

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

7 ALSO PRESENT PARTICIPANTS:

8 Gary Fandrei, EVOSTC Public Advisory Committee

9 Herbert Schroeder, University of Alaska Anchorage, ANSEP

10 Tim Richardson, Wildlife Forever

11 Catherine Havens

12 Vanessa Norman, Davis, Wright & Tremaine

13 Carol Hoover, Eyak Preservation Council

14 Josie Hickel, Chugach Alaska Corp.

15 Rick Steiner, Oasis Earth

16 Dune Lankard, Eyak Preservation Council

17 Tom Panamaroff, Koniag, Inc.

18 Rachel Kallander, Kallander Associates

19 Ginny Eckert, Alaska Sea Grant Program, UAF

20 Tara Riemer, Alaska SeaLife Center

21 Melina Meyer, City of Cordova

22 Willow Hetrick, Chugach Regional Resources Commission

23 Shauna Hegna, Koniag, Inc.

24 Katrina Hoffman, Prince William Sound Science Center

25 Patrick Norman, Port Graham Village Council

1 Mandy Lindeberg, NOAA
2 Jim Ayers
3 Malan Paquette
4 Andree McCloud, Alaska Public Interest Research Group
5 Alicia Andrews
6 Jeff Hetrick, Alutiiq Pride Shellfish Hatchery
7 Heather McCarty
8 Angela Totemoff
9 Grace Cochon, USDOJ
10 Linda Leary, EVOSTC Public Advisory Committee
11 Erika Wells, U.S. Dept of Justice
12 Gillian Doherty, AK Dept of Fish & Game
13 Sherri Buretta, Chugach Alaska Corp.
14 Philip Johnson, USDOJ
15 Sylvia Kreel, AK Dept of Natural Resources
16 Maile Branson
17 Elizabeth Gobeski, Solicitor's Office, USDOJ
18 Jeff Baird, Rasmuson Foundation
19 Diane Kaplan, Rasmuson Foundation
20 Ann Robertson, Senator Murkowski's office
21 David Mitchell, Great Land Trust
22 Ellen Kazary, Great Land Trust
23 Craig O'Connor, NOAA
24 Jennifer McVey Thomas
25 Julia Luger

- 1 Michelle DeBlaise
- 2 Phyllis Johnson
- 3 Ron Britton, U.S. Forest Service
- 4 Stacey Simmons, EVOSTC Public Advisory Committee
- 5 Tuula Hollmen, AK Sealife Center
- 6 Veronica Varela, USFWS
- 7 Dede Bohn, USGS, retired
- 8 Skye Steritz, Eyak Preservation Council
- 9 Steve Colligan
- 10 Ann Rothe, former CEO Alaska Conservation Foundation
- 11 Donna Aderhold, Prince William Sound Science Center
- 12 Sean Richardson
- 13 KDLL Public Radio
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P R O C E E D I N G S

(On record)

CHAIR BRUNE: It's 1:37. We'll call this meeting of the *Exxon Valdez* Oil Spill Trustee Council to order. My name is Jason Brune with the Department of Environmental Conservation. I'm joined with the two other State Trustees, Commissioner Doug Vincent-Lang from the Department of Fish and game, Steve Mulder from the Department of Law, Federal Trustees, we have Jim Balsiger from NMFS. We have Dave Schmid from the Forest Service and we have Sara Taylor from the Department of Interior. Welcome, Sara, it's your first meeting, and first meetings, you always get to chair, just kidding. I wouldn't do that to you, but before we get to the agenda, I am going to ask that we all take a moment of silence today for Cherri Womac.

Cherri was a long-time staffer of the *Exxon Valdez* Oil Spill Trustee Council. She was an absolutely amazing individual who passed away on December 27th. It's a huge loss for all of us and we will be putting together a resolution for her for our next meeting for her family, but for now, I wanted us all just to take a moment of silence and say -- have some thoughts and prayers for Cherri. Thank you, everyone.

I will now go to our first item on the agenda, which is the Consent Agenda. Could I please have an approval -- motion for the approval of the January 19th agenda?

COMMISSIONER VINCENT-LANG: Mr. Chair, I'd like to amend the agenda to include a discussion for the Prince William Sound Science

1 Center and some of the plans that they have ongoing for work and some
2 work that may not be done under the approval and just make that a
3 discussion, so then we can get them moving forward.

4 CHAIR BRUNE: Would you like that as Item 2.5?

5 COMMISSIONER VINCENT-LANG: Yes.

6 CHAIR BRUNE: Okay. Is there a second to that motion to amend?

7 DR. BALSIGER: I'll second.

8 CHAIR BRUNE: Trustee Balsiger, thank you.

9 COMMISSIONER VINCENT-LANG: With that, I move we approve the
10 January 19, 2021 Meeting Agenda Draft dated January 16, 2021, as
11 amended.

12 CHAIR BRUNE: Is there a second?

13 MR. SCHMID: I'll second. This is David.

14 CHAIR BRUNE: Is there any discussion on the motion?

15 (No audible response).

16 CHAIR BRUNE: So we have a motion with the amended agenda to
17 approve. Is there any opposition?

18 (No audible response).

19 CHAIR BRUNE: Hearing none, the agenda is amended -- is approved
20 as amended.

21 COMMISSIONER VINCENT-LANG: Mr. Chair, I move we approve the
22 January 12, 2021 draft of the October 14, 2020 Trustee Council
23 Meeting Notes.

24 CHAIR BRUNE: Is there a second?

25 DR. BALSIGER: I'll second.

1 CHAIR BRUNE: Thank you, Trustee Balsiger.

2 COMMISSIONER VINCENT-LANG: So I've read those notes and I found
3 them -- I find them full and complete and accurate.

4 CHAIR BRUNE: Are there any other items -- or is there any other
5 discussion?

6 (No audible response).

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

9 (No audible response).

10 CHAIR BRUNE: Hearing none, the Minutes are approved.

11 Agenda Item 2.5 Prince William Sound Science Center, Trustee
12 Vincent-Lang.

13 COMMISSIONER VINCENT-LANG: So Mr. Chair, I received series of
14 emails saying that the Prince William Sound Science Center is
15 starting their work, which was delayed due to COVID, but because of a
16 variety of different issues associated with COVID and prices that
17 they're going to change their scope of work to not do certain
18 functions and I might turn to our Executive Director to give us
19 details, but my understanding is that they would like to proceed with
20 a reduced scope of work in order to lock down contracts, so and if
21 Elise can give us some additional background, we can give them the
22 approval to move forward with that reduced scope of work.

23 CHAIR BRUNE: Sure. Elise.

24 MS. HSIEH: Thank you, Doug. I also see that Katrina Hoffman is
25 in attendance. We did receive a series of emails. I believe they've

1 been -- the Board and others have been meeting in fast succession. I
2 think that the project is only a quarter of time delayed, which I was
3 actually surprised. I know a lot of construction projects are
4 delayed during this COVID period, but they also -- there are some
5 costs which are higher due to COVID and unforeseen circumstances and
6 they were requesting to defer part of the residence, the dormitory
7 part of the project, the seawater system, a heat pump, seawater lab
8 finish work, interior finishings, and reduced an educe the
9 contingency, as well.

10 All those things would be deferred to be done later. Shiway and
11 I've briefly reviewed some of this and we believe that the Prince
12 William Sound Science Center, as constructed with the deferments,
13 would still be able to support the Council work and the long-term
14 programs, and of course, this is all kind of rolled in the last few
15 days.

16 I don't believe that they were delaying letting the Trustees
17 know, I think these numbers have just rolled in the door. I know
18 that Katrina's working on them over the weekend. They also have a
19 timeliness issue. They've had some contractors who -- they sign
20 contracts tomorrow and by the end of the month, they can lock prices
21 in. If they can't, if there's a delay, then those prices will go up,
22 which I think we've seen in a lot of different projects.

23 That is a brief summary. We have Shiway and Katrina online as
24 well, to answer any other questions. Mandy Lindeberg of the projects
25 is also here. I don't know if Scott Pegau ~~(sp)~~ is, but they could

1 also answer any other questions that there may be with regard to
2 supporting the programs as such.

3 CHAIR BRUNE: Thank you, Elise. Trustees, are there -- is there
4 any desire to get any of the individuals.....

5 COMMISSIONER VINCENT-LANG: I just have two questions. The
6 first question is: I understand that no additional money is being
7 sought by the -- from the Trustee Council, is that correct?

8 MS. HSIEH: That is correct. No additional monies are being
9 sought. They will defer and continue to try and cover those costs.
10 Of course, if the Trustee Council had a wish to help cover that
11 funding gap, I did sort of pin down a rough number of that, as well.

12 COMMISSIONER VINCENT-LANG: And then the second question I have
13 is: does the deferment of these projects, will that impact their
14 business model plan moving forward, in terms of operations?

15 MS. HSIEH: I don't believe so, but I'm going to have Katrina
16 answer that. I know the residence has some alternative areas for
17 visiting scientists to stay in. It's not as, you know, beautifully
18 conceived, but will work until they get that sorted.

19 The seawater pump and heat pump are things that I was
20 prioritizing and most concerned about. Katrina, do you want to speak
21 to some of those aspects and your business model? If that's all
22 right with the Chair and Council?

23 CHAIR BRUNE: Sure. Katrina, if you could introduce yourself
24 for the record, please.

25 MS. HOFFMAN: Thank you, Mr. Chair. This is Katrina Hoffman.

1 I'm the CEO at the Prince William Sound Science Center. Mr. Vincent-
2 Lang, you were asking if it would affect our current business model,
3 and the answer is no. All of the work that we have ongoing will be
4 able to be accommodated in the de-scoped project as proposed to you.
5 The bunk house that we currently have can still be used moving
6 forward. It won't be as optimal as a new facility, obviously, and it
7 will be missing the dormitory component.

8 Right now, due to the pandemic, hosting programs for large
9 visiting groups is not something that is optimal to instigate as a
10 new program and so that was one of the more natural things to reduce,
11 as we saw last month, the COVID related cost impacts come in with the
12 contractor proposals.

13 COMMISSIONER VINCENT-LANG: Thank you.

14 CHAIR BRUNE: Any other questions from Trustees?

15 MR. MULDER: This is Steve. I took a look at the Memorandum
16 Agreement that we have with the Prince William Sound Science Center
17 and provided that the Executive Director is satisfied that the scope
18 doesn't change the ability to perform the Council work, then I don't
19 think it's something that we need to actually have a formal vote on.
20 For the Memorandum of Agreement, there is not going to be a
21 fundamental increase.

22 CHAIR BRUNE: Thank you, Trustee Mulder.

23 COMMISSIONER VINCENT-LANG: Okay, so that means we don't need
24 any action, Mr. Chair?

25 CHAIR BRUNE: That's what I understand from Trustee Mulder,

1 so.....

2 MS. HSIEH: Chair, if I may ask, no vote as per Steve Mulder is
3 needed, just to informally confirm the Trustee Council is comfortable
4 with the adjusted scope so that Katrina can move forward tomorrow
5 with clarity and get those contracts going? Everyone's comfortable
6 with that?

7 CHAIR BRUNE: Right.

8 MS. HSIEH: Okay, thank you so much.

9 CHAIR BRUNE: All right, thank you, Katrina. Thanks, Elise.

10 MS. HOFFMAN: Thank you very much.

11 CHAIR BRUNE: We're now going to go to public comment. I'll
12 first ask Elise, before we go to public comment, was there a
13 representative of the PAC who wanted to speak on the PAC meeting
14 first or.....

15 MS. HSIEH: Yes, I believe Gary Fandrei is in attendance and
16 has, I believe, a brief summary. Gary, are you in attendance?

17 MR. FANDREI: Yea, I am, Elise. I'm here.

18 CHAIR BRUNE: Hi, Gary.

19 MR. FANDREI: How are you doing?

20 CHAIR BRUNE: I'm great. Great to see you. If you'd like,
21 sorry to put you on the spot, but I know this wasn't on the agenda,
22 but as an alumni of the PAC, I know usually I -- that would be on the
23 agenda before the public comment. So I wanted to give you that
24 opportunity to represent what occurred at the PAC meeting last week.

25 MR. FANDREI: Thank you, Trustee Brune. I appreciate that very

1 much and I appreciate the opportunity to be before the Trustee
2 Council here to summarize some of the stuff the PAC covered in their
3 meeting on January 8th.

4 I would like to report a couple of things. One is that we did
5 have a quorum present for this meeting and that quorum was 10 of 10
6 PAC members. There were seven PAC member seats that were filled
7 prior to this meeting, and the day before the meeting, the last three
8 seats were filled. So we had three new PAC members on the PAC at
9 this meeting that managed to change their schedule and participate in
10 the meeting at the last minute.

11 So given that there were some new members on there, we did spend
12 some time with introductions and reviewing some of the FACA
13 requirements and the ethics requirements in the beginning of the
14 meeting.

15 I'd also like to point out something too, is I really appreciate
16 the fact that the Trustee Council is recognizing Cherri Womac. I
17 think she was a great asset to the PAC and I really appreciate the
18 fact that you're moving forward with a resolution on that. The PAC
19 did recognize the contributions that she made to the organization and
20 appreciate that very much.

21 Now, having said that, I would like to just cover a couple of
22 things fairly quickly, in terms of the PAC discussion. The PAC did
23 review their meeting summary and approve that from the October 13th
24 meeting. We also heard some information on the Kenai Aquatic
25 Ecosystem Restoration Project, where some funds will be moved around.

1 We considered that and recommend that the Trustee Council move
2 forward with that request.

3 We did have 23 members of the public participate in the meeting.
4 Six of those provide public comments, which we appreciated very much.
5 The staff did present a review of the four resolutions that are being
6 considered by the Trustee Council today. We talked about those
7 resolutions. Most of that discussion focused around the public
8 comments that were received regarding those resolutions.

9 As a result of that discussion, the PAC passed a motion asking
10 the Trustee Council or recommending that the Trustee Council to delay
11 a decision on the four resolutions until stronger public engagement
12 is accomplished, particularly in the communities that are affected by
13 the spill.

14 Now, I'll point out that this was a fairly lengthy discussion.
15 The motion passed nine to zero. We had one of our new PAC members
16 could not adjust their schedule for the complete meeting and was not
17 present for the vote taken on this particular discussion. So we did
18 not take any action on the individual resolutions at that -- at this
19 point. So we have no recommendations to move forward to the Trustee
20 Council at this time on the individual resolutions.

21 So the PAC also reviewed the proposed edits to the FY22 to 31
22 Invitation, and we unanimously recommended that the Trustee Council
23 approve the proposed edits as they were presented, and that pretty
24 much covers the meeting in a nutshell. I'd be happy to address any
25 questions the Trustee Council may have.

1 CHAIR BRUNE: Thank you, Gary, always appreciate your service to
2 the PAC and we appreciate all of the service of the PAC members, and
3 welcome aboard to the three new individuals. We appreciate all of
4 their efforts. Trustees, are there questions for Gary?

5 COMMISSIONER VINCENT-LANG: Mr. Chair.

6 CHAIR BRUNE: Trustee Vincent-Lang.

7 COMMISSIONER VINCENT-LANG: So I guess I do have a question. So
8 I spent my weekend going through public comments and I measured it
9 with a ruler. I have about eight inches or nine inches of public
10 comment and I guess I'm struggling a little bit with the fact that if
11 you think we need more time for public comment on these proposed
12 resolutions that we have in front of us -- and many of the comments
13 are from local communities associated with the spill area.

14 So I'm struggling a little bit as to how you came up with the
15 recommendation that you didn't have enough public comment to actually
16 discuss the individual resolutions and make, you know, further
17 recommendations regarding those resolutions and how they could be
18 approved or not approved, rather than just deferring them for yet
19 another round of public comments?

20 MR. FANDREI: Thank you for that question, Trustee Vincent-Lang.
21 It's kind of a long question. I'm not sure I can answer it
22 completely, but I'll give my best try at it. A lot of our discussion
23 was focused around a lot of the comments that we got in, where a lot
24 of the comments suggested that there was not enough contact with the
25 local communities at the local level.

1 So that was a concern by the Public Advisory Committee. I also
2 heard during the discussion concerns about the COVID-19 pandemic and
3 the fact that there was a feeling that a lot of people may have
4 missed the opportunity to provide comments to the resolutions that
5 were out there. I don't know if that's true or not, but that was
6 where the discussion was going.

7 Now you asked kind of a two--part question there, and the second
8 part of that question was why we didn't take individual actions on
9 the resolutions that were before us. I'll be honest with you, I
10 thought about that after the meeting we had and I was afraid that
11 somebody was going to ask that question, because I think it's really
12 of the fault of the individual who was leading the meeting and to
13 bring those issues to the table a little bit more forcefully, and
14 that fault falls on my shoulders, and it was something that I feel
15 that I probably failed to do and meet some of the requirements that
16 would have been in front of us. So that is really probably my fault
17 for pushing -- not pushing that a little bit harder.

18 COMMISSIONER VINCENT-LANG: Thank you for that answer, because
19 again, from my perspective, I understand in the COVID world and
20 everything else, but yeah, I think I have a pretty good understanding
21 of public comment at this stage, based on the reading I have and the
22 diversity of commenters that came forward to be able to make
23 decisions at this meeting, so thank you.

24 CHAIR BRUNE: Are there other questions or comments for Gary
25 from Trustees?

1 (No audible response).

2 CHAIR BRUNE: Seeing none, I'll add that I actually think --
3 just as a follow-up to what Commissioner Vincent-Lang said that the
4 staff was very transparent and I've heard a lot of positive comments
5 with the comments that we received this time. They used that new
6 process with the State to allow all the comments to be posted
7 immediately online for the public to see.

8 I received several analyses from other entities, other than
9 Trustee Council staff, of the comments that were received. So I'm
10 happy with the transparency of the process that we had and understand
11 the comments, though, that you gave, Gary, on behalf of the PAC. So
12 thank you, again, and we'll now go to the next -- for public comment.

13 I believe we normally go three minutes per individual. I don't
14 have the list in front of me. So I don't know if -- who's going to
15 be running the show, but I'll have the timer on my phone. So I guess
16 Shiway or Elise, who -- or Lauri?

17 MS. HSIEH: Yeah, and Linda has the most up-to-date list.
18 Linda, do you want to work with Jason to feed him the names and then
19 also -- you can also assist in backup timing, Linda Kilbourne?

20 MS. KILBOURNE: Sure. First on the list is Lisa Docken, and I
21 will forward you that list, Jason.

22 CHAIR BRUNE: Thank you. So I was just focusing on my phone and
23 setting it to three minutes. I didn't hear the individual's name
24 that Linda referenced.

25 MS. WANG: It's Lisa Docken.

1 CHAIR BRUNE: Okay, Lisa, thank you. Lisa, are you available to
2 give your comment?

3 (No audible response).

4 MS. WANG: Jason, I don't see her on the participant list.

5 CHAIR BRUNE: Okay, well, we'll go to the next individual.

6 MS. KILBOURNE: Herbert Schroeder.

7 CHAIR BRUNE: Herb Schroeder, the head of ANSEP, I believe.
8 Herb, are you online?

9 (No audible response).

