Community Foundation.

23 This -- the (indiscernible) did review proposals by a number of
24 different foundations and organizations with experience for finding
25 grant support and donations within the spill-impacted region, and as

1 we reviewed those, we discovered that the Alaska Community Foundation
2 had the highest rate of return on their funds and they had the most
3 robust review process. They have used channels of experts in the
4 past to review their grants, and quite frankly, they have an existing
5 relationship with the State of Alaska.

6 Most recently, they were responsible for distributing the State
7 of Alaska (indiscernible) to many, many nonprofits around the state.
8 So as we moved through that review process, we are recommending the
9 Alaska Community Foundation as what we feel is a hallmark
10 organization that could help to establish those endowments and be a
11 service to the Trustees going forward.

12 Next slide, please. So the recommended use for the Habitat
13 Subaccount is -- are outlined on this slide. We are recommending
14 that operating endowments would be created for two critical
15 organizations in the spill-impacted region; the Alutiiq Museum and
16 the Chugach Heritage Foundation.

17 These endowments, the purpose of them is to preserve the
18 artifacts that were impacted by the oil spill. The Alutiiq Museum is
19 (indiscernible) 250,000 Alutiiq artifacts that have been taken from
20 the beaches following the oil spill and other areas on the island.
21 So we think it's very important that we continue to preserve those
22 resources.

23 We've got a list of other ways that we believe that the Habitat
24 Subaccount could be used to put forward the requirements in the
25 lengthy documents that originally established the fund.

1 Next slide, please. So ultimately, we really think that there's
2 a couple of benefits to this proposal. One is that increased
3 efficiency with the administration of the fund, which ultimately
4 means more funding to help heal the spill-impact region. We believe
5 that we can create some systems to increase transparency and simplify
6 the grant application process and we think that perpetual endowments
7 are the right decisions for the region.

8 Next slide, please. As I talk about like transparency and open
9 engagement, we have been very open with all of you, as Trustees,
10 reaching out to you frequently, trying to give you updates on where
11 we're at with our proposal. We've also been reaching out to the
12 communities that are impacted by the oil spill. You can see the
13 number -- the number of past and upcoming presentations we've given,
14 and just at the top of the slide, you can see some of the letters of
15 support that we've received so far for this endowment model.

16 Next slide. I think that's my last slide, actually. What a
17 wonderful problem to have. I reached my last slide already, but I
18 know that we've got a couple of minutes, and I wanted to go ahead and
19 turn it over to Vanessa, who is our legal counsel, because I'd like
20 for her to spend some time specifically addressing some of the legal
21 questions about the endowment model. Quyanaa.

22 CHAIR BRUNE: Go ahead, Vanessa.

23 UNIDENTIFIED SPEAKER: Vanessa, you're on mute.

24 MS. NORMAN: Sorry about that. I'm going to turn the floor over
25 to Gerald George, who's my colleague here at Davis, Wright &

1 Tremaine. Jerry.

2 MR. GEORGE: My name is Jerry George. I'm a partner,
3 environmental partner at Davis, Wright & Tremaine, and prior to that,
4 for 26 years, I worked at the Department of Justice for the last
5 seven years, and then I was doing environmental work and was the head
6 of the Environmental Enforcement Headquarters field office in San
7 Francisco (indiscernible) for 30 years, and I also was at Justice,
8 the lead attorney on one of the seminal natural resources
9 (indiscernible) cases, the (indiscernible) case in Southern
10 California, and in private practice, I have worked on a number of
11 natural resource damage cases.

12 So I'm very familiar with the development of the law and
13 practice on natural resource damage and one of the hallmarks of
14 natural resource damage practice has been the flexibility that
15 parties have been able to exercise in developing resolutions for
16 those cases.

17 I also worked on part of Deepwater Horizon, a case, which given
18 the scope of the damage and the geographic scope through five states,
19 and in fact, they even have one project up in Minnesota dealing with
20 migratory birds, who migrate down to the Gulf. They have developed,
21 in spending several million dollars, as you might imagine, in all
22 those different states, they have developed a whole variety of ways
23 to deal with the whole variety of situations, and there's nothing in
24 the -- in this -- in the statute or the regulations that would --
25 that mentions the word endowment and I don't want us to get tied up

1 in the word endowment and what that means in a particular case.

2 As Bill suggested, there are lots of ways you can structure
3 agreements in order to allow for -- maintain the control of the
4 Trustees and still allow for involvement of other parties in the
5 process, and that is what we've tried to do here. The Task Force
6 worked very hard to try and make what they're proposing consistent
7 with the statutes with the settlement agreement and the MOU, and
8 provide for the ultimate control and decision-making process with the
9 Trustees.

10 If we presented that two years ago to the Trustee Council, if
11 there were problems, you know, if that was a non-starter, it would
12 have been nice to know that two years ago, but we are -- here we are,
13 and we have this process we think comports with the law and the
14 regulations, and if there are problems with the way some things are
15 written or structured or if there's wordsmithing that can be done to
16 -- to, you know, deal with those issues, then the parties should get
17 together and discuss that, and discuss the differences so that we can
18 -- that the Trustee Council can meet the needs of -- that the Think
19 Tank has identified (indiscernible - speaking simultaneously) way
20 this process normally works.

21 CHAIR BRUNE: Thank you (indiscernible - speaking
22 simultaneously). The 15 minutes are up. Diane, Shauna, Jerry, and
23 Vanessa, I appreciate those comments a lot. I want to open the floor
24 up for questions from Trustees, if there are any.

25 COMMISSIONER VINCENT-LANG: So this is Doug. This is for either

1 Diane or Shauna. I was going through your slides on how you would
2 spend money and I was struck with the amounts of some of those sums
3 and how you would preserve the wealth spending that amount of money
4 on an annual basis. For instance, taking \$20 million out of the
5 Habitat Account in a single year would not be sustainable, in terms
6 of preserving the foundation amount that was granted over. So what
7 is your vision for annual expenditures and would you inflation-proof
8 that money, and what do you expect out of a -- I think there is,
9 right now, somewhere on the order of \$130 million left. I think 70
10 in one account, 60 in the other, so 60 million in the Habitat Fund.
11 What kinds of annual expenditures do you think you could put out
12 there in the field to be able to do that, because the wish list that
13 you had laid out in those slides is well in excess of what I see as a
14 -- if you inflation-proof the account for long-term preservation,
15 you're only talking about spending potentially a million to a
16 million-and-a-half a year.

17 CHAIR BRUNE: Thanks, go ahead, Diane.

18 MS. KAPLAN: Through the Chair, I'd be happy, Mr. Lang --
19 Vincent-Lang to talk about that. The Alaska Community Foundation
20 last year earned 17% on its endowment versus 6% for the Permanent
21 Fund, just as an example. They have had excellent returns over the
22 years. Angel Rodell actually sits on their Investment Committee,
23 along with the Chief Financial Officer for the Municipality and three
24 other investment professionals.

25 The -- generally, the returns have been sufficient to do a

1 payout in the 5% range, provide for inflation-proofing and to grow
2 the fund. The big difference is with having the fund in private
3 hands, there have been additional donations into the fund that have
4 kept it growing, rather than having a static amount.

5 So for example, with the Alaska Children's Trust, which was once
6 a state entity and was transferred by the Legislature to the Alaska
7 Community Foundation a number of years ago, that fund has grown
8 significantly with private donations, and we expect that the EVOSTC
9 fund would also grow with private donations if they were a nonprofit
10 entity that people could donate to.

11 Currently, there's no fundraising for the EVOSTC Trust. We
12 believe there are a lot of donors, like the National Fish and
13 Wildlife Foundation and others who would like to use the funds to
14 support projects and the hope would be to grow the fund significantly
15 over time.

16 COMMISSIONER VINCENT-LANG: But right now, if I use 70 million
17 times 5%, which is -- I don't think you're going to get 17%
18 consistently, (indiscernible - speaking simultaneously).....

19 MS. KAPLAN: No, but I think I (indiscernible - speaking
20 simultaneously).....

21 COMMISSIONER VINCENT-LANG: I think for retirement planning
22 purposes, people look at somewhere around 5%, and.....

23 MS. KAPLAN: Right.

24 COMMISSIONER VINCENT-LANG:if you want to inflation-proof
25 it, you have somewhat less than that because I sit on the

1 (indiscernible) Salmon Foundation and.....

2 MS. KAPLAN: Yeah.

3 COMMISSIONER VINCENT-LANG: We're spending somewhere on the
4 order of 4%, 3%, so that's only -- so if 70 million is in the long-
5 term -- is in the research component, that means you have less than
6 \$3 million to spend annually for a program that's currently costing
7 us well in excess of that. So I guess the question is; would you
8 fund things on a -- would you make an annual decision as to the
9 amount of money that was available and then gather up the Trustees to
10 decide which of the ones that are a priority or how would that work?

11 MS. KAPLAN: I think all of this would be part of a discussion
12 and a planning process with the Trustees, but the idea would be that
13 the entities that were created with EVOSTC funding would have a
14 general operating endowment to support their general operation, which
15 they don't have now.

16 The current plan on record for the Trustees is to spend out all
17 of the money. So this would be -- regardless of how you did it, if
18 the current plan went ahead, there would not be any money for
19 research in the future, and we believe that there's going to be a
20 need for that money in the future.

21 COMMISSIONER VINCENT-LANG: Okay.

22 Ms.Kaplan: So this would provide forever, an ongoing source
23 of money for research, and that's not the current plan. So that's
24 what we're proposing.

25 CHAIR BRUNE: Thanks, Diane. Are there questions, other

1 questions from Trustees? Jim, Trustee Balsiger.

2 DR. BALSIGER: Yeah, so thank you. Thank you, Ms. Kaplan. I
3 enjoyed talking with you on this topic a number of times in the past
4 couple of years, so thanks for that. So maybe your last statement
5 represents the largest motivation for the Alaska Community
6 Foundation, which is to ensure that there's operating funds for
7 Seward SeaLife Center and Prince William Sound Science Center.

8 I've struggled with what the motivation was, whether it was sort
9 of a distrust of the government entities that run the Trustee
10 Foundation or whether it's a belief that we're completely
11 inefficient, and I won't argue that government bureaucracy
12 (indiscernible) is efficient. So I thought perhaps that was the main
13 idea. Is it a sense of altruism that you have? You think you can do
14 better? And I guess my last question, if I can string them all
15 together is; if the Alaska Community Foundation is very interested in
16 it, they have this great fundraising capacity, why isn't like a
17 shadow EVOSTC created, and you could still do the same thing without
18 involving all of the work that's done to transfer these monies, and I
19 don't mean those to be aggressive. They're just the questions that
20 come up to me all the time.

21 CHAIR BRUNE: Go ahead, Diane.

22 MS. KAPLAN: Sure. I do believe that the cost of administering
23 EVOSTC, the EVOSTC Trust, and we provided those documents could be
24 reduced significantly. Currently, on some of the accounts, the
25 overhead ends up adding when you do all the layers of transferring of

1 funds, as much as 40% of every dollar goes to overhead, and I think
2 the Community Foundation can do it for 5%.

3 So I think that is a real issue and I would say in our industry
4 of running endowments, that's a very, very high percentage to be
5 spending on overhead. I don't think it's that anyone's doing
6 anything wrong or improper, it's just the way it's structured where
7 the money moves from agency to agency to agency to organization to
8 the end-user, and there's overhead taken all across the way. So
9 that's just the way it's set up.

10 COMMISSIONER VINCENT-LANG: (Indiscernible - speaking
11 simultaneously). Those -- I've looked at the overhead numbers and I
12 -- the EVOSTC Trustee Council don't have those overhead numbers. Now
13 federal agencies, they do, but at the end of the day, if the
14 Community Foundation were to transfer that money into a federal
15 agency, there would still be overhead by the federal agency and take
16 that money or if they gave it to the University, there would still be
17 overhead. So I don't see how transferring it to a private entity
18 would get rid of that portion of the overhead.

19 MS. KAPLAN: Just to give an example, the 40 million that's
20 being distributed by the Community Foundation now for the State of
21 Alaska, the money goes through three expert panels and then it's
22 reviewed by what we call the CVO Group, which includes Commissioner
23 Crum. The money goes directly from the Community Foundation to the
24 end-user. There's no in-between forwarding to agencies. So the
25 entire overhead is 5%, period, no other costs, and that's

1 significantly less than the Trustees. It's not the major reason the
2 Think Tank has (indiscernible). The main thing is the perpetuity of
3 having funds available for research and restoration.

4 CHAIR BRUNE: Other questions from Trustees?

5 (No audible response).

6 CHAIR BRUNE: I have one. Jerry, you indicated that you've
7 known Bill for 30 years and that you worked at Department of Justice.
8 At the last Trustee Council meeting, we urged the Department of
9 Justice to engage with the Think Tank's lawyers. Has there been any
10 connection between you and the Department of Justice lawyers over the
11 last six months to discuss this -- the different perspectives?

12 COURT REPORTER: Whose question is this, please?

13 CHAIR BRUNE: This is Trustee Brune.

14 MR. GEORGE: There's been -- I've talked to Bill (indiscernible)
15 to find out what was going to happen at the meeting today. There
16 hasn't been any substantive discussion.

17 CHAIR BRUNE: Okay, I'm confused by that answer. So it sounds
18 like the answer is no.

19 MR. GEORGE: We haven't -- he hasn't raised it and I haven't
20 raised it, you know, so how could we make this thing go away? If
21 that's what your question is.

22 CHAIR BRUNE: The second question that I have, and this one
23 might be for Diane, is the statement was made by Bill, I believe that
24 it would take an act of Congress to authorize something like this. I
25 believe -- I won't speak for Jerry and his legal opinion, but is that

1 the perspective of your counsel, that it would take an act of
2 Congress as well, and if the answer is yes, have you talked to the
3 delegation about such an approach or is the perspective that it's not
4 required?

5 MS. KAPLAN: Mr. Chairman, our understanding is it's not
6 required. It would take a simple vote of the six Trustees to do
7 this, and there are ways of structuring it, we believe, that will be
8 consistent with the consent decree, which we're happy to go into in
9 more detail, and we have provided those legal opinions. We would
10 welcome an opportunity to have a further discussion about that, but I
11 know our time is very limited.

12 CHAIR BRUNE: So from my perspective, obviously, I -- we are
13 given counsel from the Department of Justice, which influences our
14 ability to take action on behalf of the Trustee Council, and the
15 direction that we've been given, obviously, is that, as he said in
16 his comments, it would require an act of Congress.

17 So as a follow-up, if that were the case, have you --
18 recognizing you said, Diane, that you don't believe it's necessary,
19 has, in your three -- you indicated that for all three members of the
20 delegation have sent letters of support, have they voiced support for
21 submitting legislation that -- and to make this happen?

22 MS. KAPLAN: Mr. Chairman, I'd like to add Mead to -- ask Mead
23 Treadwell to weigh in, as well, but I can tell you that I was -- he
24 and I were both in contact with Senator Sullivan's Chief of Staff
25 within the last week, and they told us they believed that the

1 information they received from the Department of Justice is that
2 there is no -- nothing that prohibits creation of endowments. That's
3 what they told us this week. So at this point, I believe the
4 congressional delegation has been advised differently from the
5 Department of Justice that there's not limitation on creating
6 endowments, and that's consistent with the document that we saw from
7 the Justice, as well. Mead, I don't know if you want to
8 (indiscernible - speaking simultaneously).....

9 MR. TREADWELL: Yeah, Mr. Chairman, I can't speak for the
10 delegation's interest in legislation. I can tell you that when I was
11 in your shoes as an alternate Trustee, when I was Deputy Commissioner
12 of DEC, it was the State's opinion then, that an act of Congress
13 would help, but in our looking at this, with this, we don't think
14 it's necessary, and we've told the delegation -- we've told the
15 delegation that, frankly, what we've been looking for and what I'd
16 hope for after (indiscernible) colloquy at the last Trustee Council
17 meeting is that we could actually sit down with the Justice
18 Department attorneys, sit down with the State attorneys and come up
19 with a draft resolution that would get the terms of the settlement,
20 which is, as you saw, was our first guideline and look at something,
21 and whether it's -- you know, the first policy decision is an
22 endowment decision, not to spend to zero.

23 The second question, in terms of how we do it and how the
24 Trustee oversight would work is -- was contemplated by our lawyers.
25 I don't believe it was contemplated by your lawyers, except that they

1 did leave that open when I heard Bill speak this morning. So if
2 there were a way to say, could we look at a draft legal proposal that
3 both sides say make sense and see if we could do it without a change
4 in law, I think we'd be willing to do that.

5 CHAIR BRUNE: Thank you, Lieutenant Governor, I appreciate those
6 comments, and I'll have one final question and then I'll open it up
7 to the rest of the Trustees, as well. Jerry, as was indicated in
8 mid-September, a public legal document was placed on the Trustee
9 Council website. Did you or the Trustee Group review that and do you
10 have comments on it?

11 MR. GEORGE: I did review it. I assume that the Think Tank did,
12 as well, and Vanessa reviewed it and our conclusion was that it was
13 as we thought, that there are -- sure, there are limitations on what
14 you, you know, you can't take \$100 million and plop it into
15 somebody's pocket and not put any restrictions on it, and be
16 consistent with the statutes and the settlement and the MOU, but if
17 you put appropriate restrictions on it, it could be done. It has
18 been done in other places and we could do it here, and as I said, if
19 there are particular issues that the Department of Justice has or the
20 State of Alaska has or that the Trustees have about the way various
21 things are structured, then let's talk about that and maybe we can
22 adjust it so every -- we meet our objectives, you meet your
23 objectives, and we can move forward.

24 CHAIR BRUNE: Thank you, Jerry, (indiscernible - speaking
25 simultaneously).....

1 MR. GEORGE: If we can't move forward, we're going to have to
2 consider other alternatives and maybe (indiscernible) before the
3 judge, but I'd like to think, and I've certainly seen this over the
4 years and so I (indiscernible), that when the parties get together,
5 they can find a way to make these things happen.

6 CHAIR BRUNE: Thank you, Jerry. Vanessa, would you like to add
7 anything, given that you reviewed the document as well?

8 MS. NORMAN: Yes, thank you. Yeah, we did -- I think the
9 important thing is, is how this whole project is created, and as Bill
10 was saying, this is a delegation of powers, but really, it's a
11 proposal for certain projects that would be approved by all the
12 Trustees, and so it's not the moving of all these funds. It's the
13 funding, approved by the Trustees, of these specific projects. I
14 think that -- looking at it at that frame -- with that framework in
15 mind, it resolves a lot of the issues, I think, brought up by Bill,
16 but I think Jerry covered the other points, unless you have any
17 specific questions.

18 CHAIR BRUNE: No, thank you, Vanessa, I appreciate that. So
19 Trustee Renkes, did you have any questions?

20 MR. RENKES: No, I'm good. I find the conversation very
21 interesting. So I look forward to hearing the Council consider it
22 further.

23 CHAIR BRUNE: Thank you. Trustee Schmid.

24 MR. SCHMID: No, I don't. Actually, Trustee Balsiger asked the
25 questions I was interested earlier in the discussion, so thank you.

1 CHAIR BRUNE: Thank you. Trustee Balsiger, further questions?

2 DR. BALSIGER: No, thank you, Mr. Chairman. I appreciate the
3 candor and the responses. Thank you.

4 CHAIR BRUNE: Trustee Mulder.

5 MR. MULDER: Nothing further now, thanks.

6 CHAIR BRUNE: Trustee Vincent-Lang.

7 COMMISSIONER VINCENT-LANG: Yeah, so I'm a little bit still
8 confused by the second question. I understand the foundation
9 question. We have to have decide if we want to use this in
10 perpetuity versus not in perpetuity. I get that question, and I
11 think we're getting conflicting legal advice from your attorneys
12 versus the attorneys that we're dealing with on whether we can do
13 that or not, but the second question is still somewhat troubling to
14 me, because I listened to the presentation now and I see that -- and
15 I heard the desire to find long-term sustainable funding for the
16 SeaLife Center and for the Prince William Sound Science Center, and
17 I'm still confused as to how the Foundation would provide for that
18 funding or whether there would be an open call for proposals from
19 anybody outside those two entities to be able to support it and how
20 that -- those decisions would be made, in terms of annual funding.

21 I think that's where I'm struggling with what you're proposing
22 to do, and I understand that the Children's Foundation has this
23 process in place where they grant money out, but again, it -- what --
24 I think what I would end up seeing is that the Trustees would have an
25 annual meeting to meet with that foundation to go through the call

1 for proposals. We would have to have staff in place to basically
2 advise us on our decision framework moving forward on an annual basis
3 and I imagine there could be preference given to those two science
4 centers, but I imagine there would be unsolicited proposals very
5 similar to what we're having right now.

6 So I don't see any streamlining, as long as what I'm hearing
7 from our advisors, where the Trustees have to play an active role in
8 those processes into the future to determine that the money is being
9 spent (indiscernible) as well. So that's where I'm struggling with
10 this whole thing. I don't think it's a question, but that's where
11 I'm struggling with it, I guess.

12 CHAIR BRUNE: Go ahead, Lieutenant Governor Treadwell.

13 MR. TREADWELL: Thank you. I mean, you certainly can,
14 Commissioner Lang, through the Chair, first off, thank you for your
15 question. You certainly can make multi-year grants. You've
16 certainly committed many times in this process to have multi-year
17 programs and we support that.

18 In fact, I think part of what we're pushing for, in terms of the
19 in perpetuity, is to make sure that it's on long-term data sets,
20 the very good work that you're doing and the scientific observation
21 continues, but so you could do that.

22 You could also have a community program that's administered with
23 communities where other funds can come in, which is very hard to do
24 under the current process that you've got now. I hope you listened
25 very carefully to what Shauna and some of the other community members

1 have said in terms of continuity on the -- on the artifacts of
2 (indiscernible) and that's important there, too.

3 I guess I would -- I would say this; if we have a chance to sit
4 down and try and structure that and look at proforma budget with you,
5 I believe this concept can save money and put more money out on the
6 street in the communities. That's -- that's why I've stayed with
7 this for now a couple of years and the only other point I'd make,
8 which I would have otherwise made in public testimony is that all of
9 us benefit from long-term marine science endowments.

10 We've got the NPRB here. We've got (indiscernible) mentioned
11 the Salmon Foundation. I look at the annual budgets of your
12 department and (indiscernible) department. Jim Balsiger and I have
13 had many conversations about this over the years and having this
14 independent science capability here has been absolutely essential to
15 advancing the ball in understanding the biology and that sort of
16 thing.

17 (Indiscernible) is itself kind of a private foundation chartered
18 by Congress, but it's a private foundation that if there were another
19 spill today, you can send all the money to (indiscernible), and
20 Congress or the Trustees don't have a whole lot to say about it, but
21 I guess -- I guess what we're saying is, let's -- if we can come out
22 of this meeting saying we're going to look at perpetuity, we're going
23 to look at the proformas, and we're going to look at streamlining, if
24 we can, that it support interaction with the community, that would be
25 a very good result.

1 CHAIR BRUNE: Mead, thank you, and I'm going to transition to
2 the rest of the public comment, but I'm going to give Diane one last
3 chance to give a 30-second recap or final word, if she wanted to.

4 MS. KAPLAN: May I, with the Chair's permission, cede that to
5 Shauna, because she hasn't followed up?

6 CHAIR BRUNE: Absolutely.

7 MS. KAPLAN: Okay, thank you.

8 CHAIR BRUNE: Yeah, my pleasure, thank you. Shauna.

9 MS. HEGNA: Yeah, I would just like to take a moment to say
10 (indiscernible - speaking Native language), thank you very much on
11 behalf of Koniag, our 4,200 shareholders and the other members of the
12 Think Tank. For a couple of years now, we've been working diligently
13 on what we believe is a sustainable structure that's going to meet
14 the needs of the spill-impacted region and the communities and the
15 people that reside there, and we're just so incredibly thankful that
16 the Trustees allowed us time on your agenda so we could present this
17 idea, and we're looking for further opportunities to work with the
18 Department of Justice, yourself, and your staff to try to develop
19 some sustainable solutions. So thank you very much.

20 CHAIR BRUNE: Shauna, thank you. Diane, thank you. Vanessa,
21 Jerry, Lieutenant Governor Treadwell, and all of the additional
22 folks, I appreciate the comments today, and we will definitely be
23 considering and discussing this later on in the agenda.

24 I am now going to open it up for the rest of public comments,
25 and I have a list that's been provided to me with who has signed up

1 in advance. I will remind folks that you will be limited to three
2 minutes for your public comment. We have a list of about 20 people.
3 I will be going through this list. If you are interested in adding
4 your name to the list for public comment, please feel free to send a
5 chat private message to Austin. On the side, you'll see you can do
6 that, or if you want to send it to the world, we'll make sure that
7 you get added to this list, but for now, the order that I have begins
8 with Rick Steiner, followed by Dan Hull, and then it looks like Jana
9 Turvey will be following that. All of the rest of the folks on the
10 list have already participated. So again, we're going to start with
11 Rick Steiner, followed by Dan, followed by Jana. So Mr. Steiner, are
12 you on currently?

13 MR. STEINER: I am on. Can you hear me?

14 CHAIR BRUNE: Absolutely. Please proceed with your comments.
15 Thank you for being here.

16 MR. STEINER: Okay, great. First of all, thank you. I sent in
17 written comments yesterday to you all, but I'll simply touch on a
18 couple of the points here. First, I strongly oppose the Rasmuson
19 Think Tank proposal. I have great respect for all those involved,
20 but I think it clearly violates the Consent Decree and should be
21 declined. I thank DOJ and ADOL for their clear confirmation of that
22 today and restoration is, and needs to remain a government
23 responsibility.

24 Secondly, I opposed the Alaska SeaLife Center's request for
25 another \$50 million or more from the EVOSTC Trust. The EVOSTC has

1 already paid roughly \$50 million for that Center and now they're
2 asking for another 50. The Center is obviously not economically
3 viable on its own without continuous government support and with no
4 clear link to recovery.

5 Thirdly, I support moving forward today with the Bering River
6 Conservation deal for restoration, agreeing and urging the U.S.
7 Forest Service to explore what sort of a deal is possible with KADCO.
8 This is probably your best -- last best chance to replace injured
9 resources and services, and you need to get on with it before we lose
10 that opportunity, and on that, I certainly support your Resolution D
11 to eliminate the arbitrary oil spill boundary.

12 Your Resolution C, a balance between science and habitat, I
13 think your goal going forward must remain to maintain the balance of
14 these two efforts. In the last 20 years, I think there's been
15 significant mission creep in the Trustee Council, and it might be
16 understandable after three decades, seven different state
17 administrations, five different federal administrations and such, but
18 you need to return to your central mission.

19 Habitat in many views, including my own, is the most important
20 component of the restoration program, yet the Council has not done a
21 large habitat deal in over 20 years, and clearly, you need to
22 continue with science funding, but you also need to continue large
23 parcel habitat protection.

24 On that, the Council's been successful on private lands, but has
25 summarily ignored public lands and public waters, the marine

1 ecosystem for habitat protection. So I would ask again, this is your
2 single greatest restoration opportunity left that could be done for
3 zero dollars. It's not an expenditure, that you establish a process
4 to identify public lands and waters -- water protection in the oil
5 spill region.

6 And then finally, I would say that your mariculture RFP -- I
7 understand that, you know, while ecosystem enhancement is in the
8 Consent Decrees at the request of Governor Hickel, I'd like to
9 register my concern about large-scale ecosystem manipulation or
10 enhancement, as this RFP envisions.

11 Nature does a pretty good job on its own in building resilient
12 ecosystems, if we allow it to without further damage. So be very,
13 very, very careful with enhancement projects, so -- and finally, I
14 guess regardless who wins the election next month, it is -- it is
15 possible and probably likely that we'll have new federal Trustees
16 within a few months. So I would encourage you not to make any
17 drastic decisions or changes until they are seated. Thank you.

18 CHAIR BRUNE: Thank you. Thank you, Mr. Steiner. I appreciate
19 your comments. Trustees, any questions for Mr. Steiner?

20 (No audible response).

21 CHAIR BRUNE: Hearing none, the next individual, I believe I
22 said was Dan Hull.

23 MR. HULL: Good morning, Mr. Chairman, members of Council.
24 Thank you for the opportunity to testify on this agenda item. I
25 submitted written comments for your reference. For the record, my

1 name's Dan Hull. I live in Anchorage and have been fishing
2 commercially out of Cordova since 1986. Many years ago, I was deeply
3 involved in the Trustee Council process and supported funding for the
4 Sound Ecosystem Assessment Program.

5 Since then, I've served on the North Pacific Fishery Management
6 Council and the North Pacific Research Board, including as Chairman
7 of both bodies. I joined the Board of the Prince William Sound
8 Science Center in May of this year. However, I'm submitting these
9 comments as an individual.

10 I support the Think Tank's general goal to provide funding in
11 perpetuity through endowments that are consistent with the original
12 terms of the settlement agreement. I know and have worked with
13 members of the Think Tank and I respect their views and vision. My
14 comments are focused on the Think Tank's concept for how the Ocean
15 Research Fund would function, specifically in the vision of using the
16 NPRB for the annual review and recommendation of grant proposals for
17 funding through the (indiscernible) endowment held by the Alaska
18 Community Foundation.

19 I agree that the NPRB is an excellent model for the extensive
20 peer review of competitive grant proposals that the Think Tank
21 envisions. However, the NPRB was established in federal legislation
22 with specific management -- with specific responsibility to make
23 research funding recommendations to address pressing fishery
24 management needs and improve our understanding of ecosystem processes
25 in the marine system in Gulf of Alaska.

1 The NPRB Board, Science Panel, and Advisory Panel are composed
2 of individuals who have knowledge and experience specific to the
3 purpose of the NPRB and its broad geographic area. In contrast, the
4 Trustee Council was established through the courts and makes funding
5 decisions according to the settlement agreement in the spill-impacted
6 area. The Trustee Council system and process are specific to the
7 purpose of that organization.

8 In short, there's a mismatch that I think deserves further
9 discussion and assessment to ensure that the Think Tank's goal
10 adheres as closely as possible to the terms of the settlement and
11 agreement in the spill-impacted is met, and to be fair, there's no
12 organization that's a perfect match for what the Think Tank
13 envisions. These would be new responsibilities for any other
14 organization.

15 Nonetheless, the question as such is whether the underlying NPRB
16 legislation would have to be revised in order for the NPRB to take on
17 these new responsibilities -- are reasonable and valid, and to my
18 knowledge, the NPRB has not reviewed and assessed the Think Tank's
19 plan to determine whether or how they would take on, not only new
20 responsibilities, but a new mission.

