

1 EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

2

3 January 26, 2024

4 2:03 P.M.

5 Anchorage, Alaska

6 TRUSTEE COUNCIL MEMBERS:

7 AK DEPT OF ENVIRONMENTAL CONSERVATION: Commissioner-Designee

8 Emma Pokon

9 U.S. DEPT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC

10 ADMINISTRATION: Mr. Craig O'Connor

11 U.S. FOREST SERVICE, U.S. DEPT OF AGRICULTURE: Acting Regional

12 Forester, Ms. Janelle Crocker

13 U.S. DEPT OF THE INTERIOR: Ms. Sara Taylor

14 AK DEPT OF LAW: Attorney General Treg Taylor

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

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2 Suite 200, Anchorage, AK 99501 - 907-276-0544

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4 EVOSTC STAFF PRESENT:

5 Dr. Shiway Wang, Executive Director and Science Director

6 Lauri Adams, Program Manager

7 Joy Maglaqui, Executive Assistant

8 Austin Quinn-Davidson, Program Officer

9 PARTICIPANTS PRESENT:

10 Ladonna Lindley, Accu-Type Depositions

11 Veronica Varela, U.S. Fish and Wildlife Service (USFWS)

12 Ronald Britton, U.S. Forest Service (USFS)

13 Garrison Todd, AK Dept of Law

14 Shane Carson, Alaska Dept of Revenue (ADOR)

15 Jennifer Thomas, Office of General Counsel, USFS

16 Robyn Mesdag, ADOR

17 Grace Cochon, U.S. Dept of the Interior

18 Mandy Lindeberg, Natl Oceanic & Atmospheric Admin. (NOAA)

19 Erika Wells, U.S. Dept of Justice

20 Rob Suryan, (NOAA)

21 Sydney Thielke, USFWS

22 Lisa Fox, U.S. Dept of the Interior

23 Micah Ladd, Chugach Heritage Museum & Archaeological Repository

24 Tuula Hollmen

25 Katrina Hoffman, Prince William Sound Science Center (PWSSC)

1 Lauren Johnson, Chugach Heritage Museum & Archaeological Repository
2 Kris Tabios
3 Mike Stekoll, EVOSTC PAC Vice-Chair
4 April Counciller, Alutiiq Museum & Archaeological Repository
5 Brandon Drzazgowski, Kenai Watershed Forum
6 Rys Miranda, Alaska Dept of Natural Resources, State Parks Div.
7 Rachel Kallander, Kallander and Associates
8 Donna Aderhold, PWSSC
9 Carol Janzen, Alaska Ocean Observing System
10 Wei Ying Wong, Alaska SeaLife Center

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

3 (On record)

4 CHAIR O'CONNOR: All right, well, I call the meeting to order.
5 This is the January 26, 2024 meeting of the *Exxon Valdez* Trustee
6 Council. I'm Craig O'Connor. I think I'm Chairman by default, but
7 just by way of introduction to the new
8 folks, I've been with the *Exxon Valdez* since the morning it ran
9 aground, and I was in Juneau, Alaska at that point, and have been
10 with the *Exxon Valdez* ever since.

11 I tried to get away for a while when I was in Washington, D.C.,
12 but that didn't work. So I'm back and happy to be here, and
13 hopefully, we'll get through this meeting without too much problem --
14 too many problems.

15 Emma, could you tell us a little bit about yourself and Janelle,
16 because I don't know either of you two. I know Doug, and you know,
17 enough said right there.

18 COMMISSIONER VINCENT-LANG: You don't want to know more about
19 me, Craig?

20 COMMISSIONER DESIGNEE POKON: Thanks, Craig. We actually have
21 met previously, I think, when I was participating in some of the EVOS
22 Trustee Council meetings from the Department of Law perspective years
23 ago. So I'm now the Commissioner-Designee for the Department of
24 Environmental Conservation.

25 I came -- I've been the Deputy Commissioner for about four

1 years. So I've been at DEC for a little bit, but before that, I was
2 at the Department of Law since about 2013. I spent time working for
3 the North Slope Borough as their natural resources environmental
4 counsel and a little time living in Fairbanks when I clerked for the
5 Superior Court there. So I've had, you know, a lot of good
6 opportunities for public service in the State of Alaska and am
7 pleased to be here today and pleased to be representing DEC.