10 CHAIR BRUNE: I'm not hearing Herb.

11 MS. KILBOURNE: Okay, Tim Richardson.

12 CHAIR BRUNE: Kim, is Kim online?

13 MS. HSIEH: I believe it's Tim Richardson.

14 MS. KILBOURNE: Yes.

15 CHAIR BRUNE: Yeah, sorry, Tim. Is Tim Richardson online?

16 MR. RICHARDSON: Yes, thank you, Trustee Council. In the
17 interest of speed, I will simply read the comments and forego the
18 visual.

19 Good afternoon, my name is Tim Richardson. I'm the Alaska
20 Program Director for Wildlife Forever, a national conservation
21 nonprofit that's been involved with *Exxon Valdez* restoration since
22 the '90s, early '90s. We purchased, with the Refuge, the fourth most
23 productive salmon system, pink salmon system in the Refuge, purchased
24 the Native allotment to help conserve that.

25 So strategic ecosystem investments is also a Trustee Council

1 attribute that we admire and cheer on, prior to my joining Wildlife
2 Forever, I worked on the oil spill as soon as it happened as Chief of
3 Staff to a member of Congress on the Merchant Marine and Fisheries
4 Committee, Coast Guard Subcommittee, with oversight for both the
5 spill and spill restoration.

6 I began working for Akhiok Kaguyak, Inc., and Old Harbor Native
7 Corporation in 1990, as they cooperated with the Trustee Council on
8 landscapes, scale habitat protection on Afognak Island and the Kodiak
9 National Wildlife Refuge. Eventually, I've worked for 14 Native
10 corporations and two Tribes and helped them complete \$350 million in
11 *Exxon Valdez* funded habitat conservation.

12 When Wildlife Forever saw that the US Fish and Wildlife Service
13 and Koniag agreement on the Karluk and Sturgeon Rivers ended a decade
14 ago, we looked for where a significant sockeye salmon run and other
15 ecosystem assets could be conserved and met Dune Lankard and Carol
16 Hoover of the Eyak Preservation Council and agreed with them that the
17 Copper River Delta was the largest and best habitat area for
18 conservation of oil spill injured fish and wildlife species.

19 That region, and Prince William Sound, is also under
20 catastrophic threat from mountaintop removal coal mining in the
21 Bering and Martin Copper River Watersheds. Mountaintop removal
22 mining by the Korean Alaska Development Company gravely threatens all
23 the excellent habitat protection agreements the Trustee Council has
24 made in Prince William Sound, but also the Kenai Peninsula and the
25 Northern Gulf of Alaska.

1 Wildlife Forever has taken the lead to muster hunting and
2 fishing organizations' support letters representing millions of
3 Americans on at least four occasions, including the urging of your
4 Resolution 20-D, that would adopt ecosystem-based decision making.

5 Enactment of Resolution 20-D enables you to make a purchase
6 offer to KADCO using some EVOSTC habitat funds. KADCO is a willing
7 seller for conservation, but they're also marketing the Bering Coal
8 Field today to large Pacific Rim coal burning nations, including
9 China.

10 The threat is real and time is of the essence. All of the
11 sportsmen's groups strongly urge you to accomplish this conservation
12 achievement while you still can.

13 CHAIR BRUNE: And Tim, your time is up. If you could please
14 conclude your comments?

15 MR. RICHARDSON: I'll conclude right there, and thank you,
16 Jason.

17 CHAIR BRUNE: Thank you, Tim. Are there any questions for Tim?

18 (No audible response).

19 CHAIR BRUNE: Seeing none, I appreciate your comment. Up next,
20 Brooke Mallory with Eyak, followed by Catherine Havens. Brooke, are
21 you on?

22 (No audible response).

23 CHAIR BRUNE: Okay, not hearing from Brooke, we'll come back to
24 Lisa, Herb, and Brooke later on. So we'll go to Catherine Havens.

25 MS. HAVENS: Hi, I'm Catherine Havens. First, I'd like to say

1 thank you for your time, and I'm going to get right to it. I didn't
2 realize there was a three-minute limit.

3 So this spill was first impacted by my mother and neither of us
4 lived in Alaska, but we have both been financially impacted by this
5 spill, and while your Council has done much to help the recovery,
6 some decisions have had tremendous negative impacts on our Tribe.
7 These impacts have been felt already for a generation and will be
8 felt still for generations to come.

9 Spending down the remaining monies will have detrimental impacts
10 on my Tribe. Each of your four resolutions have flaws, concerns, or
11 issues that don't have our Tribe's best interest in mind. Resolution
12 A, with no public participation, your actions will not be made with
13 the voices of those impacted being heard and taken into
14 consideration.

15 Resolution B, funding multi-year projects with no annual reviews
16 is financially irresponsible and doesn't have the best interest --
17 our best interest in mind. Resolution C, combining the research and
18 habitat subaccounts gives more flexibility in spending down the fund.
19 Again, this is not in our best interest.

20 Resolution D, expanding the oil spill area, while not addressing
21 issues within the current area and not having full recovery inside
22 the current area is, again, irresponsible and not in our best
23 interest.

24 All those issues aside, none of these resolutions support or
25 address long-term impacts in the spill-impacted area. The recovery

1 of this spill will take generations and our plan is the only one that
2 addresses this and does have our best interest in mind.

3 As I said, the spill impacted my life and my mother's. It will
4 impact my children, grandchildren, and future generations, and some
5 of those impacts are going to be based on your decisions today. This
6 recovery and cleanup has already taken 40 years, and will take
7 generations more to come.

8 Everyone here today will be long gone when the decisions made
9 today will still be felt. Just like this, when the Council was first
10 formed, I'm sure they thought 40 years later, the job would be done,
11 that they planned far enough into the future, that this would -- this
12 money would be enough, and as we know, this isn't the case.

13 It has taken diversity and creative solutions from my Tribe to
14 overcome some of the devastation this disaster has caused. It is
15 with the same diversity and creative solutions as we have presented
16 the only plan that addresses the future generations of recovery that
17 is still needed, the only plan that addresses future planning, future
18 money, and future resources needed for this recovery.

19 You have an obligation to do the right thing. That is all of
20 your jobs. That is why this Council was formed. The right thing to
21 do is to approve our plan so we can recover from this terrible
22 disaster to better use the money in perpetuity.

23 Do not reject our plan again. Do not deny us and our future
24 generations the opportunity to use these funds better. Do not deny
25 us these rights. Thank you.

1 CHAIR BRUNE: Thank you, Catherine. I appreciate your comments.
2 Any questions from Trustees? Trustee Balsiger.

3 DR. BALSIGER: Yes, thank you, Mr. Chair, and thank you for that
4 testimony, Ms. Havens. I wonder if you could identify specifically
5 the plan you're referring to, just for the public who may not have
6 all of the documents?

7 MS. HAVENS: It is the plan that Chugach Corp.-- I don't know
8 the actual name of the plan, but it puts the money into a foundation-
9 type setting and let's the money go out for generations, instead of
10 just being spent down.

11 DR. BALSIGER: Thank you very much. Thanks, Mr. Chairman.

12 CHAIR BRUNE: Thank you, Trustee Balsiger. Other questions?

13 (No audible response).

14 CHAIR BRUNE: I'll just throw a clarification out there, that
15 it's only been 31 years, not quite 40 years. 1989 is when the spill
16 occurred so we're.....

17 MS. HAVENS: Sorry, my bad.

18 CHAIR BRUNE: Okay, thank you. Thank you for your comments.
19 Next up is Vanessa Norman, and I see that Herb Schroeder is on the
20 line. So after Vanessa, we'll go to Herb.

21 MS. NORMAN: Thank you, Jason. My name is Vanessa Norman. I'm
22 an attorney in Anchorage, Alaska. I'm also a member of the
23 federally recognized Tribe, the Native Village of Port Graham. It's
24 a community on the oil spill area.

1 Just my background is I grew up in Port Graham, Alaska, and I
2 lived there both during and after the Exxon Valdez oil spill. Most
3 of my family still lives there.

4 My late grandfather, Chief Walter Meganack, Sr., wrote about the
5 oil spill, calling it "The Day the Water Died".

6 (Interference with ambient noise)

7 MS. NORMAN: Hello.

8 CHAIR BRUNE: I'm sorry, I don't know what just happened there,
9 but we'll give you extra time. Sorry about that, Vanessa.

10 MS. NORMAN: It's all right. So my late grandfather, Chief
11 Walter Maganack, Sr., wrote about the oil spill, calling it "The Day
12 the Water Died, speaking of the damage to the natural resources in
13 our community, and those resources which my community depends on.
14 The recovery of resources in the oil spill area is a topic that's
15 very important me, as it impacts my Tribe and family, but as an
16 attorney, I've been working with the Think Tank of citizens who've
17 worked several years on this proposal to create several endowments
18 and programs within the spill-affected area.

19 Today, I'm just going to focus my comment on the October 2020
20 meeting, some of the confusion that arose out of that meeting, and
21 so following that meeting, there were several opinions published in
22 local papers saying that the Trustee Council could not legally
23 create endowments as proposed by the Think Tank or that the DOJ had
24 made a legal determination that endowments were not permissible.

25 We just wanted to get that correct in the record that is not

1 correct and that DOJ did not make that determination at the October
2 meeting. There is a legal path forward for the Think Tank's
3 proposal. In December, we had discussions with the DOJ and the
4 Alaska Department of Law to address questions that had been raised
5 at the October meeting, and we confirmed at that time that it is
6 permissible to create endowments, but so long as that there are
7 contractual restrictions in place, to ensure compliance with those
8 settlement documents, our discussions with DOJ and Alaska Department
9 of Law are ongoing, and right now, we are in the process of kind of
10 creating those contractual provisions to see what those could look
11 like, to ensure compliance with the settlement documents that the
12 Trustee Council must abide by.

13 So we look forward to having those conversations with the DOJ
14 and the Alaska Department of Law. I thank you for your time. I
15 just wanted to get that on the record because I know that there's
16 been a lot of confusion related to the Think Tank's proposal and
17 coming out of that October 2020 Trustee Council meeting. Thank you,
18 Jason.

19 CHAIR BRUNE: Thank you, Vanessa. Are there questions for
20 Vanessa?

21 (No audible response).

22 CHAIR BRUNE: All right, next, we will go to Herb Schroeder, and
23 then after Herb, I will have Carol Hoover.

24 MR. SCHROEDER: Hello, thank you for taking the time today. I'm
25 Herb Schroeder. I'm Vice-Provost and the founder for the Alaskan

1 Native Science and Engineering Program at the University of Alaska
2 Anchorage, and I'm a professor of engineering, and I think it's
3 important that the remaining funds that are there be put into an
4 endowment so that fund can live in perpetuity for generations and
5 generations and generations to come. Long after we're all gone, we
6 could still be solving problems out in the affected areas, and
7 that's all I have to say. Thank you.

8 CHAIR BRUNE: Thank you, Herb, good to see you. Any questions
9 for Herb?

10 (No audible response).

11 CHAIR BRUNE: All right, next we have Carol Hoover followed by
12 Josie Hickel.

13 MS. HOOVER: Hi, can you hear me?

14 CHAIR BRUNE: Perfectly.

15 MS. HOOVER: Thank you. Hi, I'm Carol Hoover. I'm representing
16 today the Eyak Preservation Council. We're based in Cordova,
17 Alaska, and I, on behalf of EPC, am going to only comment on
18 Resolution D today. EPC and our constituents whole-heartedly
19 approve this resolution.

20 I would like to read an excerpt from a letter sent to the
21 Trustee Council from Senator Lisa Murkowski in October of 2017,
22 "Makes it timely for the Council to consider the acquisition of the
23 remaining 11,000 acres up the Bering and Martin Rivers that would
24 drain into the Copper River Delta, potentially impacting the Sound's
25 fishery habitat. The Gulf of Alaska gyre moves water from the

1 mouths of the Bering, Copper, and Martin Rivers directly into Prince
2 William Sound's Orca Inlet, Hinchinbrook Entrance, and towards the
3 coastline of Montague Islands, all within the boundaries of the
4 EVOSTC settlement program."

5 I am going to resubmit this letter in full to the Trustee
6 Council. We know that this ecosystem expansion of the region will
7 be helpful for not only the environment, but for the fishermen of
8 the entire region that was impacted by the spill. Impacts are still
9 felt today.

10 The indigenous tribes, shareholders, anyone who has an interest
11 in this entire Prince William Sound and Copper River Region note
12 there's been some discussion in press and social media stating that
13 Resolution D would or could include all regions of Alaska. I trust
14 the Council will clarify clearly that this is not the case.

15 It is also unfortunate that one of the members of the "Think
16 Tank" called one of our associates that commented on with approval
17 of Resolution D and said that EPC was being influenced by outside
18 interests. We must not forget that the Copper River Delta and
19 Prince William Sound are in the Chugach National Forest. Its
20 pristine bounty is enjoyed nationwide and worldwide. The ecological
21 integrity of the region is important to many thousands upon
22 thousands.

23 This person also said that "Good intentions may bring unintended
24 consequences," and "They don't know what they're talking about.
25 They don't understand." Well, we do understand. Resolution D and

1 its ecosystem approach to the restoration of the region for all of
2 the indigenous tribes and shareholders, the businesses and
3 communities impacted by the *Exxon Valdez* oil spill is inclusive,
4 wise, and visionary.

5 I also, you know, I think that the -- I'd like to ask this
6 question, I think that the funds in the Trustee Council are actually
7 in an interest-bearing trust and could indeed build and keep going
8 forth to take care of the impacted regions of the *Exxon* spill for
9 many generations, and so thank you very much for this opportunity.

10 CHAIR BRUNE: Thank you, Carol, perfect timing. Any questions
11 for Carol from Trustees?

12 (No audible response).

13 CHAIR BRUNE: We appreciate your time. Next is Josie Hickel
14 followed by Rick Steiner.

15 MS. HICKEL: Thank you, Jason. I'm Josie Hickel. I'm an
16 Executive Vice-President for the Chugach Alaska Corporation.
17 Chugach opposes the four draft resolutions that were recently out
18 for public comment. We believe there needs to be significantly more
19 public outreach and education regarding the impacts of these
20 resolutions before the Trustee Council takes action.

21 In particular, we believe that the Trustee Council must pursue
22 meaningful engagement with the people in the spill-impacted
23 communities, including the villages in the Chugach and Koniag
24 regions. We also encourage you to partner with Alaska Native

1 entities for outreach, as well as seeking ways to work closely with
2 our small communities to participate in regional projects.

3 As you saw from public comments and letters that were submitted
4 from a number of organizations in the spill-impacted area, the
5 majority do not support moving forward on Resolutions A, B, and C.
6 As far as Resolution D is concerned, we have many questions and
7 serious concerns about what it will mean if the spill boundary is
8 expanded through the use of an ecosystem approach.

9 Does that mean the funds from the EVOS Trust, which were
10 intended for rehabilitation of the spill-impacted area will be spent
11 in Bristol Bay, the North Slope, Southeast Alaska? Even though
12 these areas were not harmed by the spill, why would funds be
13 dedicated outside of the spill boundary when there's still work to
14 be done in the existing spill area?

15 Regarding the efforts to retire the KADCO coal rights on 11,000
16 acres in the Bering River area, there is no guarantee that
17 Resolution D will resolve this issue. First, the owner would have
18 to agree to sell the rights for the appraised value. I believe
19 that's part of EVOSTC's policy is it has to be at appraised value.
20 Because the risk of development is so low, as to be practically
21 nonexistent due to the economics, the likelihood of the owner
22 agreeing to sell at appraised value is extremely remote.

23 Second, the coal is located in a complex deposit in a very
24 remote area with no infrastructure or access. While I applaud the
25 conviction and perseverance of those working to preserve the coal

1 rights, use of the EVOS Trust funds to acquire mineral rights that
2 have very little risk of being developed and are remote from the
3 region injured by the spill is wholly unwarranted. There are far
4 higher priorities at hand. Thank you.

5 CHAIR BRUNE: Thank you, Josie. Are there any questions from
6 the Trustees for Ms. Hickel?

7 (No audible response).

8 CHAIR BRUNE: We appreciate your time, Josie. Next up is Rick
9 Steiner, followed by Dune Lankard.

10 MR. STEINER: Hi, folks, pleasure to be with you today. To be
11 clear, I encourage the Council today to go ahead and decline
12 Resolutions A, B, and C, and adopt Resolution D. Resolutions A, B,
13 and C have had overwhelming opposition in your public comments, and
14 I agree with Commissioner Vincent-Lang that there's been plenty of
15 public comments submitted.

16 On the contrary, Resolution D, the spill boundary resolution,
17 received overwhelming public support. Over 5,000 comments were
18 submitted in support. So I think the Council, excuse me, should
19 move to adopt Resolution D today. A couple of quick points; the
20 1991 Consent Decrees from which this Council was established did not
21 discuss or require in any way that a spill boundary be established.

22 Next, the 1994 Restoration Plan, that was 27 years ago, did
23 establish an arbitrary spill boundary, simply as a general guide to
24 focus restoration, but not to limit or restrict it, and at the time,
25 I was one of the people that opposed establishing that spill

1 boundary for the very reason that it could be misinterpreted by
2 future Councils as a hard boundary. It isn't. It was never
3 intended that way, and we knew then that some of the best
4 opportunities to replace injured resources and services would be
5 outside of that arbitrary boundary line drawn at the time.

6 It is a scientifically indefensible line, period. I mean, the
7 ecosystem extends beyond to the east, west, and south, and even to
8 the north up Cook Inlet. So adopting Resolution D today would
9 simply clarify that this and future Council's can conduct
10 restoration where they deem most scientifically defensible,
11 unencumbered by the arbitrary line drawn a quarter of a century ago,
12 and that includes not just habitat, but also research and
13 replacement of injured resources and services.

14 Then finally, to a point made earlier, just to clarify, there is
15 no spend-down agreement by the Trustee Council. Secondly, the DOJ
16 and ADOL did find that the Rasmussen Think Tank proposal was legally
17 impermissible under the terms of the Consent Decree, and finally, it
18 was voted down by the Trustee Council in October. Lastly, I concur
19 that the Bering River needs urgent attention by the Council and the
20 owner, KADCO, is very likely to accept a reasonable offer by the
21 Trustee Council, contrary to the previous statement. So there is a
22 deal to be had there. We need to go get it. Thank you very much.

23 CHAIR BRUNE: Thank you, Rick. Trustees, are there any
24 questions for Mr. Steiner?

25 (No audible response).

1 CHAIR BRUNE: Seeing none, appreciate your time, Rick. Next up
2 is Dune Lankard, followed by Tom Panamaroff.

3 MR. LANKARD: Thanks, Jason. Good afternoon, can you hear me
4 okay?

5 CHAIR BRUNE: Perfectly.

6 MR. LANKARD: Good. My name is Dune Lankard. I do not support
7 Resolutions A, B, or C. I do support Resolution D. As an Eyak
8 Native fisherman, kelp farmer and conservationist, how can I not be
9 in support of extending the political restoration boundary to
10 include the entire Copper River Delta and Bering River region? And
11 ask that you all take an ecosystem approach to restoration.