21 So Mr. Chairman, in closing, I believe that Ocean Research Fund
22 is a critically important part of the Think Tank's vision and the
23 Trustee Council and the people in communities of the spill-impacted
24 area should have a clear understanding of how that organization or
25 any organization making decisions in the future would fulfill the

1 responsibilities granted to them. Thank you, and I'd be glad to
2 answer any questions.

3 CHAIR BRUNE: Thank you Mr. Hull. Trustees, are there questions
4 for Mr. Hull? Trustee Balsiger.

5 DR. BALSIGER: Yes, thank you, Chairman Brune. Mostly, I just
6 wanted to quiz Dan Hull on something, since he was the Chairman of
7 the Council for so long and I sat with him over on his left-hand
8 side, but Dan, I'd also -- we heard from the Think Tank people that
9 the primary goal was for long-term monitoring. That's not their
10 words, but kind of that way, and you said the same thing.

11 So if the Trustee Council were to figure out a way to have long-
12 term monitoring with the fraction of the funds, would this satisfy
13 your idea for what the Trustees need to do and how to keep the funds
14 going, or is it really tied up with all the other items of -- that
15 the Think Tank mentioned, like overhead costs and stuff like that,
16 but -- well, that's my question.

17 CHAIR BRUNE: Mr. Hull.

18 MR. HULL: I'm sorry, Jim, I'm not sure I completely understand
19 the question. I -- I've just focused my comments on that specific
20 aspect of their plan and I -- and I'm not -- I don't have any
21 comments on the -- I definitely support the saving of -- savings in
22 funds to be able to put toward research, long-term monitoring, and
23 all the things that are important, not only to the Trustee Council,
24 but other research bodies, as Mead mentioned, but I'm sorry, I didn't
25 -- I didn't fully understand your question.

1 DR. BALSIGER: Well, thank you, and Mr. Chairman, I apologize
2 for getting a little bit off topic here, but I thought I heard Mr.
3 Hull wishing to continue the long-term funding and I think he's
4 confirmed that, so thank you.

5 CHAIR BRUNE: Okay, thank you.

6 MR. HULL: That's correct.

7 CHAIR BRUNE: Other questions from Trustees for Mr. Hull?

8 (No audible response).

9 CHAIR BRUNE: Thank you very much for your testimony and your
10 service on the different boards, as well. That's very much
11 appreciated.

12 We're next going to go to Jana Turvey, followed by Patricia
13 Relay. So Jana, if you could please introduce yourself and your
14 affiliation and you have three minutes, and you're muted. I can see
15 you, but I can't hear you. You need to unmute. Let's see if I can
16 unmute you. Try now.

17 MS. HSIEH: Okay, so she's muted. We had this happen yesterday
18 where the speakers just weren't working. We had the person drop and
19 call back in and it worked. So if we can't figure it out, we might
20 have Jana do that. Poor thing, with a broken wrist, it looks like.

21 CHAIR BRUNE: So Jana, I'm clicking a button that since I'm an
22 administrator that allows me to ask you to unmute. So if you get
23 something on your screen that might give you that authority -- so
24 what we may want to do, based on Elise's recommendation, is have you
25 hang up and re-zoom in and I will put you on the top of the list as

1 soon as we are able to work out that glitch, and I'm so sorry for the
2 technical difficulties there.

3 So we will then go to Patricia Relay from the Valdez Museum.

4 MS. RELAY: Hi there, good morning. Can you hear me?

5 CHAIR BRUNE: Perfectly, thank you, Patricia.

6 MS. RELAY: Great. Through the Chair, thank you very much. My
7 name is Patricia Relay. I am the Executive Director of the Valdez
8 Museum and Historical Archive, also the Board President for the
9 Valdez Convention and Visitors' Bureau, but I'm speaking to you today
10 on an unsolicited proposal that the Museum submitted back in July.

11 So on behalf of my Board and my staff, I'd like to thank the
12 Trustee Council for your time and consideration. You've listened to
13 many, many worthwhile and meaningful proposals and projects and
14 initiatives that you fund. Equally meaningful and worthwhile is
15 Valdez Museum's unsolicited proposal. It's a capital project.

16 At the heart of the Valdez Museum's mission is education. We
17 preserve, present, and interpret the heritage and culture of not only
18 Valdez, but the Copper River Basin and Prince William Sound, Alaska.
19 We preserve the human stories. Not only do we celebrate the
20 successes, but we also remember the big oops like the *Exxon Valdez*
21 oil spill, and I'd like to mention that in the past, the Trustee
22 Council has supported the Valdez Museum. I believe it was in 2005,
23 when you donated \$200,000 to our local display facility. You've also
24 participated in our permanent exhibit, "The *Exxon Valdez* Oil Spill."

25 So why is the museum important to our community and our region?

1 Well, the Valdez Museum serves as a catalyst in creating community
2 identity through our educational offerings, through exhibits,
3 through our cultural programs, through our historical and scientific
4 research, not research, but programs, and together, these lead to the
5 development of healthy communities and healthy families and healthy
6 children.

7 Our project today is to -- our project -- our new museum project
8 is to consolidate two aging infrastructures and I believe that you've
9 received the -- received the proposal. So what I -- so I'm here
10 today to answer any questions about the unsolicited proposal, to give
11 you an update since the unsolicited proposal, and to share with you
12 that the City of Valdez is invested in this project as well. For
13 every dollar that the Valdez Museum nonprofit organization raises,
14 they will match it dollar-for-dollar.

15 So the overall project cost is estimated right now between 19
16 and 22 million dollars. We have just hired Wolf Architecture in
17 partnership with Hennebery Eddy Architects, and we're actually
18 officially launching the new project next week. So this is an
19 initial conversation to start a conversation with the Council,
20 so.....

21 CHAIR BRUNE: Thank you for your testimony, Ms. Relay. Are
22 there any questions for her?

23 (No audible response).

24 CHAIR BRUNE: I have one, and obviously, I hope that the public
25 recognizes that we, as Trustees, are trying to be transparent with

1 our process and putting all of the projects that have been received
2 onto the agenda. So obviously, that's new, and so I really
3 appreciate you coming and testifying today, Patricia.

4 My question for you is; collaboration or -- there's a couple of
5 other proposals that are on the unsolicited list, and I want to know
6 if there's been any discussions between the Valdez Museum and the
7 other entities in the region, with respect to facilities and if
8 that's something that there might be interest in.

9 MS. RELAY: Most definitely, thank you. Through the Chair,
10 collaboration is the heart of our success. We actually collaborate
11 with Chugach Corporation quite frequently with our programs. We
12 collaborate with the Valdez Native Tribe. We collaborate -- well,
13 with the Cordova Museum, Cordova Historical Museum.

14 We haven't really discussed the collaboration in infrastructure
15 so much so, but programmatically-wise, we are strong relationship
16 builders and collaborators within the Sound, so.....

17 CHAIR BRUNE: Thank you.

18 MS. RELAY: Did I answer your question?

19 CHAIR BRUNE: It did. It did. Trustees, any further questions
20 for Ms. Relay?

21 (No audible response).

22 CHAIR BRUNE: Thank you very much for your testimony today.

23 MS. RELAY: Thank you.

24 CHAIR BRUNE: I now would like to first of all, see if Jana has
25 reengaged. I'm not hearing her, I will then go.....

1 MS. TURVEY: Can you hear me, Mr. Chairman?

2 CHAIR BRUNE: I can.

3 MS. TURVEY: I apologize, sir, technical difficulties here this
4 morning.

5 CHAIR BRUNE: Listen, this happens all the time in this new
6 normal that we have. So I'm glad that you were able to be --
7 thinking quickly on your feet and getting on via phone. So the floor
8 is yours.

9 MS. TURVEY: Okay, thank you, sir. (Indiscernible - speaking
10 Native language), hello, my name is Jana Turvey, and I am the
11 President and CEO of Leisnoi Incorporated. Leisnoi is one of the
12 Alaska Native Village Corporations established under ANCSA. Our
13 original village was on Woody Island in the Kodiak archipelago. We
14 own approximately 50,000 surface acres in and around Kodiak, and we
15 currently have 462 shareholders.

16 Thank you for the opportunity to provide public comments today.
17 I apologize I was not able to attend the PAC meeting yesterday. I
18 was -- if you saw video, you'd see me in this big beautiful cast. I
19 had surgery on my thumb. So I wasn't able to participate.

20 As many of the Trustees know, Leisnoi has successfully closed
21 two conservation easements with the EVOS Trustee Council. One is on
22 the Long Island covering approximately 1,280 acres and the other is
23 over Termination Point, covering over 1,000 acres. Both of these
24 conservation easements achieved multiple goals, and I would like to
25 highlight three of those today.

1 One; they were funded through the Habitat Program of the EVOSTC
2 settlement. Use of the Habitat Program fund to complete these
3 projects helped to meet the goals of the EVOSTC investment fund.
4 Protecting habitats that supports the recovery of species impacted by
5 the oil spill, while also helping the recovery of communities and
6 injured industries, such as fisheries and tourism. The Long Island
7 and Termination Point habitat projects were led by Leisnoi, supported
8 by the local communities and helped produce important shareholder,
9 community, and economic benefits. These benefits are recognized
10 today and will continue to be recognized well into the future.

11 Two; when the conservation easements were complete, Leisnoi
12 retained ownership of both Long Island and Termination Point. These
13 projects kept private land in private hands, while allowing for
14 public access, recreation, and habitat conservation, and at the same
15 time, providing benefits to our shareholders, the corporation, the
16 local economy, tourism, recreation, subsistence, and habitat. These
17 projects are evidence that the Habitat Program can meet the goals of
18 the settlement funds without moving lands from private to public
19 ownership.

20 Three; the easement helped to fulfill Leisnoi land space
21 objectives as prioritized by our shareholders. In our most recent
22 shareholder survey, 90% of our shareholders agreed that Leisnoi's
23 land is an economic asset and should be used to generate income. At
24 the same time, 90% of our shareholders agreed that Leisnoi's land
25 should be preserved for future generations, and 94% expressed

1 agreement that Leisnoi lands should be protected for traditional and
2 subsistence uses.

3 Balancing economic development with land preservation and
4 protection for subsistence can be difficult, to say the least.
5 However, the Habitat Program of the EVOS Trust was the perfect
6 vehicle to accomplish all three.

7 I come before you today, not just to offer comments about these
8 two successful projects, but to also express that Leisnoi is very
9 interested in pursuing two new conservation easement projects so
10 there's a perfect balance between economic development, land
11 preservation, and to fulfill the Exxon Trust mission. Leisnoi is
12 proposing using funds from the Habitat Program for conservation
13 easement projects involving American and Old Rivers.

14 These rivers provide prime habitat for numerous wildlife and are
15 well-known for world-class salmon. The Alaska Department of Fish and
16 Game has been on record recognizing the vital importance of both of
17 these rivers and their respective watersheds for the salmon fisheries
18 in Kodiak.

19 In addition, both rivers are accessible by the Kodiak road
20 system, which results in them being a year-round draw for outdoor
21 enthusiasts. These projects (indiscernible - speaking
22 simultaneously).....

23 CHAIR BRUNE: Jana, if you could (indiscernible - speaking
24 simultaneously) sum up. Your time is up. If you could please sum up
25 your comments?

1 MS. TURVEY: Yes, sir. I'm very close. These projects would
2 provide habitat for species impacted by the oil spill, while at the
3 same time providing benefits for shareholders, the community, and the
4 outdoor recreation industry. Use of the EVOS Trust Habitat Funds to
5 see these projects to fruition is a win/win for the EVOS Trustee
6 Council, Leisnoi, our shareholders, the community of Kodiak, the
7 State of Alaska, and all visitors to these highly recreated rivers.

8 Mr. Chairman and members -- Council Member, we will be providing
9 a full proposal later on, and I hope you will take serious
10 consideration of it. (Indiscernible - speaking Native language),
11 thank you so much for your time.

12 CHAIR BRUNE: Jana, thank you so much, and I apologize for
13 butchering your name earlier. I hope your recovery goes well with
14 your surgery. Trustees, are there any council -- or any questions
15 for Jana?

16 (No audible response).

17 CHAIR BRUNE: I have a question for you. You have -- you
18 indicated you have two historic successful conservation agreements on
19 Leisnoi land. Subsurface has dominance over surface, and we've seen
20 issues in the past where a Village Corporation land that was acquired
21 through this process had development on it because of subsurface
22 ownership. What is the relationship that Koniag has with respect to
23 subsurface for the land Leisnoi previously used, and what is the
24 relationship for the two new proposals you'll be putting forward?

25 MS. TURVEY: Mr. Chairman, thank you for that question. You are

1 exactly correct. The subsurface of the two parcels, both Long Island
2 and Termination Point, are owned by Koniag. Koniag did support
3 greatly -- and we greatly appreciate the support for those two
4 conservation easements.

5 We have not been in direct conversation with them about these
6 new proposed easements, but we've had a great working relationship
7 with our regional corporation historically and to-date and I don't
8 anticipate -- I can't speak for Koniag, but we would be working with
9 them too, on these two new proposed easements as well.

10 CHAIR BRUNE: Thank you, Jana. Any other questions from
11 Trustees?

12 (No audible response).

13 CHAIR BRUNE: Seeing none, thank you so much for your testimony
14 today.

15 MS. TURVEY: Thank you, sir.

16 CHAIR BRUNE: I now would like to call forward Carol Hoover with
17 the Eyak Preservation Council, followed by Dune Lankard with the Eyak
18 Preservation Council.

19 MS. HOOVER: Okay, good morning, thank you.

20 CHAIR BRUNE: Good morning.

21 MS. HOOVER: All right, the Copper (indiscernible - speaking
22 simultaneously).....

23 CHAIR BRUNE: I'm sorry, can you (indiscernible - speaking
24 simultaneously) yourself and your affiliation just for the record,
25 please?

1 MS. HOOVER: Yes, Carol Hoover with the Eyak Preservation
2 Council.

3 CHAIR BRUNE: Thank you, Carol.

4 MS. HOOVER: And I'm speaking about the Bering River Coal
5 Habitat opportunity purchase.

6 CHAIR BRUNE: Please.

7 MS. HOOVER: Thank you. The Copper/Bering River Prince William
8 Sound Watersheds are inextricably connected, as you know. This, of
9 course, includes the indigenous values, the fishermen, and the
10 regional community of Cordova. The Copper River/Bering River
11 Watershed hosts regenerative returns of the second largest wild
12 salmon runs on the planet, and the Copper River Watershed is now
13 cited as one of the largest, roadless, pristine watersheds of its
14 kind also on our earth.

15 The entire populations of the community of Cordova are still
16 feeling the impacts of the Exxon Valdez oil spill financially, and
17 indeed, it's still has a multi-generational emotional impact as well.
18 Coal mining infrastructure leading to mountaintop removal and strip
19 mining would forever impact the regenerative nature of this wild
20 salmon watershed.

21 The titles that are for sale, fee title, are valuable 13,000 BTU
22 low sulfur bituminous coal, the primary resource for heat and
23 electric generation worldwide. Estimates at the low end are 35 to 65
24 million tons up to a potential of over 350 million tons of coal.

25 Estimates are that the coal will remain in use worldwide for 40 to 50

1 years.

2 To allow an Asian company to remain in control of this resource
3 lacks vision and wisdom. We have a willing seller open to a
4 conservation purchase. The value of this can be looked at in
5 multiple ways; 1) is as a resource for coal extraction. The other
6 way is to present how keeping carbon in the ground can be profitable
7 for a regenerative community and for a foreign -- and state and
8 world, and for a foreign corporation to consider the long-term
9 effects of their extraction desires.

10 The Eyak Preservation Council and the Native Conservancy have
11 been working on this for decades, to keep this opportunity alive. We
12 know of no other issue that has across the board, bipartisan support
13 through the EVOST Council, from Senator Murkowski to all of the
14 fishermen and business of Cordova, to thousands of sportsmen, and
15 individuals all over the nation, including Representative Young, and
16 including folks like Ted Roosevelt, IV, and Jane Goodall.

17 Coal is not going away. In this country, the effects of the
18 pandemic have made estimates for coal for energy use to rise for the
19 next two years, and China is upping its coal exports, and there is
20 interest for KADCO's for profit coal title. To have a foreign
21 concern on a coal title in the United States has allure.

22 KADCO's principal let us know that he even received a call with
23 interest from Mead Treadwell about the Bering River coal field, and
24 this is timely. The principal is aging. He's in his 80s. If he
25 becomes ill or passes away, this opportunity evaporates forever.

1 This is a massive opportunity for Alaska and for the restoration
2 mission and intentions of the EVOST Council.

3 Your work is not over and it must continue. Many of the actions
4 that this Council has accomplished will provide benefits for
5 thousands of years. This Bering River coal habitat purchase
6 opportunity is in that category. Wild salmon forever. Thank you.

7 CHAIR BRUNE: Thank you, Carol. Are there questions for her,
8 from Trustees?

9 (No audible response).

10 CHAIR BRUNE: I'll bite. I'll ask a question. Carol, there was
11 -- within the last couple of years, there was a conservation easement
12 placed on adjacent subsurface coal resources on Chugach land.

13 MS. HOOVER: Yes.

14 CHAIR BRUNE: From my experience in the mining industry,
15 effectively has made those adjacent coal resources unvaluable and
16 that you would have to -- in order for those two projects or for a
17 project to actually be economic, they need both of them and one of
18 them has been as a conservation easement.

19 Can you tell me why you believe that there still is an
20 opportunity there when what the mining industry is saying is
21 otherwise, and why we should put money to put that into a
22 conservation easement?

23 MS. HOOVER: Can you make predictions about what's going to
24 happen in the next 40 to 50 years? I think not. Also, other mining
25 operations are going on in Alaska that are not profitable. It's well

1 known. It's almost like there's this terrible desire to make money,
2 even for foreign corporations with mining in Alaska. I mean, we've
3 got 350 million acres that are going up possibly now on land --
4 public land revocations. There's just a drive.

5 So we don't know what's going to happen in the future. We
6 really don't, and we have two easements going directly to the Bering
7 River Coal Fields, this coal field. These easements were not
8 directly to Chugach Alaska Corporation's conservation easement of
9 62,000 acres, and the other thing that's interesting about that
10 conservation easement is that it made money for Chugach Alaska
11 Corporation. They're getting write-offs, tax write-offs for their
12 shareholders for many, many years, and to show how keeping carbon in
13 the ground can provide economic value for a regenerative community
14 for, you know, relatively low -- low money, in a sense. I don't
15 think this is going to be completely out of the price field of
16 keeping this coal in the ground, but there are two easements there.

17 Remember, there just was some interest in Katalla for oil and
18 gas, and it was (indiscernible - speaking simultaneously).....

19 CHAIR BRUNE: Okay (indiscernible - speaking
20 simultaneously).....

21 MS. HOOVER:overturned. They.....

22 CHAIR BRUNE: Thank you for your comments. I appreciate the
23 answer. Any other questions for Carol?

24 (No audible response).

25 CHAIR BRUNE: Hearing none, thank you for your testimony today


1 (indiscernible - speaking simultaneously).....

2 MS. HOOVER: Nice to speak with you, thank you.

3 CHAIR BRUNE: Dune Lankard is up, followed by Jon Shepherd. So
4 Dune, if you could please introduce yourself and your affiliation?

5 MR. LANKARD: Sure, can you hear me okay?

6 CHAIR BRUNE: Perfectly, thank you, Dune.

7 MR. LANKARD: All right, my name is Dune Lankard. My Eyak name
8 is Jamachakih  I'm an Eagle Clan
9 member of the Eyak Tribe from the Copper River Delta region. I'm
10 representing the Native Conservancy today.

11 I'd like to address both the Bering River Coal Field
12 conservation opportunity and the Think Tank proposal before you now.
13 To begin, I'm happy to see that after all of these years, 23 and
14 counting, that the Bering River Coal Fields is finally on the Trustee
15 Council agenda, and yet, I am sad that it is on the no action list.

16 Every satellite image that shows the Delta and Sound together,
17 clearly show that the water and silt from the Delta goes into the
18 Sound, or if you read any of the scientific reports from this
19 research that you funded, it tells you that the wild salmon and the
20 sea life from the Delta spend part or a good portion of their
21 lifetime in the Sound.

22 How does that not prove the link to injury? These sister
23 watersheds are related. They are one. Regardless of your imaginary
24 political restoration boundary that splits the Copper River down the
25 middle, it should be erased. Restoration of any kind works when you

1 preserve what we still have that is thriving and intact, like the
2 Copper River Delta.

3 As our herring runs and several wildlife species impacted by the
4 Exxon spill go extinct, you have to ask yourself as Trustee Council
5 Members, "Could I have done something, anything, to restore,
6 mitigate, or reverse this trend?"

7 So you know, you can do something right now. You can support
8 acquisition of equivalent resources. The Bering River and Copper
9 River Delta region supports nearly every single species of wildlife
10 and sea life impacted by the Exxon spill. Do you really think that
11 paying for more studies or more monitoring is going to help the
12 region restore or recover from the spill?

13 Preserving and restoring endangered habitat on the land and in
14 the ocean is still the best action that you can take for true
15 restoration in the spill zone.

16 As for the Think Tank, I personally don't think the funds should
17 be transferred over to a private foundation. Yet, I've always
18 believed that there should be Native trustees on this EVOS Trustee
19 Council. The *Exxon Valdez* oil spill happened on our ancestral lands,
20 where we are the traditional stewards, the stakeholders, the land
21 owners, shareholders, and tribal members in this region. You are
22 clearly not able to tell us what can be, should be, or how our tribal
23 lands in the spill zone can be fully restored.

24 So if you're talking about the restoration spend-down, transfer
25 the remaining funds to our tribal governments, who are the original

1 real frontline trustees of these lands. Government to government
2 consultation happens with the tribal governments, not with private
3 foundations or Native corporations. This is no different.

4 Our tribal governments can handle and do just fine building new
5 restorative, regenerative, and resilient features for our recovering
6 oceans and for our Native people. As a lifelong subsistence and
7 commercial fishermen and Native inhabitant with thousands of years of
8 history, occupation, and heritage in the Copper River Delta and
9 Prince William Sound regions, I once again ask that you step up to
10 your duty and responsibility as Trustees and do the right thing.

11 Please help us protect the Bering River Coal Fields and the
12 Copper River Delta, so Prince William Sound and our wild salmon
13 fishery can fully recover when you are all long gone. AWA'ahdah,
14 thank you.

15 CHAIR BRUNE: Dune, thank you for your comments. Are there any
16 questions for Dune?

17 MR. SCHMID: Just a comment, Chair.

18 CHAIR BRUNE: Go ahead.

19 MR. SCHMID: Yeah, I just want to -- folks, we do have on the
20 agenda a couple of (indiscernible) coming up here related to the
21 spill area, a lengthy (indiscernible) and the Bering River Coal
22 Fields, but I did want to make a point. I think Commissioner
23 Vincent-Lang or some other -- earlier talked about bringing -- one of
24 the things that I have been advocating for, and I think we've got
25 support amongst all of the Trustees, is bringing some transparency to

1 the process.

2 We've had lots of unsolicited proposals that come in every year
3 and that -- and some of those never see the light of day. I know
4 that folks, in interest, most of -- many of you that are on this Zoom
5 meeting today, get your three minutes of public comment or not, and
6 they don't necessarily get the transparency and open discussion, and
7 so you will see that on the agenda today, and I appreciate the -- my
8 fellow Trustees, as well, as bringing this forward, and we can have a
9 candid and open, robust discussion on some. Thank you.

10 CHAIR BRUNE: Thank you, Trustee Schmid. Other comments?

11 (No audible response).

12 CHAIR BRUNE: Dune, I'd like to just add to you that in our
13 Invitation, you'll see on page 23, this is addressing one of the
14 points that you made, Item number five, we do -- we will be mandating
15 for the proposals going forward that they provide a detailed plan for
16 local and Alaska Native community involvement, going forward in any
17 proposal that's put forward.

18 So I think your point was well said, and I think we, as
19 Trustees, agree that there needs to be a plan for those proposals
20 going forward that does incorporate local and Alaska Native community
21 involvement. So thank you for your comments today, Dune.

22 Next up is Jon Shepherd with Port Graham Corporation.

23 MR. SHEPHERD: Mr. Chairman, can you hear me okay?

24 CHAIR BRUNE: Hear you perfectly, Jon. Thank you. Please
25 introduce yourself and your affiliation, and you have three minutes.

1 MR. SHEPHERD: Okay. My name is Jon Shepherd. I'm the
2 President of Port Graham Corporation. As you may know, we've been at
3 the last several meetings and discussing the possibilities of
4 assistance for Port Graham Corp to (indiscernible) doing some habitat
5 enhancement and improvement work.

6 All of our land, 200 (indiscernible) miles of property that Port
7 Graham owned was damaged by the spill. Any efforts to try to get
8 conservation easements failed because of negotiations with the Park
9 Service where they would not do an easement. They wanted fee simple
10 title to the land. So we didn't do that, and the elders at Port
11 Graham would never get rid of their land. So we've been running
12 without resources for quite a bit.

13 So we know this isn't a reparation fund. It's a -- it was
14 designed and built to do restoration of the ecosystem and support
15 habitat enhancement and we want to continue doing some of that. Our
16 subsistence resources are still not fully restored in our bay and the
17 area around Port Graham. Most of the research work has been done in
18 the Northern Prince William Sound and our waters on the Kachemak Bay
19 side and the Southern Kenai Peninsula still aren't seeing some of
20 that ecosystem restore. We would like to start doing some of the
21 work for ourselves, but the big problem we have is our dock has
22 fallen apart and if we can get the dock built, then we can continue
23 to do our own enhancements, our own improvements, and possibly look
24 at doing some mariculture and trying to restore the ability of folks
25 in the village to get back into fishing and living off the land,

1 because we haven't been able to do that much since the spill.

2 So we've solicited an -- we've presented an unsolicited
3 proposal, and you know, it was kind of short notice on that, but
4 we're here to answer any questions. I have one of our Board members
5 and the COO of Corporate on the call.

6 CHAIR BRUNE: Thank you, Jon. I appreciate your testimony. Are
7 there any questions for Jon?

8 COMMISSIONER VINCENT-LANG: Hello, Jon, this is Doug. I had a
9 question for you. So how -- you want to build a dock, but how would
10 that directly benefit injured resources? Maybe you could just spend
11 a little bit of time kind of walking me through the nexus back to the
12 oil spill and how we can protect injured resources and how we could
13 provide for, you know, opportunities for your communities, just spend
14 a little bit more time on that. I read the proposal, but I'm
15 struggling a little bit with the nexus to the oil spill.

16 MR. SHEPHERD: Right. Without the dock, we can't -- none of the
17 boats that we would need to go out and do our work on the coastland
18 (indiscernible) and do anything with mariculture or even catching
19 fish. We can't harbor any boats in Port Graham. The weather rips
20 them up in the wintertime and so for mooring boats and encouraging
21 use of -- we only have one fishing boat in the whole village any
22 more.

23 So there's no place to park them safely. So the small boat
24 harbor part of the dock would provide access to boats to come in and
25 deliver their products and take care of getting fuel, picking up

1 supplies, and then the dock itself is where we would be getting all
2 of our supplies for bringing cans in, the fish in for the cannery we
3 have that's not running because we can't ship products in and out of
4 the village. So catching fish, planting kelp, doing any work on the
5 waterfront needs a dock and a facility for boats to come in and out
6 to do any restoration work, even scientific studies, we can't launch
7 boats there without having the dock set up, and it's kind of the
8 centerpin to the whole economic development and the ability to
9 continue enhancement work in the area.

10 CHAIR BRUNE: Thanks, Jon.

11 COMMISSIONER VINCENT-LANG: Thank you, Jon, that's helpful.

12 CHAIR BRUNE: Other questions from Trustees?

13 (No audible response).

14 CHAIR BRUNE: Thank you very much, Jon, for your proposal and
15 for your testimony today.

16 MR. SHEPHERD: Thank you for your time.

17 CHAIR BRUNE: Appreciated the opportunity to meet with you to
18 discuss it earlier in the week.

19 April Counciller with the Alutiiq Museum, followed by Phil
20 Mundy.

21 DR. COUNCELLER: Thank you (indiscernible - speaking Native
22 language). Hello, I'm Dr. April Laktonen Counciller. I'm a member
23 of the Sun'aq Tribe of Kodiak and the Native Village of Larsen Bay.
24 I've been a member of the Alutiiq Museum staff for over 15 years, and
25 with the last five years as the Executive Director. This year, we

1 are celebrating our organization's 25th anniversary.

2 As some of you may know, the Alutiiq Museum's facilities were
3 created in 1994/95 with an EVOS Trustee Council grant to the Kodiak
4 Area Native Association. Following the development of the Museum
5 facility, eight Kodiak Native corporations came together to form a
6 stand-alone nonprofit, the Alutiiq Heritage Foundation, which does
7 business as the Alutiiq Museum and Archeological Repository.

8 While the Alutiiq Museum itself has not yet secured grant
9 support from the EVOSTC fund, we feel that our mission is closely
10 aligned with the EVOS Trustee Council priorities. Our work includes
11 research tied to the spill area and its resources. The Alutiiq
12 Museum has been leading archaeological research and historic
13 preservation and education for over two decades.

14 We lead an archipelago-wide stewardship program for
15 archaeological sites, where we monitor for looting and other impacts
16 to cultural sites, and these are the sites that were first documented
17 during the oil spill clean-up.

18 Our work has also documented over 520 new sites, in addition to
19 what had previously been discovered before our founding. It has led
20 to the publication of numerous books, journal articles, and has
21 helped the public learn to respect and protect our ancestral
22 settlements. We're acknowledged leaders in ethnographic,
23 ethnobotanical and linguistic studies of the communities in the oiled
24 region, and in using the result of research to create exhibits,
25 publications, and public programs.

1 Many of these activities are closely aligned with EVOS Trustee
2 Council priorities, and we'd be interested in an Invitation to apply
3 in any of these areas. However, as described in our February 2020
4 unsolicited application, our largest need is related to our facility.

5 We have been communicating with the staff and Council for about
6 two years, as we seek an invitation to submit a full proposal. We do
7 not own our own facility and we're facing increasing rental costs in
8 our building. Also, an aging and inefficient physical
9 (indiscernible) and we have a need for additional exhibit space,
10 these are some of our challenges.