8 CHAIR O'CONNOR: Great, welcome, yeah. Janelle.

9 MS. CROCKER: Yeah, hi, Doug, if you wanted to tell us more
10 about yourself, I welcome hearing more about you. Okay, he's --
11 there we go, you're almost frozen.

12 COMMISSIONER VINCENT-LANG: Go Pack go, that's all you need to
13 know.

14 MS. CROCKER: Let's see here, jokes aside, Janelle Crocker, and
15 I serve the Alaska Region of the United States Forest Service. I am
16 serving in an acting capacity since Dave Schmid retired October 1st,
17 and will serve in this capacity until the position is filled
18 permanently.

19 I did have a previous life in the Alaska region with the Forest
20 Service, but I am coming to you by way of Milwaukee, Wisconsin, where
21 I am normally the Deputy Regional Forester, and in my previous life,
22 I -- let's see, I served in information management and planning
23 capacity, and Dave and I had actually a great deal of time to do a
24 little bit of transition and I know this is one role that he took
25 very seriously, and you know, definitely passed on a lot of

1 information as we were able to do our transition. So I'm glad to be
2 here today.

3 CHAIR O'CONNOR: Good, welcome. Sara, do you want to say a few
4 words?

5 MS. SARA TAYLOR: Good afternoon, everyone. Thank you so much
6 for joining us today. My name is Sara Taylor. I work in the
7 Secretary of the Interior's Alaska Regional Office. I'm a
8 Congressional Affairs and Policy Advisor to the Secretary for Alaska
9 issues, and I am the Trustee here for the Department.

10 My -- I worked -- I've worked for the Interior Department now
11 since 2018, but it was the Interior Department that brought me to
12 Alaska in the early 2000's as a waterfowl biologist and I was very
13 grateful then to be introduced to the Alaska National Interest Lands
14 Conservation Act, which it is my privilege to specialize in, and as
15 well as the Alaska Native Claims Settlement Act and the Alaska
16 Statehood Act, and the way that those laws interact with other
17 federal laws throughout the system.

18 So I provide a lot of that advice here as I did for State
19 government and our national delegation before this. So I'm very
20 pleased to be here and thanks so much for joining us.

21 CHAIR O'CONNOR: Yeah. Doug.

22 COMMISSIONER VINCENT-LANG: Hello, I'm Doug Vincent-Lang,
23 Commissioner for the Alaska Department of Fish and Game.

24 CHAIR O'CONNOR: And you're a fan of what?

25 COMMISSIONER VINCENT-LANG: Of the Green Bay Packers.

1 CHAIR O'CONNOR: All right. Treg, are you on?

2 ATTORNEY GENERAL TREG TAYLOR: I am on, yeah. So I'm Treg
3 Taylor. I'm one of the three State Trustees, and I am the Attorney
4 General for the State of Alaska. I've been with the Department of
5 Law since the end of 2018, so -- it's hard to believe, actually, now
6 that I look back at it. I just counted on my fingers how many years
7 that was and I'm shocked. So there you go.

8 CHAIR O'CONNOR: Well, I'll round out a little bit more. Over
9 the course of my career with NOAA, I've been all over the country. I
10 served for a period of time as Deputy General Counsel, then I was
11 General Counsel. I actually am attributed with the development of
12 the Natural Resource Damages Program for NOAA on the heels of the
13 *Exxon Valdez*. So we've had this program for 35 years now. My
14 youngest son was born a couple of weeks after the *Exxon* ran aground
15 and I was going to name him Valdez, but my wife didn't like that. So
16 I went with Jameson since we're Irish, so need I say more, but I've
17 been -- our Natural Resource Damages Program in NOAA. At the present
18 time, we have roughly 140 cases going on around the country, a very
19 active program, and -- but this *Exxon* was the wellspring for that, so
20 back to our roots, as far as I'm concerned.

21 So shall we kick it off then? I've got everybody?

22 COMMISSIONER VINCENT-LANG: Yeah.

23 CHAIR O'CONNOR: All right, I'm going to put in the record the
24 following statement. Thank you all for joining the *Exxon Valdez* Oil
25 Spill Trustee Council January '24 meeting. I'd like to share some

1 instructions and helpful tips on participating in today's online
2 meeting. We're asking that all participants, other than Trustees,
3 PAC members, Council staff, presenters, or those giving public
4 comment, turn their videos off to preserve bandwidth, and allow all
5 of us to focus our attention on the speakers.