12 Since the Think Tank's attempt at a take-over effort was an epic
13 failure and was considered illegal by the Trustee Council, what are
14 we doing here? It is clearly evident that these science-based and
15 Native Corporation entities have decided to work together
16 cooperatively behind the scenes and continue their agenda to find
17 other creative ways to obtain the remaining EVOSTC restoration funds
18 for their personal agendas and corporate projects.

19 We're being opposed because the Think Tankers want the money for
20 themselves. Resolution 20-D doesn't put any money in my pocket, but
21 people opposing 20-D are clearly angling for them to pocket the
22 remaining ecosystem restoration dollars. They define the issue as
23 our Natives need the money. Yet, they are confused at environmental
24 damages with the spill's economic damages for which they've already
25 been compensated.

1 As far as I am aware, the Trustees don't do economic rewards as
2 they have tried to help injured species recover in the impacted
3 ecosystem, and for the record, the biggest recipient thus far from
4 the restoration funds has been the Native Corporations for
5 protecting critical habitat necessary for the spill impacted species
6 to recover.

7 The irony now is if the restoration boundary issue is tabled
8 today because the opposition of a handful of Native Corporation CEOs
9 and not extended to include all the connected water bodies in the
10 spill zone, where all of the spill impacted species live and
11 survive, the entire spill zone region will continue to suffer and
12 not get fully restored.

13 Regarding the City of Cordova not taking a position on this
14 important issue, I want to say to them that extending the boundary
15 line, it helps Cordova by bringing in much needed funds to protect
16 the very wild salmon habitat that all Cordovans, Native, and
17 fishermen depend on to make a living like they all did after the
18 *Exxon* spill shut down the Sound.

19 Our love for the ocean is what should unite us all in the spill
20 zone, and we should all keep our focus on actual restoration
21 projects to protect and preserve what is left of the wild and help
22 our ailing fisheries, wildlife, and oceans find a reprieve to fully
23 recover.

24 Over one million national sport hunters and fishermen, 5,000
25 Americans, and over 500 Alaskans, locals, and fishermen, weighed in

1 on supporting Resolution 20-D. As Native people, commercial
2 fishermen, local subsistence users, recreational boaters and hunters
3 and sport fishermen, we all depend on these deeply interconnected
4 pristine abundant waterways.

5 We, who support this resolution, ask the EVOS Trustee Council to
6 do the right thing by adopting Resolution 20-D to extend the
7 restoration boundary to include the entire Copper River Delta and
8 the Bering River region in your restoration legacy. AwA'ahdah,
9 thank you.

10 CHAIR BRUNE: Thank you, Dune, appreciate your comments.
11 Trustees, are there any questions for him?

12 (No audible response).

13 CHAIR BRUNE: All right, thank you for your comments, Dune.
14 Next is Tom Panamaroff, followed by Alicia Andrew.

15 MR. PANAMAROFF: Thank you, Mr. Chairman, can you hear me?

16 CHAIR BRUNE: Perfectly.

17 MR. PANAMAROFF: Okay, thank you, sir. Good afternoon, thank
18 you for the opportunity to provide public comment. My name is Tom
19 Panamaroff and I'm the Regional and Legislative Affairs Executive
20 for Koniag, the regional Alaska Native Corporation for the Kodiak
21 Island area.

22 With regard to Resolutions 20-A, 20-B, 20-C, and 20-D, a 60-day
23 window for public comment was open in mid-October of 2020. In the
24 midst of a global pandemic, a 60-day comment period was simply not
25 enough time for public engagement, especially given that many people

1 in the spill-impacted area live in remote communities with limited
2 access to broadband and many community leaders focused on pandemic
3 prevention, relief, and recovery in their communities.

4 Koniag is not aware of any attempt by EVOSTC staff to
5 proactively provide public presentations or host public meetings
6 explaining the proposed resolutions in any of the Kodiak region
7 communities. Because of this, Koniag provided resolutions and
8 associated materials during regional meetings such as the Kodiak
9 Archipelago Rural Leadership Forum, which is made up of leadership
10 in our village communities, and the Koniag KANA Regional Roundtable,
11 which is made up of the leadership of Tribes, Native Corporations
12 and other Native entities in our region.

13 At a previous EVOS Trustee Council meeting, Koniag President
14 Shauna Hegna and I testified before the Council and offered our
15 assistance in getting the word out on EVOSTC activities and making
16 time on the Koniag KANA Roundtable meeting agendas for EVOSTC
17 presentations. The response to that offer was simply to put Shauna
18 and I on your email list. While we appreciate that, we feel more
19 could have been done in the realm of public outreach to engage with
20 the public and provide more background on these resolutions and we,
21 again, offer to assist in two-way engagement with communities and
22 organizations in our region on these and other EVOSTC matters.

23 Each of the four resolutions represent the fundamental shift in
24 the direction and priorities of the Exxon Valdez Oil Spill Trustee
25 Council. Given the major changes implementation of these

1 resolutions would create, it seems a dialog with the communities and
2 organizations in the spill-impacted area would be appropriate so
3 that questions about the reasoning and end results of the proposed
4 changes could be answered and explained.

5 I urge the Council to take the time to have conversations with
6 these communities and organizations before making decisions on these
7 resolutions. Thank you.

8 CHAIR BRUNE: Thank you, Tom. Are there any questions for Mr.
9 Panamaroff?

10 (No audible response).

11 CHAIR BRUNE: We appreciate your testimony today, Tom. Next up
12 is Alicia Andrew, followed by Rachel Kallander.

13 MR. RICHARDSON: Jason, this is Tim Richardson again. Alicia
14 Andrew could not make it. She asked me to read her short two-page
15 comment with your permission.

16 CHAIR BRUNE: Please proceed.

17 MR. RICHARDSON: This is the public comment testimony of Alicia
18 Andrew, Tribal Chief of the Karluk IRA Traditional Council to the
19 *Exxon Valdez* Oil Spill Trustee Council. "Dear members of the
20 Trustee Council, I am Alicia Andrew, Tribal Chief of the Karluk IRA
21 Traditional Council located in the Village of Karluk on Kodiak
22 Island, and I thank you for the opportunity to present a public
23 comment.

24 The Karluk IRA Traditional Council is a federally recognized
25 Tribe by the Bureau of Indian Affairs U.S. Department of Interior

1 under the Indian Reorganization Act of 1934, and is officially
2 registered with the Regulatory Commission of Alaska.

3 The purpose of this public comment is to urge the Trustee
4 Council to carefully examine and scrutinize any pending agreements
5 with Koniag, Inc., the Alaskan Native Claims Settlement Act regional
6 corporation for the Kodiak archipelago.

7 Karluk Tribal Council has requested a legal boundary survey of
8 our lands from Koniag for many years and they have never provided us
9 with a valid land ownership survey of their boundaries with the
10 Tribal Council's property. Nevertheless, Koniag carried out the
11 burning of a Karluk Tribal Council cabin on lands owned without our
12 permission or consent.

13 In addition, the public access legend of the Kodiak Island
14 Borough produced by the Alaska Department of Natural Resources shows
15 the ownership of over 700 acres in Grant Lagoon on the west side of
16 Kodiak Island that belong to the Karluk Tribal Council. The same
17 map indicates that the U.S. Fish and Wildlife Service purchased this
18 private parcel in December 2001.

19 The Karluk Tribal Council has never sold any of our land. We,
20 therefore, respectfully request that the *Exxon Valdez* Trustee
21 Council's U.S. Department of Interior representative provide the
22 Karluk Tribal Council with the official record of that purchase.

23 Thank you for this opportunity to make our comment and we look
24 forward to receiving the transactional documents of your purchase of
25 our lands in Grant Lagoon. We will follow up with the Kodiak

1 National Wildlife Refuge manager.”

2 CHAIR BRUNE: Thank you, Tim, for reading Alicia’s statement.
3 Next up is Rachel Kallander, followed by Ginny Eckert.

4 MS. KALLANDER: Good afternoon, Trustees. Thank you for the
5 opportunity to speak today. Rather than share my own personal
6 thoughts, which I’ve shared in this forum before, I wish to
7 highlight the feedback from a region that became abundantly clear
8 during the recent comment period.

9 The following cities, tribes, and entities submitted objections
10 to several or all resolutions, A through D, and/or asked for the
11 Trustees to take no action at this meeting today. I appreciate the
12 careful consideration that you’re giving this process and know that
13 the requests from these groups will not be taken lightly; the City
14 of Kodiak, Koniag, Chugach Alaska Corp., Alaska Earth Sciences,
15 Native Village of Port Lions, the Tatitlek Corporation,
16 Representative Andy Josephson, the Ouzinkie Native Corporation,
17 Seward Chamber of Commerce, Alaska Public Interest Research Group,
18 Prince William Sound Regional Citizens Advisory Council, Prince
19 William Sound Stewardship Foundation, the Kodiak Archipelago Rural
20 Regional Leadership Forum, Afognak Native Corporation, the Woody
21 Island Tribe, Kodiak Regional Aquaculture Association, the Cook
22 Inlet Keeper, Native Village of Eyak, Chugach Regional Resources
23 Commission, Cordova District Fishermen United, and the City of
24 Cordova.

25 In short, and to summarize from the EVOSTC website directly,

1 Resolution A received 117 objections with three in support.

2 Resolution B received 95 objections with five in support.

3 Resolution C received 92 objections with four in support, and

4 Resolution D received 85 objections with 283 in support.

5 Now, on a personal note, I find it concerning, as someone born
6 and raised in Prince William Sound, that nearly 20% of the comments
7 in support of Resolution D were comments in which the author stated
8 bluntly that they do not live in Alaska, nor are they Alaskan, and
9 that is certainly not to say that I wish to discredit my fellow
10 Alaskans who are in support of Resolution D, it's just with all due
11 respect to all commenters that I'd like to express that I believe
12 that the future of the EVOS Trust should be determined by the people
13 who live in the region and the people who were directly injured by
14 the spill.

15 It was stated repeatedly by one individual on the PAC call that
16 this money belongs equally to all Americans, and as a Cordovan, and
17 as the daughter of commercial fishermen in Prince William Sound and
18 the Gulf, I find that unsettling and offensive. I think this is
19 critical to ensure that the intent of the Trust to rehabilitate the
20 region as it was intended is directed by the people of the region.
21 Thank you, Trustees, for your time.

22 CHAIR BRUNE: Rachel, thank you for your comments. Are there
23 any questions for Rachel?

24 (No audible response).

25 CHAIR BRUNE: Thank you very much, Ms. Kallander. Next up is

1 Ginny Eckert, followed by Chief Patrick Norman.

2 MS. ECKERDT: Hello, my name is Ginny Eckert. Thank you for the
3 opportunity to speak today. I'm a professor at the College of
4 Fisheries and Ocean Sciences at the University of Alaska Fairbanks
5 and the Director of the Alaska Sea Grant Program, and today I'm just
6 speaking in support of moving forward with offering research funding
7 to support the development of the mariculture in the spill area.

8 I'm currently developing a proposal in collaboration with a
9 large group of people, including Native tribes, kelp and oyster
10 farmers. We think that there's great potential for mariculture to
11 support economic development in the spill area. Mariculture is
12 shellfish and seaweed farming. It's a small industry right now in
13 the state of Alaska that has great potential and research could
14 contribute to this economic development through investigations of
15 new areas for our mariculture sites, alleviating any future
16 conflicts that could arise through growth of this industry, things
17 like product development to increase the economic potential of the
18 industry from what it is now, and then engaging existing farmers to
19 address challenges that they may have with climate change and other
20 oceanographic changes that happen in the future. Thank you for your
21 time to speak today.

22 CHAIR BRUNE: Thank you, Ginny. Are there any questions for
23 her?

24 (No audible response).

25 CHAIR BRUNE: We appreciate the interest that you have in

1 mariculture, and next is Chief Patrick Norman, followed by Shauna
2 Hegna, so Chief Norman.

3 CHIEF NORMAN: Can you hear me?

4 CHAIR BRUNE: We can perfectly, thank you.

5 CHIEF NORMAN: Yeah, thank you. I would ask the Trustees to
6 maintain your existing structure, as to the Council, and not approve
7 these four resolutions. As you move forward looking at some of the
8 other proposals that are on the table, I think still, and maintain
9 what you're doing now and consider looking at those other proposals
10 as to how the Trustee program moves forward.

11 As to Resolution D, on the boundaries, just looking at that map,
12 it's a huge area and it mentions in the resolution that for projects
13 outside of those boundaries, there is language to consider those
14 projects on an individual basis. So I don't see any reason for
15 expanding the boundaries as they are. It's a huge area and we don't
16 know of all of the needs that can come up in regard to those funds
17 that can still have a beneficial impact within those spill
18 boundaries. So I urge you to maintain the existing structure as
19 you're looking at some of these other proposals. Thank you.

20 CHAIR BRUNE: Thank you, Chief Norman. Trustee Vincent-Lang.

21 COMMISSIONER VINCENT-LANG: Chief, thank you for those comments.
22 I do have a question regarding Resolutions A, B, and C, and your
23 desire to not adopt those, and I'm trying to get to the foundation
24 of why you may not want to adopt those. Is it because you feel that
25 things that are of interest to you and your Tribal members may not

1 be eligible under those resolutions for funding or do you just like
2 the existing one -- approach better?

3 CHIEF NORMAN: I think.....

4 COMMISSIONER VINCENT-LANG: Or do you think there are certain
5 projects that may not be eligible for funding that are of interest
6 to your Tribe?

7 CHIEF NORMAN: I think the Public Advisory Committee is
8 beneficial for the spill area. As to projects, using Port Graham as
9 an example, we did use EVOS Trustee monies in the early '90s, mid-
10 '90s for projects here under the guidelines that were established
11 for those, but we ended up looking at other priorities. So we
12 haven't stayed fully on top of what the Trustee Council was doing
13 since the '90s, as to projects and probably could further benefit
14 from those activities.

15 COMMISSIONER VINCENT-LANG: I appreciate your answer. Thank
16 you.

17 CHAIR BRUNE: Any other questions for Chief Norman?

18 (No audible response).

19 CHAIR BRUNE: Thank you very much for your time today. Next up
20 is Shauna Hegna, followed by Melina Meyer.

21 MS. HEGNA: Cama'i, I'm Shauna Hegna. My family is from the
22 Villages of Afognak and Port Lions, and today, I serve as the
23 President of Koniag, which is the Alaska Native Regional Corporation
24 for the Kodiak Island area.

25 While Koniag has submitted written comments in opposition to all

1 four of the resolutions under consideration by the Trustees today, I
2 wanted to spend my limited amount of time discussing Resolution D.
3 The spill-impacted region, as you've heard from other members of the
4 public, is still healing from the devastation wrought by the *Exxon*
5 *Valdez* oil spill, and here we are, 31 years after the spill and our
6 marine resources and our village economies still have not recovered.

7 We owe it to the people who live with the economic and cultural
8 devastation of the oil spill every day to use EVOSTC funds to
9 recover, rebuild, and protect their communities and their resources.
10 If you're looking to fund Resolution D because you're having trouble
11 spending EVOSTC funds, please give me a call, because I promise I
12 can find 188 million different ways to spend EVOSTC funds in the
13 current spill boundary.

14 And as you prepare to vote on Resolution D, I implore you to
15 really ask yourself these questions; Do I truly believe it's in the
16 best use of funds to purchase coal rights in a coal field outside of
17 the spill-impacted boundary that has almost zero likelihood of ever
18 being developed? Do I honestly believe that the highest and best
19 use of EVOSTC funds is to support research projects on the North
20 Slope, in Fairbanks, or in another area outside of the current spill
21 boundary? After this meeting, will I be able to look into the eyes
22 of elders in Port Graham and Port Lions and tell them that I made
23 the best possible decision that will help recover their subsistence
24 resources? And when all is said and done, will I be able to look
25 into the eyes of commercial fishermen in Cordova, in Ouzinkie and

1 tell them that I made the decision that will help recover their
2 livelihoods?

3 If the answer to any of these questions is no, then I ask you to
4 please vote no on Resolution D. Ladies and gentlemen, I know that
5 you are all good people who have dedicated your careers to serving
6 the public. On behalf of Koniag and our more than 4,200 Alaska
7 Native shareholders, I urge you to make the right decision, and with
8 that said, I just wanted to take a moment to offer some clarifying
9 comments regarding an attempt to discredit Koniag and our right to
10 provide public comment.

11 I would offer that Koniag was -- did remove a cabin that was
12 illegally built on our property after many requests to have it
13 removed, and we actually removed it after we went to the courts and
14 the court sided that yes, we were, in fact, the right property
15 owners. So I just wanted to make that clarifying comment, as well.
16 Thank you, Trustees.

17 CHAIR BRUNE: Thank you very much, Ms. Hegna. Are there any
18 questions for Shauna today?

19 (No audible response).

20 CHAIR BRUNE: Thank you so much for your testimony. Next up, we
21 have Melina Meyer, followed by Jim Ayers. Melina Meyer.

22 MS. MEYER: Hi.

23 CHAIR BRUNE: Hi.

24 MS. MEYER: Can you hear me all right?

25 CHAIR BRUNE: Perfectly.

1 MS. MEYER: Good afternoon, gunalcheesh, thank you all for the
2 opportunity to speak to you today. My name is Melina Meyer. I was
3 born and raised in Cordova. I'm a member of the Native Village of
4 Eyak, and I'm currently serving on the City Council of Cordova and
5 serving as Vice-Mayor.

6 We sent a letter kind of on the deadline date for comment, and
7 after a long meeting, we have decided that we strongly oppose the
8 consideration of all the draft proposals, A, B, C, and D, at this
9 time. We really just didn't have the time to look through all of
10 these draft resolutions and have meaningful input on these.

11 Because we are one of the most impacted communities from the oil
12 spill, we want to be able to look through these draft resolutions,
13 anything that's a change to the EVOSTC boundaries or how it's
14 structured. We need to be able to take a look at it and have
15 meaningful impact on those.

16 We also had kind of a long discussion on the fact that EVOSTC
17 hasn't met in Cordova to have one of these meetings in quite some
18 time. The last one that I remember, and I think the only time that
19 you guys met in Cordova, was when we were seeking funding for our
20 Cordova Center. We received, I believe, around \$7 million to build
21 this facility and it was built to house our City Hall and be able to
22 have functions like meetings like this to come to Cordova.

23 It was a jamb-packed room. We got the funding for the Cordova
24 Center, the small portion of the money that we raised for the
25 Cordova Center, but it has been a really big impact for our

1 community and EVOSTC did promise several times, that they'd be
2 meeting in Cordova, and it's invaluable to the type of input you
3 guys can get when you can go to a community and see the communities
4 that have been impacted.