11 In short, the future success of the Alutiiq Museum depends on
12 solving our facility challenges so that our operations can be managed
13 with the greatest efficiency and public impact. What our
14 organization needs now, above all other things, is to address this
15 facility issue.

16 As I'm also a stakeholder, personally, from the oiled region,
17 I'd like to state that I oppose the Resolution D, in the Council's
18 packet, and any kind of expansion of the oiled region would not -- it
19 should not be considered when there are so many needs being expressed
20 to the Council by communities and organizations within the original
21 spill boundary.

22 I appreciate the work of the EVOS Trustee Council and its staff
23 and for the opportunity to participate and comment today.
24 (Indiscernible - speaking Native language) for your time.

25 CHAIR BRUNE: Dr. Counciller, thank you so much for your

1 testimony. Are there any questions from Trustees for Dr. Counciller?

2 (No audible response).

3 CHAIR BRUNE: I'll make a comment. Thank you for the background
4 of the great work that you guys have done, very impressive, and it
5 adds some interesting background information for when we consider
6 these proposals. Thank you, and thank you for your great work.

7 DR. COUNCELLER: Thanks again.

8 CHAIR BRUNE: Next, we have Phil Mundy. Phil had -- I know
9 Phil's online, but he's got a choppy internet connection. I've been
10 texting him back and forth. Phil, if you want, we have a written
11 copy of it that Austin has offered to read for us all, but Phil, if
12 you wanted to try, we could see how you sound and if it sounds bad, I
13 can interrupt you or we could.....

14 MR. MUNDY: Thanks. I think having Austin read it is the best
15 idea, because I'm sure to cut out because of my connection here, but
16 I just wanted to say good morning to the members of the Council and
17 the staff, and it's a pleasure to be speaking to the Council after
18 all of these years. Thank you.

19 CHAIR BRUNE: I can tell you that you sounded perfect, and it's
20 great to hear your voice, so -- but I will have Austin -- if she
21 could please read your testimony, that would be fantastic.

22 MS. QUINN-DAVIDSON: Happy to, Mr. Chair. "My name is Phil
23 Mundy. I'm a resident of Juneau, and my contact information has been
24 provided to staff. I'm a fishery scientist, who has worked on
25 research and management problems in Alaska since 1976. I was

1 contracted by the US DOJ to design and oversee damage assessment
2 studies for salmon and other species shortly after the oil spill.

3 After the conclusion of the damage assessment, I worked as a
4 consultant reviewing all fisheries work for the Trustee Council from
5 its inception to 1999, when I joined the staff of the Trustee
6 Council. I served the Trustee Council as Science Coordinator and
7 Science Director until 2005.

8 I participated in the development of the new vision for the
9 *Exxon Valdez* Oil Spill Trust in the hope of securing funds for
10 scientific research and monitoring in the oil spill-affected areas in
11 perpetuity. I recommended the vision document to you is fully
12 consistent with the EVOS restoration program."

13 Pardon me, "I recommend the vision document to you as fully
14 consistent with the EVOS restoration program, as stated in the Record
15 of Decision adopted by the Council from the Environmental Impact
16 Statement for the program. The ROD recognized the status of an
17 injured species could not be measured without information on the
18 species, its predators, prey, and its environmental forcing factors.

19 This approach to managing wildlife species is today known as the
20 ecosystem approach to management, and it is endorsed by scientific
21 agencies worldwide. Understanding the impacts of the oil spill is a
22 very long-term undertaking that should be in place as long as oil is
23 transported through the waters at Prince William Sound.

24 The vision document would establish permanent annual endowments
25 to critical entities providing scientific research and monitoring.

1 These activities -- or the activities would be subject to peer review
2 procedures and administrative measures similar to those that now
3 ensure the integrity of the Trustee Council process.

4 The types of projects would maintain the time series
5 observations that have been established by the Trustee Council under
6 the Restoration Program, the Gulf Watch Program and other scientific
7 investigations.

8 I ask the Council to seriously consider the propositions of the
9 new vision and in particular, to take this opportunity to consider
10 the need to establish scientific research and monitoring in the oil
11 spill-affected areas in perpetuity, as long -- as the long-term
12 legacy of the Trustee Council. Phil Mundy," and then he gives his
13 address and phone number.

14 CHAIR BRUNE: Thank you, Austin, and Dr. Mundy, thank you.
15 Thank you for all the work. When I was on the PAC, I remember
16 learning a lot from you and I know you've given a large part of your
17 life to the efforts of the Trustee Council and the spill impacted
18 areas. So I really appreciate your testimony and your
19 recommendation.

20 Are there questions from the Trustees for Dr. Mundy? Come on,
21 Jim, now is your opportunity to put him on the spot.

22 (No audible response).

23 CHAIR BRUNE: Hearing none, Dr. Mundy, thank you again for your
24 testimony.

25 MR. MUNDY: You're welcome, thank you.

1 CHAIR BRUNE: Next up is going to be Tara Riemer with the Alaska
2 SeaLife Center.

3 DR. RIEMER: Okay, I have just unmuted myself. Are you able to
4 hear me and see me?

5 CHAIR BRUNE: You're perfect. Please give us your name and your
6 affiliation, and you have three minutes.

7 DR. RIEMER: Sure, thank you. This is Tara Riemer, from -- I'm
8 President and CEO of the Alaska SeaLife Center. Thank you for the
9 time for public comments this morning and now this afternoon. I have
10 comments on a few different aspects of the agenda.

11 First, I want to correct some information that was misstated
12 earlier by a public commenter. The Trustee Council originally put
13 \$26 million into the capital for construction of the Alaska SeaLife
14 Center. There was another 12.5 million from the State of Alaska
15 criminal settlement. Adding those together, if you would choose to
16 do that, the total is about 38 million, not 50 million, and I would
17 really encourage anyone who has interest in the SeaLife Center and is
18 not -- would like to learn more about our mission to please contact
19 me for a conversation or a visit whenever they would like to.

20 So Dr. Balsiger had some comments earlier on the core reasons
21 for the Think Tank and other proposals that have come up recently.
22 My summary of what -- of what I would really like to see is a plan
23 that creates a lasting legacy and support for Alaska facilities with
24 reduced administrative costs.

25 In terms of reduced administrative costs, no plan will get rid

1 of all of the overhead. No plan will get rid of overhead at the
2 endpoint, where the work is actually being done, be that a
3 university, a nonprofit entity, or an agency. I think that the
4 concerns are of those intermediaries.

5 One thing I would encourage the Trustees to look at, potentially
6 do away with or reduce, is the 9% administrative pass-through that
7 goes -- my understanding is it goes either to NOAA or to the State of
8 Alaska for managing project funds. For one of your items on the FY21
9 Work Plan that's on your agenda today, the Eagle Rock facility
10 improvements, that amounts to \$530,000 for that project alone.
11 Another habitat project on this year's work plan, that's 320,000,
12 based on the information that was available to the public.

13 Now, I'm not making any comment about the merits of these
14 projects, I just don't believe that the amount of overhead is
15 necessary, and this is something that doesn't require a major
16 restructuring of anything you're doing, just negotiating with your
17 own agencies on how these agreements work.

18 I wanted to comment a little bit on Resolutions A through D --
19 were added last night after 7:00 p.m., according to your website.
20 Some of those appear to be some very positive directions in reducing
21 administrative hurdles, but there really wasn't enough time to review
22 them and provide public comment. I'm really interested in Resolution
23 D, but I didn't see it until the meeting started. So I hope that the
24 discussion is so that these can be available for public comment in
25 the future.

1 One very important point is that you have the draft Invitation
2 later on the agenda that is scheduled to be released on December 1st.
3 Some of the conversations that have happened this morning about some
4 other ways of managing EVOSTC funds would make that Invitation
5 impossible to continue.

6 There are some small organizations like mine and Prince William
7 Sound Science Center that would be starting to put a huge amount of
8 effort into that Invitation and responding to it immediately after
9 this meeting, and so I implore you to give some clear direction on
10 your expectations for this Invitation.

11 An Invitation being released on December 1, with some
12 requirements of due dates, February 1, really means we would be
13 starting now, and so some clarity on whether you are going to be
14 looking at some of these meetings between the Department of Justice
15 attorneys with the Think Tank attorneys and whether there could be a
16 change to this Invitation, is critical for us to have some -- some
17 awareness of what we should expect before we potentially put multiple
18 people full-time working on some 10-year proposals in the near
19 future.

20 CHAIR BRUNE: Dr. Riemer, if you could please conclude.

21 DR. RIEMER: That is all I had. Thank you very much for the
22 time this morning.

23 CHAIR BRUNE: Thank you, Dr. Riemer. Are there questions for
24 her today from any of the Trustees?

25 COMMISSIONER VINCENT-LANG: So this is Doug, there's a --

1 there's an unsolicited proposal that you put in for infrastructure at
2 the SeaLife Center. Could you talk a little bit about that and
3 justification for 50 million or whatever it is, I can't remember.
4 It's a fairly large infrastructure proposal.

5 DR. RIEMER: So there was an infrastructure proposal for about
6 five million that was actually submitted two years ago. It was on
7 your agenda twice and quite frankly, until a week ago, when I got an
8 email from the staff, I thought it was gone, because it had been
9 considered at your meetings in the past and not supported.

10 It is looking for some support for major infrastructure
11 improvements, mostly areas where salt water will start to degrade any
12 structure that it is in contact with. That would support both our
13 research and our education programs. So I did not speak to that,
14 because I was told that was not really an agenda item for this
15 meeting. It definitely still is a need and we also have other
16 sources of funding we can go after with some match. On most of those
17 items, we're not looking for full funding. We're looking for 3/5 or
18 50% of the funding.

19 There was also a proposal submitted almost a year ago for a
20 large research amount of funding. Again, I was surprised that was on
21 your agenda when I just found out when the agenda came out. My
22 understanding is that's not something that you're actively
23 considering right now. So definitely, something like that fits into
24 that idea of a creative way of having a grant still managed by the
25 Trustee Council, but would work sort of like the endowments that the

1 -- that the Think Tank has proposed, and I can tell you that dollar
2 figure was really just -- if you don't -- if you ask for 10 million,
3 you can't give us more than that. If we ask for a very large number
4 that is definitely more than you're going to give us, you can choose
5 what amount to give us. So it wasn't put down with an expectation
6 that dollar amount would actually be funded at that level.

7 COMMISSIONER VINCENT-LANG: I guess my question is; do you see
8 that compatible -- that proposal compatible with the 10-year vision
9 or call for proposals?

10 MS. RIEMER: The 10-year call for proposals looked, based on my
11 reading, called for one program that would be that up to five million
12 a year for science, and the way I read it, that I do not believe -- I
13 believe that the current program that has been going on long-term
14 monitoring would most likely be the one funded going forward.

15 Just practically speaking, that program's already up and running
16 and has been running for going on 10 years now. So I don't believe
17 we could put in a proposal that would -- it would be very challenging
18 and we would -- we would not -- I don't think it's realistic for us
19 to put in a proposal to compete against that ongoing project.

20 There are definitely -- in the other two areas of mariculture
21 and education, there are definitely opportunities for us to submit
22 proposals, even potentially a major program proposal in education to
23 respond to that, but it would not -- that would not be the type of
24 research that we originally envisioned.

25 I do feel like we could collaborate with the existing program

1 and that is something that if that Invitation goes forward, that we
2 would look to talk to the Gulf Watch Alaska team and see if that's an
3 area that we could do some more collaborations with that group.

4 COMMISSIONER VINCENT-LANG: Okay, thank you.

5 CHAIR BRUNE: Thank you, Dr. Riemer, and I'll just remind folks,
6 as well, that in the instructions for submitting a proposal in the
7 call for proposals, and I'm looking for it, but we did request
8 collaboration with the two Centers for Excellence that have been
9 formed through the Trustee Council's historic efforts, the SeaLife
10 Center and the Prince William Sound Science Center. That is, I
11 believe, on page 23 or 24. I, of course, can't find it right now,
12 but that was one of the intentions. So thank you, Dr. Riemer, for
13 your testimony today and answering questions. Were there -- Jim,
14 maybe I missed your hand. Did you have a further question or.....

15 DR. BALSIGER: I'm sorry, Mr. Chairman, you referred to the
16 language in the draft Invitation, of course, which has not yet been
17 approved. So I just wanted to mention that.

18 CHAIR BRUNE: Yeah, thank you. My apologies, thank you, and
19 that refers to my previous comment, as well, about coordination with
20 Alaska Native interests, as well. Thank you, Dr. Balsiger for that
21 correction.

22 COMMISSIONER VINCENT-LANG: So I have one question, one final
23 question. Dr. Riemer, what research right now is the SeaLife Center
24 doing, in terms of EVOS?

25 DR. RIEMER: So we are starting a project that involves seabirds

1 that Dr. Tuula Hollmen is collaborating with another
2 seabird scientist that I believe it was approved at your last
3 meeting, but is part of your work plan, your 2021 Work Plan here.
4 There was a possibility of trying to get started this summer, but
5 with COVID, they ended pushing that off to 2021.

6 That is our only EVOSTC funded project right now. In the past,
7 we have had some projects on lingering oil. We had some projects on
8 harbor seals and I believe some education and some modeling projects
9 that were involved in the Gulf Watch Alaska project early on.

10 COMMISSIONER VINCENT-LANG: Okay, thank you.

11 CHAIR BRUNE: Dave, did I see you had a question or are you --
12 okay. Okay, next.....

13 MR. SCHMID: We're all getting ready for a break.

14 CHAIR BRUNE: Yeah, we have two more on my list. I believe,
15 Austin, if I have any additions on this list, please text me, but the
16 two remaining commenters are Sheri Buretta and Josie Hickel speaking
17 on issues outside of the Think Tank discussion. So Sheri Buretta.

18 MS. BURETTA: Hello, this is Sheri. Did you just call me?

19 CHAIR BRUNE: I did. My understanding is you wanted
20 (indiscernible - speaking simultaneously).....

21 MS. BURETTA: Yeah, I'm sorry, I'm (indiscernible). So I'm just
22 juggling. I just hung up. I'm adjourning a board meeting here and
23 I'm going to share my comments. Thank you.

24 CHAIR BRUNE: Thank you, go ahead.

25 MS. BURETTA: All right, let me get those here. So I'm the

1 Chairman of the Board for Chugach Alaska Corporation and the Interim
2 President and CEO, and I've been serving in that capacity for about
3 23 years. I'm also currently dealing with the -- the --
4 legislatively, with the conflict of split estate created when
5 EVOSTC purchased Village Corporation lands and designated them as
6 conservation lands and turned them over to the government. So this
7 is 243,000 acres of subsurface estate, which is a dominant estate,
8 and you know, how is this justified as related to restoration of
9 injured resources has always baffled me.

10 I know that the habitat account has been mostly used for one
11 purpose, which is purchasing lands, mostly Native lands. The Consent
12 Decree and MOA also allow for recovery loss -- of lost services to
13 support human services, in addition to the habitat acquisition.

14 For those who have not had recent opportunity to travel to some
15 of the communities that were devastated by the spill, you'll see that
16 the dire economic needs that resulted from the impact of the oil
17 spill on our fishing and the subsistence are still in effect to this
18 day.

19 For these reasons, I feel like the funds could be going towards
20 restoring these economies, and that the -- moving the funds into one
21 account doesn't facilitate that. The Trustees have a responsibility
22 to fulfill the original intent of the fund. Additionally, I oppose
23 the idea of increasing the spill zone until the communities most
24 impacted by the spill get the attention they deserve from EVOSTC.

25 Additionally, the spill displaced hundreds of thousands of our

1 traditional artifacts and many sites were looted and desecrated.
2 This was the reason why the Consent Decree included funds to preserve
3 archaeological resources. These artifacts are intertwined with our
4 culture and values, and we believe these funds should be available to
5 ensure their care and restoration.

6 Finally, one theme I have continuously heard, including from
7 this staff, is that they feel they are adequately reaching out to our
8 communities to ensure they are connected to this process. They are
9 not. Chugach and Koniag have polar villages and communities and we
10 can attest to the serious disconnect that exist between EVOSTC and
11 the most affected stakeholders and its intended benefit.

12 They have listed -- they share information on the website, but
13 as stakeholders, we are expected to check the website frequently for
14 the many changes to agendas and other documents in the weeks prior to
15 any meeting. There are community leaders expected to speak here
16 today to the agenda items, who were unaware that they were even on
17 the agenda.

18 This is not working, and if it's not remedied, we will be forced
19 to try and get our attention in a different way. This Trust and its
20 potential benefits to the spill impacted people are very important to
21 ignore, and changes need to be made. So we're hopeful that you will
22 address these and I think that you have, over the last couple of
23 years, been doing so -- attempting to do so, but there are still
24 challenges in allowing for people to participate and we've given
25 other recommendations and hopefully, those will be looked at as well.

1 Thank you.

2 CHAIR BRUNE: Okay, thank you, Ms. Buretta. I appreciate your
3 comments. Are there questions from Trustees for her?

4 (No audible response).

5 CHAIR BRUNE: I'll quickly ask a question, Sheri. I, obviously,
6 it's a keen emphasis of mine to ensure stakeholder engagement,
7 especially from the Alaska Native impacted areas and we've made it a
8 focus in working with the Trustee Council staff. If you could send
9 those ideas to the Trustees, as well as the staff, to reinvigorate
10 our efforts, we -- I would appreciate that a lot. We do strive to do
11 that and I know that Elise tries, as well, to do that, but we could
12 always be better. So if you have other suggestions that we can do,
13 please -- please do email them to us and we'll do our best to try to
14 always improve.

15 MS. BURETTA: Thank you for that.

16 CHAIR BRUNE: Okay, thank you. Other questions?

17 (No audible response).

18 CHAIR BRUNE: Okay, Josie Hickel, I believe you are the clean up
19 hitter.

20 MS. HICKEL: Oh boy.

21 CHAIR BRUNE: I don't see anyone additional. As I indicated in
22 the side chat function, if there are any additional folks on the
23 public interested in providing comments, please let Austin or myself
24 know, and seeing none, Josie, please announce yourself and your
25 affiliation and (indiscernible).

1 MS. HICKEL: Thank you, Jason. My name is Josie Hickel. First
2 and foremost, I am a shareholder of the Chugach Alaska Corporation,
3 originally from Seward, Alaska, and I was in Seward at the time of
4 the spill and saw firsthand many of the devastating impacts on our
5 community and the people that lived in the community and our
6 resources in the community. So I have firsthand knowledge of those
7 impacts.

8 I'm also Executive VP of Land and Resources for the Chugach
9 Alaska Corporation, and finally, I'm on the Board of the Alaska
10 SeaLife Center. So I have several representations as being here
11 today.

12 I wanted to comment on a few issues. The first and foremost
13 one, and I do want to say, Jason, I appreciate the Trustee Council
14 getting more involved and your desire to include the local voice, and
15 in particular, the Alaska Natives, in any projects so that we have
16 the ability to speak and be involved in those projects, and I also
17 appreciate what Commissioner Schmid indicated with respect to greater
18 transparency, because that's a huge issue for us.

19 The Alaska Native communities in the Chugach region, as well as
20 the Koniag regions, were devastatingly impacted by the spill. Their
21 subsistence resources were impacted and their economies were terribly
22 impacted, and those have not all recovered. We have seen a lot of
23 funding, as other people have mentioned, going toward habitat
24 acquisition, and we haven't seen a lot of funding going toward
25 projects -- I really Port Graham and Jon Shepherd's mention of the

1 need they have for infrastructure to be able to assure that there's
2 continued restoration and opportunities with respect to these lost
3 resources and impact from the spill for their community.

4 Many other communities have the same issues. Can we please
5 allow those people to have a voice and include them in this process?
6 We did go back. We've been doing some research, Chugach and Koniag,
7 on funding from EVOSTC into our communities, aside from habitat
8 acquisitions, which Sheri mentioned have been very problematic for
9 Chugach, in particular, not so much for Koniag, because our lands all
10 ended up in -- under federal government ownership with conservation
11 easements where we have, though, we don't have the same opportunities
12 with the lands as some of the other parties that were involved is
13 different, but you know, I think that we looked at roughly \$10
14 million of total EVOSTC funding that has gone into our Alaska Native
15 and all our communities in the region. Ten million dollars out of
16 the total spend, which we don't know how much that is.

17 It's very difficult to do the research and it's very difficult
18 to get accurate information because reporting has changed many times
19 over the years, but that's a drop in the bucket. That's like 1%. We
20 would like to see more money going into these communities and they do
21 have projects that can meet the Consent Decree that could be done.
22 So thank you for your recognition of that.

23 I wanted to speak just briefly to a couple other issues. I
24 don't.....

25 CHAIR BRUNE: (Indiscernible - speaking simultaneously) over

1 three minutes, so if you could do that quickly, please, that would be
2 good.

3 MS. HICKEL: Yes. No, I don't support Resolution D. to expand
4 the spill impacted area, and we also have concerns about merging the
5 subaccounts, and on the PAC meeting yesterday, there was a comment by
6 the Executive Director that could actually reduce the long-term
7 returns. So that's a concern. Thank you very much for your time. I
8 appreciate it.

9 CHAIR BRUNE: Thank you, Ms. Hickel. Any questions for her?

10 (No audible response).

11 CHAIR BRUNE: Seeing none, thank you very much.

12 I believe we will close public comment. Austin, is there anyone
13 else that has let you know that there's interest in additional public
14 comment?

15 MS. QUINN-DAVIDSON: Not that I have, Mr. Chair.

16 CHAIR BRUNE: Okay, given that, we will close public comment and
17 what I would like to do is give folks a 15-minute biology break
18 and.....

19 COMMISSIONER VINCENT-LANG: How kind of you.

20 CHAIR BRUNE: How kind of me, yes, and so we will reengage at
21 12:45 Alaska time. Thank you.

22 12:30:45

23 (OFF RECORD)

24 (ON RECORD)

25 12:47:53

1 CHAIR BRUNE: We will reconvene and go to Agenda Item 7. Item
2 for discussion - Changing Annual Meeting Reporting Requirements,
3 Trustee Vincent-Lang.

4 COMMISSIONER VINCENT-LANG: So right now, we have a restoration
5 plan that calls for annual review of projects, as well as annual
6 funding of projects, and that seems, in the spirit of trying to
7 reduce our overhead expenses a little bit, we -- I asked, I think, a
8 buddy a year-a-half ago, whether we could extend something longer
9 than an annual review process to try to reduce some of the overhead
10 associated with each project.

11 So I'm going to be making a motion to amend the 1994 Restoration
12 Plan to go to something beyond annual review of projects and annual
13 funding of projects and go to something more of a multi-year program.

14 CHAIR BRUNE: So why don't we -- before we start discussion on
15 that, why don't we have that motion made for the record and then
16 we'll.....

17 COMMISSIONER VINCENT-LANG: Okay.

18 CHAIR BRUNE:we'll go to discussion on that issue.

19 COMMISSIONER VINCENT-LANG: I move we initiate a 60-day public
20 comment process on a draft Resolution to be published by the Council,
21 which would modify the 1994 Restoration Plan to eliminate the annual
22 meeting and project reporting requirements for the Restoration Plan
23 and establish a new five or 10-year, multi-year meeting cycle, and to
24 make non-substantive updates to the Restoration Plan, as appropriate,
25 to effectuate this change. Following the public comment opportunity,

1 the Council will review all comments received and meet again to
2 decide whether to proceed with the implementation of the change.

3 CHAIR BRUNE: There's a motion on the table from Trustee
4 Vincent-Lang. Is there a second?

5 MR. MULDER: I'll second it.

6 CHAIR BRUNE: Trustee Mulder with the second. Was there.....

7 MR. MULDER: I might offer an amendment or a clarification that
8 (indiscernible) Doug (indiscernible) there are three things that are
9 addressed by the two resolutions. So maybe just for clarity, the
10 Draft Resolution A would give the -- amend the Restoration Plan to
11 give the flexibility for approval of multi-year funding, and
12 Resolution B would address the annual meeting and reporting
13 requirements. So I just wanted to clarify that your motion was
14 addressing all three of those things.

15 COMMISSIONER VINCENT-LANG: It was -- it was addressing
16 Resolutions A and B.

17 MR. MULDER: Thank you.

18 CHAIR BRUNE: So is that second still maintained?

19 MR. MULDER: Yes, it is still on the table, yes.

20 CHAIR BRUNE: So we have a first and a second, and Trustee
21 Vincent-Lang, did you like to further speak to your motion?

22 COMMISSIONER VINCENT-LANG: I don't think I have anything more,
23 other than to add that the goal here is to try to reduce some of the
24 overhead associated with the project review of a -- what is truly a
25 multi-year project. For instance, we have five-year science projects

1 ongoing right now in the Gulf of Alaska. There was really never any
2 intent to not fund those on an annual basis and this allows to do a
3 five-year project and dedicate that money and not have annual review
4 of it and annual funding requirements.

5 CHAIR BRUNE: Comments from other Trustees on the motion that's
6 on the floor.

7 COMMISSIONER VINCENT-LANG: And I'll follow through with one
8 other thing, this is not to make the change. It's to simply send it
9 out for public comment.

10 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Trustee
11 Balsiger.

12 DR. BALSIGER: Thank you, Mr. Chairman. Thanks for this motion.
13 So I just want to be sure I know what we're doing. So Ms. Womac sent
14 out in the email yesterday, October 13th, with these resolutions on
15 there. So I guess it's labeled 20-A and 20-B, so that's probably
16 what you're looking at, but my question is -- I mean, there's still
17 question marks in the copy that I have. So is your idea that the
18 questions marks will be replaced with the appropriate dates and
19 numbers after the public review process or how does that work?

20 COMMISSIONER VINCENT-LANG: I think I made my motion to say
21 either a five or a 10-year. So I think I cleared up that, and
22 basically, you know, based on the public comment, if we hear that
23 there's different ideas or opinions out there, I'd be open to
24 modifying these resolutions based on the public comment. It's
25 basically to get this concept out for public review.

1 DR. BALSIGER: Thank you.

2 CHAIR BRUNE: Trustee Schmid.

3 MR. SCHMID: Yeah, I just I think Commissioner Vincent-Lang
4 clarified. I just want to be perfectly clear with all. This is
5 going out quickly for a full 60-day public review and we're -- we
6 will take those comments back into consideration before we move on
7 this -- on this proposal.

8 COMMISSIONER VINCENT-LANG: That is correct.

9 CHAIR BRUNE: Trustee Balsiger.

10 DR. BALSIGER: Yes, Mr. Chair, so I don't -- I'm not sure what
11 your -- what your course of action is here, if you're going to have
12 people talk about it or not, or whether it's fair to tip our hand,
13 but I am unlikely at the end to support a 10-year review process. So
14 I don't know if there's a time to say that, but I just want to say
15 what I'm thinking.

16 CHAIR BRUNE: Okay, that is so noted. Other -- Trustee Renkes.

17 MR. RENKES: Yeah, so this -- I'm trying to figure this out as
18 well. So there's two Resolutions A and B, and the motion is to put
19 both of those forward for public comment for a 60-day period, and
20 Resolution A eliminates the annual meeting requirement, is that
21 correct, and then really, I guess places the future meetings to the -
22 - if this was to pass after public comment, would put future meetings
23 subject to the call of the Chair? They could occur any time the
24 Trustee Council meetings were appropriate, they would occur, but
25 there would not be an annual meeting anymore, is that correct?

1 COMMISSIONER VINCENT-LANG: So Trustee Renkes, Resolution A
2 removes the requirement for an annual Trustee Council public meeting
3 and funding process and changes the reporting schedule from annual to
4 something longer than that. B, basically allows the approval of
5 multi-year projects. So I think you are correct, but A is not only
6 the annual review, it's also the changing of the reporting
7 requirements to be -- from annual to something longer than that.

8 MR. RENKES: Okay, great.

9 CHAIR BRUNE: Other questions, and again, just to be clear, this
10 is not a motion to make this change, but it is a motion to solicit
11 public comments and that public comment will be evaluated by the
12 Trustees before action is taken. Does that -- just to (indiscernible
13 - speaking simultaneously).....

14 COMMISSIONER VINCENT-LANG: Yeah, yeah.

15 CHAIR BRUNE:Trustee Vincent-Lang, okay. Any other
16 comments?

17 MR. RENKES: So if I would comment on Trustee Balsiger's
18 comment, I -- you mentioned a 10-year reporting requirement, but I
19 don't see the 10-year reporting requirement in these resolutions.

20 CHAIR BRUNE: Yeah, I think Trustee Vincent-Lang, Trustee
21 Renkes, made the motion to solicit feedback on five and 10-year
22 timeframes and that was -- Trustee Balsiger was saying was that
23 likely, he would not support in the future a 10-year timeframe for
24 funding.

25 MR. RENKES: Okay, so the funding of five-year projects or a

1 funding of a 10-year project, that's the -- in the -- and this
2 relates to the draft Invitation that would go out, a Ten Year
3 Invitation?

4 CHAIR BRUNE: (Indiscernible - speaking simultaneously).....

5 DR. BALSIGER: Mr. Chairman, my point was, I am not opposed to a
6 10-year research project and intent to fund it, but I don't want to
7 wait 10 years before we have the Trustee Council take a look at
8 what's going on, so an -- just for -- to help the public, I wanted to
9 know at least one Trustee, which would be me, doesn't think that it
10 would be right to commit for 10 years, and then in 2031, show up and
11 say, "What did you do?" I'm not even certain I'm good with five
12 years, unless we have some fairly structured process of examining it
13 in those initial five years. That was only so the public would know
14 that I was thinking, in case that helped them comment on it during
15 the 60-day period.

16 CHAIR BRUNE: Thank you.

17 MR. RENKES: Okay, that helps, thank you.

18 CHAIR BRUNE: Trustee Vincent-Lang, anything (indiscernible)?

19 COMMISSIONER VINCENT-LANG: No, and I understand your concern,
20 Jim. I think that the same design that -- the same concerns you have
21 at 10-year would essentially apply to five years, but I think we can
22 design a program in place that would assure that there's science
23 review that we could be updating the Trustees on and if, in fact, the
24 Trustees felt uncomfortable with the progress being made on periodic
25 updates, we could call a Trustee Council meeting and have that

1 discussion.

2 CHAIR BRUNE: Trustee Schmid.

3 TRUSTEE SCHMID: Thank you, Chair, and I share some of,
4 certainly, of Dr. Balsiger's concern on that 10-year if it's just
5 tossed out there, but my interest here, again, is to hear from the
6 public in a robust way that could help inform where we land on
7 something like this. I'm somewhere between the annual and the 10,
8 but I want to hear from interested parties as well.