5 I was born and raised there. I grew up with boarded windows on
6 Main Street. I was born just after the oil spill. So we're kind of
7 considered the oil spill babies, and that's kind of the testimony
8 that you'd get from going to a community like that, seeing what
9 happens, seeing how we're trying to rebuild, and then with COVID
10 right now, we're kind of all-hands-on-deck to protecting our
11 community and to rebuild it.

12 We had a really tough year for commercial fishing, for our
13 economy, and we just hope that you guys do not pass these
14 resolutions today. We need time to look at it and I believe that
15 you guys also need time to come to our communities and see what kind
16 of impact you can make, and I'm happy to answer any questions.
17 Thanks.

18 CHAIR BRUNE: Thank you, Vice-Mayor Meyer. We have a couple of
19 questions from Trustees. First, we'll go to Trustee Balsiger.

20 DR. BALSIGER: Thank you, Mr. Chairman. Thanks, Ms. Meyer, for
21 the testimony. That was very good. You've heard a couple of
22 comments on whether there was enough opportunity for stakeholders,
23 the people in the villages, all of us to comment on the resolutions,
24 and so there's a split opinion on that, but you think not, and so I
25 just wondering how much time you think you would need in order to

1 give these resolutions proper weight and? considerations so that we
2 can have your recommendations?

3 MS. MEYER: Thinking off-hand, I would say after things can get
4 a little bit back to normal. You know, we have a rule that we can't
5 make any decisions after 11:00 p.m. for our meeting. We had a
6 really tough budget meeting and then we had to make a decision on
7 how to comment on this, and we just didn't have the capacity to
8 really look at these.

9 I, you know, it's such uncertain times, is what I would say to
10 that. We need time to look at the draft resolutions and as a
11 community, we really come together into a room and hear other
12 people's testimonies, as a council, we really like our public being
13 able to come in, give testimony, not everybody likes to write things
14 down or even speak in front of our body, so until the time that we
15 can gather again, I think would be appropriate.

16 DR. BALSIGER: Thank you. Thank you, Mr. Chairman.

17 CHAIR BRUNE: Absolutely. Trustee Vincent-Lang.

18 COMMISSIONER VINCENT-LANG: So I did have an opportunity to come
19 to Cordova this year. I really enjoyed my trip. I got to visit the
20 future site of the Science Center and I did get to talk to the Mayor
21 and several different fishing groups. So I wanted to thank you for
22 that opportunity. You're not alone, we -- I actually love Cordova
23 and I think it's a great place. So thank you for the visit.

24 MS. MEYER: Yes, and if you guys want to hold one of your
25 meetings in Cordova again, or even have your office in Cordova,

1 having the Science Center based in Cordova, not just the science
2 (indiscernible), but all of the offices and administration has a
3 huge impact on our small community and our efforts to rebuild better
4 than before the oil spill happened.

5 CHAIR BRUNE: Thank you, Vice-Mayor Meyer, we appreciate your
6 time and your testimony. Next up is Jim Ayers, followed by Willow
7 Hetrick. Is Jim Ayers on? (no response)

8 CHAIR BRUNE: Okay, we will go then next to Willow Hetrick and
9 then followed by Tara Reimer.

10 MS. HETRICK: Hi, good afternoon, Trustees. My name is Willow
11 Hetrick. I am the Executive Director of Chugach Regional Resources
12 Commission. We abbreviate ourselves as CRRC, and we are an
13 intertribal consortium of seven Alaska Native Villages in the Prince
14 William Sound and Lower Cook Inlet, those include the Tatitlek
15 Village IRA Council, the Chenega IRA Council, Port Graham Village
16 Council, Nanwalek IRA Council, Native Village of Eyak, Qutekcak
17 Native Tribe, and the Valdez Native Tribe.

18 We are asking that the EVOS Trustee Council slow this important
19 process down and deliberate the potential impacts of spending down
20 the funds. The EVOS Trustee Council is forcing this decision while
21 residents of the spill region are distracted and scared in a global
22 pandemic and have been unable to participate in the process because
23 real public meetings, face-to-face public meetings are not
24 occurring.

25 We believe that the Resolutions A through D out for public

1 comment are premature and that any advancement of the agenda of
2 these resolutions represent -- that the resolutions represent toward
3 a spend-down plan should be postponed until meaningful public
4 participation and review by specifically our Tribal Council can be
5 considered.

6 Whereas, our Board has not made a final decision, unanimous
7 determination on each proposal, they have preliminarily opposed
8 Resolution 20-D, which would incorporate an ecosystem approach to
9 the spill boundary. In initial consultation with our Board, they
10 did not believe that the existing funds are serving the spill
11 community, their communities, and the boundaries should not be
12 expanded until projects in the spill that mitigate the impacts of
13 the spill are resolved.

14 That's all I have to say on the resolutions today, but I would
15 like to switch gears and talk about one other issue that our Board
16 asked me to bring to the Council, and I would like to quickly speak
17 on a letter that was submitted to the Council on behalf of our Board
18 of Directors on January 7, 2021. I'm not sure if that letter has
19 made it to your packets or your hands yet, but I'm sure it will.

20 The current EVOSTC Invitation for Proposals, which is at the end
21 of this agenda, highlights the renewed interest in working with
22 Alaska Native communities in the spill region, and we are very
23 thankful for that. Based on our organization's experience, this
24 requirement has not always been met from both the awardees and the
25 Alaskan Native communities closest to the EVOSTC funded projects.

1 This has caused frustration on both fronts. We're aware of
2 that. We believe that our organization can remedy this frustration
3 as we are ideally suited to be the vector for community involvement.
4 The CRRC Board of Directors is comprised of one tribally-elected
5 representative for each of the communities that I spoke of earlier.
6 Our Board of Directors meets quarterly, unless special meetings are
7 required, and have constant direct and indirect communication with
8 each other and CRRC staff to address issues of concern in the
9 Chugach region.

10 It is at these Board meetings that we envision continued dialog
11 with both the Trustee Council and principal investigators to have
12 direct communication representatives from each of our communities.
13 Our organization, along with Alaska Native nonprofits, Village
14 corporations, and Chugach Alaska Corporation would like to work
15 together to provide a centralized forum for discussion, and that is
16 all I have today. Are there any questions?

17 CHAIR BRUNE: Thank you, Ms. Hetrick for your comments. Are
18 there any questions from Trustees?

19 (No audible response).

20 CHAIR BRUNE: I have a question for you.

21 MS. HETRICK: Sure.

22 CHAIR BRUNE: And its coordination with Koniag, your
23 organization represents the Chugach region. Is there a similar
24 organization in the Koniag region that you would propose
25 facilitating with?

1 MS. HETRICK: Well, the Kodiak Area Native Association is very
2 similar to what we do. We have not outreached with them
3 specifically. I do know that Chugach Alaska Corporation has been
4 reaching out to Koniag and they work together very closely, and we
5 are in preliminary discussions with at least Chugach Alaska
6 Corporation, and hopefully Koniag, to bind together and to make sure
7 that there's one centralized place where all of the grant awardees
8 could go to get input from the Alaska Native communities. I don't
9 want to speak too much about what Chugach has been working on,
10 because we were unable to set up a meeting before this, but we are
11 all planning at least to work together.

12 CHAIR BRUNE: Thank you so much, Ms. Hetrick. I appreciate your
13 comments. Okay, next up, we have Tara Riemer and then my
14 understanding is Jim Ayers in online. So he'll go next. So Tara
15 Riemer.

16 MS. RIEMER: Thank you, Trustee Brune. I'm Tara Riemer. I'm
17 the President and CEO of the Alaska SeaLife Center, and I'd like to
18 speak a little bit about Resolutions B, which I feel has kind of
19 gotten lost between Resolutions A and C.

20 The 175 pages of comments on Resolution B mostly are objections
21 because of Resolution A, and it appears a large number of the
22 respondents to the call for public comments fundamentally
23 misunderstood Resolution B.

24 As you probably realize, Resolution B does not remove the annual
25 meetings by the Trustee Council. Resolution B does not remove

1 annual review of ongoing projects in research. Resolution B does
2 not remove the possibility of annual review of new projects, but
3 what Resolution B does is give the opportunity for multi-year
4 funding for projects without the scientists having to basically
5 reapply from scratch every year.

6 Resolution B made so much sense to me, I didn't even file
7 initial public comments online, because it just seemed so obvious,
8 but I do understand the EVOS Trustee Council granting processes, as
9 well as what is normal with scientific grant processes, and I
10 realize most of the public does not have that type of background,
11 but I hope the Trustees will take note of the comments in the --
12 within the comments for Resolution B, who do actually address
13 Resolution B.

14 In general, those comments are from the scientists who
15 understand the funding process and other granting processes. They
16 know that the EVOSTC annual funding process is more administratively
17 challenging than other grants, including state and federal grant
18 programs run by the Trustee agencies themselves.

19 State and federal grants generally do not require reapplication
20 each year to get a budget approved. Most provide the full multi-
21 year project budget up front. Those programs which need future
22 year's appropriations have an abbreviated process to add funds in
23 subsequent years, often requiring no effort from scientists, other
24 than its standard annual report.

25 Annual reports are extremely common and should be maintained and

1 nothing in the resolution suggests removing annual reporting and
2 annual review of progress, which some people seemed to think it did.
3 Projects like those funded by EVOS Trustee Council generally benefit
4 significantly from certainty about multi-year funding. The initial
5 funding approval process should be rigorous and sufficient to ensure
6 that several years of funding can be approved at once.

7 The typical length allowed for multi-year projects for federal
8 and state grant programs I am familiar with is three to five years.
9 Of course, nothing should remove the right for Trustees to end a
10 project early for excessively poor performance. Annual progress
11 reports should be continued and reviewed carefully, just not
12 necessarily at the Trustee level every year. Any red flags could be
13 brought to the attention of the Trustees, but the process of -- the
14 current process of resubmitting detailed budgets and proposals each
15 and every year is excessive for the majority of projects that don't
16 have red flag issues.

17 So I believe, in general, if it's, Resolution B, is properly
18 understood and implemented, it can be consistent with everyone's
19 approaches to how the Trustee Council should spend its money going
20 forward. It really shouldn't be bundled in with some of these other
21 approaches. It just makes sense. It reduces unnecessary
22 administrative work by the staff, the Trustees, and the scientists,
23 and I believe it will result in more efficient progress toward the
24 end goal of restoration. Thank you very much.

25 CHAIR BRUNE: Thank you, Ms. Riemer. Are there any questions

1 for her? Trustee Balsiger.

2 DR. BALSIGER: Thank you, Mr. Chairman. So thanks for that
3 testimony. I know you're well-experienced in managing grants down
4 in Seward. So I appreciate what you've said, and I actually believe
5 that multi-year funding is appropriate. I didn't realize, and
6 perhaps I still don't, but the procedure whereby the grant
7 recipients have had to come back each year to the Trustee Council
8 more or less to get the next year's funding approved, I didn't and
9 don't appreciate that that's a significant burden.

10 I thought it was more in line of what you suggested, was to make
11 sure there's an annual report and make sure there are no red flags,
12 and so I just -- I guess I'm a little bit interested in how do you
13 think you can still have the annual reports, but not have such a
14 burden that you seem to believe existed in terms of a lot of work
15 reupping?

16 MS. RIEMER: Sure, what my understanding is that effectively,
17 every year at about the six-month point, the PIs have to resubmit
18 for their -- let's say it's a five-year grant or type of a thing,
19 and at about six months into the first year, they have to resubmit
20 their Year two budget for approval with your work plan process, and
21 then at the end of year one, they submit their year one annual
22 report, and then six months later, they have to submit for their
23 year three.

24 So there's basically reporting happening and reapplication
25 happening every single year, because it has to go into your annual

1 plan process, which you're only funding year one of their project in
2 that first year. Where you really, I believe -- I'm not even sure
3 you have to change your rules, necessarily, maybe you do because
4 there's this resolution, in order to do a five-year approval.

5 Like any NOAA project that we get from say the Prescott Grant
6 Program, we can request a two-year scope of work. We get the money
7 with two years and we have two years to do it, annual reporting, and
8 then a final report at the end, but that is not the way it's
9 happening right now, and the PIs are doing an awful lot of work
10 every year to provide materials for your work plan, which -- and I
11 think rightly so, you don't pay a ton of attention to it, unless
12 there's been a red flag called out to you. It's.....

13 DR. BALSIGER: Okay, thank you. That's very clear. I
14 appreciate the help. Thank you very much, Tara. Thanks, Mr.
15 Chairman.

16 COMMISSIONER VINCENT-LANG: Go ahead.

17 CHAIR BRUNE: Sorry, Commissioner Vincent-Lang muted me. My
18 apologies. Thank you, Trustee Balsiger for that question. Tara,
19 thank you for that great answer and that -- running down the
20 process. That's very informative. Trustee Vincent-Lang, did you
21 have a question or.....

22 COMMISSIONER VINCENT-LANG: No.

23 CHAIR BRUNE: Were there other questions from Trustees? Yes,
24 Trustee Mulder.

25 MR. MULDER: Thank you. Ms. Riemer, your experience with these

1 other projects or grants that are approved on a multi-year basis, is
2 the money received on a year-by-year basis or for a four-year --
3 five-year project, you get all the money at the front end?

4 MS. RIEMER: For the vast majority of federal and state
5 projects, we effectively invoice as we spend the money. So on the
6 federal side, you generally draw it down on a weekly basis or
7 however you want to from the Federal Reserve through a process and
8 do financial reporting twice a year.

9 For the state, we haven't been involved with as many state, but
10 state capital grants, for instance, we would normally invoice
11 monthly or quarterly, and so we would always spend the money first,
12 before we would actually receive the cash.

13 MR. MULDER: Thanks for that answer.

14 CHAIR BRUNE: Great question, Trustee Mulder. Were there other
15 questions from Trustees?

16 (No audible response).

17 CHAIR BRUNE: Ms. Riemer, thank you so much for your time and
18 your testimony.

19 MS. RIEMER: Thank you.

20 CHAIR BRUNE: Up next is Jim Ayers, and then we're going to go
21 back to the two individuals that we had missed early on, if they
22 have come back, that's Lisa Docken and Brooke Mallory, and if
23 neither of them are on, Jim will be our last testifier. So Jim, the
24 floor is yours.

25 MR. AYERS: Can you hear me all right, Jason?

1 CHAIR BRUNE: Perfectly.

2 MR. AYERS: I apologize earlier for my -- I was one the phone
3 and I could hear you, but you couldn't hear me. Let me also
4 apologize for not providing written comments. I'm on medical-cation,
5 vacationing and doing my medical routine, so I'm in travel and I'm
6 just going to say that your struggle today is very familiar to me.
7 As some of you may know, I was the first Executive Director of the
8 *Exxon Valdez* Trustee Council. I should say for the *Exxon Valdez*
9 Trustee Council. I spent numerous hours in discussions about the
10 governments spending all of the money. They're just trying to spend
11 it down.

12 There was a movement to spend it and avoid the continuing
13 struggle of how to spend it. There was a tremendous battle about
14 invest more in habitat. They ran editorials that attacked me for
15 some of the work we did with some of the Native corporations and
16 others in purchasing habitat when the Anchorage Daily News thought
17 we should be doing something else.

18 So let me just say, I appreciate your public service and I
19 appreciate what you're doing as Trustees and as staff of the *Exxon*
20 *Valdez*. There was always a big push from behind the scenes to give
21 the reserve to a nonprofit or create one that could manage the funds
22 in a more efficient way and do what some people thought was the
23 right thing. What did I just say? I urge you to continue to stay
24 the course.

25 There is a pyramid approach that we built based on science, law,

1 and consistent public input and participation, those being two
2 separate things, which I'll mention. I strongly support the
3 recommendations of the PAC and many others who commented
4 representing tribes and communities to expand your effort to hear
5 the interests and recommendations of people in the area that are
6 related directly to the event -- to the consequences, if not the
7 event of the spill, before proceeding.

8 And I understand public participation is tough. I took many
9 lashings in many forums from Cordova to Anchorage to Kodiak and
10 (indiscernible), and I thought we had public involvement, but it
11 turned out not to be enough, and it took days, weeks, and months,
12 including many visits beyond just a hearing or a PAC meeting.

13 The Restoration Plan was built on the pyramid approach I
14 mentioned of all science and the public, and those components,
15 habitat protection and acquisition, monitoring and research, a
16 restoration and reserve, to maintain an ongoing effort, and I could
17 give you a quote from the actual *Exxon Valdez* plan specifically with
18 regard to the spill that there are (indiscernible) ocean ecosystems
19 that will undergo profound changes and changes will continue to
20 hinder a return to pre-spill conditions as indicated in the
21 Restoration Plan.

22 CHAIR BRUNE: Mr. Ayers, I'm sorry to do this to you, but we're
23 at three minutes. If you could please summarize the rest of your
24 comments?

25 MR. AYERS: Wow, yeah, 32 years it's taken me -- I support the

1 recommendations of the PAC. The Restoration Plan was built on law,
2 science, and the public. Each of those components is imperative,
3 including the reserve. There was never a deadline. On the
4 contrary, it was discussed and was never put in the plan nor was it
5 intended and I urge you to hear just one of the many things that
6 I've learned while I was in service there, and I urge you to listen
7 to understand, not to prepare a response based on your own personal
8 or your -- or the Council's ideas, but learn to listen to understand
9 why people want to maintain an ongoing connection and be directly
10 involved in the ongoing monitoring and observation, participation
11 and perhaps even planned acquisition. Thank a lot, appreciate it.

12 CHAIR BRUNE: Thank you, Mr. Ayers. Are there any questions for
13 Jim?

14 MS. TAYLOR: I have a question.

15 CHAIR BRUNE: Sure, Trustee Taylor.

16 MS. TAYLOR: This is Sara Taylor, DOI. -- thank you very much
17 for your testimony and for joining us today, Mr. Ayers. I just had
18 a quick question. When the -- I don't know if you remember or not,
19 but when the EIS was developed and Alternative 5, which was the
20 preferred, specifically included the potential for implementing
21 restoration outside of the spill area under specific designed
22 conditions, you know, how critical at that point were those specific
23 defined conditions? If you can remember or have any institutional
24 memory on that for when this Council should consider things outside
25 the spill area?

1 MR. AYERS: Well, let me say I don't have any of the language in
2 front of me, but I spent late hours in discussions with members of
3 the public, and I can tell you at least a ton, if not a ton-and-a-
4 half of lawyers, all of whom believed that it would be beyond the
5 scope of Judge Hollands' capability of ever going back to revisit
6 the discussion of extending beyond the boundary, unless someone had
7 a God-like capability of bringing the public together to agree on
8 extending the boundaries or extending the expenditures of the Trust
9 beyond those boundaries.

10 I have heard a variety of discussions about how those boundaries
11 were drawn and Rick Steiner, as well as many other people, could
12 talk about that. Pete Peterson, the leading scientist from North
13 Carolina that was one of the advisors and certainly helped me
14 immensely, smiled when we'd talk about boundaries, and I'm sure any
15 of the many of you know when you start talking about an ecosystem
16 impact, how are you drawing that line can become a very open and
17 lengthy discussion.

18 So yes, I remember the discussions about the lines. I don't
19 know exactly, lots of people have theories about how they were
20 drawn, lots of funny stories about it, but I can tell you that the
21 discussion about expending any of the funds beyond those boundaries
22 was discussed and it -- again, back to science, law, and the public,
23 there was no one who thought you could get through all three of
24 those hoops spending money outside those boundaries, and by the way,
25 I suspect some of those same attorneys would say the same today,

1 that you will have a hurdle going back to the courts and to the
2 public, even if you can make the argument apply.

3 MS. TAYLOR: So would you say that those two projects that have
4 been funded outside the spill area, that would be kind of consistent
5 with your original -- or in a way that at least some of you were
6 looking at it, that some of you hoped that very few projects would
7 ever be funded outside the spill area or was that strange that only
8 two made it through that criteria?

9 MR. AYERS: I would have to go back and look, but let me say I
10 do remember the discussions about it would have to be extremely
11 extenuating circumstances that the public could understand. Judge
12 Holland was adamant -- and so were many others, at the -- and let me
13 just mention, I believe, as you recall, there was a Republican or at
14 least conservative Republican Governor of the State of Alaska and a
15 Democrat President, and there wasn't quite the turmoil and conflict
16 there was today, but it took the federal and state government
17 agreeing in order to spend a dime, as you all know, and when they
18 actually came to some conclusion about feeling the pressure that you
19 are today, that it would have to be a very clear and convincing
20 extenuating circumstance that the public -- including the public,
21 particularly the public that lives within the *Exxon Valdez* spill
22 area, would have to understand, if not concur. Yes, its separate
23 and special.

24 MS. TAYLOR: Thank you.

25 CHAIR BRUNE: Thank you, Trustee Taylor. Great question, way to

1 try to get that historical perspective, and Mr. Ayers, thank you for
2 your previous service to the Council. Are there other questions for
3 him?

4 (No audible response).

5 MR. AYERS: Thank you very much for allowing me, and Sara, thank
6 you for the question. Sorry for the lengthy answer, as I meander
7 through the cobwebs of my mind.

8 CHAIR BRUNE: Well, we appreciate it a lot. So we're going to
9 go back to two individuals that are the last two that have signed up
10 for public comment and see if they are back on; Lisa Docken?

11 (No audible response).

12 CHAIR BRUNE: Okay, and Brooke Mallory?

13 (No audible response).

14 MS. PAQUETTE: Those two are not my names. I don't know if you
15 can hear me okay. Malan Paquette, I called several weeks ago to
16 sign up for public comment and was told there wasn't any. I was
17 then provided the wrong phone numbers for participating today
18 (indiscernible).....

19 CHAIR BRUNE: Well, I'm glad you're (indiscernible).....

20 MS. PAQUETTE: Yeah.

21 CHAIR BRUNE: I'm glad you're here right now, and we'll happily
22 give you three minutes.

23 MS. PAQUETTE: Thank you very much. My name is Ms. Malan
24 Paquette. I am a first-generation Alaskan, born down here on the
25 Kenai Peninsula. I was in Chenega Bay, Alaska in the Prince William

1 Sound when the *Exxon Valdez* oil spill hit and what we see now is in
2 the, you know, the kind of social and interpersonal event is that
3 many of the communities are still very weak in their infrastructure
4 from the trauma of the massive-like loss of industry over these
5 three decades.

6 We see it in the lack of schools. We see it in the lack -- the
7 vacancies in public safety, and so I know this probably sounds a
8 little disconnected, but I really did not get a chance to read your
9 resolutions and as mentioned by several people, it seemed to be a
10 short timeframe and also during a pandemic.

11 I currently live in a semi-rural situation, no internet in the
12 household. So it was a quite extensive effort just to find the
13 opportunity to provide public comment and then become the hurdles of
14 becoming available on the telephonic line, not to mention,
15 statewide, all of the public libraries that have been closed or
16 remain closed during the public testimony period where local
17 citizens would be accessing the internet and more readily provide
18 public comment.

19 So I've heard pretty consistently throughout the public comments
20 made so far that more time is needed and I just wanted to share, you
21 know, my experience living and working here, mostly in Southcentral
22 Alaska, some in Southeast, and just really hearing -- I've also
23 attended most recently several public meetings here in Alaska,
24 Department of Labor and things like that, and several of those
25 meetings came to mind for me, and I think it would be really wise to

1 engage other professionals in the field so that you're looking at
2 what these communities within the designated service area need and
3 those immediately impacted surrounding Kodiak and Kenai Peninsula,
4 all the way up to Cordova and all the way down into Southeast.

5 What a lot of these communities do not have are -- we don't have
6 a university system or post-secondary ed system offering law
7 degrees. Nowhere in the state of Alaska can you get a law degree,
8 and I think that's why we find ourselves 30 years later with the
9 tribes being represented through simple voice and no authority.

10 Public comment only goes so far, and we really need the *Exxon*
11 *Valdez Oil Spill Council* to be putting eyes on the situation in
12 these things communities and not be funding mining projects. It
13 sounds like mining is a little bit counterproductive from the
14 original intent for this money and Prince William Sound, for
15 example, is under a major landslide warning. They could be
16 devastated by a massive tsunami at any point.

17 Perhaps some of this money for the *Exxon Valdez Oil Spill*
18 *Council* should be used and reserved, and you know, in a way that it
19 could support these communities if they endure another major
20 traumatic event.

21 CHAIR BRUNE: Thank you for your testimony. Can you please wrap
22 up?

23 MS. PAQUETTE: Yes, I'll wrap it up, yeah, wrapping it up.
24 Please consider funding hatchery development or replacement of the
25 San Juan hatchery, support mariculture in all of the community

1 colleges in the region. Several tribes are opening schools, even in
2 Southeast, where we could be supporting professional development in
3 the critical infrastructure, self-sustainability and self-legal
4 representation.

5 CHAIR BRUNE: Thank you very much for your testimony today,
6 Malan. Do we have any questions.....

7 MS. PAQUETTE: Malan.

8 CHAIR BRUNE:from the Trustees?

9 (No audible response).

10 CHAIR BRUNE: Not seeing any, we appreciate your testimony,
11 Malan.

12 MS. MCLEOD: Mr. Chair.

13 CHAIR BRUNE: Yes.

14 MS. MCLEOD: I would like -- I'm a member of the public and
15 would like to correct what someone else said, may I?

16 CHAIR BRUNE: If you want to have three minutes to provide your
17 testimony, have you testified before?

18 MS. MCLEOD: No, I have not.

19 CHAIR BRUNE: Okay, we will give you three minutes to provide
20 your testimony.

21 MS. MCLEOD: Oh, I don't need that much, but thank you. My name
22 is Andree McLeod. I am with the Alaska Public Interest Research
23 Group, and I don't remember who said it, I -- but someone mentioned
24 that AKPIRG was not in favor of Draft Resolution 20-D. We, in fact,
25 wrote a letter to -- we submitted public comments on December 14th

1 in a letter and we, at AKPIRG, fully support the approval of Draft
2 Resolution 20-D, to incorporate an ecosystem approach to the oil
3 spill boundary and that's my -- the end.

4 CHAIR BRUNE: Thank you, Ms. McLeod.

5 MS. MCLEOD: Thank you.

6 CHAIR BRUNE: We appreciate the clarification. Are there any
7 other members of the public who are interested in giving testimony
8 today? Hearing none, I'm sorry, was that someone?

9 MS. ROTHE: Yes, it was. This is Ann Rothe.

10 CHAIR BRUNE: Hi, Ann.

11 MS. ROTHE: Hi.

12 CHAIR BRUNE: Please put your name on the record and you'll have
13 three minutes.

14 MS. ROTHE: Okay, I'm Ann Rothe. I've spent more than 36 years
15 working with conservation organizations within the nonprofit sector
16 in Alaska. At the time of the spill, I worked with representatives
17 of these organizations in conducting meetings in communities
18 throughout the impact area to hear directly from people impacted by
19 the spill.

20 The result was a publication entitled "The Day the Water Died,"
21 and it informed the months I spent lobbying for passage of the Oil
22 Pollution Act of 1990, and the creation of the Prince William Sound
23 Regional Citizens Advisory Council, and more importantly, it
24 informed my engagement in public opportunities about input for the
25 creation of the EVOS Trust.

1 I'm opposed to all four resolutions. I don't believe the
2 proposed resolutions advance the purpose of the EVOS Trust, nor are
3 they in keeping with the intent of the Memorandum and the Consent
4 Decree. Together, the Draft Resolutions appear to limit public
5 participation, project reporting, fiscal management, accountability
6 and overall transparency, while at the same time, expanding the
7 scope of restoration activities to promote research and habitat
8 acquisition outside the spill-impacted area.

9 There's very little information provided within each of the
10 resolutions or within the supplemental materials to explain why
11 these resolutions are being proposed or justified. The primary
12 reason being offered by the Council for Draft Resolutions A, B, and
13 C is to provide the Council with more flexibility, but there's no
14 reason being offered to explain why the current procedures are too
15 confining or these changes are necessary, and Draft Resolution A is
16 particularly troubling to me.

17 It significantly reduces the opportunity for the public to
18 participate in the restoration process and it reduces transparency
19 and accountability. I don't think it meets the mandum -- or
20 mandate, rather, of the Memorandum and Consent Decree, which
21 requires meaningful participation in the restoration process, and I
22 think eliminating the Council's annual meeting contravenes the
23 Council's -- the public trust responsibilities, especially the
24 federal Trustees, and I don't understand why Resolution D is
25 necessary.

1 I think the supplemental information is neither clear nor
2 compelling. The current language in the Restoration Plan regarding
3 location of restoration activities appears already to provide for an
4 ecosystem approach to decisions regarding restoration activities.

5 It offers enough flexibility to approve restoration and
6 monitoring activities outside the spill-impact area, while setting
7 the same stringent guidelines for how decisions are made regarding
8 these activities.

9 In those more than 30 years that have passed since the oil
10 spill, there are still wildlife habitats, fisheries resources and
11 the human impacts they sustain that have not fully recovered
12 within.....

13 CHAIR BRUNE: Your three-minutes is up. If you could please
14 summarize your comments?

15 MS. ROTHE: Sure. I don't believe the proposed resolutions
16 advance the purposes of the EVOS Trust, nor are they in keeping with
17 the intent of the Memorandum and Consent Decree. So that's.....

18 CHAIR BRUNE: Thank you very much, Ms. Rothe. Are there any
19 questions for Ann?

20 (No audible response).

21 CHAIR BRUNE: Seeing none, were there any other members of the
22 public wishing to give testimony today?

23 (No audible response).

24 CHAIR BRUNE: With that, we will close public comment. I
25 appreciate everyone having given it. We're going to take a five-

1 minute recess and we'll reconvene at 3:25.

2 Trustee Vincent-Lang: Five minutes or 3:25?

3 Chair Brune: Well it's 3:19 right now

4 Trustee Vincent-Lange: Can we have 10 minutes?

5 Chair Brune: Sure, they need 10 minutes. We'll reconvene at
6 3:30.

7 3:19:55

8 (Off record)

9 (On record)

10 3:30:15

11 CHAIR BRUNE: We will come back to order. The agenda that
12 includes the next agenda item is the Kenai Peninsula Aquatic
13 Ecosystem Restoration, Project 15150123.

14 COMMISSIONER VINCENT-LANG: Mr. Chair, I move we approve a
15 transfer and reallocation of funds of up to \$640,000 between two
16 subaccounts of the Kenai Peninsula Aquatic Ecosystem Restoration,
17 Project 15150123, from Crooked Creek Project D to North Port Anchor,
18 Ninilchik Road Project A.

19 CHAIR BRUNE: We have a motion from Trustee Vincent-Lang, is
20 there.....

21 COMMISSIONER VINCENT-LANG: If there is a second, I'll speak to
22 it.

23 CHAIR BRUNE: Is there a second?

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

25 CHAIR BRUNE: Thank you, Trustee Schmid. To you, Trustee

1 Vincent-Lang.

2 COMMISSIONER VINCENT-LANG: While I note that this is supported
3 by the PAC. There is no new funding that is being authorized under
4 this motion and it just allows us to get money on the ground between
5 two projects that were affected by COVID, and I think this is a good
6 use of the Trustee money toward restoration activities.

7 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Are there any
8 other comments or discussion on the motion?

9 (No audible response).

10 CHAIR BRUNE: Seeing none and hearing none, is there any
11 opposition to the motion?

12 (No audible response).

13 CHAIR BRUNE: Hearing none, that motion carries.

14 Next agenda item, Agenda Item 5., the Item for Discussion,
15 Changing Annual Meeting and Reporting Requirements. Trustee
16 Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: I move we approve amending the 1994
18 Restoration Plan to eliminate the annual meeting and approval
19 requirements and establish a new 10-year multi-year meeting cycle
20 and make nonsubstantive updates to the Restoration Plan, as
21 appropriate, to effectuate this change.

22 As part of my motion, I include a requirement for biennial,
23 every two-year, review of projects funded under the Ten-Year
24 Invitation. If there's a second, I'll speak to that motion.

25 CHAIR BRUNE: Is there a second to the motion?

1 DR. BALSIGER: This is Jim. I will second.

2 CHAIR BRUNE: Thank you, Trustee Balsiger. Trustee Vincent-
3 Lang.

4 COMMISSIONER VINCENT-LANG: Well, I chose a 10-year horizon
5 because I think it allows more certainty, in terms of the work
6 that's being conducted, in terms of restoration from the *Exxon*
7 *Valdez* oil spill. Many of those are science projects that really
8 don't make any sense to do on a single year basis. It makes more
9 sense to provide some certainty to those people proposing those
10 projects for a longer time horizon, and I think 10 years is
11 appropriate, and I note that many projects already are -- that we've
12 conducted have time horizons that have exceeded 10 years, for
13 instance, Herring Research and Gulf Watch program.

14 And I will also note that just because a project may have less
15 than a 10-year planning horizon, it may be a one or two-year project
16 that can funded underneath this, that allows those projects to be
17 funded. It's just simply that they have an earlier completion date.

18 I also included the biennial review to reduce unnecessary
19 oversight, while allowing Trustee responsibility for oversight of
20 public funds. This will allow for cancellation or adjustment of
21 unprioritizing projects on a biennial basis.

22 Regarding the PAC comment for more time for public engagement,
23 again, I feel we have provided adequate public notice, based on the
24 number of comments we received, which was over eight inches thick of
25 paper. I think we have got a good flavor of what people are

1 thinking and I note that we have a whole number of comments from a
2 wide range of groups, including those within the affected spill
3 area. So with that, any questions, I'd be happy to answer them.
4 Thank you.

5 CHAIR BRUNE: So we have a motion and a second on the table.
6 Thank you for that discussion, Trustee Vincent-Lang. Are there
7 other comments from Trustees? Trustee Balsiger.

8 DR. BALSIGER: Thank you, Mr. Chairman. I did second this
9 motion, as Doug asked, for purpose of discussion. So I do have a
10 question perhaps it's more than discussion. Commissioner, Trustee
11 Vincent-Lang, the times are changing and it's not an old Bob Dylan
12 refrain, it's an observation from an old guy sitting here in Juneau,
13 and you know, we see -- saw things like the pandemic, which we never
14 had one like that in my lifetime before.

15 We have had things like cod disappearing in the Gulf of Alaska,
16 including part of the Prince William Sound area that we're talking
17 about. Things are happening so rapidly now. I wonder what you
18 think the difference would be if we had a five-year proposal,
19 instead of 10, because 10 years -- when you're a researcher and you
20 plan things, 10 years goes pretty quick, but so does some of these
21 changes.

22 So would five years damage your idea for greater -- less
23 administrative oversight and greater efficiencies, as opposed to
24 your 10-year horizon?

25 CHAIR BRUNE: Trustee Vincent-Lang.

1 COMMISSIONER VINCENT-LANG: Well, I chose 10 years for the
2 reasons I stated. I think many of these projects have to collect
3 valuable science to inform some of the decisions. We need long-term
4 databases, and I would hate to have these people come back every
5 five years and -- when we know we're going to fund them over another
6 five-year project, so I'd like -- I'd be interested to hear what
7 other Trustees think. I tend to agree with the 10-year, but I'm
8 open, based on what other Trustees say about a five-year.

9 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Trustee Taylor,
10 did you have a comment?

11 MS. TAYLOR: Trustee Schmid raised his hand.

12 CHAIR BRUNE: Sorry, I thought I saw -- sorry, go ahead, Trustee
13 Schmid.

14 MR. SCHMID: Yeah, thank you, Mr. Chair and Trustee Vincent-
15 Lang, I lean towards Dr. Balsiger, Trustee Balsiger here, as well,
16 looking at timelines that I think a five-year horizon here -- there
17 are -- as events continue to unfold that we just can't anticipate, I
18 think it still provides the intent behind the motion here, which is
19 to create a bit more administrative efficiencies and still look
20 longer-term with the five-year proposals. So I would be inclined to
21 lean towards a five versus a 10-year.

22 CHAIR BRUNE: Trustee Vincent-Lang, do you see that as a
23 friendly amendment?

24 COMMISSIONER VINCENT-LANG: I'd like to hear from some of our
25 other Trustees before going to five years.

1 CHAIR BRUNE: Okay. Okay, thank you. Trustee Taylor.

2 MS. TAYLOR: I'd like to offer a friendly amendment.....

3 CHAIR BRUNE: Okay, go.....

4 MS. TAYLOR:to the motion. Consistent with everything
5 Trustee Vincent-Lang said, I move to -- I move to revise the text of
6 Draft Resolution 20-A so that proposed amendments to the Restoration
7 Plan include the following: issuing a single solicitation for
8 proposals to determine expenditures for the following 10 years,
9 eliminating the requirement for an annual public meeting and funding
10 decision process, requiring annual progress reports from projects
11 that have been awarded funding, describing project progress,
12 performance, budget status, problems encountered, other such project
13 monitoring information, and these will be made available for public
14 review, and requiring biennial restoration program status reports
15 prepared by EVOSTC staff and submitted to the Trustee Council for
16 review, so essentially -- and lastly, conducting Trustee Council
17 meetings at least every five years and as necessary for restoration
18 program status reports or information indicate that a decision is
19 required by the Trustee Council to address an issue.

20 So in summary, what we'd be looking at is issuing a proposal or
21 requesting proposals for the next 10 years, as you said, it can be a
22 six-month project or a six-year project or a 10-year project, but
23 issuing one proposal for funding for the next 10 years, meeting at
24 least once during that 10-year period, around the five-year mark,
25 and receiving at least two like reports prior to that meeting that

1 indicate whether there's anything that the Council needs to address,
2 in terms of how the projects that were awarded grants under that 10-
3 year proposal are fairing and how they're doing and whether their
4 needs are met and whether they might need some attention, in terms
5 of oversight, now (indiscernible).....

6 CHAIR BRUNE: Trustee Taylor, okay, so that was an amendment to
7 Trustee Vincent-Lang's -- and obviously, that -- well, since it was
8 an amendment, we do have a motion on the floor. Is there a second
9 to your -- well, first of all, do you see that as friendly, as the
10 Maker of the motion.