9 CHAIR BRUNE: Any other comments?

10 MR. MULDER: This is Steve Mulder. I know I would echo Trustee
11 Schmid that basically we get public comments and take a hard look at
12 the ideas and suggestions that come out through the public comments
13 about what -- what time periods are workable and make sense.

14 CHAIR BRUNE: Thank you, Trustee Mulder. All right, is there
15 any opposition to this motion?

16 (No audible response).

17 CHAIR BRUNE: Hearing none, the motion passes, and we will be
18 just for the sake of the public, we, as expeditiously as possible, we
19 will be issuing a call for public.....

20 UNIDENTIFIED SPEAKER: Comment.

21 CHAIR BRUNE:comment on this proposal. Elise, if I could
22 ask you to engage quickly on what your thought is on timelines for
23 being able to get that out so that we can let those that are
24 listening today know when that will be available for comment and when
25 likely that public comment is to end?

1 MS. HSIEH: I think you're talking about posting Resolutions A
2 and B as written currently to our website?

3 COMMISSIONER VINCENT-LANG: Yes, and putting out a formal call
4 for proposals, whatever that requires, that legal notification.

5 MS. HSIEH: A call for proposals with regard to -- under
6 the.....

7 COMMISSIONER VINCENT-LANG: A call for comment.

8 CHAIR BRUNE: A call for public input, for public input, not
9 proposals.

10 COMMISSIONER VINCENT-LANG: I'm sorry.

11 MS. HSIEH: Okay. I don't see, unless there's some legal
12 impediment, which I don't believe there is, I mean, we can -- we now
13 have in-house control of the website. So we could post it at the end
14 of today or tomorrow morning, that taking us to, you know, the 15th of
15 December, which is a tough time to have a Trustee Council meeting,
16 but which you could.

17 CHAIR BRUNE: Sure.

18 MS. HSIEH: Can I ask another question, Jason, that might help
19 the public in their review of this?

20 CHAIR BRUNE: Sure, please.

21 MS. HSIEH: Would it help if Shiway, like Shiway needs more to
22 do, if we produced a really brief like, I don't know, try to keep it
23 to like four paragraphs, like currently, under the five-year
24 programs, how that works, like the funding is for five years, but the
25 Trustee Council has to meet every year. A lot of people might not

1 understand that structure and that every year, there's these
2 reporting and there's a Science Panel, Public Advisory Committee,
3 like what is the current cycle, and some of those layers could be
4 removed or altered, but it might give people some of the vocabulary
5 or ideas to engage with what's currently happening, but that's up to
6 you guys.

7 CHAIR BRUNE: So I'm going to defer to Trustee Vincent-Lang.

8 COMMISSIONER VINCENT-LANG: Yeah, I'd be glad to work with you
9 on that, Elise. If you think that's good and the other Trustees
10 aren't opposed to it, laying the foundation of what's currently
11 happening would make sense to me, in terms of laying what we're
12 trying to get a request for a comment on.

13 MS. HSIEH: It kind of gives the names of things and the
14 toolbox, one toolbox that can be altered and moved around. Thank
15 you.

16 CHAIR BRUNE: And my goal still is, though, that this -- that
17 might be supplemental information that is posted, but if we are able
18 to get this out tomorrow, to go through December 15th, as a 60-day, I
19 think that's a good timeline, especially in light of the holidays
20 that come soon thereafter, that we can let the public know that
21 likely December 15th will be the comment deadline and there will be
22 supplemental information that will be added based on the
23 conversations that Trustee Council, staff, and Doug will have on --
24 sorry, Trustee Vincent-Lang will have to bring clarity to the way
25 things are currently done. Is that.....

1 MS. HSIEH: Thank you, Jason. It'll be on the -- I believe,
2 unless Shiway corrects me, I think we can put up -- we have done in
3 the past, it'll say public comments on the very front home page of
4 EVOSTC and people will be able to click on it and look at it there.
5 There will also be information with regard to how -- regarding how to
6 submit public comment. Thank you.

7 CHAIR BRUNE: Thank you, Elise, and thank you for your
8 forthcoming work, Shiway and Elise.

9 Moving onto the next agenda item, changing the -- sorry,
10 combining habitat and research accounts. My name is listed on this,
11 so is Commissioner Trustee Vincent-Lang.

12 COMMISSIONER VINCENT-LANG: What was -- do you want.....

13 CHAIR BRUNE: (Indiscernible - speaking simultaneously).....

14 COMMISSIONER VINCENT-LANG: So I guess a little background here,
15 and at the last couple of meetings, we've talked about why we have
16 two funds, a Habitat Fund and a Science Fund, and we thought that
17 there would be at least some value in collecting public comment on
18 the ability to combine those funds, so that the Trustees have more
19 flexibility in deciding the appropriate use of the remaining money in
20 the EVOSTC Trust Fund, without being constrained by artificial lines
21 in the sand between the habitat and research funds, and that's not to
22 say that we're not interested in doing any habitat work in the future
23 or any research work in the future, we just thought that having this
24 artificial line in the sand over how much should be spent in each one
25 of those, really confines our potential for addressing the largest

1 needs that are out there.

2 So with that in mind, we wanted to -- we ask the Council staff
3 to develop a proposal that we can put out for public review that
4 would allow us to evaluate whether -- the public opinion on whether
5 or not it would be valuable to combine these two funds into one. So
6 with that, I'll make an amendment here to -- a motion here to say
7 that I move we initiate a 60-day public comment process on a draft
8 Resolution to be published by the Council, which would approve
9 initiation of the steps necessary to transfer the Trust Funds from
10 the Restoration and Habitat sub-accounts into a single account to be
11 used in accordance with the requirements of the Memorandum of
12 Agreement and Consent Decree, entered as settlement of the *United*
13 *States of America versus State of Alaska*, number A91-081, and
14 basically dealing with Resolution 20-C, that we were all handed out
15 earlier in this meeting.

16 CHAIR BRUNE: There's a motion on the table. Is there a second?

17 MR. MULDER: I'll second it, Steve Mulder.

18 CHAIR BRUNE: Trustee Mulder with the second. I think that
19 given my name was next to this, I think Trustee Vincent-Lang captured
20 my interest in this issue. So I will poll Trustees for any other
21 comments.

22 MR. MULDER: So again, just as the last two resolutions, the
23 concept here is we're going to put this out for public comment and
24 then after considering the public comments, decide what to do at that
25 point?

1 CHAIR BRUNE: That is -- that is correct, Trustee Mulder.
2 Trustee Renkes.

3 MR. RENKES: Well, so maybe this is a question for after it's
4 been out for public comment, but I was just wondering what the effect
5 is of rescinding the 1999 Trustee Council resolution. At the time,
6 say this resolution is approved, and then going to seek congressional
7 authorization for moving the accounts, what's -- have you looked at
8 the -- has the staff or Steve have looked at the effect of rescinding
9 that Council resolution in advance of getting the statutory authority
10 to combine the accounts?

11 CHAIR BRUNE: Trustee Renkes, my understanding was in our
12 discussions about this issue that Department of Justice indicated
13 that this was the approach that would be necessary in order to
14 achieve that. I'll refer to Trustee Mulder for further comment.

15 MR. MULDER: Yes, so this kind of gets down to the next level of
16 the legal framework of why we have the two accounts in place that
17 were started with the 1999 resolution, and then the 1999 public law
18 106.113 passed by Congress, the resolution basically said it takes
19 steps to (indiscernible) accounts and see if you can invest it some
20 place else than the court registry.

21 So the public law in 1999 opened the pathway to moving the money
22 from the Trust funds from the court registry into the State's
23 investment fund that's managed by Department of Revenue, but the
24 public law tied the uses, while it's with the State investment, to
25 those two accounts established by the 1999 resolution, and for that

1 reason, I believe that we'd have that public law amended in order to
2 combine the accounts as they sit in the -- with the Department of
3 Revenue.

4 MR. RENKES: Yeah, no, I get that. I just was questioning the
5 order. It seemed to me like maybe you get your statutory authority
6 first and then you adopt the resolution to change the accounts, but
7 maybe you adopt this -- it's just the order that they're in here,
8 so.....

9 MR. MULDER: Yeah, that's a point worth evaluating further. I
10 don't think it would change the legality of our current set up, but
11 I'll be happy to talk to Justice about that and.....

12 MR. RENKES: Okay, that'd be good, because we want to, you know
13 (indiscernible - speaking simultaneously).....

14 MR. MULDER: Yeah, but I (indiscernible - speaking
15 simultaneously) have a misstep there that gets us crosswise.

16 CHAIR BRUNE: Trustee Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: So Trustee Renkes, so I guess what
18 I'm saying is, let's get this out for public comment before we take
19 any steps moving forward, because if the public decides this is a
20 terrible idea, we don't have Trustee support for it, why would we
21 change any of the statutory requirements or court mandates if we're
22 not going to go down that path, but as an initial step in this
23 process, I thought it would be worthwhile to gain public comment and
24 review on it before initiating any of those steps.

25 MR. RENKES: Yeah, that sounds good.

1 CHAIR BRUNE: Other comments on this issue?

2 (No audible response).

3 CHAIR BRUNE: Seeing none, the motion on the table to solicit
4 public comment on combining the Habitat and Research accounts in a
5 similar 60-day comment period, is there any opposition to this
6 motion?

7 (No audible response).

8 CHAIR BRUNE: Seeing none, the motion passes, and we move to
9 Agenda Item 9. Changing the Spill Boundary, Trustee Schmid.

10 MR. SCHMID: Yeah, thank you, Mr. Chair. I appreciate bringing
11 this to the table. If I could, I'd like to make a motion -- offer a
12 motion here and then I can explain kind of the reason why I brought
13 this to the table and we can have a little discussion on
14 (indiscernible).

15 CHAIR BRUNE: (Indiscernible).

16 MR. SCHMID: So I would move that we initiate a 60-day public
17 comment process on a draft Resolution to be published by the Council,
18 which would amend the Restoration Plan to incorporate an ecosystem
19 approach to the oil spill boundary, and I think you've all received a
20 copy of that draft resolution, and again.....

21 CHAIR BRUNE: Well, quickly, Dave, sorry, can I get a second on
22 that before you talk to the motion?

23 MR. SCHMID: (Indiscernible).

24 COMMISSIONER VINCENT-LANG: Second.

25 UNIDENTIFIED TRUSTEE: I'll second.

1 CHAIR BRUNE: Trustee Vincent-Lang seconded it. Sorry, Trustee
2 Schmid, the floor is back to you.

3 MR. SCHMID: Good point of order, thank you, Chair. So a couple
4 of things here, 1) just a little background, again, I know I've
5 shared with some and others, I also personally worked in the Prince
6 William Sound, Cordova, Copper River Bering country for about 18
7 years as a fisheries biologist and fisheries watershed program
8 manager, and so I was there throughout the '90s, certainly in the
9 spill area from '82, and so I have some firsthand experience working
10 certainly with the people that were most affected by the spill and a
11 number of the injured species and worked at some of the initial
12 restoration efforts as well.

13 Part of that work took me out certainly into the Copper and
14 Bering River ecosystem. That ecosystem, in my mind, and as a
15 biologist, was inseparable. They are one in the same. The species
16 migrate between those areas and Prince William Sound and the areas
17 affected by the spill, and at the time, when the Restoration Plan and
18 things were developed, the spill boundary was defined, and that line
19 went right down through the Copper River, and essentially split that
20 ecosystem, and so we have been working, the Trustees, for some time
21 under the Restoration Plan and that plan called for activities that
22 would occur primarily within the spill area, and that was defined, as
23 I said, by the spill boundary that's been identified.

24 It did provide an opportunity here for the Trustees to consider
25 some limited restoration activities outside that area, but within

1 Alaska, when certain conditions, you know, that were met, and you
2 know, the basis, I think for this, I know for the policy was, that
3 you know, our funds, these funds would be spent primarily where that
4 most serious injury occurred and the need for restoration was
5 greatest, but like I said, it did recognize some flexibility in
6 there, and so the Council, you know, having spent considerable amount
7 of effort over the last almost 30 years here to address the direct
8 impacts of the spill, I believe that some of the adverse -- adverse
9 effects on the ecosystem services and migrating fish and wildlife
10 populations that overlapped and intersect with the spill area, that
11 the science is there to support a broader footprint at this time, and
12 I would again, just make note that a number of the species that we've
13 been studying, whether they're migratory birds, injured species, as
14 well as a number of the salmon that are important there, are all
15 within this greater ecosystem.

16 The reason partly bringing this forward here, I have heard, as
17 many of you, for a number of years, as well, there are proponents
18 that are very concerned about the KADCO coal interests that are out
19 in the Bering River country. This -- these interests were around
20 since the inception of my -- this issue has been around since the
21 inception of my (indiscernible) early 1900's. Gifford Pinchot was
22 hung in effigy in Cordova over (indiscernible) and that continues
23 today to be a topic of a lot of interest, and so as I shared, I
24 think, in some of our opening comments, we've had -- there've been
25 formal proposals, but a lot of unsolicited proposals.

1 I wanted to bring some transparency to that here by getting
2 those on the agenda and in -- out in the public domain, and so what
3 I'm asking for here, again, is not an up or down vote, but to get
4 through a public process that we could hear -- I heard from public
5 today, both in favor and in opposition of moving in this direction,
6 but if we were to pursue those coal interests, and I'll speak to
7 that, I think, in our next agenda item, I would like us to have the
8 full benefit of an open public process that could come back to the
9 Trustees for further discussion to see if there is support to move
10 forward, but if there is, this would be the first step, and that
11 would be to amend the Restoration Plan, and again, this is an
12 ecosystem approach, which I believe there is a direct link to injured
13 species. So I will pause there for questions.

14 CHAIR BRUNE: Thank you, Trustee Schmid. Are there any thoughts
15 or questions? Trustee Balsiger.

16 DR. BALSIGER: Yes, thank you, Mr. Chairman, and thank you,
17 Trustee Schmid. I actually spent some time talking to Trustee Schmid
18 about this, the Bering River area in particular, and he's a very
19 convincing advocate of the ecosystem attachment to that to Prince
20 William Sound and so I, perhaps, have changed my opinion of that
21 whole project over time, but relative to this resolution, I was
22 wondering if Mr. Schmid could explain why it might be better to speak
23 in terms of the ecosystem, instead of the Bering River area, and you
24 have reference in here to migratory birds and mammals. If we're
25 looking for where humpbacks come from, we don't want to spend money

1 on humpback nurseries in Hawaii, and we don't want to look at Knik
2 Canada goose lands up in the Arctic some place. So can you explain
3 why this approach is better than being specific about the Bering
4 River area?

5 MR. SCHMID: Well, I agree. I think some of the -- I -- your
6 point would -- Commissioner Balsiger -- Trustee Balsiger, yeah, your
7 point could open the door for all kinds of areas. I saw a much more
8 direct link to the Bering, and that's something with comment, this
9 draft proposal, if we could focus or if we hear from the public that
10 we are only interested in this geographic area, which is directly
11 adjacent, immediately adjacent, geographically, to the spill
12 boundary, that would be helpful, but a point well-taken.

13 DR. BALSIGER: Thank you.

14 CHAIR BRUNE: Can I just follow up on Trustee Balsiger's
15 question, and that is, are we limiting -- what's the best way to say
16 this? Let me -- is the limit to Alaska, then -- is the limit to --
17 because I, too, could see humpback nurseries in Hawaii and areas on
18 the North Slope being a part of this, and I'm trying -- do we -- I
19 guess my ultimate question; do we want that to be part of our call
20 for public comment, what should be included in our idea of what the
21 spill boundary and impacted species should include, or do we want to
22 limit what we're requesting comment from the public on?

23 MR. SCHMID: Yeah, I this, Commissioner -- or -- I'm getting my
24 Commissioners -- I'm on the wrong Council here today. Chairman,
25 yeah, I think one of the areas, you know, what this is, is really a

1 near ecosystem matter that we want to look at, and maybe we could
2 either amend the motion here or clarify that before it goes out to
3 the public, and so it's not a broad, open the sanctuary, and I think
4 we could clarify that.

5 The interest that's been raised to me has been primarily in the
6 Copper Bering that has, as I said, a near -- nearby extension of the
7 current boundary.

8 CHAIR BRUNE: Sure, okay, and I think, at least from my
9 experience, legislative intent perspective of the motion, I think
10 we're all on the same page then, it sounds like, for what we're
11 looking for in public comment on this motion. So thank you for that
12 clarification.

13 Are there other -- other thoughts from Trustees?

14 COMMISSIONER VINCENT-LANG: So Dave, this is Doug. Just real
15 quick, my understanding is that the intent of this motion is
16 basically -- we've received advice that it's going to be very
17 difficult to fund the Bering River project with the current language
18 that's in the (indiscernible). So this would allow an opportunity
19 for us to reach outside the geography of what's currently defined as
20 injured resources to be able to fund these kinds of collateral things
21 that clearly are related or have an impact in the oil spill area that
22 are geographically close or adjacent?

23 MR. SCHMID: Yeah, thank you, Trustee Vincent-Lang. Yes,
24 exactly. I think this is an extension of that.

25 COMMISSIONER VINCENT-LANG: And it doesn't preclude us from

1 making a decision or it doesn't mandate us that we're going to make a
2 decision to fund the Bering River project, it's just whether we want
to
3 be able to consider those kinds of projects in the future?

4 MR. SCHMID: Absolutely, this would be -- this would be step one
5 to amend the Restoration Plan that would allow us to consider that.

6 MR. MULDER: So.....

7 CHAIR BRUNE: Trustee Mulder, go ahead.

8 MR. MULDER: So just for clarity, the -- you know, the existing
9 Restoration Plan doesn't preclude projects outside the spill area.
10 There's a pathway to do that and the question has been, would the
11 KADCO project reach that threshold or not. So I'm just throwing out
12 there whether you could have a more nuanced resolution tailored to
13 the KADCO project?

14 CHAIR BRUNE: Trustee Mulder, I think that -- well, essentially,
15 could come up on the next agenda item.

16 MR. MULDER: All right.

17 CHAIR BRUNE: I guess, Trustee Schmid, what's your thoughts with
18 respect to what you have on the table -- on the floor?

19 MR. SCHMID: Yes, I saw this one. It is a little bit more
20 general, but this would be the -- a way to consider, again, the KADCO
21 proposal directly, that this step would identify that link to the
22 injury and the link with those ecosystems, but I see it as step one
23 in that discussion -- to developing a more formal proposal that the
24 Trustees could consider with KADCO.

CHAIR BRUNE: Trustee Mulder, is that sufficient clarification?

1 MR. MULDER: I understand the clarification. I'm just thinking
2 that when the public sees the resolution, it seems more broadly
3 worded. We might be getting a wide -- wide array of response.

4 CHAIR BRUNE: Well, I think that goes to my question from
5 before, that we want to make sure we limit it to adjacent ecosystems,
6 and I mean, I guess that could be taken in a number of ways, but I
7 think we'll address those types of comments when they come in, in 60
8 days.

9 MR. MULDER: Okay.

10 MR. SCHMID: So Mr. Chairman, would it help to refine this,
11 either amend the motion that I just made to clarify that a bit more
12 here moving into it, or I guess I'd be interested in others. If
13 we're really just looking at expanding the spill zone within an
14 adjacent -- within the adjacent ecosystem or the adjacent lands
15 within the same ecosystem, we could clarify that and get more
16 specific related to the comments.

17 CHAIR BRUNE: Yeah, I think the difficulty, Trustee Schmid is it
18 depends on your definition of adjacent, and for certain situations,
19 you know, 10 miles, 20 miles might be nothing for certain benthic or
20 mariculture, you know, mollusks or whatever that might be forever,
21 and so you could really get into a difficult scientific approach, I
22 think, by adding more -- I think what my -- I think we understand
23 what we're talking about, and we just address what comments come in,
24 and at the end of the day, we always have the prerogative to not fund
25 something if it does come out, you know, if it's something in

1 Pocatello, Idaho, or you know, a migratory bird (indiscernible) or
2 something in Hawaii for (indiscernible), you know, that migratory
3 (indiscernible), that would, I think, be our prerogative at that
4 point.

5 MR. SCHMID: Yeah, I agree. I think one of the things that's
6 been helpful for me is if you look at some of the aerial imagery,
7 some of the land sat imagery and (indiscernible), you can look and
8 see the sediment sources and the currents, the patterns from the
9 Copper Bering that actually flush right through Prince William Sound.

10 I remember when working earlier, I think Dr. Mundy was probably
11 involved with that, and others, the lake/river hypothesis in Prince
12 William Sound and how it functions sometimes as a, you know, with
13 inputs, and sometimes, it functions as a lake, and you know, I think
14 keeping -- I think we included, or I did include with some of these -
15 - some of the aerial imagery, and you can very clearly see that
16 connection, that should there be coal development in that area,
17 that's where those impacts would be felt and those are areas that
18 were injured prior to that direct.

19 CHAIR BRUNE: So just for full clarification, our Executive
20 Director Elise has texted me that the public should be made aware
21 that we have gone beyond the spill area in the past with funding. So
22 that's a good clarification. Thank you, Elise, for that.

23 So with that, I think we may have beat this dead horse to death.
24 We do have a motion on the table to, once again, request public input
25 on changing the spill boundary, another 60-day comment period. I

1 think we've heard the justification for that, and so I'll ask; is
2 there any opposition to this motion?

3 MS. HSIEH: Chair, may I ask one question, similar to the prior
4 resolution?

5 CHAIR BRUNE: Sure, go ahead, Elise.

6 MS. HSIEH: Would you like -- if I were a member of the public
7 and I hadn't sat through this meeting or read through the transcript
8 and I saw this resolution, I would think that the Trustees were
9 completely rigidly bound to the spill boundary. Would you like a
10 summary that Lauri Adams can prepare that's very brief that says,
11 "Here's what the current language. Here's the threshold test, and
12 here's a couple of examples where the Council has gone beyond. So
13 here's what it looks like now," and then folks can say, "No, that's
14 too narrow," or it gives them an idea of really what you -- what the
15 Council has done in the past, which.....

16 CHAIR BRUNE: Trustee Schmid.

17 MR. SCHMID: Yes, absolutely, thank you, Elise. I think that
18 would be extremely helpful and (indiscernible - speaking
19 simultaneously).....

20 CHAIR BRUNE: Thank you, Elise. We'll look for that, similarly
21 to the -- and you can coordinate that with -- Trustee Schmid is the
22 maker of that motion, and obviously, coordinate with Trustee Vincent-
23 Lang on the other item, and we will be posting this, you know, within
24 the next 24 hours, and supplemental information will be added to the
25 website in as soon of a timeframe as possible. The comment period on

1 these issues, my hope would remain for December 15th (indiscernible).

2 Okay, thank you. So we were about to have a vote on the issue.

3 Any opposition to the motion?

4 (No audible response).

5 CHAIR BRUNE: Hearing none, that motion passes, and we move to
6 Agenda Item 10. Habitat, with respect to the Bering River Coal
7 Fields, and Trustee Schmid.

8 MR. SCHMID: Yes, thank you, Mr. Chairman. Again, this -- this
9 is a follow on. So there's no action item. There's not a motion
10 right now associated with Agenda Item 10. I just wanted to make sure
11 that it was on there, and I know we've had a lot of questions back
12 and forth.

13 There are proponents that might also be online, that if folks
14 had questions about what that is or isn't -- to entertain those now,
15 but again, my -- what I was offering is that we would -- what we just
16 did with Agenda Item 9, just take that through a public process,
17 bring it back to the Trustees, and if there is support, then I would
18 offer to work with the proponents, my staff, and the EVOSTC staff to
19 develop a proposal to see what steps would be taken or whether it's
20 even a viable proposal here with the owner and the interest of the
21 coal fields.

22 So it's the step two if the motion that we just passed, came
23 back and the Trustees were interested in exploring and moving forward
24 with the project that's been proposed, which was to retire about
25 11,000 acres of subsurface only coal interests that are in the Bering

1 country.

2 CHAIR BRUNE: So Trustee Schmid, I understand your intent. Is
3 that -- could you phrase that in the term of a -- in the -- in a
4 motion, so that we can discuss further?

5 COMMISSIONER VINCENT-LANG: I think he said he didn't
6 (indiscernible - speaking simultaneously).....

7 CHAIR BRUNE: Or did he say he didn't -- I'm sorry, I.....

8 COMMISSIONER VINCENT-LANG: (Indiscernible - speaking
9 simultaneously).....

10 MR. SCHMID: Trustee, no, I was not prepared to offer a motion
11 at this point.

12 CHAIR BRUNE: (Indiscernible - speaking simultaneously).....

13 MR. SCHMID: But what we've -- yeah, what we brought forward was
14 -- this was for information and if there -- if there was more
15 interest, not so much in the spill boundary, but toward the gist of
16 the last motion, but in the project itself.

17 CHAIR BRUNE: Got it. That was my bad. Thank you, Dave, I'm -
18 - or Trustee Schmid, sorry for my lack of understanding.

19 So any Trustee wish to discuss this agenda item further?

20 COMMISSIONER VINCENT-LANG: I'll just add that I felt like the
21 legal advice I was getting, basically was going to put me in a box
22 of having to vote against this without have a real discussion about
23 the merits of the project, and I'm glad that Trustee Schmid basically
24 gave us a pathway forward to be able to find -- to be able to discuss
25 project based on its merits, rather than based on the legalities of

1 whether it's in or outside the spill area.

2 So again, I look forward to having that discussion and the
3 merits of this proposal when the time comes.

4 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Any other
5 comments? Trustee Renkes?

6 MR. RENKES: No, I just echo Doug's comments. I also would have
7 been hard pressed to support this today, but let's receive the public
8 comments and then have an opportunity then to address the proposal
9 and the merits. That's great, thanks.

10 CHAIR BRUNE: Got it, thank you. Okay, let's move on then to
11 the next agenda item, which I believe is the Draft Invitation. What
12 we have before us, real quickly, I know we've posted a draft. We
13 received comments from the Public Advisory Committee today. My
14 recollection was that there -- from the comments that were given,
15 that there was support for that.

16 They recommended that the call move forward and I don't think
17 they had any specific comments that I heard, and we posted this draft
18 Invitation, I don't remember when, but it's been out there for some
19 review and we did hear some comments today during the public comment
20 about the timeframe for this. So I think that's something we should
21 consider, that I think were fair comments that were made, but I guess
22 I will look to the Trustees for their thoughts on the draft
23 Invitation.

24 COMMISSIONER VINCENT-LANG: So I'm prepared to make a motion to
25 get something on the table.

1 CHAIR BRUNE: Okay, Trustee Vincent-Lang.

2 COMMISSIONER VINCENT-LANG: I move we approve the Draft FY22-31
3 Ten Year Invitation, dated 10-02-20, and direct publications and the
4 public solicitation of proposals as set forth and described in the
5 Invitation. I will note that I am open to the Science Director
6 refining the education outreach component and make additional non-
7 substantive revisions throughout, as needed before publication.

8 CHAIR BRUNE: We have a motion on the floor. Is there a second
9 to the motion?

10 MR. MULDER: I'll second it, Steve Mulder.

11 CHAIR BRUNE: Trustee Mulder with the second, and Trustee
12 Vincent-Lang, do you wish to speak to your motion?

13 COMMISSIONER VINCENT-LANG: Yes, so I had -- when we -- I think
14 the last couple of Trustee meetings, we've talked about going to
15 something longer than a one or two-year call for proposals, and get
16 out of the unsolicited proposal group and get into something longer-
17 term.

18 So we spent the last -- since the last Trustee meeting spending
19 some time on developing a call for proposals on a 10-year outlook
20 that will fund critical elements associated with science,
21 mariculture, and education and outreach, that has a vision for the
22 future and habitat component, and again, it's on a longer-term
23 vision, rather than a shorter-term vision, realizing that science
24 needs are not confined in time to very short-term vision.

25 So we'd like to send this out to public comment and review and

1 call to get proposals submitted back in for this call for Invitation.

2 CHAIR BRUNE: So just so I understand, but you said there may
3 (indiscernible - speaking simultaneously).....

4 COMMISSIONER VINCENT-LANG: I'm sorry, I misspoke. It's not a
5 call for review of the -- it's a call for proposals of interest.

6 CHAIR BRUNE: Okay. Okay, so we would not be soliciting public
7 input on this, we'd.....

8 COMMISSIONER VINCENT-LANG: Yes.

9 CHAIR BRUNE:be soliciting actual proposals?

10 COMMISSIONER VINCENT-LANG: Yes.

11 CHAIR BRUNE: Okay, I just wanted to clarify.

12 COMMISSIONER VINCENT-LANG: I'm sorry.

13 CHAIR BRUNE: Trustee Balsiger.

14 DR. BALSIGER: Thank you, Mr. Chairman. So we had public
15 comment on this today, to some extent, and I'll try to make this
16 germane. So much of the public comment, or at least the first half
17 of it, and several of the second half of the public proposals, make
18 it clear that not all of the public believes that we should expend
19 all the money, and rather believe there should be an ongoing and
20 continuing monitoring element.

21 So I, personally, believe that as well. I like the idea of
22 long, ongoing monitoring functions, but particularly, with this time
23 of rapid change and the environments and climate in the world, and so
24 I don't think that this Invitation actually rules out the idea of any
25 long-term, continuing monitoring thing that may be run separately

1 from these programs and maybe within the program.

2 I'm getting to the point -- my point is I don't think that we
3 have agreed to spend all of the money in this one motion and then be
4 done in the 10 years when the proposals are done, and so the PAC
5 approved this, but it's not clear if the PAC believed that this was
6 the expenditure of all of the EVOSTC money forever or if they
7 believed that this would spend money and then there would be another
8 proposal in 10 years.

9 So that's just, in general, a discussion of the proposal, if you
10 would accept that, and I do have one amendment I would like to make,
11 if I could, Mr. Chairman?

12 CHAIR BRUNE: Sure.

13 DR. BALSIGER: So under (indiscernible) five in the proposal,
14 where is that, mandatory requirements for all proposals, Item 4. in
15 there says, "Partner with both of the Centers Excellence -- Centers
16 of Excellence," et cetera, I suggest moving that to B., and moving
17 that saying, "We would prefer that both -- that they partner with
18 both Centers of Excellence that are justified in the Invitation," and
19 if I got a second, I would speak to it briefly.