11 COMMISSIONER VINCENT-LANG: Well, I'm trying -- I'm struggling
12 with Sara a little bit. I think what you're asking for is having
13 the 10-year planning horizon. We do a call -- we do the Invitation
14 underneath that. There would be an annual reporting requirement and
15 biennial review by the Trustees to make funding level adjustments
16 and.....

17 MS. TAYLOR: No.

18 COMMISSIONER VINCENT-LANG: And then -- no, okay.

19 MS. TAYLOR: Just biennial review of the status report developed
20 by staff indicating whether or not there are issues in need of
21 addressing and no news is good news.

22 COMMISSIONER VINCENT-LANG: Okay, and then a five-year check-in
23 based on -- with the Trustee Council itself to figure out whether
24 adjustments need to be made. I think that's what I envisioned, so I
25 consider that friendly.

1 CHAIR BRUNE: Okay, as the Secunder of the motion, Trustee
2 Balsiger, do you consider that friendly as well?

3 DR. BALSIGER: Yes, I will.

4 CHAIR BRUNE: Okay, so we have.....

5 DR. BALSIGER: Yes, I do.

6 CHAIR BRUNE: So we have a revised motion on the floor. Is
7 there further discussion?

8 MR. MULDER: I had a point of clarification on the biennial
9 review. The comments we got from the Science Panel last fall
10 recommended a minimum review of projects by the Science Director and
11 the panel every two years, and so I'm wondering, would this biennial
12 review include review of the -- by the Science Panel?

13 MS. TAYLOR: I'm open to that. I wasn't.....

14 CHAIR BRUNE: Trustee Taylor.

15 MS. TAYLOR: I'm open to that, Mr. Chair.

16 CHAIR BRUNE: Trustee Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: Yes, I would see the Science Panel
18 being part of that biennial review.

19 CHAIR BRUNE: Okay, are there further comments, discussion or
20 questions?

21 (No audible response).

22 CHAIR BRUNE: Hearing none -- Trustee Mulder.

23 MR. MULDER: Yeah, is it envisioned that the project funding
24 would be as it is now, handled through one of the Trustee agencies
25 and the kind of -- what would the mechanics be? Would it be kind of

1 as the person from the Seward SeaLife Center described, submission
2 of invoices as we go? Would it be on an annual basis? How would
3 the funding work?

4 CHAIR BRUNE: Trustee Mulder, that's a great question. I'm
5 actually going to ask our Executive Director Elise to address how
6 it's currently working and then we can have discussion on how we
7 would like to have it work.

8 MS. HSIEH: Currently, for construction or capital projects,
9 such as -- and this is not science, this is the habitat enhancement
10 projects-- the culvert projects, such as you heard about in the
11 Kenai Aquatic Ecosystem and smaller projects, the funding is
12 released by our office as certain conditions are met. Sometimes
13 those conditions are ripe at the outset of the project. Sometimes,
14 if it's a larger amount, we actually will wait and work with the
15 project to release it in increments that are appropriate for the
16 project.

17 For large capital projects, such as the Cordova Center and
18 Prince William Sound Science Center, both of those projects, we
19 worked through DCCED and those were invoiced I believe monthly with
20 the money being spent in advance. I'm sorry it's not a one answer
21 fits all.

22 We really do look at each project and some projects are more --
23 we're more concerned about how the funding's going out. So we'll
24 actually hang on to more of it and release it slowly. Some projects
25 are very -- smaller amounts, run by professionals who've done it a

1 lot and/or DOT or matching funds, a bunch of state and federal
2 agencies that need to show certain amounts approved, and so we'll
3 work with the specifics of the project, including past experience,
4 size of the project, any concerns that the Trustees or others may
5 have, and so we actually do all of the above with regard to those
6 kinds of projects.

7 With regard to science projects, Shiway can chime in and Linda,
8 as well. That funding is transferred on an annual basis to the
9 managing agency, is my understanding, and so that is a 12-month
10 cycle. Shiway, did you have anything you wanted to add about how
11 the mechanics work currently or any other comments in this area?

12 MS. WANG: I don't at the moment, thank you.

13 MS. HSIEH: I think Shiway's kind of chewing on everything
14 that's been said and taking notes and we'll probably have some more
15 feedback as she absorbs the current motion on the table.

16 CHAIR BRUNE: So thank you. So just.....

17 COMMISSIONER VINCENT-LANG: Well, I just.....

18 CHAIR BRUNE: Go ahead, Trustee Vincent-Lang.

19 COMMISSIONER VINCENT-LANG: Well, I see is being an agency or
20 group approved being funded money for two years and based on their
21 biennial review, if they're underperforming or doesn't seem to be
22 making or made at the two-year mark, at the biennial review mark.
23 That provides us adequate oversight, you know, of the projects and
24 make sure that if somebody goes out of business or something, we
25 haven't given them 10 years' worth of money. So it still gives us,

1 you know, checks and balances on the money going out the door, but
2 some certainty that if you're trying to do a project like a
3 mariculture project, that you have enough capital costs to get it
4 out the door at the front end of it.

5 CHAIR BRUNE: Okay, so I think that is clearer for the record.
6 Are there other comments? Trustee Mulder, does that address the
7 question that you had?

8 MR. MULDER: I'm still a little unclear on the science projects,
9 when the money goes to the managing agency. How does the managing
10 agency manage that money? Is it pay-as-you-go or
11 (indiscernible).....

12 MS. HSIEH: Each, I believe -- Jason, did you -- or Chair, would
13 you like me to answer?

14 CHAIR BRUNE: Yeah, please, Elise.

15 MS. HSIEH: And actually, I believe Mandy Lindeberg is on the
16 line somewhere and she can get into the nuts and bolts of what's
17 happening currently under NOAA, but I believe that each managing
18 agency follows its own funding protocols within -- once the funding
19 is transferred from our office. Mandy and Scott could speak -- and
20 Katrina, as well, to once the money hits their accounts, what
21 happens then, and that might be helpful to hear briefly, and Shiway,
22 as well.

23 COMMISSIONER VINCENT-LANG: Mr. Chair, if the State were to get
24 this money, we would get it as a capital appropriation and we would
25 spend it out over the two or three years as a capital appropriation.

1 CHAIR BRUNE: So Elise, before we get to Mandy or Shiway, if
2 this is a non-agency, if this is the SeaLife Center or the Prince
3 William Sound Science Center, is that money given all in one chunk
4 at the very start of the funding time?

5 MS. HSIEH: It is for the scientific long-term programs at
6 the beginning of the 12 months, yes, it's transferred.

7 CHAIR BRUNE: Thank you. Mandy, did you have anything you
8 wanted to add?

9 MS. LINDEBERG: Thank you, Mr. Chairman. I believe the
10 conversation is pretty accurate. It is different between agencies
11 and the type of project that it is, but for NOAA we allocate those
12 funds on an annual basis and also we have a grant that we
13 administer, so the annual funds going toward the grant are given in
14 one chunk, but projects that are directly funded through the agency,
15 with agency folks, is on an annual basis and administered that way.
16 So I can only speak to NOAA. Katrina Hoffman with Prince William
17 Sound Science Center might be able to answer how they operate with -
18 - if they get funds directly from the Trustee Council.

19 CHAIR BRUNE: Thank you, Mandy. Katrina, do you care to give
20 comment?

21 MS. HOFFMAN: Mr. Chair, the funds to non-Trustee agencies are
22 routed through a state or federal agency. In the case of the long-
23 term monitoring program, Gulf Watch Alaska, the funds are routed
24 through NOAA, and the Prince William Sound Science Center is the
25 administrative arm overseeing all of the sub-awards to all of the

1 non-Trustee agents funded through that program.

2 That billing is done after the work is accomplished. So the
3 sub-awardees bill us or we bill for our work completed. We send
4 those invoices to NOAA and are remunerated after such time the work
5 is accomplished, but the funds have been allocated to NOAA and are
6 being held until the awardees demonstrates the need for the funds.

7 CHAIR BRUNE: Thank you, Katrina. Tara Riemer, do you have
8 anything to add to what Katrina just stated?

9 MS. RIEMER: Katrina said it very well. It is from the
10 perspective of an end recipient of these funds that's not a federal
11 or state agency, these are reimbursable agreements. You're
12 authorizing them a year at a time at the top level, but they're
13 doled out very appropriately and in a very managed way to the end
14 recipients. Thanks.

15 CHAIR BRUNE: Thank you, and Elise, thank you for that
16 suggestion for getting that insight from Mandy, Katrina, and Tara.
17 Shiway, you have your hand up, please.

18 MS. WANG: I just had one question for clarification regarding
19 annual reports. Are Trustees requesting that annual reports
20 continue?

21 CHAIR BRUNE: Trustee Taylor.

22 MS. TAYLOR: Yes, annual reports received from those who have
23 the projects. Annual reports from the projects, yes, available to
24 the public, consistent with the '94 Restoration Plan.

25 MS. WANG: Thank you.

1 CHAIR BRUNE: Thank you, Trustee Taylor. Trustee Mulder, does
2 that address your questions?

3 MR. MULDER: Yes, thank you.

4 MR. SCHMID: Mr. Chair.

5 CHAIR BRUNE: Trustee Schmid.

6 MR. SCHMID: Yeah, I think we might be on different screens.
7 I've been trying to get my hand up here a bit, a little bit
8 different topic. I'd like to go back to Trustee Vincent-Lang, I
9 guess, and one of the questions I have is the role of the PAC in
10 this proposal to change the meeting requirements and reporting
11 requirements and how would you envision the FACA Committee, the PAC,
12 its role and its moving forward with this proposal?

13 CHAIR BRUNE: Trustee Schmid, I apologize for not seeing you.
14 You indeed were on a separate screen. So thank you for pointing
15 that out. My apologies. Trustee Vincent-Lang.

16 COMMISSIONER VINCENT-LANG: As part of the biennial reviews.

17 CHAIR BRUNE: So that the thought then, Trustee Vincent-Lang,
18 would be that there would be biennial Science Committee and PAC
19 meetings?

20 COMMISSIONER VINCENT-LANG: Yes.

21 CHAIR BRUNE: Trustee Schmid, does that answer your question?

22 MR. SCHMID: Yes, thank you.

23 CHAIR BRUNE: And back to Trustee Mulder, I'm sorry, I didn't
24 get a head nod or anything, were you -- were your questions
25 answered?

1 MR. MULDER: Yes, thank you very much.

2 CHAIR BRUNE: Other questions or discussion?

3 (No audible response).

4 CHAIR BRUNE: Before I ask -- Trustee Taylor.

5 TRUSTEE TAYLOR: I just want to mention that, you know, these
6 ideas, the way that I've reformed the amendment here or the way that
7 I've reformed the motion here, these ideas came from the public and
8 my staff and a lot of people who have contributed and worked really
9 hard to give us the benefit of their experience and to try to create
10 something that still gives them that -- that still gives them that
11 accountability, that is where I derived a lot of these changes, even
12 though they might be new.

13 CHAIR BRUNE: Thank you, Trustee Taylor. Any other comments or
14 discussion?

15 (No audible response).

16 CHAIR BRUNE: Seeing none, is there any opposition to the
17 motion?

18 (No audible response).

19 CHAIR BRUNE: Seeing none, the motion passes unanimously.

20 We move to the next agenda item, Agenda Item 6. Item for
21 Discussion, Combining Habitat and Research Accounts. Trustee
22 Vincent-Lang.

23 COMMISSIONER VINCENT-LANG: Well, I move we approve initiation
24 of the steps necessary to transfer the Trust funds from the
25 Restoration and Habitat Subaccounts into a single account to use in

1 accordance of the requirements in the Memorandum of Agreement and
2 Consent Decree entered as settlement in the United States of America
3 versus State of Alaska, No. A91-081, the Memorandum of Agreement,
4 the Restoration Plan, and the governing statutes.

5 CHAIR BRUNE: Is there a second to the motion?

6 (No audible response).

7 CHAIR BRUNE: For purposes of discussion, I will second the
8 motion. This is Trustee Brune. Trustee Vincent-Lang.

9 COMMISSIONER VINCENT-LANG: So this would allow the Trustees
10 greater flexibility in deciding how to spend the remaining funds in
11 the EVOS Trust Fund. It wouldn't predicate that we'd have to spend
12 X-amount on habitat, X-amount on scientific research. It would give
13 us greater flexibility in how we spent that money without the
14 artificial boundaries between those two subaccounts.

15 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Is there further
16 discussion from the Trustees? Trustee Mulder.

17 MR. MULDER: Yeah, I'm concerned about that withdrawing the
18 money from the State Department of Revenue, where we've gotten --
19 had such a great run-on return on investment, prematurely, so I
20 could support Path A, but I wouldn't want to transfer significant
21 parts of the fund to Interior, where there's a low rate of return,
22 until we're at a junction and we need to, and I'm not saying that
23 we're there yet.

24 CHAIR BRUNE: Trustee Mulder has a point of clarification from a
25 legal perspective. Is it possible to join the accounts without

1 transferring it to the Resources Account within the Department of
2 the Interior?

3 Mr. MULDER: I think we looked at this question. If they wanted
4 to keep the money in the -- with the State Department of Revenue,
5 it's in there by virtue of legislation that our congressional
6 delegation obtained for us in 1999, and a part of that law says --
7 the public law says that it's to be managed in accordance with a
8 resolution of the Council, which created the two accounts to begin
9 with, and so it's my understanding we would need another public law
10 to give us the flexibility to combine the accounts within the State
11 investment fund.

12 CHAIR BRUNE: Thank you. Just as another question: is there
13 anything that precludes us from transferring money from one to the
14 other and maintaining both, but transferring money between funds?

15 Mr. MULDER: I'm sorry, I misunderstood your question you were
16 asking originally. I think that's -- I'd have to go back and look
17 at it, but that's my understanding of the resolution that created
18 the two accounts to begin with is that we segregated those funds at
19 that time and I don't think there's flexibility to merge them.
20 That's my understanding.

21 CHAIR BRUNE: Thank you. Trustee Taylor.

22 MS. TAYLOR: I just wanted to note one caution that was brought
23 to my attention was that while funding released to the DOI fund may
24 still require Trustee Council resolutions or signed Trustee Council
25 resolutions in order for the fund manager to release those funds to

1 the agencies each year, and that's in accordance with the fund's
2 policy. So there may be a way to -- there may be a way to comply
3 with that. I don't see it as a barrier, so -- but that is a caution
4 -- I mean, that's -- that is one thing you will run into by moving
5 the money into the Natural Resource Damage Assessment and
6 Restoration Fund.

7 CHAIR BRUNE: Trustee Taylor, as a follow-up to that statement,
8 does that imply, then, that we would need annual Trustee Council
9 meetings or motions in order for that to -- for DOI to be able to
10 make those -- those allocations?

11 MS. TAYLOR: No, no it does not.

12 CHAIR BRUNE: Thank you.

13 MS. TAYLOR: It just means we would need signed resolutions, so
14 there would be that.

15 CHAIR BRUNE: Okay, thank you. Further discussion from the
16 Trustees? Trustee Balsiger.

17 DR. BALSIGER: Yes, thank you, Mr. Chairman, and I guess this is
18 a discussion or question, but there seems to be some uncertainty
19 over this issue of whether we need a federal law, whether we can
20 accomplish it some other way, and about -- not to mention the
21 advisability of it, in particular with the public comments that we
22 received, so I'm wondering if Trustee Vincent-Lang thinks that it
23 would be -- it would slow down the rest of the program, including
24 the motions we just passed and portending that we will get the
25 Invitation that voted out, would this slow -- if we put this one on

1 a slow track and dealt with it later, would that cause problems for
2 the rest of the program, in your opinion?

3 CHAIR BRUNE: Trustee Vincent-Lang.

4 COMMISSIONER VINCENT-LANG: So Jim, I think that this would
5 potentially slow it down because a significant amount of money is
6 left in the Habitat Restoration Fund and for me, personally, some of
7 that money, I think, could be better used in some of the ongoing
8 science, as part of the Invitation and the mariculture fund. So I
9 think we would be funding those projects at a significantly lower
10 amount than I would envision funding them if we didn't merge the two
11 funds.

12 DR. BALSIGER: Thank you. I understand that. Thank you, Mr.
13 Chairman.

14 CHAIR BRUNE: Thank you, Trustee Balsiger. Thank you, Trustee
15 Vincent-Lang. Other questions, other discussion?

16 (No audible response).

17 CHAIR BRUNE: We'll have the vote on the motion. Is there any
18 opposition to the motion?

19 MR. MULDER: I'll oppose.

20 CHAIR BRUNE: We have opposition. All motions require
21 unanimity. So that motion fails.

22 Moving to the next agenda item, with changing the spill
23 boundary, Trustee Schmid.

24 MR. SCHMID: Yes, thank you, Mr. Chair. I move we approve the
25 1994 Restoration Plan -- amending the 1994 Restoration Plan to

1 eliminate the strict criteria of out of the spill area restoration
2 actions, as the location of restoration actions Item E on page 14 of
3 the Restoration Plan, and replace it with an ecosystem approach to
4 the oil spill boundary that would extend the boundary to encompass
5 the Lower Copper and Bering River watersheds and Controller Bay for
6 approval of restoration activities, and if I receive a second, I'll
7 explain the motion.

8 CHAIR BRUNE: We have a motion on the table. Is there a second?

9 DR. BALSIGER: This is Jim. I will second that.

10 CHAIR BRUNE: Trustee Balsiger. Trustee Schmid, speak to your
11 motion, please.

12 MR. SCHMID: Yes, thank you, Mr. Chair. As well -- and I did --
13 we did hear from the public much concern about expanding the spill
14 boundary area to include everything from the North Slope to
15 Antarctica. That was never the intent of this motion or this
16 resolution.

17 Again, when I look -- and I have heard from many folks that live
18 within the spill area and outside of the spill area, that the
19 arbitrary line on the eastern boundary of the oil spill area was
20 arbitrarily drawn down the Copper River, and I and other scientists
21 are completely convinced that the ecosystems, the Bering, Copper,
22 and Lower Copper watersheds are inextricably linked.

23 We have species that do migrate, ninety species of birds,
24 salmon, and others within the spill area and is directly involved.
25 Based on the public comment, I narrowed the scope of this resolution

1 to include just the eastern portions of the boundary that are parts
2 of the watershed that are already within the oil spill boundary and
3 the other connected watershed area are just immediately adjacent to
4 that. Thank you.

5 CHAIR BRUNE: Thank you, Trustee Schmid. Is there other
6 discussion? Trustee Balsiger.

7 DR. BALSIGER: Yes, thank you, Mr. Chairman. I appreciate the
8 motion and I appreciate that it's clear that this slight change to
9 the plan does not ever foresee spending money outside of the
10 watershed of Prince William Sound, and there was some public comment
11 in which I think was accurate that the -- there's some uncertainty
12 that the coal would ever be needed out of the Bering River area, and
13 so at one hand, you can take a chance and say they probably won't
14 dig it and everything's cool, but as one Trustee person, I'm not
15 particularly prepared to take that chance. I think that mining coal
16 in that area would be devastating to Prince William Sound and so
17 with those comments, I am going to support the motion. Thank you.

18 CHAIR BRUNE: Thank you, Trustee Balsiger. Trustee Vincent-
19 Lang.

20 COMMISSIONER VINCENT-LANG: I, too, will support this motion.
21 Although I support it, I am going to take a critical look at
22 individual projects that come forward under this expanded territory
23 and with a careful eye as to making sure that it's actually
24 benefiting injured resources in the spill area, but just because we
25 have artificial boundaries on this river system doesn't make sense

1 to me. A more ecosystem-based approach does make sense to me, and I
2 appreciate the resolution of this motion from something broader that
3 could include something on the North Slope to something more
4 contiguous to the area.

5 So again, just because I voted to move this forward doesn't mean
6 that I support any individual project that may come in front of us
7 or later vote.

8 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Other
9 discussions?

10 (No audible response).

11 CHAIR BRUNE: Seeing none, we will vote on the motion. Is there
12 any opposition to this motion?

13 (No audible response).

14 CHAIR BRUNE: Seeing none, the motion carries.

15 We move to the next agenda item, the FY22-31 Invitation, Trustee
16 Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: I move we approve any necessary
18 edits to the FY22 through FY31 Invitation, dated 11/4/2020, due to
19 actions the Council took at this meeting, including edits pertaining
20 to reporting and policy requirements language per the -- and I also
21 include in that a removal of the fish passages text from the
22 Mariculture focus area, per the PAC recommendation. Secondly, as
23 part of this motion, I also move that we include an "Other" category
24 for general restoration per the Consent Agreement or Decree.

25 CHAIR BRUNE: Thank you, Trustee Vincent-Lang. Is there a

1 second?

2 MS. TAYLOR: I second.

3 CHAIR BRUNE: Thank you, Trustee Taylor. Trustee Vincent-Lang,
4 speak to your motion.

5 COMMISSIONER VINCENT-LANG: The second part of the motion is the
6 most pertinent part here, is that I think after reading the public
7 testimony and listening to the public testimony, we clearly -- when
8 we put the initial invitation out, we had three general areas;
9 mariculture, Sound science, and public outreach, but we really
10 didn't have a category for general restoration, and I think we
11 missed the boat on that one.

12 I think we ought to provide an opportunity for general
13 restoration projects to be part of that Invitation and I think we
14 ought to amend our action we took in October, which approved that
15 Draft Invitation, and amend it to include a general restoration
16 category.

17 CHAIR BRUNE: So for clarity, there will be four categories then
18 for the public to know. There's the science and data -- is the
19 first. Mariculture is the second. Education and outreach is the
20 third, and the proposed addition of the fourth, which is a general
21 restoration. Just confirming that that's the case, Trustee Vincent-
22 Lang?

23 COMMISSIONER VINCENT-LANG: That's correct.

24 CHAIR BRUNE: Okay.

25 MS. HSIEH: Chair, may we ask a question to clarify on the new

1 category?

2 CHAIR BRUNE: Sure, Elise, go ahead.

3 MS. HSIEH: Have the Trustees given some thought about what sort
4 of funding would be allocated to general restoration, even if it's a
5 range, and then you can see what proposals come in the door, and
6 assuming general restoration may also encompass the Habitat
7 Subaccount, actually. So that may give you additional funds to pull
8 from with regard to that.

9 CHAIR BRUNE: Thanks, Elise. I'll ask a clarifying question
10 before I ask the Trustees' input on that. We've roughly set ranges
11 of 50 million, 25 million, and 25 million, at least that was my
12 recollection, 50 million for the science and data management, 25
13 million for mariculture, 25 million for education and outreach. If
14 that \$100 million for the 10 years is allocated, what is the
15 remaining balance of unallocated funds for the Trustee -- in the
16 Trustee Council budget, our balance sheet?

17 MS. HSIEH: The current, as of December, unallocated funds is
18 about 155 million. Probably, if you're going to go over a 10-year
19 period, we need to talk to the Department of Revenue, but my guess
20 would be that it probably still would be very worth it to maintain
21 some of the funds, and they will be increasing, so -- but I would
22 have to have them do a long-term spending scenario to come up with a
23 number.

24 So off the top of my head, we have in the past 10 years, which
25 has been a very strong market, it's been, what, \$151 million, so

1 about \$15 million a year of investment income. Let's say you're
2 doing half of that, just to be conservative, and also as it's spent
3 down, and again, I would like to go over this with Department of
4 Revenue, but for restoration, I'm wondering if I could present to
5 them to work out a long-term spending scenario for the next 10
6 years.

7 CHAIR BRUNE: I think that that's sufficient, Elise.

8 MS. HSIEH: (Indiscernible).....

9 CHAIR BRUNE: I think -- I think, effectively, what we -- what I
10 was wondering, you answered with the \$155 million answer, and of
11 course, just because we allocate or we propose those ranges of
12 amounts doesn't mean that we'll ultimately vote on spending all of
13 it, come our next meeting, just giving ranges.

14 Trustee Vincent-Lang asked a question wanting to know what is in
15 each subaccount that's unallocated currently.

16 COMMISSIONER VINCENT-LANG: And the reason I ask that question
17 is that the motion combining accounts failed. So now we do have two
18 pots of money.

19 MS. HSIEH: So the Research is, as of December 31st, was around
20 92 million and Habitat was 63 million, roughly speaking, and again,
21 the general restoration category may overlap, depending on the
22 projects the Trustee Council is interested in, into the Habitat
23 Subaccount.

24 CHAIR BRUNE: Thank you, Elise, that is very helpful. So to the
25 question that was asked by Elise; what is the suggested amount for

1 the general restoration?

2 COMMISSIONER VINCENT-LANG: Forty million.

3 CHAIR BRUNE: Forty million is the proposal from Trustee
4 Vincent-Lang. Is there head nods or.....

5 COMMISSIONER VINCENT-LANG: Just as a general target.

6 CHAIR BRUNE: Okay, and again, recognizing that just because
7 these numbers that we've thrown in there are there, does not mean
8 that we're necessarily going to be spending all of that. So seeing
9 a hand up Trustee Schmid.

10 MR. SCHMID: Thank you, Mr. Chair. Yeah, I guess my
11 understanding all along, these are just target ranges and it's going
12 to -- would highly depend upon the scope and the scale of the
13 projects and how they fit, but those were -- those were a goal, I
14 guess, or a target, but not firm and fast.

15 CHAIR BRUNE: Correct, and I guess, good add-in, Trustee Schmid.
16 If we received 10 great projects for the general restoration that
17 totaled 80 million, we could -- we have the discretion as Trustees
18 to make that so at that time. I mean, we're -- we're not setting --
19 we're setting general ranges. That does not mean that we're held to
20 those numbers when the actual votes occur.

21 MS. HSIEH: Chair Brune, may we ask another question with regard
22 to general restoration?

23 CHAIR BRUNE: Go ahead, Elise.

24 MS. HSIEH: What do the Trustees -- just so we have some
25 skeletal information to shape the text for the revised Invitational,

1 which would be emailed to you as well, but just to get us started,
2 what sort of projects would the Trustees envision being in this new
3 fourth category?

4 CHAIR BRUNE: I'm going to refer to Trustee Mulder for the
5 language that's in the Consent Decree. Trustee Mulder, do you have
6 that language, or Trustee Taylor, do you have that language
7 available?

8 MR. MULDER: Yeah, the general definition and the defining terms
9 are on page four of the 1994 Restoration Plan, which I could
10 probably pull up here while we're talking.

11 COMMISSIONER VINCENT-LANG: While Steve's looking for that, I'll
12 say it's things like the land purchases, habitat purchases,
13 restoration of habitat for the Bering Sea. Coal fields could be one
14 project that could be funded underneath that, the purchase of land
15 on Afognak Island that was proposed, restoration projects up and
16 down the coast that restore damage beaches could be eligible, as
17 well as some potential community development projects that are
18 restoring different damaged resources and making communities more
19 resilient.

20 CHAIR BRUNE: Such as archaeological resources?

21 COMMISSIONER VINCENT-LANG: Yes, yes.

22 MS. TAYLOR: Fish passages?

23 COMMISSIONER VINCENT-LANG: Yes, fish passages.

24 MS. TAYLOR: Mr. Chair, yeah?

25 COMMISSIONER VINCENT-LANG: Yes.

1 MR. MULDER: The culvert work. So the definition is fairly
2 broad, for the purposes of restoring, replacing, enhancing, or
3 acquiring the equivalent of natural resources as result of the oil
4 spill and the reduced or lost services provided by such resources,
5 and then the Restoration Plan goes forward to further define
6 restorative -- restoration, replacement, enhancement. So there are
7 more definitions there on page four of the Plan.

8 CHAIR BRUNE: So Elise, the thought would be, given what Trustee
9 Mulder said, to reference the document that he just did and give
10 flexibility in that other category for proposals that would come in.
11 Trustee Vincent-Lang -- sorry, go ahead, Trustee Balsiger.

12 DR. BALSIGER: Thank you, Mr. Chairman. So Trustee Vincent-
13 Lang, perhaps you could explain how you think this new category will
14 work. With the mariculture one, I -- I mean, it's fairly easy to
15 envision a 10-year project coming in that we'll review periodically,
16 as laid out in the motion, and probably, the Trustees won't, as a
17 body, consider future mariculture projects, because we spent the
18 mariculture money up front, if you want.

19 Are you thinking the same process will work with these habitat
20 things, which include things like culverts and erosion? Is there
21 going to be some entity that manages these funds against all
22 upcoming events? Culverts and things aren't necessarily
23 predictable. So I'm not quite sure how those projects come to the
24 attention of whoever has habitat money, if the Trustees, themselves,
25 aren't going to sit and consider it.

1 COMMISSIONER VINCENT-LANG: Well, I think there's a 10-year
2 culvert replacement program that DOT has and Fish & Game has
3 together that somebody could look at and put together a 10-year plan
4 for culvert replacements.

5 DR. BALSIGER: If I could, Mr. Chairman, I chose a poor example,
6 I'm envisioning things for which you really can't plan ahead,
7 unexpected events that may very well be a high priority at the
8 moment for restoring items under the protocols, the provisions read
9 by Mr. Mulder, and so again, I guess -- I guess your answer is that
10 we would not have room for considering such things like that under
11 the mechanisms that we're setting up under the previous resolutions?

12 COMMISSIONER VINCENT-LANG: Well, I think we -- under the first
13 resolution we passed, we passed the 10-year planning horizon. So
14 no, I guess there would not be. We have to kind of foresee what's
15 going to happen over the next 10 years with these habitat
16 restoration projects, and we've had 30 years now, and 40 years since
17 the oil spill, so I think we have a pretty good idea of what needs
18 to be restored in these areas and I think many people told us, at
19 least in public testimony that I heard at this meeting, that they
20 have a list of projects that they would be glad to submit under this
21 call for proposals.

22 DR. BALSIGER: Thank you.

23 MS. HSIEH: Chair, may I ask another administration question?

24 CHAIR BRUNE: First, Trustee Taylor had her hand up, and then
25 I'll go to you, Elise.

1 MS. TAYLOR: Sorry, my apologies, Elise. Thank you, Mr. Chair.
2 I just wanted to get clarification that this category would also
3 include land protection? I had heard that from Trustee Vincent-
4 Lang. I just wanted to clarify, just because the Restoration Plan
5 is not specific about that.

6 COMMISSIONER VINCENT-LANG: Well, I'm not very supportive of
7 putting more land into public ownership. I think we could make that
8 eligible and then we would require a vote of the Trustees to move
9 forward.

10 MS. TAYLOR: Okay.

11 CHAIR BRUNE: So my understanding is the answer is yes, but
12 similar to other statements made on previous motions, that does not
13 bind the hands of individuals on necessarily supporting them. Does
14 that make sense, Trustee Taylor?

15 MS. TAYLOR: Thank you, yes, perfect sense.

16 CHAIR BRUNE: Elise.

17 MS. HSIEH: As an administrative manner, and thanks, I have a
18 lot of people who are thinking and processing very quickly, and we
19 want to get as much information so we can piece this together, would
20 these general restoration projects also be due in the fall?

21 I'm assuming yes, at the same time, and also -- I'm also
22 assuming that folks who have a projected project, like this is a
23 White Sheet, this is the project that we're working on, we don't
24 quite have it together for the fall of '21, but here's the pieces we
25 have put together, here's what we envision, I'm assuming that

1 something like that would also be of interest the Trustees for
2 people who can't get that type of proposal together in the next
3 handful of months to next fall, or what are your thoughts on the
4 deadline for the first round of these or what you expect to come in
5 the door for folks who aren't -- won't be able to pull it together
6 by October?

7 CHAIR BRUNE: Elise, I'll answer that question, and I'll then
8 turn it over to Trustee Vincent-Lang. I think we're providing an
9 opportunity for them and if they can't pull it together in that
10 time, that's not for us to worry about. It's sufficient time, but
11 I'll ask Trustee Vincent-Lang if he has anything to add to that.

12 COMMISSIONER VINCENT-LANG: I think that you should be able to
13 pull together a proposal for our consideration over the next nine
14 months.

15 CHAIR BRUNE: Elise, if I could ask either you or Shiway for
16 clarification for the public so -- as well as for the Trustees, so
17 that we can let them know what the proposed tentative timeline is
18 for this call, so that there's an understanding from those that are
19 listening today or that come back to relisten to the recording or
20 look at the transcript, what is it that -- the timeline for
21 submission in this process?

22 MS. HSIEH: So Shiway, I think, has just come on video and she's
23 going to pull up the invitation to go through the timelines so we
24 can talk about it on the record, and also, one other note, if the
25 Trustees are interested in pursuing the Bering River Project from

1 here until October, we would have to do due diligence, which would
2 be an expense, as it would be a mineral appraisal. So that's just a
3 footnote for the Trustees if that's something the Trustees wanted to
4 kick-start at this time.

5 Shiway, I believe you've pulled up the invitation and are going
6 to read through the timeline, is that correct?

7 MS. WANG: I have, yes.

8 CHAIR BRUNE: Thank you, Shiway, go ahead.

9 MS. WANG: Okay, on page seven of the Invitation, there is an
10 anticipated review schedule. So currently, all initial proposals
11 are due to our office on March 29th, 2021, which I think is a
12 Monday, and then after that, the reviews of the proposals will
13 include Council staff, Trust Agency staff, the Council's Science
14 Panel.

15 Proposals will be circulated to the Trustees, and on June 1st,
16 revisions and comments will be added to the Draft 10-Year Work Plan,
17 which will be sent to proposers for revising their final proposals.
18 The final revised proposals are due on August 13th, 2021, and then
19 the fall review process will happen, which includes the PAC.

20 CHAIR BRUNE: Shiway, if you could for -- again for the public's
21 edification, if you could describe what happens following March 29th
22 in that process between the staff review, the Agency review, and the
23 Science Panel, and then what revisions and comments are made, who is
24 that, and what is the process, so that there's an understanding,
25 because obviously, we have heard some concern about process in the

1 past, so I want to make sure that we are clear on the record for
2 those that might be interested in submitting proposals.

3 MS. WANG: Sure. So all reviewer comments, I will compile and
4 put together for each proposal, and these will be forwarded to all
5 the proposers to look at and revise their final proposals as they
6 see fit, and then the final proposals will be due in August. Is
7 that -- does that make sense?

8 CHAIR BRUNE: Yes. Yes, that's -- and so that is traditionally,
9 Shiway, that is the way that it has been done for proposals that
10 have come in via the Invitation process?

11 MS. WANG: That's correct, and if you look at the annual work
12 plans that are published on the website, they include reviews from
13 the Science Panel and any comments from the PAC, any of my comments
14 and also proposers' responses to any of those comments. So they're
15 all made available to the public.

16 CHAIR BRUNE: Thank you, Shiway. Trustee Vincent-Lang.

17 COMMISSIONER VINCENT-LANG: So Trustee Balsiger, I have a
18 question for you. You know, what we're trying to do here is amend
19 the Draft Invitation for a 10-year cycle to deal with these other
20 projects, and I understand your concern was a 10-year cycle for
21 these other types of projects, perhaps for general restoration
22 projects may be too long.

23 Another option we could do is leave the existing invitation for
24 10 years for those three categories, as is, with the \$100 million
25 set aside for that, and have a different call or Draft Invitation

1 for restoration projects under a five-year plan that's funded at \$40
2 million.

3 DR. BALSIGER: Mr. Chairman.

4 CHAIR BRUNE: (Indiscernible).....

5 DR. BALSIGER: Thank you. So that makes more sense to me. I'm
6 -- and of course, this isn't brand new to me, but it's pretty new.
7 In the last couple of days, this category, and so I've been
8 contemplating how someone would come to -- if we gave a 10-year
9 grant to Entity X with the idea that Entity X would be running all
10 of these latter category of programs, they'd have to anticipate
11 receiving maybe in 2014 a request for some money to replace a bridge
12 or something like that, and I guess you could have -- you could have
13 a contingency fund in an application from someone that's looking for
14 the 10-year grant, but what you just said makes more sense to me,
15 but -- and I'm just trying to catch up on how we really think this
16 is going to work, when basically, you know, a year ago, we thought
17 we'd subscribe all the money at one time and there'd be no more
18 money, no more decisions.

19 So we've backed away from that a little bit, and I particularly
20 like what you've suggested now for this fourth category as we go
21 forward.

22 CHAIR BRUNE: So as the Maker and Seconder of the motion, am I
23 hearing the desire to change the motion to not include the other and
24 have a separate category for that one?

25 COMMISSIONER VINCENT-LANG: So -- so if it pleases the group,

1 I'll rescind my motion, the second part of my motion, leave the part
2 of the motion that I move we approve the necessary edits to the 2022
3 to '31 Invitation dated 11/4/2020 due to actions the Council took at
4 this meeting, including edits pertaining to the reporting and policy
5 requirements language, and removing the fish passage text from the
6 Mariculture Focus Area per the PAC recommendation. I make that
7 motion.

8 CHAIR BRUNE: So that -- so Jim, as the Secunder of that
9 original motion, I believe, are you comfortable with that friendly
10 amendment?

11 DR. BALSIGER: I don't recall seconding it, but I will certainly
12 second this one.

13 CHAIR BRUNE: I meant -- sorry, it was Sara Taylor. Sara, are
14 you comfortable with that?

15 MS. TAYLOR: You're going to need Jim's second.

16 CHAIR BRUNE: Okay, so Jim has -- the new motion on the table,
17 then, with a second by -- I got to figure out how we address that
18 other one.

19 COMMISSIONER VINCENT-LANG: Well, I withdrew my previous motion.

20 CHAIR BRUNE: Okay, you've withdrawn it.

21 COMMISSIONER VINCENT-LANG: But I have to have the permission of
22 the second. I don't know who my second was.

23 CHAIR BRUNE: So Sara was your seconder on that first one.
24 Sara, do you give permission for, as the Secunder, to withdraw the
25 initial motion?