20 CHAIR BRUNE: Is there a second to that amendment?

21 MR. SCHMID: Yeah, this is Dave Schmid, I'll second that.

22 DR. BALSIGER: So thank you, Mr. Schmid and Mr. Chairman. This
23 isn't going to surprise you, of course, because I've mentioned this
24 each time that we've talked about the long-term proposals and the
25 last several issues, and I'm a long-time bureaucrat and I suffer from

1 that long-term exposure. So I'm prepared to see this vote, but I
2 believe that requiring a partnership of any entity prior to receiving
3 the proposal is problematic.

4 I believe that moving it to the preferred list makes the process
5 much more robust. I don't think it significantly reduces the
6 likelihood that the eventual selection of awardees will include
7 partnerships with the two identified Centers of Excellence. It won't
8 reduce that probability -- possibility, but I believe it
9 significantly reduces the likelihood of challenges to our requests
10 for proposals. That's where this comes from and I just wanted to say
11 that, so thank you.

12 CHAIR BRUNE: I, of course, have an opinion on this, but before
13 I give my opinion.....

14 UNIDENTIFIED TRUSTEE: (Indiscernible) what?

15 CHAIR BRUNE: So obviously, I have said on the record a number
16 of times that the organizations that the Trustee Council has helped
17 create, the Prince William Sound Science Center and the Prince -- and
18 the Alaska SeaLife Center are entities that deserve collaboration
19 with from EVOS Trustee Council funds, and while I appreciate your
20 point that moving them to preferred, I will note that over the years,
21 we have funded scientists in Texas and in Washington and in Oregon
22 and in Vancouver, none of those are within the 365 million acres of
23 Alaska or the spill impacted areas.

24 They get to come and have a nice little vacation here in Alaska
25 for their summer research and that's very frustrating to me, and so I

1 do understand your statement, Dr. Balsiger, about making it
2 preferred, but I am -- I like mandating it, because it forces them to
3 go and have that conversation.

4 We heard earlier today that there is some -- Dr. or Trustee
5 Vincent-Lang asked the head of the SeaLife Center, what kind of work
6 they have done on the spill, and there hasn't been any onus on the
7 scientific community to have to partner with the SeaLife Center or
8 the Prince William Sound Science Center.

9 There is no requirement, and when there isn't a requirement,
10 they don't do it, and that, ultimately, impacts sustainability of
11 those organizations and the need to -- for that partnership to exist.
12 So I express my concern on your statement, recognizing I understand
13 what you're saying.

14 DR. BALSIGER: But might I ask, would you prohibit, for example,
15 Seward SeaLife Center from posing for the summer a researcher from
16 the University of Washington to work on a project that might be in
17 the mix or would they have to be Alaska residents or what would the
18 idea be?

19 CHAIR BRUNE: Now listen, I'm just one vote, but I mean, no, it
20 would just -- what this does is it requires them to partner with one
21 or both of the Centers. That doesn't mean that you couldn't have
22 researchers and PIs from Austin, Texas, or from Vancouver, or
23 otherwise. It just requires them to partner with one of the Centers
24 of Excellence that are listed on page 23, Item 4.

25 COMMISSIONER VINCENT-LANG: So Jim, this is Doug, I'm not

1 opposed to moving it into Section B. from Section A but I can
2 tell you that it will be -- as long as that's highlighted in any
3 proposals that are put forward, and that we can, as Trustees, we can
4 evaluate how they are potentially interacting with the Centers of
5 Expertise so that I can evaluate that, in terms of my evaluation of
6 the proposal, I'm okay with it, but I echo Trustee Brune's comments,
7 that you know, we spend a lot of money on these two Trustees -- or
8 these two Centers of Excellence, and I'm reluctant just to fund
9 infrastructure that allows them to continue, but to the extent that
10 we had these things built, I'd like to see some kind of partnership
11 as we -- they're in the spill area as we conduct future science
12 moving forward. So whether it's in B. of the call for proposals or
13 whether it's in A., I'm neutral.

14 CHAIR BRUNE: Because we must ask on a consensus basis, I will
15 remove my objection and say that just as far as any project that --
16 since we're tipping our hands, I will say that in tipping my hand,
17 any project that does not have said collaboration will be very
18 difficult for me to support going forward.

19 It's incredibly important to me and so I support then moving, as
20 you requested, Item 4. under B., Subsection A., Item 4. to B.,
21 Subsection B., number one.

22 COMMISSIONER VINCENT-LANG: And if it makes it easier, I'll.....

23 MS. HSIEH: (Indiscernible - speaking simultaneously).....

24 COMMISSIONER VINCENT-LANG:also say it as a friendly
25 amendment.

1 CHAIR BRUNE: Okay, is that.....

2 MS. HSIEH: Jason, can I.....

3 CHAIR BRUNE: (Indiscernible - speaking simultaneously).....

4 MS. HSIEH: Is there a third administrative way to approach
5 this? Is there a way an invitation that could say move it to B. --
6 it's a preference that it partners with these institutions and also
7 in each of the proposals, we'd like to hear from the proposer, you
8 know, how they are going to partner or if they're not going to
9 partner, what their conversation was with one or both of those
10 entities.

11 So you see what I'm saying, so that we have a further
12 understanding of, yeah, you know, we actually went and talked. We
13 had that conversation and they, too, agreed that, you know, square
14 peg/round hole, or whatever that expression is, maybe a little more
15 push to have that conversation, yet, not, you know, constricting us
16 scientifically to have to be shackled to these two institutions,
17 but more of conversations that the Trustees can then look at and
18 see that happened. How does that sound to everyone?

19 CHAIR BRUNE: Elise, I'm supportive, and I look at the current
20 number five, which says, "Provide a detailed plan for local and
21 Alaska Native community involvement." I see that as a potential
22 language that we could incorporate to Item B.1. that says, "Provide a
23 detailed plan outlining how you will partner with one or both of the
24 Centers of Excellence," and if not, identify how that conversation
25 transpired, or something of that sort. (Indiscernible), are you

1 comfortable with that?

2 MS. HSIEH: I would be. I think they need to also identify --
3 they need to actually describe, these are -- that we emailed on these
4 days. We had -- we called them, but I mean, I hate to be down in the
5 weeds, but sometimes when we put stuff in there, we just get a vague
6 paragraph back and then we hear from the other side, "Well, they
7 didn't contact us." So I hate to be a nitpicker, but I kind of --
8 when we say detailed, we really like to know, you know, who did they
9 speak with? What month was it? What did they talk about? I don't -
10 - again, I don't mean to nitpick like that, but often, we don't get
11 back the information that we need and that is verifiable that
12 conversation happened.

13 CHAIR BRUNE: Sure. Dr. Balsiger.

14 DR. BALSIGER: Well, that's quite separate from whether we make
15 mandatory or.....

16 MS. HSIEH: Right.

17 DR. BALSIGER:preferred, and I agree with Jason Brune, I
18 thought that was covered in there already, but I certainly don't mind
19 if there's more details put in there. I mean, they could have done
20 the same fake partnering under mandatory, I guess, and so that's why
21 it's important. Whether this motion passes or not, I think it's
22 important to clarify that we want real partnering.

23 CHAIR BRUNE: Correct, and in an ideal world, obviously, this
24 may or may not be appropriate, but I've never shied away from saying
25 inappropriate things on the record. My hope is that there are

1 opportunities for both organizations to be incorporated into projects
2 in the future, not where we won't be picking a winner, meaning one of
3 those organizations or the other. My hope is both is an emphasis
4 area.

5 MS. HSIEH: Through the Chair, that would be our hope, too, but
6 it may also help illuminate what are the issues researchers may have
7 getting into -- you know, partnering, like -- and it might help
8 identify for both sides where those mismatches occur and how they
9 could be helped for future. You see what I'm saying?

10 CHAIR BRUNE: I do. I do.

11 MS. HSIEH: Thank you.

12 CHAIR BRUNE: Thank you, Elise.

13 MR. RENKES: So just for clarification, this is Gregg Renkes.
14 You're proposing moving the language from A.4. to B.1., and then
15 rephrasing that, because right now, B.1. says, "Leverages existing
16 research and development infrastructures," which is sort of similar.
17 So are we saying, "Leveraging existing research and development
18 infrastructures, including partnering with one or both of the Centers
19 of Excellence," is that what you're proposing to do?

20 DR. BALSIGER: Mr. Chairman, my proposal was just to add as it's
21 worded in there. It may leave a little bit of redundancy under
22 Section B., which is the preferred requirements, but I think it could
23 put it in there as element one and move every -- leave all the rest
24 of it and then renumber it, and I -- I wouldn't require it to be
25 number one, but I think it's important, as you suggested, Mr.

1 Chairman.

2 CHAIR BRUNE: Yeah, I think that would be my preference, as
3 well, so that this separates it, Trustee Renkes, from the other
4 leverage of existing research and development infrastructure.

5 MR. RENKES: Okay.

6 CHAIR BRUNE: Any other comments, and just for the record, my
7 computer connection has died. So I can't see anyone. So if there
8 are other Trustees who are wishing to make a statement, please speak
9 up.

10 (No audible response).

11 CHAIR BRUNE: Hearing none, the motion on the table is for the
12 call that -- the amended motion on the table for the call for
13 proposals or the draft Invitation going out with the change as
14 outlined about the V.A.4. moving to V.B.1. Is there any opposition
15 to that motion?

16 (No audible response).

17 CHAIR BRUNE: Hearing none, the.....

18 COMMISSIONER VINCENT-LANG: The amended proposal passes.

19 CHAIR BRUNE: The amended proposal passes, thank you, and my
20 screen is now back. So I have no idea what happened, but it had a
21 hiccough there.

22 So the next agenda item is the Council discussion on unsolicited
23 proposals, including those in the list. So I guess what we could do
24 from that -- let me see, we have one, two, three, four, five, six
25 items under facilities. I guess what I would propose to do, since

1 these were unsolicited proposals that I don't anticipate action being
2 taken on today, but I could be wrong, based on what motions may be
3 coming forward.

4 I guess I would propose allowing two minutes from each entity,
5 if they wanted to -- or I'll make it three so it's consistent with
6 public comment period. If there's an interest in folks discussing
7 that as the unsolicited proposers.

8 So we'll start with the Seward Boat Harbor Vessel Wash-down
9 Facility if Norm Regis from the City of Seward is on.

10 MR. REGIS: Yes, sir. Thank you very much. So Mr. Chairman,
11 I'm Norman Regis for the City of Seward. I'm the Harbor Master and
12 we solicited an unsolicited proposal to you, which you should all
13 have, and I was just going to take any questions, if you had some. I
14 know you have a lot of things left to go, so fire away.

15 CHAIR BRUNE: Sure, thank you, Mr. Regis. Trustees, any
16 questions for him?

17 COMMISSIONER VINCENT-LANG: So this is Doug. I do have a
18 question. So I read through your proposal. Can you just articulate
19 in like 20 seconds of how this helps injured resources or recovery of
20 injured resources from the Valdez oil spill?

21 MR. REGIS: Yes, sir. So a lot of these, you know, when people,
22 they wash their vessels, we have several different areas and it goes
23 back into Resurrection Bay through the ground and through sometimes a
24 drainage after they wash their vessels. So we can combine it into
25 one. We can keep the containment and reprocess the water so when it

1 does go back into the Bay, that it's cleaned and it will help the
2 ecosystem, or you know, help just clean things up faster, I guess I
3 should say.

4 COMMISSIONER VINCENT-LANG: Okay, thank you.

5 CHAIR BRUNE: Thank you. Other questions.

6 (No audible response).

7 CHAIR BRUNE: Okay, we -- Norm, we appreciate the proposal and
8 at this point, I'll ask, is there anyone interested in making a
9 motion on the item?

10 (No audible response).

11 CHAIR BRUNE: Hearing none, we'll move to the next issue on the
12 agenda, which is the Alaska SeaLife Center, research and building
13 infrastructure, critical water systems. I see we have both Tara
14 Riemer and Chip Arnold on. So if one of you wants to address this
15 unsolicited proposal in three minutes or less?

16 DR. RIEMER: Thanks, Commissioner Brune, this is Tara Riemer,
17 President and CEO. If you all have really hard questions, I will
18 definitely call upon Chip Arnold, our COO, to address those. This is
19 a proposal we first submitted a couple of years ago for some
20 infrastructure needs of our facility.

21 In general, many of them are looking at funding a percentage,
22 75% or 50%, of the cost and we have options for other sources if we
23 can get a match. So up to about, I'd say, \$500,000 of funding from
24 the Trustee Council, we have a foundation that's very interested in
25 matching your funds dollar-for-dollar on that.

1 UNIDENTIFIED SPEAKER: One question (indiscernible) one final
2 question.

3 CHAIR BRUNE: If possible, whoever is on the line, if you could
4 please mute your line? Dr. Riemer was presenting. I don't know who
5 that was, but if you could please mute your lines, and Dr. Riemer, I
6 apologize for the interruption. Please continue.

7 MS. RIEMER: No problem, I will continue. These proposals
8 really focus on the capacity of the Alaska SeaLife Center to do the
9 work of the Trustee Council and really, looking at this upcoming
10 Invitation, our capacity to be an education and outreach hub and a
11 research hub to do work related to the Trustee Council work, to have
12 the capacity to educate the 160,000 visitors that we get in a normal
13 year, granted, this was not a normal year, requires some very basic
14 infrastructure, replacement of some broken concrete.

15 Some of our habitats are having some degradation, and so these
16 are areas that would both allow -- increase our capacity for doing
17 research, as well as our capacity for outreach, as well as our
18 capacity for hosting collaborators, scientific collaborators,
19 education collaborators, which we're very excited about that
20 possibility with the new Invitation.

21 So these items, we could move forward very quickly on, and as I
22 mentioned, there is a foundation who we were hoping that we would get
23 a go-ahead on some of this at your February meeting, and we had a
24 foundation lined up with a proposal that we just needed matching
25 funds for, and my guess is that they would fund up to about half a

1 million dollars, if we had a match on that. Thank you.

2 CHAIR BRUNE: Thank you, Dr. Riemer. Are there any questions
3 from Trustees?

4 MR. MULDER: Yes, I had a question. So on the -- since this was
5 first presented some time back, are any of these things have been
6 accomplished? That's my first question, and secondly, is the
7 matching fund offer from the other group to match restricted to any
8 particular subject?

9 DR. RIEMER: Good questions. So I'll take the second question
10 first. That foundation really is looking for what our most critical
11 infrastructure items are, and that does change a little bit, just
12 depending on -- I'd say two years ago, what we said is the most
13 urgent is maybe not the most urgent right now.

14 We have had to move forward on some of the critical water system
15 items. We actually have -- and again, I wasn't aware this was going
16 to be discussed this much or I could have provided you an updated
17 proposal. Some of the pump replacements, most of that has actually
18 been done. The fresh water pump house barrier, there's an Army Corp
19 project that we're hoping will make that one unnecessary, that we'll
20 be learning a little more about in the next few weeks.

21 Just looking at the rest of them, I don't believe any of these
22 have been done. We've definitely been working a little more on
23 getting -- on fine tuning the proposal. In terms of -- and I guess I
24 already answered the question about the foundation. They're looking
25 for the most critical items for us, which right now, I would say are

1 the remaining of our water system, our intake system, which really
2 provides any work with live animals in the building, both for
3 research and education purposes, and then some of the basic building
4 systems, replacement roof, some of our windows and doors, and some of
5 our just entry level concrete that's getting to the point that it
6 could be a public hazard.

7 MR. MULDER: Thank you.

8 CHAIR BRUNE: Did you have a follow-up there, Trustee Mulder?
9 You said you had a couple of questions, so I just.....

10 MR. MULDER: Yeah, I presented them both in the first.....

11 CHAIR BRUNE: Okay, perfect, I just wanted to make sure. Other
12 questions from Trustees?

13 (No audible response).

14 CHAIR BRUNE: Is there anyone interested in making a motion on
15 this issue?

16 MR. MULDER: I'll make a motion to provide up to \$500,000 in
17 match funding for -- to pay for any of the items within the scope of
18 the Alaska SeaLife Center proposal.

19 CHAIR BRUNE: Is there a second to that item?

20 DR. BALSIGER: Balsiger, I'll second it.

21 CHAIR BRUNE: Dr. Balsiger with the second. Is there any
22 discussion on the issue? Trustee Mulder, would you like to speak to
23 your motion?

24 MR. MULDER: I think it's an opportunity to leverage some
25 additional funding for a critical infrastructure that fits in with

1 our interests in keeping the Center of Excellences at a level where
2 they can do what we need them to do in the next 10 years.

3 CHAIR BRUNE: Thank you, Trustee Mulder. Dr. Balsiger.

4 DR. BALSIGER: The leverage thing was important to me. I did
5 not capture if it's 50/50 or how that would come about. Perhaps we
6 can clarify that or maybe Trustee Mulder has a thought.

7 MR. MULDER: The intent was to match up to 500,000.

8 DR. BALSIGER: That suggests 50/50 then?

9 MR. MULDER: Right.

10 DR. BALSIGER: Okay, thank you.

11 CHAIR BRUNE: I think that's a friendly amendment to -- if they
12 both agree to it. Trustee Schmid, did you have a comment?

13 TRUSTEE SCHMID: No, I did not. I know that Trustee Vincent-
14 Land does.

15 CHAIR BRUNE: Okay, Trustee Vincent-Lang.

16 COMMISSIONER VINCENT-LANG: So I understand the need to do
17 infrastructure improvements. Though I'm a little bit worried that
18 we're putting the cart before the horse on this one, because right
19 now, there is only one project that's being funded by the SeaLife
20 Center that actually is doing EVOSTC related work and to me, we're
21 setting this up with the call for proposals to see whether or not we
22 have some kind of a structure in place six months from now or seven
23 months from now that will actually put the SeaLife Center in a
24 position to be better than that.

25 So I guess I'm reluctant to support this at this point in time,

1 rather than make that decision in about six months, after we review
2 the call for proposals that is out there, but that's just my initial
3 thinking on it. I can be swayed one way or the other.

4 CHAIR BRUNE: As the Chair today, I will -- I've been trying to
5 stay running the meeting, but I will voice my support for this motion
6 and indicate that I will be supporting this motion. I think it's not
7 a huge amount of money, but it also leverages potential matching
8 grants. I think it is an important component of this, which getting
9 that outside money with this, I think is incredibly important,
10 so.....

11 COMMISSIONER VINCENT-LANG: Could I ask a question? Are these -
12 - are these potential leverage of funds only available now and not in
13 six months?

14 CHAIR BRUNE: I don't know the answer to that.

15 COMMISSIONER VINCENT-LANG: I was trying to ask a question of
16 the.....

17 CHAIR BRUNE: Of Tara?

18 COMMISSIONER VINCENT-LANG: Tara.

19 CHAIR BRUNE: Yeah, I -- Dr. Riemer.

20 DR. RIEMER: Sure. We won't know for sure unless we talk to the
21 foundation. We do know that we were scheduled for site visits that
22 had to be called off because we hadn't met the match. So I know that
23 right now, we were pretty far down the road and we would be able to
24 get there, but foundations can change their mind at any time. So we
25 don't have a firm commitment from them right now.

1 CHAIR BRUNE: And my understanding is, Trustee Mulder, that the
2 motion, and Trustee Balsiger, the motion is tied to having to get
3 that 50% match?

4 MR. MULDER: Correct.

5 CHAIR BRUNE: Trustee Renkes.

6 MR. RENKES: Is the -- are the activities that the money would
7 be spent on, are those -- would there also be a proposal in our
8 request -- that responds to our request for proposals to address
9 those same activities?

10 CHAIR BRUNE: Dr. Riemer.

11 DR. RIEMER: So anything that you would fund at this point, we
12 would not submit in a future proposal, obviously. However, how this
13 -- anything you fund now would benefit a future proposal. You know,
14 we've been looking especially at the education section of the draft
15 Invitation and having our facilities safe and up to snuff is critical
16 for us to be able to submit a strong proposal to you for an education
17 program that would highlight EVOSTC research and education topics.

18 So we wouldn't duplicate for sure, but there would be a
19 connection between any infrastructure that was funded and a future
20 proposal that would be to the draft Invitation, both potentially on
21 the research side, education side, or mariculture.

22 MR. RENKES: That's a great answer, thank you.

23 CHAIR BRUNE: Thanks, Dr. Riemer. Trustee Renkes, other
24 questions?

25 MR. RENKES: No, nothing else from me.

1 CHAIR BRUNE: Trustee Schmid, Trustee Vincent-Lang.

2 COMMISSIONER VINCENT-LANG: Well, I'm sensing that I may be the
3 lone vote here, and I -- and if my vote is no, that this probably
4 just does not go forward. So I will reluctantly probably be silent
5 on this one and allow it to pass. Again, my reason is that I -- I
6 think when we built the SeaLife Center, we had this expectation that
7 it was going to be self-sustaining, and now, we're pouring concrete
8 in front of the building to improve the concrete in front of the
9 building so visitors don't trip.

10 We're -- I don't know where this ends, potentially, in just
11 having infrastructure replacement go on, and I'm afraid that as we go
12 down the road now with the Science Center in Prince William Sound,
13 we're going to start, you know, routine maintenance of facilities
14 using oil spill funds and that's just troubling, but I
15 probably will stay silent on this one and allow it to pass.

16 CHAIR BRUNE: Other comments from Trustees?

17 (No audible response)

18 CHAIR BRUNE: As I've done consistently, I will ask the
19 question, hearing no other comments. Is there any opposition to this
20 motion?

21 (No audible response).

22 CHAIR BRUNE: Hearing none, the motion passes.

23 COMMISSIONER VINCENT-LANG: So 500,000.....

24 CHAIR BRUNE: Five hundred thousand dollars for the SeaLife
25 Center.....

1 COMMISSIONER VINCENT-LANG: For matching.....

2 CHAIR BRUNE: From a match, correct.

3 MR. RENKES: I know -- I know that it's voted, but this is a
4 matter of clarification. How -- what's the -- was it mentioned in
5 the motion what the funding period would be? How long are those
6 funds available for match? Is it just -- we're just talking about
7 FY21?

8 CHAIR BRUNE: Yes, Trustee Renkes, I believe that's the case.
9 So I'm going to actually defer to Executive Director Elise for what's
10 historically been done on issues like that.

11 MS. HSIEH: So it's up to the Trustee Council. Some of the
12 projects -- there are a large number of the projects that are in that
13 proposal are construction building, which we have done, and as you
14 know, the SeaLife Center, Prince William Sound Science Center, the
15 Seward Vessel Wash-down, and those typically are authorized for sort
16 of the length of the project, as long as it gets started within like
17 a 12-month, 18-month period. We -- Trustees typically don't pull
18 back once we start on that, especially a project of this sort of
19 size.

20 I would think that Tara, if you're amenable, when do you think,
21 Tara, you could get us a revised proposal that's targeted to what you
22 think your best chances of match are? Do you mind, Chair, if I ask
23 her this, to try to get a sense of timing?

24 CHAIR BRUNE: Go forth.

25 DR. RIEMER: We would reach out immediately to the foundation

1 today and try to get a meeting with them to be able to establish kind
2 of a timeframe. They do have quite a process, in terms of going
3 through -- they have a pre-proposal and a full proposal, and I don't
4 know if they would bring us back -- which stage they'd bring us in.
5 So it probably would be six months, at least, before we had a firm
6 commitment from them. We'll know much sooner if -- where this is
7 going, but I would imagine that it might take a year to get the full
8 funding in place, but then, we'd be able to have a project keyed up
9 and ready to go to take place pretty quickly.

10 MS. HSIEH: Right, that's what I assumed the timeline would be.
11 So I think the Trustees would be, you know, authorizing it, for
12 example, for within the next 18 months or 12 months, if you like, for
13 us to receive that more targeted proposal and updates with regard to
14 match, and of course, our office will be in communication with the
15 Trustees, and then it would be -- if we -- it's sort of like a
16 purchase and sale agreement or conservation agreement or some of the
17 other contracts we would with, if we receive that information
18 verified -- and we'll let the Trustees know when that happens as
19 well, then the funds would start to be released when that project
20 gets going.

21 We would also -- there's more work to be done. We probably
22 would -- depending on the type of project, either we'd go to the
23 SeaLife Center, we'd be looking for which agency would be best to
24 pass those funds through. If it's very involved, as some of you may
25 remember, with the Cordova Center and Prince William Sound Science

1 Center, we do -- the larger projects use DCCED, as well, with their
2 expertise. So we would be making some of the decisions and keeping
3 you in the loop as things develop.

4 So with regard to timing, I would say this should be authorized
5 for 18 months, and during that time, you'd be looking for the
6 targeted proposal and a verification of the matching funds, and then
7 the actual release of funds would happen after that time. We might
8 have to come back for a reauthorization, depending on just nit-
9 picking language, but that would be the intent of the Trustees. Does
10 that sound okay?

11 CHAIR BRUNE: Elise, I think because that's consistent with the
12 way things have been done, that's legislative intent or whatever,
13 Trustee intent, so we'll go forward with that 18-month timeframe, and
14 Trustee Renkes, thank you for that question and clarification.

15 COMMISSIONER VINCENT-LANG: I have one further question.

16 CHAIR BRUNE: Yes, Trustee Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: Is this coming out of the Habitat
18 Subaccount or the Research Subaccount?

19 MS. HSIEH: Would you like me to address that?

20 COMMISSIONER VINCENT-LANG: I would hope it's coming out of the
21 Habitat one, but.....

22 MS. HSIEH: My -- from the things that I looked at, for many of
23 the items that were in the proposal, I thought many of those would
24 relate to the habitat proposal. I'll be waiting to hear what, you
25 know, what specifically they're targeting, but I know that there is -

1 - some items can either be research or habitat, and if it is either
2 of them, then we would go with habitat for this matter, so.....

3 CHAIR BRUNE: Okay, that will again be, I think, unless I'm
4 seeing any opposition, that is Trustee intent that this will come
5 from the Habitat Account. Okay, thank you.

6 Moving to the next agenda item, the Alutiiq Museum and
7 Archaeological Repository. Dr. Counciller, I know you were on
8 earlier. I want to make sure I didn't see your name up here, but I
9 know I had seen you earlier. There you are.

10 DR. COUNCELLER: Hello, can you hear me?

11 CHAIR BRUNE: Absolutely, and if you wish to address your -- the
12 unsolicited proposal that you put forward, please?

13 DR. COUNCELLER: Thank you for the opportunity to speak to this
14 proposal. The inquiry proposal that we submitted in February, we're
15 still interested in moving forward on if the Council shows support
16 for the idea.

17 We've known what we've had a facility issue for quite some time,
18 but only in the last couple of years has it become more obvious, due
19 to the increase in our facility costs, that we need to address the
20 issue.

21 We provided kind of a brief application, a high-level overview,
22 but we are available to submit a full proposal with all of the
23 details, a normal proposal of that size within a couple of weeks,
24 given the materials we already have at-hand.

25 Our situation also does involve the need to leverage funding to

1 secure additional funding from foundations for the overall cost of
2 the project. I've spoken to Elise in the past about our request
3 comprising about 60 to 70% of the building costs for a new facility
4 with the remainder being fundraised and we have a number of
5 foundations we've spoken to, as well.

6 Partners in the project currently would include the City of
7 Kodiak and the Fish and Wildlife Service, but things have been on
8 hold for a little while because we weren't aware that this proposal
9 would appear on any agenda. So it's very exciting to see it on this
10 agenda, even as it is an unsolicited proposal, but we would be really
11 overjoyed to be able to proceed with what we feel is our highest need
12 as an organization right now.

13 We would also be interested in submitting to the new Education
14 and Outreach Focus Area in your upcoming proposal, but that would be
15 to fund activities along the lines of what we already do, rather than
16 addressing one of our organizational big issues that we're facing.

17 We've always felt that our mission and the work that we do is
18 incredibly closely aligned to the EVOS Trustee Council's priorities,
19 but I feel kind of like I've been missing the mark in recent
20 inquiries because we have not been invited to submit a full proposal
21 and so I'd be grateful for any advice from the Council or staff that
22 would get us to that next level, because as I mentioned in my public
23 comments earlier, the Alutiiq Heritage Foundation itself has not yet
24 received project or facility funding from EVOSTC.

25 The funding that established the building that we occupy and

1 lease was given to the Kodiak Area Native Association, which is the
2 organization we spun out from and created our own organization back
3 in 1995. So I'm available for any questions that you may have.

4 CHAIR BRUNE: Thank you, Dr. Counciller. Are there questions
5 from any of -- Trustee Balsiger, do you have your hand up?

6 DR. BALSIGER: Well, I was scratching my ear, but thank you. So
7 thanks for that, Ms. Counciller, but you suggested you'd be
8 partnering with ADF&G and perhaps somebody else, the City of Kodiak,
9 I think you said, so does that mean.....

10 DR. COUNCELLER: The Fish and Wildlife Service.

11 DR. BALSIGER: So will you have funds from them or just
12 partnering in terms of programs and stuff like that or would they be
13 contributing funds?

14 DR. COUNCELLER: The City of Kodiak may contribute funds. We do
15 have contractual arrangements with the Fish and Wildlife Service, as
16 well, but the discussion has not been that they would be helping to
17 fund the facility, but partnering on educational programming and
18 outdoor spaces that are to be sent to the desired location.

19 The land right next door to the ideal location is owned by the
20 Fish and Wildlife Service and they're interested in developing it
21 into an educational park.

22 DR. BALSIGER: Thank you.

23 COMMISSIONER VINCENT-LANG: So this is Doug. I do have a
24 question. So I read through the proposal. I think what you're
25 requesting is \$25 million to build a facility, and I think you

1 probably were listening in our discussion with the SeaLife Center.
2 What's your long-term -- how are the operations of the facility going
3 to be covered and long-term maintenance of the facility going to be
4 covered? Is this self-sustaining or do you have a model whereby
5 you're going -- needing continual support to maintain the building
6 that EVOSTC constructed?

7 DR. COUNCELLER: That's a great question, and we fully intend
8 that the new building would have the technologies and energy
9 efficiency that align with our organization's values. Right now, the
10 physical plant in our building is 25 years or more old, is very
11 inefficient. It goes out, you know, every year, but we don't own the
12 building at all. So we can't leverage our nonprofit status to apply
13 for grants to repair the building or improve the energy efficiency.

14 We believe that by owning our own facility and using the cash
15 streams, the income that we currently have, based on our projections,
16 we would not require additional support from EVOSTC, and as you may
17 recall, we have not yet received programming support or facility
18 support from the EVOS Trustees, and so that itself should indicate
19 the we are not a dependent organization.

20 We raise the money that we need each year for operations through
21 contracts, grants, corporate donations, memberships, individual
22 donations, and things like that.