1 MS. TAYLOR: I do. I do, on the expectation that at some point
2 shortly, someone's going to recommend that Habitat Restoration be a
3 category on a five-year cycle.

4 COMMISSIONER VINCENT-LANG: Yes.

5 CHAIR BRUNE: I think -- I think that's what I heard.

6 COMMISSIONER VINCENT-LANG: Yes, that's coming.

7 MS. TAYLOR: Okay.

8 COMMISSIONER VINCENT-LANG: But we've got to deal with the
9 existing restoration.....

10 CHAIR BRUNE: Got it.

11 COMMISSIONER VINCENT-LANG:the existing Invitation first,
12 so.....

13 CHAIR BRUNE: So that motion has been removed.....

14 COMMISSIONER VINCENT-LANG: (Indiscernible).....

15 CHAIR BRUNE:with the second. We have a new motion, which
16 is the same as the first motion, without the general restoration
17 category and Trustee Balsiger, you've seconded that one?

18 DR. BALSIGER: Yes, sir.

19 CHAIR BRUNE: Okay, I believe Trustee Vincent-Lang and many have
20 already spoken to this. Is there further discussion on the new
21 motion?

22 (No audible response).

23 CHAIR BRUNE: Hearing none, is there opposition to that motion?

24 (No audible response).

25 CHAIR BRUNE: Seeing none, the motion passes, and Trustee

1 Vincent-Lang.

2 COMMISSIONER VINCENT-LANG: I move that we draft a new
3 Invitation for a five-year -- a Five-Year Invitation for an Other
4 category for general restoration per the (indiscernible) Decree.

5 CHAIR BRUNE: Consent Decree.

6 COMMISSIONER VINCENT-LANG: Consent Decree.

7 CHAIR BRUNE: At what level?

8 COMMISSIONER VINCENT-LANG: At \$40 million.

9 CHAIR BRUNE: Okay, we have a motion on the table. Trustee
10 Taylor, is that a second?

11 MS. TAYLOR: Second.

12 CHAIR BRUNE: Speak to your motion, please.

13 COMMISSIONER VINCENT-LANG: And again, I think speaking to this
14 motion, I think we missed the category in putting together the Draft
15 Invitation for the 10-year cycle. Again, those in the 10-year cycle
16 included general science and data. It included education and
17 outreach, and mariculture, but we really left off the category
18 dealing with general restoration activities.

19 This will allow those projects to be funded under a five-year
20 horizon and again, we can visit it after five years and put another
21 call out if there's evolving restoration needs out on the landscape.

22 CHAIR BRUNE: For clarification, Trustee Vincent-Lang, if this
23 was in your original motion, I apologize, is the timeline the same
24 for proposals to come in with the April -- sorry, March 29th
25 deadline for initial proposals, June 1st revisions.....

1 COMMISSIONER VINCENT-LANG: Yes, we would follow the exact same
2 timeline (indiscernible).....

3 CHAIR BRUNE: Exact same timeline as is in the previous one,
4 okay, thank you. Are there -- is there further discussion on this
5 motion?

6 MS. HSIEH: Chair Brune, may I ask Shiway, before she has a
7 heart attack, Shiway, I know you're concerned about having parallel
8 invitations, and I think the Trustees -- what I'm hearing is this
9 invitation would be issued basically as soon as we could draft it,
10 and this has to with -- Mulder already referred us to page four of
11 the Restoration Plan, with regard to the general language, I think
12 that's fairly straight forward and simple. There's also some
13 examples that the Trustees have given here.

14 I think we can probably come up with that brief language and
15 email it to the Trustees to make sure we heard and understood what
16 the examples were, and then we would also duplicate the language
17 from our current invitation with regard to the timelines, et cetera.

18 Shiway, is -- are you following what I'm saying, and Trustees,
19 is that -- does that sound like the product that you're looking for
20 to be formally issued on our website, and I don't have a date, but
21 we would try and do it by -- get you guys a draft of this language
22 by the end of this week or early next week and post an invitation,
23 which has many of the same components, as appropriate, that you see
24 in the current Invitation.

25 We would boilerplate that language as our template and get it

1 posted, you know, ideally by February 1st. Is this -- does what I'm
2 saying sound like what you guys are envisioning for this parallel
3 invitation for a five-year general restoration invitation for 40
4 million?

5 CHAIR BRUNE: Elise and -- Elise and Shiway -- sorry.

6 (Indiscernible - interference).

7 CHAIR BRUNE: I didn't -- I was echoed there. I apologize.
8 Elise and Shiway, for these types of projects in the past, is the
9 review by staff, Agencies, and the Science Panel as required as
10 science projects normally would be? Do you get that same type, same
11 level of analysis for general restoration and habitat acquisition
12 and habitat recovery types of projects, or is it a different type of
13 input that you get from those experts?

14 MS. HSIEH: Again, not -- I wish I could give you a one-size
15 fits all, but we've had everything from general restoration, active
16 restoration with regard to contaminants where we had to actually
17 identify Trust Agency experts in toxicology and have technical
18 experts because the Science Panel didn't have those expertise.

19 We also -- some things are very straight-forward. Sometimes
20 we'll get a project and we'll feel very comfortable that the
21 entities who were doing it have a lot of experience and also, it
22 overlaps with Trustee experience. So we feel comfortable that it
23 doesn't need a third-party's review.

24 It just depends on the subject matter, past experience, and what
25 type of, you know, work it is, how long it's going on for. We have

1 done, in the 10 years I've been here, we've had so many different
2 kinds of projects in general restoration and sometimes the Science
3 Panel, it does overlap with them or we'll ask them to look at a
4 piece of it. Sometimes we'll come to Trustees and say, you know, we
5 haven't done this before, please see who's on your staff to take a
6 look at this.

7 It actually ends up being a lot, sort of more work because it
8 may not fit in our normal cycle, and again, I don't need to give you
9 a complicated answer. I think we'd just do the best we could with
10 it and if something's not ready in the fall or we're not doing
11 reviewing, we're just going to have to be, you know, honest and say,
12 here's where we're at.

13 I can't really promise any more or less than that, because it
14 depends on what comes in the door. This can be very challenging
15 and.....

16 CHAIR BRUNE: Thank you.

17 MS. HSIEH:sometimes, depending on the
18 (indiscernible).....

19 CHAIR BRUNE: Yeah.

20 MS. HSIEH:it can also be very (indiscernible).....

21 CHAIR BRUNE: Yeah, it makes sense, and I do think if this is --
22 if your expectation is it could get out the door by February 1st,
23 that would effectively give two months for entities to be made aware
24 of this and submit a proposal, if we're going to follow this March
25 29th deadline.

1 I guess I'd like for feedback -- I'd like feedback from Trustees
2 about their ideas of timelines. I will add that now that I'm
3 thinking about this, I'm -- I recognize the input from staff, Agency
4 staff, Science Panel is incredibly important, but I also recognize
5 that giving an entity an opportunity to revise based on those
6 comments is giving them a second chance, and put your best foot
7 forward at the very beginning, but that's an aside comment.

8 So I guess I'd like input. Trustee Vincent-Lang.

9 COMMISSIONER VINCENT-LANG: So I think my intent here is that
10 there were many proposals and I heard in public testimony and
11 reading public comments that felt that they were being excluded
12 because they didn't have an opportunity to propose something in
13 those three general categories, and I agree. I think the three
14 general categories did not include general restoration activity.

15 So the sooner we can get this out so people know there's four
16 categories to apply to, I think the better off it's going to be for
17 them to be able to figure out which category they want to put a
18 project in to make an application. So I understand the workload
19 issues. I truly do, and I understand the issues associated with
20 timing, but the soonest we can get this out and get it on track with
21 the other Invitation, I think the better off we are and the better
22 off we're serving the public and let's them make an application
23 under one of those two invitations.

24 CHAIR BRUNE: Thank you, Trustee Vincent-Lang.

25 MS. HSIEH: Chair, may I make one last comment?

1 CHAIR BRUNE: Sure.

2 MS. HSIEH: That.....

3 CHAIR BRUNE: Hold on real quickly, Trustee Taylor, and then
4 I'll go to you, Elise, sorry.

5 MS. TAYLOR: I'm sorry to keep preempting you, Elise. I just
6 wanted to provide this clarification for the record that in the
7 hopes that it might narrow the field a bit for you. So just
8 thinking about what general restoration means from my perspective
9 and from our perspective, looking at the Restoration Plan, and the
10 Restoration Plan says on page 19, general restoration activities are
11 a principal tool used to focus on the restoration of individual
12 injured resources and services. Habitat restoration activities
13 generate tangible, measureable benefits to injured natural resources
14 and services, as well as local economic benefits, and some examples
15 that I know my staff provided are basically stream bank
16 stabilization projects in areas that are suffering from degradation
17 due to recreational fishing overuse, restoring and enhancing
18 connectivity and water quality of streams and rivers used by
19 anadromous fish, such as salmon, controlling non-native predatory
20 species to enable suppressed marine bird breeding colonies to
21 rebound, those types of things.

22 Hopefully, that provides a little bit of a clarification on what
23 I was thinking about in terms of general restoration and in
24 addition, just the things that were mentioned in the motion.

25 CHAIR BRUNE: Thank you, Trustee Taylor. Go ahead, Elise.

1 MS. HSIEH: Thank you. So I'm hearing from the General
2 Restoration Plan, pages four and 19, and we're going to have a very
3 simple invitation with -- we're going to quote right out of the
4 Restoration Plan, along with some of the examples that we'll send
5 around to you, and what I also appreciate hearing from Trustees
6 Vincent-Lang and Brune, we have had so many different ways of
7 working, the staff, with proposers and Trustees. Sometimes,
8 Trustees ask us to work closely with proposers and really, it's an
9 idea that the Trustees want, but the proposal isn't quite there.
10 It's very, very laborious. We're happy to do it.

11 That's not what we'll be engaging in this next year. Folks who
12 have ideas and proposals will come forward and I just want to lay
13 out that expectation because we've already held many, many meetings,
14 which we appreciate we have to do, but it's not realistic for our
15 staff at this juncture, over this period of time to help shape
16 everyone's proposals.

17 That said, I know that the Trustees, when they see things and
18 review them, if something is of interest, over the next year or the
19 next meeting, or however you all decide, then that's something that
20 can be taken at hand by Trustees at that time. Does that make
21 sense?

22 CHAIR BRUNE: Yeah, thanks, Elise, and I think that's
23 appropriate. I do want -- because there's been concern by the
24 public about process in the past, and I'm not making any comments
25 about it, I'm just saying, every proposal that will be submitted, I

1 believe we are committed to addressing, not necessarily funding. So
2 that those that had concern about process in the past, about whether
3 something was brought forward or not, those will be part of this
4 process. So it's fully transparent on how you get in the door. You
5 get in the door if you submit a proposal and I think, Elise, you've
6 indicated that we're not going to be able to walk everyone through
7 what's required here for that.

8 There are expectations as laid out in the -- for working with
9 Alaska Native groups, for working with the Centers of Excellence, et
10 cetera, as part of the initial proposal, and so I think that there's
11 clarity on timeline, trying to be as consistent with the timeline of
12 the first as possible, with the same deadlines, if I'm understanding
13 what all the Trustees -- and all the comments have been. So if I've
14 missed anything, please let me know.

15 With that, are there -- is there any further discussions or
16 questions or comments?

17 (No audible response).

18 CHAIR BRUNE: Okay.

19 COMMISSIONER VINCENT-LANG: Call the motion.

20 CHAIR BRUNE: Yeah. Is there any opposition to the motion?

21 (No audible response).

22 CHAIR BRUNE: Hearing none, the motion passes.

23 I don't have any other items on the agenda. I guess for
24 clarification, I'm going to go to Elise one more time. Is there any
25 other thing you or staff need clarification on?

1 MS. HSIEH: I don't believe so, but Shiway and Lauri or Linda,
2 anything else that needs clarification, Shiway?

3 MS. WANG: Good for now, thank you.

4 MS. HSIEH: Thank you.

5 CHAIR BRUNE: Linda.

6 MS. KILBOURNE: Nothing from me, thanks.

7 MS. HSIEH: Linda -- Linda's okay. Lauri Adams?

8 MS. ADAMS: Not right now, no. We'll be communicating
9 afterwards to see what we can pull together.

10 MS. HSIEH: Thank you.

11 CHAIR BRUNE: Thank you. With that, I'm going to go to the
12 Trustees for final comments, and we'll start with our federal
13 Trustees and Jim, Trustee Balsiger.

14 DR. BALSIGER: Yes, thank you. Happy New Year, everyone, and I
15 think this was a productive meeting and I'm looking forward to
16 receiving the proposals from our broad audience and that's all I
17 have. Thanks for running a nice meeting.

18 CHAIR BRUNE: Thank you, Trustee Balsiger. Trustee Schmid.

19 MR. SCHMID: Yeah, thank you, Mr. Chair, and thank all of you
20 for spending the afternoon here and everyone's involvement. I know
21 that folks have all different perspectives and sometimes we walk a
22 line trying to find the best path forward, but I really appreciate
23 the PAC.

24 I appreciate the folks here, those of you that have been
25 interested in here a while, as some of you, I may not have met. I

1 was in Prince William Sound for 18 years from right through the
2 first 11 years of the oil spill, as well, and so I do feel connected
3 and feel some of these responsibilities as a Trustee at this point
4 in time to try and do the best thing moving forward, but I really
5 appreciate everyone's voice and their comments in moving forward and
6 with that, I'll hand it back to you, Mr. Chair.

7 CHAIR BRUNE: Thank you, Trustee Schmid, and last, but not
8 least, from the federal side, our newest Trustee, Trustee Taylor.

9 MS. TAYLOR: Thank you, Mr. Chair. You do run a fabulous
10 meeting. I really appreciate it, very efficient. I just wanted to
11 -- I just wanted to thank -- well, I really wanted to thank the PAC
12 and I really wanted to thank all of the people that took time to
13 write in, to provide comments.

14 The comments that I went through were very detailed and heart-
15 felt and it meant a lot and it really did impact my decision-making
16 process to be able to see that and to be a part of that. So thank
17 you to everyone who contributed, and I really would like to thank
18 Veronica Varela, Liz Gobeski, Phil Johnson, EVOSTC staff, everybody,
19 for helping me get caught up on everything really, really quickly,
20 and particularly, my fellow Trustees for helping me and for your
21 mentorship and fellowship, I have appreciated that very much.

22 So I received a lot of help and I am really grateful for those
23 resources and for the professionalism and support that I've been
24 given, and I am looking forward to -- I'm looking forward to seeing
25 the proposals that come from this inspired process. Thank you.

1 CHAIR BRUNE: Thank you, Trustee Taylor. To the State folks,
2 Trustee Mulder.

3 MR. MULDER: Yeah, I'll just echo the comments of the federal
4 Trustees. I appreciate the -- all the work people did to put in
5 public comments and the PAC, and I'm optimistic that our two new
6 Invitations for Proposals are going to generate some great work.
7 Thank you for running a good meeting.

8 CHAIR BRUNE: Thanks, Trustee Mulder. Trustee Vincent-Lang.

9 COMMISSIONER VINCENT-LANG: Well, I don't really have much to
10 add. I think the federal Trustees said it very well. I do want to
11 appreciate -- acknowledge the dialog we had around the table today.
12 I think we all had slightly different visions of how to proceed. I
13 think we were able to navigate our way through there with
14 professionalism and dialog, and I really appreciate that we were
15 able to find a path forward, and I'm a little troubled yet, that we
16 can't find a path forward on the combinations of the funds, but I
17 think we'll continue to work on that as we move forward.

18 I do also appreciate everybody that took time to write comments,
19 and I did read those this weekend. It was a long and tiring
20 process, but it was very informative. Like Sara said, I think it
21 informed, at least in terms of me, how I made motions to bring in
22 front of this group, and also, I listened very carefully to the
23 public testimony of the people that called in, and I want to thank
24 all of them for their involvement, as well as the PAC and the
25 Science Group. So I think we've got a good path moving forward and

1 I'm looking forward to reviewing the different proposals we get
2 under the two different calls we put out, so thank you, all.

3 CHAIR BRUNE: Thank you, and.....

4 COMMISSIONER VINCENT-LANG: And thank you, Mr. Chair, for a
5 great meeting.

6 CHAIR BRUNE: Absolutely, and thanks to all of you. My final
7 comments, first of all, I want to commend Trustee Taylor on her
8 first meeting. The expertise you brought was amazing and to the new
9 Administration coming in tomorrow, I urge you to appoint Trustee
10 Taylor to this group going forward. Her -- she's demonstrated her
11 extensive knowledge and the research that she's done reaching out to
12 her staff, reaching out to folks in the community, reading the
13 public comments was impressive, and we're lucky to have you, Sara.

14 I, too, want to thank everyone for all the comments, both that
15 were submitted -- I'm very proud of the EVOSTC staff for
16 incorporating the smart comment process. I love the transparency of
17 that and I love the analysis that came in from many different
18 entities about the comments that they were able to see in a
19 transparent way, so good job to the EVOSTC staff for implementing
20 that on short notice.

21 I want to welcome the three new PAC members and thank those
22 three and the other seven for all of their efforts. It's great to
23 have you all on. I want to encourage all of the folks that are
24 going to be submitting proposals in our two calls for proposals to
25 do exactly what it says in the call, and that is to consult with

1 Alaska Natives and to consult with the Centers of Excellence and the
2 Prince William Sound Science Center and the SeaLife Center.

3 I think that's incredibly important that we take advantage of
4 that expertise and then finally, I want to end with how we began in
5 asking everyone to please remember the legacy of Cherri Womac and
6 think of her family and the family that was her work family, the
7 staff that worked with her on a daily basis for decades, and know
8 that we are praying for all of you and praying for Cherri and her
9 family, as well, and with that, could I please have a motion for
10 adjournment?

11 MR. SCHMID: Mr. Chair, I move to adjourn.

12 CHAIR BRUNE: There's a motion from Trustee Schmid.

13 COMMISSIONER VINCENT-LANG: I second.

14 CHAIR BRUNE: With a second from Trustee Vincent-Lang. Hearing
15 no opposition, the meeting ends at 4:46. Thank you, everyone.

16 4:46:51

17 (Off record)

18 (END OF PROCEEDINGS)

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UNITED STATES OF AMERICA)
STATE OF ALASKA)

I, Lisa Nelson, CSR No. 5907, Notary Public in and for the state of Alaska and reporter for Accu-Type Depositions, do hereby certify:

THAT the foregoing pages numbered 2 through 116 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Meeting recorded electronically by Accu-Type Depositions Court Reporter on the 19th day of January 2021 and thereafter transcribed under and reduced to print:

THAT the Transcript has been prepared at the request of:
EXXON VALDEZ TRUSTEE COUNCIL
Anchorage, Alaska

DATED at Anchorage, Alaska this 26th day of January 2021.

SIGNED AND CERTIFIED TO BY:



Lisa N. Nelson
Notary Public, State of Alaska
My Commission Expires: 02/06/24