23 COMMISSIONER VINCENT-LANG: Thank you.

24 CHAIR BRUNE: Thank you. Other questions for Dr. Counciller?

25 MS. HSIEH: Chair, may I ask Dr. Counciller a question with

1 regard to a financial overview that she sent me in June of 2019?

2 CHAIR BRUNE: (Indiscernible).

3 MS. HSIEH: April, I believe you sent me a financial picture of
4 the Alutiig Museum in June of 2019. Do you think that financial
5 picture is still accurate or would you like to update it, and if the
6 Trustees would like more information?

7 DR. COUNCELLER: I believe that overall, it's still accurate.
8 One thing that has changed for us in the last 18 months is that we
9 are no longer a member of a multi-beneficiary permit gaming operation
10 in Anchorage. So therefore, we have redirected our energies to more
11 grant and contract income, as well as philanthropy. So I don't think
12 that the overall outlook has changed significantly, except with the
13 exception of the gaming income.

14 MS. HSIEH: Okay, and if the Trustees would like that
15 information, we can forward it to them.

16 DR. COUNCELLER: I also wanted to mention that in terms of the
17 request that was put in in February, the overall project cost is
18 estimated to be \$25 million, but we would request about 60 to 70% of
19 that cost from the EVOS Trustee Council, which would be in the range
20 of 15 to 17 million.

21 COMMISSIONER VINCENT-LANG: Can you say that again? I missed
22 it.

23 DR. COUNCELLER: The request in our proposal would be for 60 to
24 70% of the project cost, and if the project cost remains at 25
25 million, that would be about 15 to 17 million in the actual request

1 to EVOSTC.

2 CHAIR BRUNE: Thank you, Dr. Counciller. Other questions?

3 (No audible response).

4 CHAIR BRUNE: And Dr. Counciller, I just wanted to ask just for
5 clarification, you indicated that you do plan on engaging in the
6 education component of the call for proposals?

7 DR. COUNCELLER: Yes, we do. We would need to fully read
8 through the document to understand which of our program areas would
9 be a good fit, but yes, we would plan to apply under that program,
10 but not for any of the same things, of course, as in our current
11 unsolicited proposal.

12 CHAIR BRUNE: At the current time, is there any Trustee
13 interested in making a motion on this item?

14 (No audible response).

15 CHAIR BRUNE: Thank you, Dr. Counciller for your presentation.

16 We will move to Sheri Buretta with the Chugach Alaska
17 Corporation: Scientific Research Museum in Anchorage or Valdez,
18 Renewal and Updating of Chugach Region Village Archaeological
19 Repositories, and Spill Response Education Center in Valdez.

20 MS. HICKEL: Hey, Jason, this is Josie Hickel. I'll be speaking
21 on behalf of Chugach.

22 CHAIR BRUNE: Thanks, Josie, the floor is yours.

23 MS. HICKEL: Thank you. Very quickly, our proposal included
24 three elements. One was archaeological repositories. We did receive
25 initial funding of roughly \$2 million from the EVOS Trustee Council

1 years ago, 21 years ago, to establish archaeological repositories in
2 our region, to care for archaeological artifacts and other resources,
3 and that funding was intended to pay for the repositories, as well,
4 as operations for 20 years, and so a lot of these facilities now need
5 enhancements and we are looking for funding to help us to continue to
6 monitor and protect those archaeological resources that were impacted
7 by the spill.

8 The second component is a Spill Response Training Center, and
9 this was in line with the January 2019 (indiscernible) report that
10 related to the impacts of the oil spill, as well as the
11 Deep Water Horizon and the need for spill response organizations to
12 share
13 best practices. Chugach is part of an organization with two
14 villages, Tatitlek and Chenega. We provide spill response services
15 to Alyeska Pipeline company throughout Prince William Sound and we
16 see a real opportunity here to have a Center of Excellence around
17 spill response and we believe that's necessary to make sure that the
18 recovery of the spill impacted area continues in perpetuity by having
19 the best practices and best knowledge and technology on-hand related
20 to the spill and a place to share that information and collaborate
21 with other organizations, and then the third thing is the Iqalluk
22 Museum, and this is intended to be a museum that honors the Exxon
23 Valdez oil spill, the impacts of the spill.

24 Iqalluk is the Alutiiq word for fish. The Pacific Herring is
one of the uncovered resources. We also have challenges with

25 lingering oil and we see this as an opportunity to provide outreach,

1 education, and provide a gathering place for our Alaska Native
2 communities to continue to work together on restoration and
3 rehabilitation of our communities related to the spill. Thank you.

4 CHAIR BRUNE: Thanks, Ms. Hickel. Any thoughts or questions for
5 Josie?

6 MR. RENKES: Yeah, I have a question about the -- so the museum,
7 the Iqalluk Museum and the Spill Response Center are both proposed
8 for Valdez, and I see you've purchased property for the museum. Are
9 these intended to be, I guess, two separate facilities or could the
10 facilities be combined?

11 MS. HICKEL: The facilities could be combined. We purchased two
12 individual properties and we have other development plans in the
13 works for Valdez. So you know, the funding would just appropriate to
14 these particular square footage for these facilities, not the
15 building cost of (indiscernible).

16 CHAIR BRUNE: Trustee Renkes, is that sufficient?

17 MR. RENKES: Yeah. So this is part of -- the funding is for
18 part of maybe a larger facility, but this funding will address the
19 purposes that you're promoting, either.....

20 MS. HICKEL: Yes, correct, and you know, we initially put in
21 this request, I believe, in 2018, and we have met with the EVOS
22 Trustee Council staff and indicated our desire to work with the
23 Trustee Council and the staff on these projects to try to determine
24 what would be the best way forward, realizing you know, as Elise has
25 stated in the past, that you know, there's an opportunity sometimes

1 to look at your project plan and make enhancements that can better
2 serve the purpose of the Council.

3 MR. RENKES: Okay, and with regard to the repositories, do you
4 know how many repositories there are and -- yeah, go ahead.

5 MS. HICKEL: Yes, and I should have noted, Chugach is forwarding
6 this proposal, but it's on behalf of our communities, our tribal
7 entities, and our village corporation. So we would be working
8 together with them. Each one of our villages has -- had funding for,
9 I believe it was \$200,000 each, to have an archaeological repository
10 in their community, and then there was one regional repository that
11 was in Seward and was managed by one of our nonprofit Chugachmiut.
12 So the funding was dispersed throughout these various communities.

13 MR. RENKES: Do those coordinate with the University of Alaska
14 repository and.....

15 MS. HICKEL: Not at this time. Chugachmiut is our nonprofit
16 organization that helps us with a number of different things,
17 including cultural and heritage resources. We also have Chugach
18 Heritage Foundation. So primarily, that's been managed within our
19 own organizations.

20 MR. RENKES: Okay, thanks.

21 CHAIR BRUNE: Ms. Hickel, as a follow-up to Trustee Renkes'
22 question, that money that the villages received and the regional --
23 for the regional facility and the local facilities, was that through
24 ANCSA or was that through a different -- where did that come from?
25 And then I have a follow-up to that, as well.

1 MS. HICKEL: The funding -- the initial funding came from the
2 EVOS Trustee Council.

3 CHAIR BRUNE: Excellent, thank you. And so what -- one of the -
4 - in my previous life, obviously, finding archaeological resources on
5 your lands is both an amazing opportunity and a curse because you
6 have to find where you're going to keep those, and often with Section
7 106 consultations are occurring.

8 There is -- if anything is found by federal agencies during that
9 process, there is a question of that long-term repository, and so is
10 there coordination of these cultural resources with any federal
11 agencies that have that kind of trust responsibility for
12 archaeological resources that have occurred or is that -- because I
13 know what some of the storage in perpetuity agreements are going
14 away, that at one time, I believe (indiscernible) was the basis for
15 what they would do if they found cultural resources. So I'm
16 intrigued as to what -- if there is any relationship with federal
17 entities on cultural resources.

18 MS. HICKEL: Primarily, we work with the Bureau of Indian
19 Affairs. So if there is something found, which typically is related
20 also to our land, so for example, a burial site or something, there's
21 a process that you have to go through with the BIA to be able to
22 receive those lands as cultural and heritage lands. So it depends on
23 the find and the artifact.

24 We have a number of artifacts that are housed in museums around
25 the world, because they have the capability to be able to keep those

1 artifacts, you know, for the long-term and so it's important to us
2 that we know where they are, and we have a catalog of them, but you
3 do have to look at it individually to determine what is the best plan
4 for that particular item.

5 CHAIR BRUNE: Thank you. My next question is, do you anticipate
6 -- and I know it's a short time that you've seen the call for
7 proposals, but do you anticipate that Chugach and the entities with
8 whom you've submitted today that you represent, do you anticipate a
9 Chugach proposal coming forward in the call for proposals?

10 MS. HICKEL: Absolutely. You know, I think a lot of what we're
11 talking about definitely ties very closely to outreach and education,
12 and so we would plan to propose in that area as well.

13 CHAIR BRUNE: Okay. Well, I want to remind everyone, obviously,
14 in the now finalized call for proposals or Invitation that there is a
15 requirement to provide a detailed plan for Alaska
16 Native community involvement of all projects.

17 So hopefully, folks will take note of that and engage with the
18 Alaska Native community in the spill impacted area.

19 MS. HICKEL: Thank you.

20 CHAIR BRUNE: Other thoughts? Dr. Balsiger.

21 DR. BALSIGER: Thank you, Mr. Chairman. Thanks for the
22 presentations. I thought that's interesting, and I particularly like
23 the Chairman's last comments. We are looking forward, and I,
24 personally, am looking forward to funding the proposals in response
25 to Invitation, which does allow for a lot of this community outreach

1 tribal issues, and so I should have said this to Ms. Counciller, as
2 well, but please, keep us in mind as that goes forward, and that will
3 be, in my opinion, the proper place to receive these proposals as
4 part of the large package. So thanks again for the presentation
5 today.

6 MS. HICKEL: You bet.

7 CHAIR BRUNE: Yeah, thanks, Trustee Balsiger, and yes, Dr.
8 Counciller, that statement is absolutely directed at you, as well,
9 and that was my bad for not pointing that out, but thank you for --
10 Dr. Balsiger, for bringing that forward, and I see the thumbs-up from
11 you, so fantastic. Any other comments or questions? Trustee Schmid,
12 no? Trustee Vincent-Lang, no? Trustee Mulder?

13 MR. MULDER: My suggestion or a request might be on proposal
14 one, the archaeological repository if you come back on this on the
15 solicitation to provide a little more detail on what the work would
16 be that the funds would be spent on. That'd be my request. Thank
17 you.

18 MS. HICKEL: Thank you.

19 CHAIR BRUNE: It's actually a phenomenal point, Trustee Mulder,
20 thank you, that this is a great opportunity for additional feedback
21 to the unsolicited proposals for ways they could enhance their
22 proposals. So thank you for that, Steve.

23 Okay, consistent with what I've done, is there anyone willing to
24 make a motion at this time on this issue?

25 (No audible response).

1 CHAIR BRUNE: Hearing none, we will move next to the -- thank
2 you, Ms. Hickel for your presentation -- move to the Valdez Museum
3 and Patricia Relay.

4 MS. RELAY: Good afternoon. Thank you so much for allowing me
5 to attend this meeting today. It's been very informative and I'm
6 very inspired by all of the work that the communities around the
7 region are taking on.

8 I wanted to elucidate on my informal unsolicited proposal. It
9 was my attempt to formulate it -- form it as a letter of
10 introduction, but at this time, I would like to say that it's -- this
11 whole entire process has been very informative.

12 Collaboration, as I said earlier, is really the heart of our
13 success. We collaborate throughout the Sound. So I guess what I
14 would like to really offer is, if anybody had any questions. Like I
15 said, we are really in pretty good shape. Our organizational
16 structure, we wouldn't -- we operate with a lease management
17 agreement with the City of Valdez. I am in employed by a nonprofit.
18 So 40% of our annual operating comes from the City of Valdez. The
19 City of Valdez does our routine maintenance and the nonprofit and
20 lease management performs the mission.

21 We manage the museum. We preserve the stories. We do the
22 education. We do the outreach. So we are in a financially good
23 position, but we do have some complex challenges. Our complex
24 challenges are aging infrastructure. Neither one of our locations
25 was every built to be a museum.

1 We house one of the local display facilities. We were fortunate
2 to be one of the repositories that the EVOS Trustee Council funded
3 years ago. We also have a permanent exhibit dedicated to the oil
4 spill, the Oil Spill, that the Trustee Council has
5 supported, as well as Rasmuson and a variety of other organizations.

6 So we see this -- the letter of introduction was a step forward
7 to say, "We see you as an ideal partner to move this project
8 forward." Since we have a Memo of Understanding with the City of
9 Valdez, it's a one-to-one match, every dollar that we raise, they
10 will support.

11 We also have a National Endowment for the Humanities capacity
12 and infrastructure grant. It's a four-to-one match. Every dollar we
13 raise, they will support a quarter of it, but anyway, so we're
14 looking for partners such as the Trustee Council to continue our
15 effort to satisfy and solve our complex infrastructure.

16 We've got aging infrastructure. Our utilities -- if you live in
17 rural Alaska, you'll know our utilities are like 10% of our annual
18 operating. The heating oil, the electricity, it's crazy. So by
19 having one consolidated site, we will reduce, not only our human
20 resources, but our overhead costs.

21 We also have complex, and as I said earlier, we are a
22 repository, and so our environmental controls are aging and whereas,
23 my office is 100 degrees, one of the galleries up front is 50
24 degrees. So we're challenged by preserving our artifacts.

25 So I guess that gives you a little bit better -- a sense of

1 where we're at. This is a letter of introduction. We're looking at
2 continuing to match and move forward on fundraising. We're kicking
3 off the -- we're kicking the whole entire capital campaign off
4 actually next week. So this is actually fortuitous timing.

5 CHAIR BRUNE: Thank you, Ms. Relay. Are there questions or
6 comments for her?

7 MR. MULDER: This is Steve Mulder. I had one slightly off-topic
8 comment as to whether you still are finding value on the -- with the
9 Department of Law model of the on loan to the museum.

10 MS. RELAY: Yes, I hope you don't want it back because it's
11 beautifully displayed. It's got -- it has LED lights around it.
12 It's in this beautiful plexiglass case. So you're not asking for it
13 back, are you?

14 MR. MULDER: No, I was just checking on the status because I
15 haven't made it over there to look at it lately, so thank you.

16 MS. RELAY: And by the way, we also have -- we have a piece of
17 the outer hull of the super tanker on display, as well, next to your
18 beautiful model.

19 MR. MULDER: Thank you.

20 MS. RELAY: Yeah. So we want to keep it going and have a better
21 -- even have a bigger, broader interpretation of this human story.
22 So actually, I guess all I'm seeking is -- I noticed you have
23 proposal -- request for proposals coming up and with a deadline
24 pending, so I really.....

25 CHAIR BRUNE: And that was going to be my statement, that I was

1 going to just inquire if you -- having seen the request for
2 proposals, if you anticipate this is something that you're likely to
3 be submitting?

4 MS. RELAY: Yes.

5 CHAIR BRUNE: Okay. One request I would have from my
6 perspective, and this likely will be perceived, but not intended to
7 be as culturally insensitive, but I see three proposals from
8 entities, the Alutiiq Museum, Chugach Alaska Corporation, and Valdez,
9 and I would love it if there could be some collaboration there,
10 because there are limited dollars, recognizing that there are
11 different resources in different areas, and if, you know, one
12 resource has to go and be restored in a repository from Kodiak in the
13 Chugach region or something like that, that is not the best
14 alternative.

15 I recognize that, and again, I want to reiterate that was not --
16 there's not an intention to be culturally insensitive there, but
17 there are limited dollars here when it comes to having repositories
18 for cultural resources. So I think I would like to encourage, if
19 possible, all three of the entities to collaborate and I don't know
20 if anything can be done there, but it's -- there are limited dollars
21 and so I'll just -- I'll leave it at that.

22 MS. RELAY: Well, it does make sense, especially with Chugach's
23 proposal that I reviewed today, as well, and as I said, I've been in
24 -- I've been at the Valdez Museum over 10 years now and have grown
25 the program of work and the success of our program is robust

1 collaboration. Any small or midsize museum can't -- can't succeed
2 without strong partners. So it makes sense. Thank you.

3 CHAIR BRUNE: Thank you, Ms. Relay. Any recommendations for Ms.
4 Relay or questions?

5 COMMISSIONER VINCENT-LANG: So this is Doug. I'd like to
6 reiterate what you just said. There's three proposals to deal with
7 cultural resources and I guess I'd urge you to apply in the
8 Invitation that we just sent out today, and to the extent possible,
9 collaborate into getting them into some kind of a collaboration that
10 builds upon each one of your areas of expertise to try to get
11 something that will work across the entire boundary of the spill
12 area. So thank you.

13 MS. RELAY: Thank you.

14 CHAIR BRUNE: And now I'll put one of my -- inappropriately put
15 one of my fellow Trustees on the hook, as well, and say that I,
16 again, from my previous life, knowing that a lot of these resource --
17 dealing with these resources resides within Interior, I think it's
18 important that there's collaboration with Interior in this process as
19 well. Sorry to put you on the spot, Gregg.

20 MR. RENKES: No, that's right. We should, and particularly, I
21 think with the Park Service, because the Park Service also has
22 trended toward having its own repositories, as opposed to placing
23 items outside the Park Service and we struggle to have funding
24 agreements with outside entities that could support those entities in
25 maintaining artifacts. So yeah, I think it'd be good to open a

1 dialog, particularly with the Park Service on these questions.

2 CHAIR BRUNE: Excellent. So that message is obviously intended
3 for Dr. Counciller, Josie, and Patricia. So I guess, again, as I've
4 done every time, any desire to make a motion at the current point?

5 (No audible response).

6 CHAIR BRUNE: Hearing none, thank you, Ms. Relay, and we will, I
7 believe move on to Port Graham, and Mr. Shepherd, good to see you
8 again Jon.

9 MR. SHEPHERD: Yes, thank you very much for the chance to talk
10 to you again. I also have one of our Board members, Diane Selanoff,
11 and the COO of the company, Elmer Moonin, are on the line now, as
12 well.

13 I want to start off by acknowledging that obviously, the dock
14 wasn't, itself, damaged by the spill, but our whole ecosystem and the
15 lives of the village were damaged and then after the lawsuits and the
16 fights and everything that happened, they were just worn out,
17 depleted, and broken, and we're having a hard time getting things
18 started, but the proposal we submitted, although it's heavy on the
19 dock and the harbor, there's also items in there that are more tied
20 to the ecosystem and the resurrection and the restoring of the
21 system.

22 So what we'd like to do first is if you have specific questions,
23 especially on the damages to the ecosystem and the subsistence
24 harvest that we have out there, Ms. Selanoff can handle that, but I
25 was suggesting that we revise our proposal and take out the heavy

1 lift for the dock and the boat harbor and focus on the land
2 management and the habitat section, and then try to also keep the
3 funding for the environmental protection requirements that are being
4 served by the fuel tank renovation and the incinerator, which would
5 drop the price of the thing down from 22 million down to five-and-a-
6 half or six, and is more in line with your expectations to have
7 everything tied directly to habitat enhancement.

8 The dock is still part of that eventually. We'll need a dock
9 before we can get serious about mariculture and doing more work to
10 improve the 200 miles of shoreline we have, but for now, if we can
11 start with possibly a slightly revised proposal, and get started,
12 we'd like to consider that, and then if you have any questions on the
13 specifics of damages from the spill or habitat, we have the
14 shareholder and Board member and COO that can answer questions, as
15 well.

16 CHAIR BRUNE: Great, thank you, Mr. Shepherd. I guess I'd like
17 to invite either Elmer or Diane to speak, if they're interested.

18 MS. SELANOFF: Yes, this is Diane Selanoff. Excuse me, I'm a
19 nervous speaker, even though we are virtual, but I'd like to say the
20 resources in the Bay of Port Graham have been significantly impacted
21 to-date, and there have not been any formal restoration plans or
22 funds to restore our oil spill impacted (indiscernible).

23 The resources confirmed by the uses of our community are
24 shellfish, and in that, I can say clams, cockles, sea urchins, sea
25 cucumbers, chiton, Dungeness crab, king crab, and then when it comes

1 to fish, it's been the herring and silvers, and just as a slight
2 little note, in having another conversation today with community
3 members, I said, "You know, we always said a community
4 (indiscernible), at the end of (indiscernible) and at low tide,
5 people would go gather their own." They said, "How many years has it
6 been since they were able to gather their own herring from that
7 community (indiscernible)?" And she has responded, and she said,
8 "Unusually, this past year or two, we have been noticing that a few
9 of the herring are returning." So finally, after, you know, all of
10 these years, there is some definite life out there from the herring,
11 and so I would hope that those can continue, but as an oil spill-
12 affected community from the , we've had some significant
13 lifestyle changes, including our subsistence that has been affected.

14 Since the spill, the financial support we had was the oil spill
15 litigation preventing us from maintaining our structures. We are
16 finally in a position to move forward and reestablish our home. One
17 of the things they've discussed on, you know, numerous occasions and
18 how it has always been like a wish list for us, too, was if that
19 someday we could establish a response center in our community, so
20 that if there ever is an oil spill again, we're able to have access
21 to oil spill response equipment and protect our bay.

22 Our bay is very important to us. It's -- we're known as people
23 who live from the sea and from the water, and that's our life source,
24 and that's where we -- that's where we get our food from. Currently,
25 we're relying on, you know, food coming in from outside, and when

1 we're paying, you know, the high prices of living in a small town and
2 then -- living next to a small town in a village, we're having to pay
3 the additional freight costs, in addition to the high costs of, you
4 know, living in a small town.

5 So anyway, thank you for hearing us. Thank you for considering
6 us. I appreciate having the opportunity to speak today. If you have
7 any questions, I'm here.

8 CHAIR BRUNE: Thanks, Ms. Selanoff, and I guess I want to also
9 offer up to Mr. Elmer Moonin.

10 MR. MOONIN: Good afternoon, this is Elmer. I was actually born
11 in Seldovia and raised in Port Graham. I remember the year the oil
12 spill happened. I was 11 years old. I was going to go fishing that
13 year. That's kind of generally when you start going on fishing boats
14 when you're 10, 11 years old, but what I wanted to emphasize a little
15 bit, is when we talk about the dock and its -- Port Graham's
16 location, a couple of years ago, there was an issue with a landing
17 craft outside of the bay near the Cook Inlet. It was called Thor's
18 Hammer. There was some equipment that broke loose and that equipment
19 actually punctured a hole in a fuel tank that they had and the Coast
20 Guard did actually come to Port Graham and grab some of the boom and
21 pom-poms that we had stationed there for our bulk fuel response and
22 they took those and used them. So we are kind of geographically in a
23 location to be able to respond to minor things like that.

24 One of the things, there's actually a tanker that goes from
25 Valdez to Nikiski every week. So it kind of goes by all of our

1 lands, right. So geographically, Port Graham is in a good location,
2 and it's really the dock, you know. When we talk about the dock,
3 it's not how the oil spill affected the dock, it's more about how we
4 could respond to our environment, our habitat. You know, when it
5 comes to like monitoring, measuring, maintaining our habitat, you
6 know, the dock is kind of the infrastructure that we use that enables
7 us to do that, and it's in pretty bad shape, you know.

8 The one thing that we have a hatchery program with CIA and Port
9 Graham where the water intake is actually on the dock, you know.
10 They have some water intake for their operations and the bulk fuel
11 header is on the dock and they have a generator where they have --
12 they operate to keep the -- some of the waters in some of the systems
13 they have at certain temperatures over the winter to maintain their
14 fry. So they're -- you know, it actually supports a lot of existing
15 enhancement programs. Do you have any questions for me?

16 CHAIR BRUNE: Mr. Moonin, Mr. Shepherd, Ms. Selanoff, thank you
17 so much for your presentations today. I guess I would add one thing,
18 just for clarification, actually two things. First of all, I think
19 in the proposal that I've seen, having a menu of items, and I guess I
20 would apply this to the -- any proposal that's coming forward, is
21 very helpful, and that those menu items are independent and not
22 necessarily dependent on each other to build the whole thing, and
23 obviously, having those types of partnerships is important, as well.

24 With respect to some of the statements that each of you made on
25 funding oil spill response, I just want to make sure I make it very

1 clear that is not fundable by the Trustee Council. So in your
2 proposals that you -- likely are your -- if you put a revised
3 proposal forward, I just want to make sure you know that is not
4 something that we can fund. There's history for that, as well, that
5 precludes us from doing that.

6 MR. SHEPHERD: Okay, thank you for that.

7 CHAIR BRUNE: Trustee Vincent-Lang.

8 COMMISSIONER VINCENT-LANG: So Jon, I've got a question for you.
9 So you said you're interested in not all of these projects,
10 necessarily, if we couldn't fund the whole package, that you'd have
11 some priorities within that. What -- you have five different things,
12 dock replacement and MO, land management and development,
13 small boat harbor and break water, modular incinerator, and bulk fuel
14 improvement. If we were to fund something out of that to get you
15 started, what would that be?

16 MR. SHEPHERD: I would be thinking of doing the land management
17 line, the (indiscernible) line, and the incinerator, and the bulk
18 fuel tank repairs, and drop out the dock and the small boat harbor,
19 essentially, and cut that down to about 6.6 million for now, and then
20 we would, you know, regroup and figure out a way to get the dock
21 funded separately.

22 COMMISSIONER VINCENT-LANG: And what is in the -- I read it, but
23 I've read so much stuff today, what is in the land -- is -- are the
24 other two, the module incinerator and bulk fuel storage tank
25 improvements, are they dependent upon the land management and

1 development piece?

2 MR. SHEPHERD: They're pretty -- they could be standalone. We
3 had a program management office included in the dock, so I was going
4 to carve part of that out if we could get that to go forward with,
5 but the land management was establishing -- get the database of all
6 of the research that we can find that's been done out there, set up
7 some of our own data nodes out in the park. We have two buildings
8 there we were going to set up and get those to be used as a com center
9 so we can be pulling data out of there, get our boat out into the
10 area and start doing inspections with our shareholders of the land
11 and the resources, other than the subsistence harvesting that's been
12 going on.

13 There haven't been very many studies done on our land that's in
14 the Kachemak side and the south end of the peninsula. So most of
15 what we have is anecdotal information. So we wanted to get set up so
16 we can go out and do some work in the field and then track all of
17 that, get some new LIDAR data coming in and put together the land
18 program so we can start working on habitat improvement and then do a
19 separate function or separate funding request for the dock and
20 mariculture development with your new Invitation for bids.

21 COMMISSIONER VINCENT-LANG: And one final question, are you
22 looking -- do you have any opportunities for match funding, similar
23 to what the SeaLife Center has, in terms of having money that we
24 could -- that if we made it available, you could find match for?

25 MR. SHEPHERD: We don't have that secured, but we are starting

1 the search for that right now.

2 COMMISSIONER VINCENT-LANG: Okay, thank you.

3 CHAIR BRUNE: Thanks, Trustee Vincent-Lang. I think that
4 leveraging opportunity is a great -- a great point, and I also,
5 again, think that the menu item of having that list of potential
6 opportunities that we could fund that's not the entire project, I
7 think is something to seriously consider. Trustee Schmid, do I see
8 you? No. Trustee Renkes.

9 MR. RENKES: No, nothing.

10 CHAIR BRUNE: Trustee Balsiger?

11 DR. BALSIGER: No questions right now, thank you.

12 CHAIR BRUNE: Trustee Mulder, I'm seeing no, okay. Consistent
13 with what we've done, is there any interest in a motion on this issue
14 on this time?

15 (No audible response).

16 CHAIR BRUNE: Hearing none, thank you very much to each of you
17 from Port Graham, and obviously, hearing the interest that I think
18 you've heard some interest from Trustees (indiscernible).....

19 COMMISSIONER VINCENT-LANG: Yeah, I guess I'd like to say
20 something. I -- this is the first time it's been brought in front of
21 me. I'm reluctant to move it at this point in time, but there are
22 elements of this that clearly make sense to me, given to what you
23 have and I guess I urge you to work with staff to kind of flush these
24 concepts out in a little bit more greater detail, especially in terms
25 of how it relates to the Invitation that we just put out and how it

1 relates to injured resources, because there are elements of this that
2 I'm -- convincible are potentially fundable for this area of the
3 impacted spill area. So don't give up, I'm telling you. I see some
4 potential here.

5 MR. SHEPHERD: All right, well, thank you for that advice. We
6 appreciate it.

7 MR. MOONIN: Yeah, thank you very much.

8 TRUSTEE SCHMID: (Indiscernible).....

9 CHAIR BRUNE: Do we have anything from the other Trustees? I
10 see similar reaction to what Trustee Vincent-Lang said.

11 TRUSTEE SCHMID: Yeah, Mr. Chair, I share that certainly, and I
12 do know that former Trustee Wackowski was very supportive in trying
13 to move some of this forward, as well, and like Trustee Vincent-Lang
14 just commented, that I think there are certainly parts of this that
15 we could support and I would like to see that coming forward in the
16 future.

17 MR. SHEPHERD: Okay, we will be back.

18 TRUSTEE SCHMID: Thank you.

19 CHAIR BRUNE: Thank you.

20 MR. SHEPHERD: Thank you very much for your time and our
21 compliments to a very smoothly done Zoom call. It's the first time
22 I've seen over 80 people on a Zoom call and it was -- your staff did
23 an amazing job.

24 CHAIR BRUNE: I am confident you just jinxed us, but thank you.

25 Kudos to the staff and Austin and Shiway and Cherri for all of

1 their efforts. So with that, we'll move to the next agenda item, and
2 that's the Bering River Coal Fields.

3 COMMISSIONER VINCENT-LANG: No.

4 CHAIR BRUNE: No?

5 COMMISSIONER VINCENT-LANG: Alaska SeaLife Center request for
6 sustainable science funding.

7 CHAIR BRUNE: Sorry, I had the wrong agenda. So Dr. Riemer,
8 we're bringing you back forward with the Alaska SeaLife Center
9 request for sustainable science funding.

10 COMMISSIONER VINCENT-LANG: Thank you.

11 DR. RIEMER: Sure, and as I mentioned before, this really is a
12 very -- it's a reasonable fit for the draft Invitation that you have
13 and I don't feel like it would be appropriate for you to take any
14 action on it today, necessarily.

15 It really was a concept proposal and to a way of doing something
16 that is not an endowment, but kind of acts like an endowment. So
17 we're not really looking for anything specific here. We definitely
18 appreciate the opportunity, and you know, many of the items that we
19 had looked at this would be able to fit into your Invitation.

20 The one thing that I just wanted to raise is that my reading of
21 the Invitation is that would be one program that would fit into the
22 long-term monitoring plan, that you would be funding one program and
23 that individual projects would not be accepted, and so I think that's
24 just something that it would be great if there was some clarification
25 if that is the intention or not.

1 The other two sections of the RFP, it's clear that individual
2 project proposals are welcome, but it looked like for the long-term
3 research and monitoring program, that what was being looked to fund
4 is a program. So that would be the only question that I would have
5 that I'm sure can clarified within the further development of the
6 Invitation. Thank you.

7 CHAIR BRUNE: Dr. Riemer, thank you for effectively pulling this
8 one off the table and indicating that you will be putting something
9 forward. My read on it is not necessarily that we will only be
10 funding one, but I'm going to defer to Dr. Balsiger and Commissioner
11 Vincent-Land, sorry, Trustee Balsiger and Trustee Vincent-Lang, on
12 whether or not we were envisioning just one proposal or a series of
13 collaborative proposals or I don't know.

14 COMMISSIONER VINCENT-LANG: I think as integrated as it can be
15 is going to be better in my eyes.

16 DR. BALSIGER: So thanks for asking me. I agree with Trustee
17 Vincent-Lang. If we have one perfectly put together proposal, if
18 everything was tied together with a flow chart to show us all of the
19 work, that's greatest, but this is a little bit different for EVOSTC
20 that we've done in the past, and so I'm anxious to see what comes
21 back, and it's not inconceivable to me that we might have a couple,
22 but I agree with Trustee Vincent-Lang as what would be ideal.

23 CHAIR BRUNE: With an emphasis on Section 5.B.1., the new B.1.

24 COMMISSIONER VINCENT-LANG: All right, we're so formal here, I
25 think we can call each other by our first names.

1 CHAIR BRUNE: Well, I'm sticking with it. I'm 90% of the way
2 through this damn meeting. I'm continuing to call you all by your
3 formal name. So moving -- well, assuming there's no interest in
4 making an agenda -- or a motion on that?

5 (No audible response).

6 CHAIR BRUNE: Hearing none, moving next to Rick Steiner, with an
7 alternative to the EVOS Trustee Council. Mr. Steiner.

8 MR. STEINER: Hi, folks. Can you hear me okay?

9 CHAIR BRUNE: Absolutely, great to hear you.

10 MR. STEINER: All right, likewise, likewise. First of all, I'd
11 like to correct an earlier -- I'll do a Mike Pence on you here. I'd
12 like to correct an earlier comment that Tara Riemer made attempting
13 to correct my comment about the amount of money the SeaLife Center's
14 already received from EVOSTC.

15 I stated in my comments that it had received roughly \$50 million
16 so far. Tara claimed it had only received around 38 million, but to
17 be clear, that was simply from the initial two grants. If you add in
18 the three decades of research money that has gone through the Center,
19 it's almost certainly approaching \$50 million or beyond, and now, the
20 punctuation point is that they may be asking for an additional \$56
21 million. So the larger point is that the Center is not self-
22 sustaining or economically viable without continuing government
23 support. So I'll leave that.

24 I actually have two unsolicited proposals before the Council and
25 I'd like to address both of them very quickly. One, as I mentioned

1 in my written testimony, my alternative structural proposal, it was
2 submitted two years ago in anticipation of the Rasmuson proposal
3 coming in to transfer all the monies to a private foundation.

4 At this point, however, if two conditions are met, I would
5 simply withdraw that alternative proposal, and one of the conditions
6 is that the government retains the Restoration Program, and on that,
7 I'd like to thank DOJ and ADOL for their clarification in their memo
8 and this morning that has to be the case. So I'm delighted on that,
9 and the second condition is that the Trustees refocus on the primary
10 purpose of the process, and that is environmental recovery.

11 Absent these, absent both of these, I still recommend,
12 respectfully, that all of the money and the authority be returned to
13 the US District Court and that it appoint a Special Master to
14 implement the Restoration Program. The bottom line is we have to do
15 everything we can do to assist in the recovery of the injured
16 ecosystem.

17 Secondly, the other unsolicited proposal that I have had before
18 the Council for several years, which has yet to receive any comments
19 or response, is that the Council simply establish a process to
20 identify potential habitat protections on public lands and public
21 waters in the oil spill region that would support restoration goals.

22 This is in the Restoration Plan. It's identified as a potential
23 restoration option and I believe since 90% of the ecosystem that
24 we're looking at is in public ownership already, we would be well
25 advised to at least look at protections on the public lands and

1 public waters.

2 It would cost zero dollars and contribute greatly to the
3 restoration goals, and a great example of that is simply western
4 Prince William Sound, the Nellie Juan-College Fjord Wilderness Study
5 Area that's been a wilderness study area for 40 years and Forest
6 Service Management, about close to two million acres, could simply be
7 recommended by the Trustee Council to be -- to Congress to go ahead
8 and designate as a wilderness area. That would be a way of
9 offsetting and replacing injured resources and injured resource
10 services.

11 So I think that's all I have. You know, I don't know that I
12 expect any action. I would certainly appreciate, excuse me, action
13 on the second of those today, and that is an agreement from the
14 Council to at least look at this issue of potential habitat
15 protection on public lands and public waters within the region. So
16 I'll close with that.

17 CHAIR BRUNE: Thank you Mr. Steiner. I appreciate your long-
18 standing efforts and input. Are there questions for Mr. Steiner
19 today?

20 COMMISSIONER VINCENT-LANG: I will say that I don't think it's
21 an accurate assessment to say that there would be no cost associated
22 with further protecting governmental lands. For instance, if you
23 take land that's currently open to timber harvest in the forest and
24 setting that now into permanent protective status as wilderness,
25 there would be a cost associated with that.

1 I'm not saying that that's not a worthwhile venture to do that
2 analysis, but I don't think it's a fair statement to say that there
3 is no cost associated with those kinds of decisions.

4 CHAIR BRUNE: Thank you, Trustee Vincent-Lang, and I'll just add
5 to that while you're talking that for the second largest national
6 forest in the nation to have a zero ASQ and no timber harvest to be
7 occurring, I think it's pretty fair to say that there is a lot of
8 protections in place for those acres, and then there's also something
9 called ANILCA, which I know we manage wilderness study areas like
10 wilderness, even though they're not wilderness, but it's not
11 wilderness and we have a no more clause in ANILCA. So I think it's
12 going to be a heavy lift for you, Rick, to get us -- to get me to
13 that point, but I welcome your response.

14 MR. STEINER: Yeah, I could address both of those, I hope, and
15 Doug, you're absolutely correct. There would be some -- I would say
16 nominal costs. I guess my point is that the lands do not have to be
17 purchased and you don't have to buy conservation easements, because
18 they're already in public ownership, but my second point to yours,
19 Jason, is that yeah, there is a no more clause in ANILCA on land.
20 When you move offshore into federal waters, it does not apply, and
21 for instance, the President has authority under the Antiquities Act
22 to designate marine national monuments.

23 I know there's great antipathy within the two Administrations
24 that I'm talking to today about such things, but if you set aside the
25 politics and look at what can we do to offset the injury, the

1 extraordinary injury caused by the oil spill and make up
2 for it, replace those injured resources and services, designating
3 some targeted strategic marine protected areas offshore would be --
4 it certainly needs to be assessed.

5 I think it's absolutely insane that we haven't done that in 30
6 years of the process. So that's all I would say on that.

7 CHAIR BRUNE: Thank you, Rick. Trustee Schmid.

8 MR. SCHMID: No, I won't add to that. I just went through the
9 Forest Plan (indiscernible) on the Chugach and of course wilderness
10 is a hot button issue and wilderness study areas here, but there is
11 merit, I think certainly, to what Rick is sharing here and that's
12 something we always continue to explore, as well, and so I would just
13 stop there. I do know, that like I said, at least within the Chugach
14 National Forest, but you're right, it is 99% roadless and it has
15 about a two-million-acre wilderness study area.

16 CHAIR BRUNE: Thank you, Trustee Schmid. Any other comments?

17 (No audible response).

18 CHAIR BRUNE: Thank you, Mr. Steiner. I appreciate your input,
19 as always. I am now going to propose a 10-minute break and.....

20 COMMISSIONER VINCENT-LANG: Do you want to hear (indiscernible -
21 speaking simultaneously).....

22 CHAIR BRUNE: Sorry, go ahead, David.

23 MR. SCHMID: Yeah, could I, Mr. Chair, just offer two very small
24 or short items, hopefully. One, we did receive an unsolicited
25 proposal for kelp -- kelp mariculture as a restoration project. It

1 didn't come on the agenda. I think we made a decision ahead that was
2 right for the Invitation proposal that was going out under
3 mariculture. I just wanted to make sure that the proponent -- that
4 was communicated to the proponents of that unsolicited proposal. I
5 don't know that any of them are on here today.

6 CHAIR BRUNE: That's a great point. Thank you, Trustee Schmid.

7 MR. SCHMID: And then the other left on -- not taking a position
8 one way or the other, but we had an unsolicited proposal for the
9 Think Tank and where we started this morning, I think it was this
10 morning, before noon discussion, we all as Trustees, I know, came in
11 with advice from our attorneys, our legal advice, DOJ, Department of
12 Law, and I thought we left that a little bit unsettled when the
13 proponents shared that they had not had a lot of discussion back and
14 forth, and I don't know if there's an opportunity or for an ask
15 around that, that those folks could get together either in a work
16 session or at least, you know, whether they agree to disagree, but I
17 think that would help.

18 I felt like we just left that a bit unresolved this morning on
19 the legal interpretations and where that might be going, and if I'm
20 out on my own there, I'm fine. Again, not taking a position either
21 way, I just felt we left that a little bit hanging there.

22 CHAIR BRUNE: Trustee Schmid, do I hear that as a motion to
23 encourage the Think Tank lawyers and the Department of Justice and
24 Department of Law to sit down collaboratively and discuss their
25 different positions?

1 MR. SCHMID: To come back and agree or disagree to us, I think
2 that a motion -- yes, I think that would be an action that I think
3 might be in order.

4 CHAIR BRUNE: Okay, so there's a motion on the table. Is there
5 a second?

6 MR. RENKES: I'd second that.

7 CHAIR BRUNE: That's a second from Trustee Renkes. Mr. or
8 Trustee Schmid, would you like to comment further to your motion?

9 MR. SCHMID: Again, I'm not going to take a position either way.
10 I think that by just leaving that unresolved in my efforts here for,
11 you know, more of a full public discourse and transparency, I think
12 there was more on that topic and that we could ask those folks to
13 come together and have that conversation and a report back to the
14 Trustees on what the outcome of that was.

15 CHAIR BRUNE: Trustee Renkes.

16 MR. RENKES: Yeah, I agree. I thought -- I was very unsettled
17 by the difference of views and the lack of communication, and I'm
18 coming at this very late in the game. This issue has been around
19 for, I don't know, three years. There's been a lot of back and
20 forth. There was a public facing legal memo and then, you know,
21 other advice to the Council. So I would encourage, you know, I think
22 there's some -- it's worth -- so much effort's gone into that
23 proposal, that they ought to sit down and see if there isn't a way
24 forward legally.

25 The policy decision's different and we will address that here,

1 but they ought to decide that there is or there isn't a way forward.
2 The way forward might be -- require congressional action. We already
3 have a resolution that involves going to seek congressional action on
4 another issue. So that's not something the Trustee Council's
5 unwilling to pursue. So yeah, I just think -- I think it'd be
6 worthwhile for them to work something out.

7 CHAIR BRUNE: Trustee Vincent-Lang.

8 COMMISSIONER VINCENT-LANG: So I'm not going to oppose this, but
9 we just sent out a call -- our Invitation for proposals for 10 years,
10 and I do not want to sit here and have this go on for another year
11 and slow ourselves down in getting our 10-year call for -- or our
12 Invitation for proposals done and completed, because this is -- as
13 you said, this has been going on for several years now.

14 I do not see a quick way out of this. I understand that the
15 people that want to do this think that it's legal and everything
16 else, but all I'm hearing from our lawyers is concern. I'm hearing
17 that it's going to probably require congressional action. It's
18 probably going to require going back to the court and none of that is
19 quick, and I don't want to sit here and have this thing weigh on us
20 while we're trying to conduct our business moving forward.

21 So I'm not opposed to it, but let's put a timeline on this thing
22 that we can make a resolution by a certain -- date certain so that we
23 can move forward with our business.

24 CHAIR BRUNE: And I'll just say, I think it's a great point,
25 Trustee Vincent-Lang. I understand Trustee Schmid and Trustee

1 Renkes' desire. I think the thing that makes me most concerned is,
2 while this is something I've been very passionate about and very
3 interested in, I'm worried that as a non-lawyer that statements of
4 not waiving privilege, not being an option and if our lawyers can
5 even talk to each other, and again, I'm a biologist, not a lawyer, so
6 I don't even know if that's a legal thing to do.

7 Dave or Trustee Schmid, I recognize what your intent is with
8 doing this, but I'm -- I don't know what the logistic approach is,
9 and I think that Trustee Vincent-Lang makes a great point that we're
10 sending mixed messages that we're throwing \$100 million in a call,
11 potentially, and then having this. Trustee Mulder.

12 MR. MULDER: Yeah, I suggest we table that motion and we just
13 hit the policy motion head-on. I'll make a motion to accept the
14 Think Tank's June 2020 proposal to shift all of the money to the
15 Alaska Community Foundation and for them to dictate how the money's
16 spent in the future.

17 CHAIR BRUNE: Trustee Mulder, we do have a different motion on
18 the table currently. So I will come back to your motion on the
19 tailend. I remember, you quizzed me yesterday on my knowledge of
20 parliamentary procedure and so we do have a current motion on the
21 table. If you wanted to make an amendment, Trustee Mulder, to that
22 motion, you're welcome to do that, but for now, the current motion on
23 the table is what we're working on.

24 MR. MULDER: Yeah, I move to table that motion.

25 CHAIR BRUNE: Okay, so there's a motion to table to previous --

1 is there a second to the motion to table?

2 DR. BALSIGER: Second.

3 CHAIR BRUNE: Dr. Balsiger, Trustee Balsiger has seconded the
4 motion. Trustee Mulder, I'll let you speak to the motion to table.

5 MR. MULDER: Yes, well, it's kind of the cart before the horse
6 or vice-versa, whether we address the policy issue up front or not.
7 I'm not sure there's an interest -- well, first, I'm not sure you're
8 going to get the lawyers to -- they disagree. That's not going to be
9 surprising at the end of the day, but if we want to have some clarity
10 going forward, I'm thinking that -- because we have to have unanimous
11 support for the proposal.

12 Ultimately, maybe we just put the cards on the table and see if
13 there is support for this proposal going forward or not.

14 CHAIR BRUNE: Okay, so is there any other discussion on the
15 motion to table?

16 (No audible response).

17 CHAIR BRUNE: Okay, so we will take a vote. Is there any
18 opposition to the motion to table?

19 (No audible response).

20 CHAIR BRUNE: Hearing none, that motion has been tabled.

21 Trustee Mulder, would you like to make a new motion?

22 MR. MULDER: Yes, I'll make a motion to accept the Think Tank's
23 June 2020 proposal for an alternative consisting of transferring the
24 remaining unencumbered Trust funds to the Alaska Community Foundation
25 and for the Foundation and -- as they proposed in their proposal to

1 make the decisions on how the money is spent in the future.

2 CHAIR BRUNE: Is there a second to that motion?

3 DR. BALSIGER: Balsiger will second.

4 CHAIR BRUNE: Trustee Balsiger has seconded. Trustee Mulder,
5 speak to your motion.

6 MR. MULDER: Yeah, as I said earlier, I think that it's probably
7 time to bring the issue to a head to see if there's support for this
8 proposal or not.

9 CHAIR BRUNE: Trustee Balsiger, do you have any additional
10 comments?

11 DR. BALSIGER: Thank you, Mr. Chairman. I do not. I did not
12 want to see this die for lack of a second. So that's primarily why I
13 seconded it.

14 CHAIR BRUNE: Trustee Schmid.

15 MR. SCHMID: Yes, I -- well, I withdraw my earlier motion. I
16 guess it's been tabled and I will oppose.

17 CHAIR BRUNE: Trustee Renkes.

18 MR. RENKES: (Indiscernible) sorry, I'm coming in so late. I've
19 had one briefing on this and this discussion today. I really haven't
20 been involved in the dialog. It's a huge policy call. So I couldn't
21 support it today, no.

22 CHAIR BRUNE: Trustee Vincent-Lang.

23 COMMISSIONER VINCENT-LANG: Man, well, the legal advice I've
24 been given by our lawyer team said that this is not accomplishable.
25 Based on that legal advice, I know they have different opinions on

1 legal advice, but short of that, this puts them in a point to -- if
2 we take a no vote on it, they can then go through their challenge and
3 challenge our decision based on their legal advice. So I'll be
4 voting based on our legal advice to not support this motion.

5 CHAIR BRUNE: So (indiscernible).....

6 COMMISSIONER VINCENT-LANG: And that will allow them to move
7 forward with their challenge if they want to.

8 CHAIR BRUNE: That leads it to me and I will just put it on the
9 record that I have been very frustrated at the Department of
10 Justice's direction to us that not being able to release full
11 documents to the public for full transparency as a non-trustee that
12 works for us. The -- some of the feeling that I had was that there
13 were other entities that they worked for in the delegation over us
14 and it was very frustrating to me, but I mean the writing was clearly
15 on the wall on this one.

16 I do see, I think, a lasting legacy of the oil
17 spill as funding sustainable science ad infinitum is a goal that I
18 have always had, from my time on the PAC to right now, and this whole
19 thing -- I think the intent of the Think Tank is one that wants to do
20 that and I'm frustrated at our inability to be able to do that, but
21 again, all resolutions have to be unanimous and we already have heard
22 that likely won't happen today. So with that, I will call the
23 question, and all the -- sorry, Mr. or Trustee Balsiger.

24 DR. BALSIGER: Yes, and as Doug, how friendly we're being, I'm
25 not sure now, but it's late, so as Doug as said, this doesn't get rid

1 of this issue forever. It allows the issues to be more focused and
2 headed, and so I appreciate that, and I will oppose the motion, but
3 recognize that we're not done with this issue.

4 MR. MULDER: So I would point out that the -- so we're on the
5 glidepath to spend-down based on a big effort 10 years ago, before
6 some of our time on the Council, which involved a huge public
7 process, teams going out to take public comments in the six affected
8 communities, and there was actually an effort made to do a NEPA
9 review of that, narrowing the focus of what we were going to do on
10 the glidepath toward (indiscernible).

11 There's nothing to prevent if you -- if we want to change course
12 and say, "Well, wait a minute, maybe we want to slow down on the
13 spending and we want to create this legacy and have a slower spend
14 rate so that we can carry these research efforts into the future."
15 So I think that's a separate issue, is my point.

16 CHAIR BRUNE: Any other comments?

17 COMMISSIONER VINCENT-LANG: Roll call vote.

18 CHAIR BRUNE: I don't think we need to -- you want a roll call
19 or can we just do it -- is there any opposition?

20 MR. MULDER: Yes.

21 UNIDENTIFIED TRUSTEE: Yes.

22 CHAIR BRUNE: There is opposition.

23 UNIDENTIFIED TRUSTEE: Good, okay.

24 CHAIR BRUNE: So I don't know if we need a roll call vote. I
25 think we've heard the opposition.

1 UNIDENTIFIED TRUSTEE: Okay.

2 CHAIR BRUNE: The motion fails for lack of unanimity. So that's
3 -- with that, thank you, Trustee Schmid for bringing that. Before we
4 take a 10-minute break, is there any other issues with respect to
5 unsolicited proposals?

6 (No audible response).

7 CHAIR BRUNE: Hearing none, we will reconvene at 3:30.

8 3:21

9 (Off record)

10 (On record)

11 3:33

12 CHAIR BRUNE: We are back -- back on the record. We are dealing
13 with the Agenda Item 13.....

14 UNIDENTIFIED TRUSTEE: Yeah.

15 CHAIR BRUNE:which is the long-term EVOS Trustee Council
16 Science Programs, starting with the first item, Long-Term Monitoring
17 Program. Trustee Vincent-Lang.

18 COMMISSIONER VINCENT-LANG: I move we approve funding of
19 \$1,320,700, which includes GA for FY21 funding for the Herring
20 Research and Monitoring Project 21120111 proposal, dated August 22,
21 2020, excluding project 20170111-D Gorman.

22 CHAIR BRUNE: That's the second item on the list. So is there a
23 second to that motion?

24 COMMISSIONER VINCENT-LANG: Did I skip down one?

25 CHAIR BRUNE: I think you did. Is there a second to that

1 motion?

2 MR. MULDER: I'll second it, Steve.

3 CHAIR BRUNE: Trustee Mulder has seconded that one. I
4 believe.....

5 COMMISSIONER VINCENT-LANG: That's the right one, herring.

6 CHAIR BRUNE: The herring?

7 COMMISSIONER VINCENT-LANG: Yeah.

8 CHAIR BRUNE: Okay, well, I -- for some reason, I have a
9 different one as my first item.

10 COMMISSIONER VINCENT-LANG: Yeah, okay.

11 CHAIR BRUNE: Okay, do you.....

12 COMMISSIONER VINCENT-LANG: I am -- this is -- these next couple
13 of projects we're dealing with are in year four of a five-year call
14 for proposals that we've submitted out five years ago before I was a
15 Trustee. I think we ought to complete the last year of these.

16 I've kind of reviewed the science work that's been completed to-
17 date, and it doesn't make much sense right now to stop this work and
18 my intent with this motion and the next two I'll be making, with
19 respect to long-term monitoring and marine conditions, and the motion
20 to -- for data management to complete those year five of a five-year
21 project.

22 I will say, though, that I am not convinced -- I'll be taking a
23 closer look at herring in the next call for proposals because I am
24 not convinced, while even though our herring numbers haven't gotten
25 back to preexisting conditions, I'm not convinced that it's related

1 to the oil spill anymore, as much as it is marine mammals, and I look
2 forward to Jim taking steps to help us with marine mammal management
3 in the Prince William Sound so we can rebuild. Herring's not going
4 to get back to a fishable (indiscernible). I'm just seeing if you
5 were awake, Jim.

6 DR. BALSIGER: So (indiscernible) if you want to read up on what
7 the optimum sustainable populations are when you come to marine
8 mammals, it's not like (indiscernible) fish.

9 COMMISSIONER VINCENT-LANG: I know.

10 CHAIR BRUNE: Okay, so we have a motion and a second. Is there
11 any additional discussion on the -- on this first item?

12 (No audible response).

13 CHAIR BRUNE: Hearing none, is there any opposition to this
14 motion?

15 (No audible response).

16 CHAIR BRUNE: Hearing none, the motion passes.

17 Trustee Vincent-Lang.

18 COMMISSIONER VINCENT-LANG: I move we approve funding of
19 \$2,579,500, which includes GA for FY21 funding of the Long-Term
20 Monitoring of Marine Conditions and Injured Resources and Services
21 Project 21120114, proposal dated August 15, 2020.

22 CHAIR BRUNE: Do I have a second?

23 MR. MULDER: I'll second it, Steve Mulder.

24 CHAIR BRUNE: Steve Mulder with the second. Trustee Vincent-
25 Lang.

1 COMMISSIONER VINCENT-LANG: Again, this is year five of a five-
2 year project, and I read through the research associated with the
3 first four years and it makes sense to me to complete the fifth year
4 of this project.

5 CHAIR BRUNE: Dr. Balsiger.

6 DR. BALSIGER: I agree.

7 CHAIR BRUNE: Okay. Any other comments?

8 (No audible response).

9 CHAIR BRUNE: I just want to confirm that Trustee Renkes is on
10 still. I don't see him on the screen, which is why I'm asking the
11 question.

12 MR. RENKES: Whoops, I hit mute. I'm here.

13 CHAIR BRUNE: Okay, good, good, good, thank you. Hearing no
14 further comments, is there any opposition to this motion?

15 (No audible response).

16 CHAIR BRUNE: Hearing none, the motion carries. Trustee
17 Vincent-Lang.

18 COMMISSIONER VINCENT-LANG: I move we approve funding of
19 \$253,600, which includes GA for FY21 funding of the Data Management
20 for Programs and Projects, Project 21120113, proposal dated September
21 30, 2020.

22 MR. MULDER: Steve Mulder second.

23 COMMISSIONER VINCENT-LANG: And again, my intent is just to
24 finish our data management of these three programs and complete the
25 year five of a five-year program.

1 CHAIR BRUNE: Thank you. For point of clarification for me,
2 because I'm -- my -- I'm going off of the previous days' agenda,
3 Elise, have we addressed -- before we take a vote on this one, are
4 all three of these the correct ones that we were to address?

5 MS. HSIEH: Yes. I want to double check with Shiway. Shiway,
6 the three motions -- I have the latest motion sheet of 10.13.2020
7 4:30 p.m. Shiway, are those motions sufficient for the three that
8 should be addressed? I believe so.

9 MS. WANG: Yep.

10 CHAIR BRUNE: Yeah, that's my bad. Okay, any other further
11 comment on this motion?

12 (No audible response).

13 CHAIR BRUNE: Is there any opposition to it?

14 (No audible response).

15 CHAIR BRUNE: Hearing none, that motion passes.

16 So again, my understanding is the proposals by the
17 (indiscernible) Lindeberg, Pegau, and Lindeberg have all passed?

18 COMMISSIONER VINCENT-LANG: That's correct.

19 CHAIR BRUNE: Okay, so we will move onto Agenda Item 14.

20 COMMISSIONER VINCENT-LANG: I would also like to include for the
21 record that all three of those proposals were supported by the PAC.

22 CHAIR BRUNE: Yes, thank you. Thank you. Thank you.

23 Agenda Item 14., Non-Program Science Projects, Trustee Vincent-
24 Lang.

25 COMMISSIONER VINCENT-LANG: So my understanding with the Pigeon

1 Guillemot Restoration Project, this is a continuation project from
2 previous year?

3 MS. WANG: Yes, correct.

4 COMMISSIONER VINCENT-LANG: Yes, so.....

5 CHAIR BRUNE: (Indiscernible) Shiway echoed, is that
6 (indiscernible).....

7 COMMISSIONER VINCENT-LANG: Yes. So I move we approve funding
8 of \$68,500, which includes GA for FY21 funding of the Pigeon
9 Guillemot Restoration Research in Prince William Sound, Project
10 21110853, proposal dated August 18, 2020.

11 MR. MULDER: Steve Mulder second.

12 CHAIR BRUNE: Trustee Vincent-Lang.

13 COMMISSIONER VINCENT-LANG: Again, this is a continuation
14 project and I'd like to see it. I've read through the research
15 associated with it. It's providing good -- it's helping to restore
16 pigeon guillemots, which are damaged from the oil spill. I also
17 would note that this is PAC -- the PAC supported this project and I
18 see no reason not to continue it.

19 CHAIR BRUNE: Any further comments on this agenda item?

20 (No audible response).

21 CHAIR BRUNE: Hearing none, is there any opposition to this
22 agenda item?

23 (No audible response).

24 CHAIR BRUNE: Hearing none, the motion carries, and we will go
25 to the next agenda item. Trustee Vincent-Lang.

1 COMMISSIONER VINCENT-LANG: I move we approve funding of
2 \$34,300, which includes GA for FY21 funding of the Ocean
3 Acidification Sampling, Project 21200127, proposal dated August 18,
4 2020.

5 MR. MULDER: I second.

6 CHAIR BRUNE: Trustee Mulder with the second. Trustee Vincent-
7 Land.

8 COMMISSIONER VINCENT-LANG: Okay, so again, this is a
9 continuation project. Ocean acidification is an issue. It is
10 clearly something that for \$34,000 is a worthwhile investment of
11 EVOSTC money. Again, this was PAC supported and I support the
12 continuation of this project.

13 CHAIR BRUNE: Any comments from Trustees?

14 (No audible response).

15 CHAIR BRUNE: Hearing none, is there any opposition to this
16 motion?

17 (No audible response).

18 CHAIR BRUNE: Hearing none, the motion carries.

19 MS. HSIEH: Chair Brune, we will not need the third motion
20 regarding status and trends of EVOS injured seabirds, if you'd like
21 to skip over that?

22 COMMISSIONER VINCENT-LANG: That was my understanding also. We
23 did not need a motion for that one.

24 MS. HSIEH: Okay, thank you.

25 CHAIR BRUNE: Thank you. So that puts us to Agenda Item 15.

1 COMMISSIONER VINCENT-LANG: Okay, so Agenda Item 15, I
2 understand is -- the State of Alaska did not pass the necessary
3 capital budgets last year to basically accept this money and for the
4 Bookey Parcel purchase and recreational improvement funding that we
5 had provided last year. So we need a continuation of our motion last
6 year so that the Legislature can actively can -- actually do what we
7 wanted them to do last year.

8 So with that said, I move we reauthorize funding for the
9 purchase of the Bookey Parcel, KEN 4018, interests in land at the
10 fair market value established by an approved appraisal and the total
11 cost of which, including due diligence and closing costs is not to
12 exceed \$2,300,000. This purchase is further conditioned upon due
13 diligence reports, which are acceptable to the Alaska Department of
14 Natural Resources, U.S. Department of Interior Solicitor's Office,
15 and the Alaska Department of Law; and provided that the EVOSTC
16 Executive Director, in consultation with the Alaska Department of
17 Natural Resources, U.S. Department of Interior Solicitor's Office,
18 and the Alaska Department of Law, determines that it is in the
19 interest of the Council to move forward with the purchase of the
20 interests in the Parcel.

21 Authorization of funding for the purchase of interests in the
22 Parcel shall terminate if the purchase agreement is not executed by
23 May 1, 2022.

24 B) I move we authorize up to \$6,419,010, which includes GA for
25 FY20 funding of the ADNR State Parks Eagle Rock Facility Improvements

1 Project on the Bookey Parcel, proposal dated August 16, 2019.

2 CHAIR BRUNE: Is there a second?

3 MR. MULDER: Second.

4 CHAIR BRUNE: Trustee Mulder with a second. Trustee Vincent-
5 Lang.

6 COMMISSIONER VINCENT-LANG: Yeah, again, as I said earlier, this
7 was unforeseen -- we approved this funding last year. The -- because
8 of COVID reasons, the Legislature did not pass the capital budget. I
9 know from experience and a couple of other capital budgets that I got
10 caught in the same thing. I think it's still my intent to follow
11 through with our commitment to pass this proposal that we acted upon
12 last year. So with that, I made the motion.

13 CHAIR BRUNE: Any comments from Trustees? Trustee Schmid.

14 MR. SCHMID: Just a question, I know being in the lands business,
15 every time something gets delayed, we end up doing a new appraisal
16 and cost increase and right now, appraisals -- is that affected at
17 all with this proposal here?

18 CHAIR BRUNE: Elise, I will defer to you and your team to
19 respond to Trustee Schmid's question.

20 MS. HSIEH: And I will pass that to Lauri Adams and/or Rys
21 Miranda, who was present and I believe is now muted.

22 MS. ADAMS: I can respond and Rys may have something to add.
23 It will have no effect. There won't be any increase in cost. We're
24 still in the process that will be -- so there'll be no increase in
25 cost.

1 CHAIR BRUNE: Thank you, Lauri. Dave, is that amenable to our -
2 - is that sufficient for your question?

3 MR. SCHMID: (No audible response).

4 CHAIR BRUNE: Thank you, Lauri. Thank you, Elise. Is there
5 further questions or comments?

6 (No audible response).

7 CHAIR BRUNE: Hearing none, is there any opposition to this
8 motion?

9 (No audible response).

10 CHAIR BRUNE: Motion carries, and Trustee Vincent-Lang.

11 COMMISSIONER VINCENT-LANG: And again, we have another
12 reauthorization project, ADNR Department of Parks and Outdoor
13 Recreation Project 20180119. I move we authorize \$49,100, which
14 includes GA for the EVOS Outreach and Education Project 20180119,
15 proposal dated August 16, 2019.

16 MR. MULDER: I'll second.

17 CHAIR BRUNE: Trustee Mulder, thank you for the second. Trustee
18 Vincent-Lang.

19 COMMISSIONER VINCENT-LANG: Again, this is another
20 reauthorization of a project and outreach and education and I always
21 feel it's critical and I support moving this forward, and I also note
22 the PAC supported this, too.

23 CHAIR BRUNE: Thank you. Are there any comments from the
24 Trustees?

25 (No audible response).

1 CHAIR BRUNE: Hearing none, is there any opposition to the
2 motion?

3 (No audible response).

4 CHAIR BRUNE: Hearing none, the motion carries. Trustee
5 Vincent-Lang.

6 COMMISSIONER VINCENT-LANG: So we have a new proposal,
7 Geospatial Project, geospatial work. I've read this proposal at
8 length. I guess we need to get a motion on the table. I know we
9 have an Invitation for proposals out there, but I am not necessarily
10 opposed to starting this work.

11 So I am going to move that we approve funding of \$1,798,500,
12 which includes GA for FY21 funding of the Standardized High-
13 Resolution Wetlands and Hydrography Data for the EVOS Region Project
14 21210129, proposal dated July 7, 2020.

15 MR. MULDER: I'll second.

16 CHAIR BRUNE: Thank you, Trustee Mulder.

17 COMMISSIONER VINCENT-LANG: My goal here is to fund one-year of
18 this project, rather than the complete project at \$3.87 million, and
19 hopefully, as we proceed into this, they can build in future work
20 into the -- in the call for Invitation that we just put out, and I'll
21 add that the PAC did support this work, and I think it is important
22 to -- from a habitat perspective to be able to do geospatial work and
23 mapping in this area.

24 CHAIR BRUNE: Trustee Vincent-Lang (indiscernible).....

25 MS. HSIEH: Chair, I'm not sure, I think the first year -- and

1 we can double check it, if he wants to make a motion to approve
2 funding for only the first year, which I believe is the 1.78 -- 798,
3 but we can work with proposers somewhere for their first-year
4 funding, but I just -- I think that 3.87 is the whole project.

5 COMMISSIONER VINCENT-LANG: Yes, I made a motion for 1.789 --
6 1.798 -- 500.

7 MS. HSIEH: Okay, my apologies. I misheard. Thank you.

8 CHAIR BRUNE: Dr. Balsiger, did I see your hand up?

9 DR. BALSIGER: Yeah, scratching my ear, but I do wonder if we --
10 if there's information that this -- that the group, Fish and
11 Wildlife, is willing and understands that we would ask -- expect them
12 to integrate with a larger package for subsequent years?

13 CHAIR BRUNE: Trustee Renkes.

14 MR. RENKES: Yeah, I just want to say that this project is
15 supported by Alaska DNR and Chris Knowles' (sp) group, and also the
16 Fish and Wildlife Service and the USGS. I don't know. I think
17 they're -- I'd be interested in knowing if we could have Sydney
18 Thielke and/or Chris Knowles is here, maybe we could get confirmation
19 that funding is going to be -- dependent on where that number came
20 from, I guess.....

21 CHAIR BRUNE: Sydney is online. Sydney, I'll give you the
22 floor.

23 MS. THIELKE: Yes, I am online. Thank you for the opportunity
24 to talk about this proposal. It would be interesting, Trustee
25 Vincent-Lang, to understand if your modified proposal would be for us

1 to initiate work on the concurrent mapping efforts or the NWUI and
2 NHD on the Shelikof Watershed in Kodiak, and then we would proceed
3 with a future proposal for the remainder of the overall project
4 proposal, is that your intent?

5 COMMISSIONER VINCENT-LANG: That is my intent.

6 MS. THIELKE: So I just would like to add, we can absolutely
7 move forward with the project in that -- and in that capacity. The
8 initial purpose of the proposal was because we have documented
9 economy of scale for doing large blocks of land at the same time, and
10 so that is why we were first doing the entire fund zone.

11 I do think doing the concurrent mapping, breaking it up into
12 separate project from just the separate NWI mapping is feasible for
13 us.

14 UNIDENTIFIED TRUSTEE: (Indiscernible).

15 Commissioner Vincent-Lang: Thank you very much. That satisfies
16 me for sure.

17 CHAIR BRUNE: Trustee Renkes, did you have anything to add?

18 MR. RENKES: No, that's good. I'm happy for that answer.

19 CHAIR BRUNE: And Sydney, I guess I want to make sure I
20 understand. You said that there's economies of scale. Are we --
21 what kind of scale are we losing out by not funding the whole
22 project?

23 MS. THIELKE: Well, one of the largest things is mobilization
24 costs. So this particular -- the inventory project is really rooted
25 in imagery interpretation supplemented with field data collection,

1 and so that tends to be in Alaska extensive amounts of helicopter
2 work, and so we anticipate for a project in kind of the Shelikof
3 Strait, Kodiak area, that we would likely be conducting our field
4 work probably using a boat with a helicopter landing on it, and so
5 when we are able to group projects together and only mobilize those
6 resources in a single field season, that's where we really start to
7 see savings on something with our aviation and field work costs.

8 CHAIR BRUNE: I appreciate that. Do.....

9 COMMISSIONER VINCENT-LANG: How much more is it going to
10 increase costs by doing it.....

11 CHAIR BRUNE: Exactly, that's what I'm trying to get at. By
12 doing this in two parts, what will the additional costs be if we were
13 to come back and approve part two next year, what would the delta be?

14 MS. THIELKE: I'm anticipating something probably -- the back of
15 the napkin calculation would probably be about \$150,000 to \$200,000
16 additional.

17 CHAIR BRUNE: So Sidney, I know from experience, that helicopter
18 time is extremely expensive, and from my experience, they've never
19 been generous, and giving us discounts if we use more of them. They
20 just keep billing. So if you have a helicopter pilot that would give
21 a 150,000 to 200,000 discount with such an amount, that seems
22 inconsistent with my experience of helicopter pilots, but I will not
23 -- I understand your -- what you're saying, so I am.....

24 MS. THIELKE: Not necessary -- and I'm not speaking to the
25 discount, more than the mobilization of resources of a team coming up

1 from the Lower 48, getting both out to -- out on the landscape and
2 actual mobilization of resources, as opposed to a discount for
3 actual time.

4 CHAIR BRUNE: Okay, well, I urge you as much as possible to use
5 Alaskans, to be consistent with my previous theme, rather than Lower
6 48ers, and hopefully, Trustee Renkes will help incentivize that.

7 MS. THIELKE: Absolutely.

8 CHAIR BRUNE: Any other comments from Trustees?

9 (No audible response).

10 CHAIR BRUNE: Hearing none, is there any opposition to the
11 motion?

12 (No audible response).

13 CHAIR BRUNE: Hearing none, the motion carries, and we will go
14 to the next agenda item, which.....

15 COMMISSIONER VINCENT-LANG: The last.

16 CHAIR BRUNE:is the last agenda item, FY21 Budget,
17 Executive Director Elise.

18 MS. HSIEH: The FY21 Budget is \$346,311 lower than the FY20
19 Budget, reflecting reductions in Habitat and Science programs
20 budgets and data management. It funds additional activity for FY21,
21 including review of proposals and response to the FY22
22 Draft Invitation, completion of website updates and new in-
23 house maintenance of the website, continued archiving of the EVOSTC
24 records.

25 The annual budget is similar to past years in its components and

1 allocated funding. We're also thinking that if the Trustee Council
2 continues on at the next meeting and authorizes their -- whether in
3 five-year increments or whatever increments, the Trustee Council
4 review would be that future budgets would be tailored to whatever
5 activities the Trustees are going to be taking on in those multi-year
6 chunks and also the annual budget would also then be calibrated to
7 that multi-year chunk so the Trustee Council would not have to come
8 back to meet over an annual budget.

9 We would probably want to think about something where we have
10 something in our financial policies, which we'd probably also redo,
11 where there's a little wiggle room with any of these things, we'd
12 come back to the Trustee Council via email and let them know of any
13 shifts. These kinds of things, we'll have to look at over the next
14 year. We've done it before. We've changed our fiscal year and went
15 from annual invitations every single year to a once every five-year
16 invitation, and this would be similar. So I do project that we will
17 be redoing Trustee Council documents and structure to fit whatever
18 the Trustee Council goes forward with, if that makes sense?

19 COMMISSIONER VINCENT-LANG: So I just have a question, Elise.
20 So why -- this fiscal year is different than the federal or State
21 fiscal year and I struggle with why.

22 MS. HSIEH: Yeah, so when I came on, I don't know if it was
23 maybe 12 years ago, I came from Department of Law. I came from the
24 State fiscal year. EVOSTC had both this -- it was on a federal
25 fiscal year, but what was happening when we -- what we did is when

1 we came in -- I first came in as a lawyer for the Trust, and we
2 looked at everything the Trustee Council had done. It was the 20-
3 year anniversary.

4 There were Trustees who wanted to retire, having had a lot of
5 experience and saw what worked and what didn't work, and we -- under
6 the federal fiscal year, what would happen is the Trustees would meet
7 in the fall like they do, after field season, and they would
8 authorize funding that theoretically would then be contracted October
9 1st, but never was, and it caused a tremendous amount of confusion.

10 The paperwork was actually not correct. We had annual -- the
11 annual reports for the Trustee Council used to be called annual
12 reports of future and past estimated spending or something. It was
13 like you really couldn't put your finger on the actual transparency
14 of what the Trustee Council was doing.

15 There was a lot of like shell games with funds because people,
16 out of necessity, had to move funds around to cover the several
17 months of where the contract wasn't in place, and so we spent a
18 couple of years sort of reestablishing the Trustee Council in a way
19 that was more transparent and made more sense, and it made the most
20 sense to start the fiscal year, February 1st.

21 We talked about several different cycles. The PAC does not want
22 to meet in the summer. Scientists do not want to come in during the
23 summer during field season. Because we tried to sort of shift it so
24 it would fit either a federal or a state system, and it didn't.

25 We talked to our auditors and other financial consultants and

1 they said, actually, what corporations do, if they're going to be the
2 most efficient, is they create a fiscal year that is tailored to your
3 own activity. That's what we've done and actually, since we've
4 done this entire sort of reestablishment of the Trustee Council
5 cycles and all the documents, the resolution forms, annual funding
6 overview, everything was redone over the last seven years, we've had
7 clean audits, which was not the case before.

8 There was just a lot of messy loose ends that were not
9 intentional and no one meant that to happen, but it just was. Some
10 of the systems, some of the cycles were ill-fitting for what actually
11 happens on the ground.

12 COMMISSIONER VINCENT-LANG: So this budget covers the period
13 from when to when, February.....

14 MS. HSIEH: February 1st, 2021 through January 31, 2022, as all
15 of the programs and projects that you just authorized, they all run
16 on the same fiscal year.

17 COMMISSIONER VINCENT-LANG: Okay.

18 MS. HSIEH: The EVOSTC fiscal year.

19 COMMISSIONER VINCENT-LANG: Okay, thank you.

20 CHAIR BRUNE: And the amount again was \$346,000, something of
21 that sort, correct?

22 COMMISSIONER VINCENT-LANG: No, that's.....

23 MS. HSIEH: (Indiscernible) reviews, that's correct.

24 COMMISSIONER VINCENT-LANG: (Indiscernible).

25 MS. HSIEH: Actually, over the last dozen years, we've kept the

1 budget at the same or below. We just keep -- we try and stay within
2 a certain bandwidth of budget. Sometimes the Trustees ask for more
3 staff or there's extra projects, but we've always tried to keep it
4 within a certain bandwidth, actually.

5 CHAIR BRUNE: So I'm (indiscernible).....

6 COMMISSIONER VINCENT-LANG: But (indiscernible).....

7 CHAIR BRUNE: Because I thought -- I had written down right here
8 when you talked that the amount was \$346,000, but I'm seeing in.....

9 COMMISSIONER VINCENT-LANG: On the motion sheet, it's.....

10 CHAIR BRUNE:on the motion sheet that it's two million, so
11 I'm trying to.....

12 MS. HSIEH: Yes, our -- no, no, what I'm saying is the annual
13 budget was \$346,000 less than this last -- than this current year,
14 yeah.

15 CHAIR BRUNE: I misunderstood you, my bad.

16 MS. HSIEH: That's okay.

17 MR. MULDER: I'll make a motion.

18 CHAIR BRUNE: Okay, Trustee Mulder, and your motion is?

19 MR. MULDER: I move we approve \$2,004,311, which includes GA for
20 funding of the FY21 Oil Spill Trustee Council Annual
21 Budget Project 21210100, budget dated August 28, 2020, for Fiscal
22 Year '21, except where noted within the Annual Budget to begin
23 November 1, 2020.

24 CHAIR BRUNE: There's a motion on the floor. Is there a second?

25 DR. BALSIGER: I'll second.

1 CHAIR BRUNE: Mr. Balsiger. Trustee Mulder.

2 MR. MULDER: Yeah, this is reduction from last year and we've
3 got -- or we're kind of changing our approach with the Ten Year
4 Solicitation and so there's going to be workload involved with that
5 and our resolutions that we sent out for public comment, we're going
6 to need staff help. So I move that we approve the budget.

7 CHAIR BRUNE: Okay, we have a motion and a second. I have a
8 question just for a couple of things. I blame myself for this,
9 because for some reason, I overlooked it, but I thought in our
10 preliminary discussions that we had indicated that the Invitation was
11 going to be complete by the end of the State fiscal year, and I see
12 that we've changed that timeline. So that's news to me.

13 Elise, to your point from before about if different approaches
14 come forward based on the Ten Year, you name it, would it require a
15 unanimous vote to make a change to this budget?

16 MS. HSIEH: Well, I think if -- what'll happen is if at the next
17 meeting, you guys move forward, and let's say you decide to have,
18 whether five or 10-year increment for the next Invitation, that
19 Invitation is based on the one that's coming out December 1st, and
20 that means you guys would only be meeting once every five years or 10
21 years.

22 The budget that you would see next fall, I would think, if I'm
23 here or whoever's here, would be for that same increment. It would
24 mirror what you guys are doing, five or 10 years, and it would also
25 be customized to whatever. Let's say, and I'm not saying this is

1 going to happen, let's say you guys do some habitat enhancement
2 projects or you have these archaeological facilities or whatever it
3 is, you have to remember that we've been through many, many Councils
4 and the work kind of morphs here and there, and our job is to provide
5 staffing at different levels so that we can see these projects
6 through.

7 So it should mirror what you guys are heading toward next. I
8 don't mean to be amorphous or ambiguous, but I would think that the
9 annual budget if you guys are going to meet every five years would be
10 a five-year budget then, and also.....

11 CHAIR BRUNE: But my.....

12 MS. HSIEH: The staffing would reflect that.

13 CHAIR BRUNE: I understand that, and again, I'm just -- I'm
14 contemplating that, again, I had thought that we would be meeting in
15 June to discuss the call for -- the proposals that will have been
16 received and then things will be potentially different at that point.

17 So from my perspective, I actually -- I mean, my gut tells me I
18 support the -- a fully funded budget through June 30th, and then at
19 the time that we reconvene to discuss the new proposals that come in,
20 we make the choice for the rest of the fiscal year at that point, but
21 that's -- that would (indiscernible).....

22 MS. HSIEH: That's correct. I don't know if -- I don't see how
23 you can have -- I mean, I don't want to do it. I don't want to try
24 and ramrod these proposals into finality by June, because what
25 happens is, and I don't have the schedule right in front of me,

1 that's in the Invitation, but you bring in -- you bring in the
2 proposals, and then the Trustees would start to filter through what -
3 - like let's say you get a bunch of programmatic proposals.

4 We found in the past when we did it before, it's better for the
5 Trustees to meet and weigh in on, you know, these are three proposals
6 that we're interested in. So that you don't have, you know, four or
7 five teams all running to the finish line. We're saying, these two
8 are of interest of us. We'd like to see if we can collaborate, and
9 give people time to come in with final proposals.

10 Of course, you -- it's up to you. You guys could change the
11 Invitation so that everything is due and decided by June 30th. That
12 would be -- I know that we've already received comments from
13 potential proposers complaining about the schedule, which actually,
14 we didn't -- we didn't worry too much about because we have done this
15 schedule before for the five-year programs.

16 In the past, they did have to submit budgets for every of the
17 five years, even though you guys met every year, we asked for five-
18 year proposals and we kept them to that -- those budgets, unless the
19 Trustees allowed extra funding.

20 UNIDENTIFIED TRUSTEE: (Indiscernible).....

21 CHAIR BRUNE: Sure, okay, thanks, Elise, and again, that's -- I
22 blame myself. For some reason, I thought the discussion that the
23 Trustees had in one of our pre-meetings was one of setting the
24 deadline for decision in June. So I missed that completely, but.....

25 MS. HSIEH: Well, maybe we had a -- it could be on our side. I

1 don't know how we would cram that -- cram that in for proposers. I
2 know we're already receiving complaints.

3 CHAIR BRUNE: Previous iterations, I know, had shown that was
4 the date, but Trustee Vincent-Lang.

5 COMMISSIONER VINCENT-LANG: So I was tempted to make this motion
6 that funded halfway through the year and have another assessment on
7 it, but -- and the reason I was going to do that is that we fund it
8 for a year and then we find out that we need to reduce it. It takes
9 a unanimous vote to reduce it and I realize that I could be on the
10 losing end of that one, so.....

11 MS. HSIEH: We could -- I mean, when you guys make more
12 decisions -- I mean, when I came in, I had, you know, we looked at
13 the work and I, personally, fired 12 staff. We've gone from having
14 multi-level buildings. I remodeled. We reduced quite a bit 20 years
15 ago. Any expansion in the budget has been at the Trustee Council's
16 request.

17 We're actually known for being extremely, too rigid about
18 holding the budget and making as much money in the stock market as
19 possible, which could be seen as perpetual, but that's up to the
20 Trustees.

21 So when we hear -- when I, if it's me, when I hear what you guys
22 are going to be deciding, I think you're going to be making a lot of
23 decisions the next two-and-a-half months, perhaps, then we will be
24 looking at the budget staffing. What existing projects needs help
25 and we'll be coming back to you.

1 We're not interested in spending money on this budget to be beat
2 over our heads or to be handled negatively in the future. So we
3 actually have already been thinking about that and we also have --
4 many of our staff has been with us for decades and are -- we're
5 actually poised, and were five years ago, poising to go down to
6 partial positions and our contract positions are already partial
7 positions.

8 So we're actually poised to reduce, but we need to see the work
9 that you guys are going to be funding so that we can adequately
10 propose staffing so you can get the products that you're interested
11 in.

12 CHAIR BRUNE: Okay.

13 COMMISSIONER VINCENT-LANG: So I will probably be supporting
14 this budget.

15 CHAIR BRUNE: Okay, any other comments?

16 (No audible response).

17 CHAIR BRUNE: Hearing none, is there any opposition to the
18 motion to approve the budget?

19 (No audible response).

20 CHAIR BRUNE: Hearing no opposition, the budget has passed.

21 I'd like to open the floor up to Trustees for closing comments
22 and let the public know that following this meeting, we will be
23 holding an executive session amongst just the Trustees to discuss
24 some issues and I don't know if I need to let the public know what
25 those issues are. Trustee Mulder, I'll refer to you, but I think

1 just letting the public know there will be an executive session where
2 no formal action will be taken, is that the right statement, Steve?

3 MR. MULDER: Yeah, that's right.

4 CHAIR BRUNE: So with that, I guess I will open it up to
5 Trustees for closing comments before we move into executive session,
6 and I will start with our newest, oldest member, Trustee Renkes.

7 TRUSTEE RENKES: Newest, oldest.

8 CHAIR BRUNE: Trustee Renkes was a Trustee back in
9 '98 or '99, so I figured.....

10 MR. RENKES: 2002 -- 2002 TO 2005, and you know, the issues
11 don't really change. So thank you all, it's been a nice long
12 meeting. I'm sorry I couldn't make it to Anchorage to be in the
13 conference room (indiscernible) from Juneau, correct, so and I'm here
14 in D.C. You can see behind me, it's five after 8:00. I managed to
15 slip a little dinner in in that 10-minute break.

16 I appreciate -- I wish I -- I wish I could have engaged more on
17 the Think Tank proposal. I just, you know, I really just got this
18 assignment, as you know. We're sorry to see Steve Wackowski leave.
19 He did -- I think he served this Council well, and I know you all
20 appreciated his input.

21 So I just wanted to give a little shout out to him. He's now an
22 employee of the State of Alaska, so several of you (indiscernible) in
23 that process, and yeah, I hope that we can move forward with this Ten
24 Year Request for Proposals and I look forward to meeting again, I
25 think hopefully soon.

1 Did we decide when that was going to be? Was that a December
2 meeting or.....

3 CHAIR BRUNE: I think the likelihood of a December meeting,
4 given that we have a comment period ending on December 15th, is
5 unlikely. So I would imagine that we will shoot for sometime in the
6 January/February timeframe to.....

7 MR. RENKES: Great.

8 CHAIR BRUNE:view the input that we received from the
9 public on the multiple items that we've put out there with the
10 December 15 comment deadline.

11 MS. HSIEH: Chair Brune, may I ask, would you also like a Public
12 Advisory Committee scheduled before your next Trustee Council
13 meeting?

14 CHAIR BRUNE: I think to review the comments, to hear their
15 input on the comments that we receive would be appropriate, Elise.
16 Thank you for that.

17 MR. RENKES: Okay, that's it for me.

18 CHAIR BRUNE: Thank you, Trustee Renkes. Trustee Balsiger.

19 DR. BALSIGER: As the oldest, oldest Trustee, I was here in
20 2000, so -- but you know, being serious, there is a lot of change
21 going on with this set of Trustees we have. It even changed again
22 with Mr. Renkes today. Trustee Renkes, I'm glad that he's here, and
23 so in this period of non-rest, if I can call it that, I think the
24 staff, which includes Elise, everyone, but (indiscernible) and our
25 Science Director, Shiway, and leading the PAC, have done a great job.

1 I think the various iterations and changes in Invitation have
2 worked really well and have come out good. I appreciate Chairman
3 Brune today, in particular, getting everyone from the public --
4 public comment list, actually allowed to say what they wanted and the
5 responses to them, and so I think it's -- in spite of the changes
6 we're going through, and changing is always quite often difficult and
7 painful, I think it worked out really well. So I'm pleased that we
8 got where we did and I thank you for running a good meeting. Thank
9 you.

10 CHAIR BRUNE: Thank you, Trustee Balsiger. Staying on the
11 federal side, Trustee Schmid.

12 MR. SCHMID: Hey, folks, Chairman Brune, I also really want to
13 shout out to the staff and folks that hold this. These long Zoom
14 meetings can be rough on people and -- but no, I think -- I agree
15 with Dr. Balsiger. I think -- a lot of change, there's a lot of
16 passion. There's a lot of interest and folks are fairly resilient
17 here and they're moving forward.

18 So I just -- I appreciate the effort coming into this. I did,
19 at least the Trustees and others know, I've been really interested in
20 more transparency, more open dialog, and sometimes that is hard, but
21 I appreciate that today, and I think just involving the public a lot
22 more, just a lot more engagement with the public was very helpful to
23 me, and again, I just appreciate everyone's time today, so thank you.

24 CHAIR BRUNE: Thank you, Trustee Schmid. Trustee Mulder.

25 MR. MULDER: I'll echo comments of my fellow Trustees. My hat's

1 off to the Chairman for running a superb meeting. It was outstanding
2 and my thanks to the staff for pulling this all together and the Zoom
3 meeting, and with kind of the cycle we had where we didn't have some
4 of the documents in the agenda settled on long ago, that presented
5 some challenges. So I wanted to extend my thanks to staff. Thank
6 you.

7 CHAIR BRUNE: Thank you, Trustee Mulder. Trustee Vincent-Lang.

8 COMMISSIONER VINCENT-LANG: Well, I want to echo, too, what
9 people have said, thank staff, but look, we should be pretty proud
10 of, I think, what we did today, you know. We basically have given a
11 bunch of unsolicited proposals an opportunity to come to us in an
12 open manner and talk through these proposals and we've given, for the
13 first time, brought them out into the light of day and had an
14 opportunity to discuss them with proposals and -- with the proposers
15 and actually find a pathway forward for them if they want to continue
16 seeking EVOSTC funding.

17 So I really appreciate that we actually brought those to the
18 light of day, rather than, you know, the fear of them getting voted
19 down. I think that was good work.

20 We also got a couple of proposals out there for public comments
21 from changing the annual meeting and reporting requirements, and
22 combining the Habit and Research Accounts, to changing the spill
23 boundaries to allow us to accommodate things. Those are new thought
24 patterns that were very (indiscernible) Trustees and we were able to
25 walk through them and get those out for public comment and hopefully,

1 make decisions on those sometime in the January/February timeframe,
2 and then finally, you know, we completed science work on -- and
3 habitat work on our five-year, last call for proposals, and we've
4 kind of reviewed where we were at that, but we're finishing up that
5 work now, and lastly, we put out a call for proposals that outlines
6 our vision for the next 10 years and so I think, you know, this was a
7 long meeting, but we accomplished a lot, in terms of opening up our
8 process and letting people know where we want to go over the next
9 decade in terms of this program.

10 So I want to thank the staff. I want to thank the public for
11 being engaged. I want to thank the PAC, and thank our Chairman here
12 for walking us through this. I think we accomplished a lot today.
13 Thank you.

14 CHAIR BRUNE: Thank you, Trustee Vincent-Lang, and with the last
15 word, I will specifically echo the comments about staff for Austin
16 and Lauri and Cherri and Shiway and Elise and all the work that you
17 do on a daily basis, thank you. Thank you very much.

18 I'd like to, without repeating, echo the statement that
19 transparency of this that we've been asked for that kind of
20 transparency by the public and I was happy to hear that in the full
21 comments and the proposers today.

22 I will say that one of the things I'm really excited about that
23 the State just approved is a program called Smart Comment, and I'm
24 going to encourage the Trustee Council to use this for our public
25 comment periods through December 15th, because it's a product we

1 bought for the whole state, and that will allow all comments that are
2 received to be immediately transparent, posted on a website and so
3 that the public can see what everyone else is posting.

4 I think that will be a very valuable tool, as far as
5 transparency is concerned and seeing what -- the different comments
6 that come on these proposals. I will -- so with that, I'm going to
7 just urge everyone to wear your masks, stay safe, happy holidays,
8 which is forthcoming, and we'll look forward to reengaging with
9 everyone sometime in January or February and encourage folks, again,
10 to submit your comments by December 15th, and with that, the meeting
11 is going to be moving into executive session, and then it will
12 adjourn at that point.

13 So thank you, everyone, and to the four other Trustees that
14 aren't in the room, we may end up doing a separate Zoom call with you
15 or I think we may be able to let everyone go, but we'll figure that
16 out. So let's -- it's currently 4:15. So let's say at 4:18, we will
17 reconvene.

18 MS. WOMAC: Jason, could I say something?

19 CHAIR BRUNE: Absolutely.

20 MS. WOMAC: You can adjourn to the executive session with a
21 motion that says no decisions will be made, no -- that it's just for
22 personnel or habitat or something, just so you don't have to come
23 back and adjourn after your meeting. You can adjourn (indiscernible
24 - speaking simultaneously).....

25 CHAIR BRUNE: Thank you, Cherri. Trustee Mulder.

1 MR. MULDER: I'll move we adjourn then, and go into executive
2 session for a personnel matter.

3 CHAIR BRUNE: Is there a second?

4 COMMISSIONER VINCENT-LANG: Second.

5 CHAIR BRUNE: Any discussion?

6 (No audible response).

7 CHAIR BRUNE: Any opposition?

8 (No audible response).

9 CHAIR BRUNE: Hearing none, the meeting is adjourned. Thank
10 you, everyone.

11 4:18:12

12 (Off record)

13 (END OF PROCEEDINGS)

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C E R T I F I C A T E

1
2 UNITED STATES OF AMERICA)

3 STATE OF ALASKA)

4 I, Lisa Nelson, CSR No. 5907, Notary Public in and for
5 the state of Alaska and reporter for Accu-Type Depositions, do hereby
6 certify:

7 THAT the foregoing pages numbered 2 through 215 contain a
8 full, true and correct transcript of the Oil Spill
9 Trustee Council's Meeting recorded electronically by Accu-Type
10 Depositions Court Reporter on the 14th day of October 2020 and
11 thereafter transcribed under and reduced to print:

12 THAT the Transcript has been prepared at the request of:

13 TRUSTEE COUNCIL

14 Anchorage, Alaska

15 DATED at Anchorage, Alaska this 3rd day of December 2020.

16 SIGNED AND CERTIFIED TO BY:

17 

18
19 Lisa N. Nelson

20 Notary Public, State of Alaska

21 My Commission Expires: 02/06/24
22
23
24
25