6 We also ask that you keep yourself muted unless you're speaking.
7 We'll be taking public comment during the meeting, as indicated on
8 the agenda. If you've already reached out to Council staff in
9 advance to indicate that you would like to provide public comment, we
10 should have you on our existing public comment list.

11 After moving through the list, we'll ask if any additional
12 participants would like to provide public comment. If you would like
13 to do so, please use the hand-raise function or say your name and
14 we'll call on you. If you need technical assistance during the
15 meeting, please contact Joy at joy.maglaqui@alaska.gov. Did I get
16 your site right, Joy?

17 MS. MAGLAQUI: Yes, sir.

18 CHAIR O'CONNOR: Okay, so at this point, let's kick it off. We
19 have an agenda that we had sent to us the other day and I want to see
20 if anybody has any objections to approving that agenda, and if so,
21 what those objections.....

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

23 CHAIR O'CONNOR: Is there a second?

24 COMMISSIONER-DESIGNEE POKON: I'll second.

25 CHAIR O'CONNOR: Thank you.

1 MS. LINDLEY: I'm sorry, but please identify yourselves. That
2 was Vincent-Lang that moved?

3 COMMISSIONER VINCENT-LANG: Doug Vincent-Lang made the motion.

4 MS. LINDLEY: And the second?

5 COMMISSIONER-DESIGNEE POKON: Emma Pokon seconded.

6 CHAIR O'CONNOR: All right.

7 MS. LINDLEY: Who, I'm sorry? Who seconded, please?

8 COMMISSIONER-DESIGNEE POKON: Emma.

9 MS. LINDLEY: Thank you.

10 CHAIR O'CONNOR: All right, just to -- Shiway, do you want to
11 walk us through the interim actions, just to refresh our
12 recollection?

13 DR. WANG: Sure, so there were two interim actions between
14 meetings. Let's see, the first one was the approval of the November
15 30, 2022 meeting notes, and the second was the Resolution 23-01
16 regarding the Alaska SeaLife Center. They were made between meetings
17 and according to our General Operating Policy, any intervening
18 actions taken outside of a meeting shall be noted at the next meeting
19 of the Trustee Council.

20 CHAIR O'CONNOR: Okay, and those were attached to the packet
21 that you sent to us?

22 DR. WANG: Yes, yes, they were.

23 MS. LINDLEY: I'm sorry, Mr. O'Connor, I can barely hear you.

24 CHAIR O'CONNOR: Do we have a representative from the PAC
25 online?

1 MR. STEKOLL: We do. I'm here, Mike Stekoll.

2 CHAIR O'CONNOR: Okay, do you want to give us an update?

3 MR. STEKOLL: Yeah, so I've never done this before, so I'm not
4 sure what details you want. I can keep it very brief or a little
5 longer, I guess, so.....

6 CHAIR O'CONNOR: Whatever you feel comfortable with.

7 MR. STEKOLL: Okay.

8 COMMISSIONER VINCENT-LANG: Well, I -- just -- I would focus on
9 the issues regarding the agenda first.

10 MR. STEKOLL: Okay. Well, anyway, at the meeting we had a
11 couple of days ago, there were seven members present. Three members
12 were not there, and three members were newly appointed for four-year
13 terms. The other seven members' terms will expire May 2024. So, I
14 understand DOI has started the process to publish the federal
15 registry notice that calls for nominations for those positions.
16 Obviously, the goal -- well, obviously is to appoint seven members.

17 So, I am the old elected and newly elected Vice-Chair, and we
18 had to elect a new Chair, also for this, and let me just try to
19 remember who it is. Okay, so our new Chair is RJ Kopchak, but he
20 wasn't able to Chair the meeting, so I did for him, instead, and then
21 we had people from the EVOS -- EVOS Trustee staff and Sara Taylor was
22 there as a Trustee, and we had some training and then we got to the
23 important stuff, I guess, which are three issues that (indiscernible)
24 talked about.

25 The first is the Gulf Watch Alaska LTRM Program budget

1 reallocation request, and after a fairly lengthy discussion, we
2 thought that the idea that they were saving money on getting rid of
3 the -- what was it, a supervisor, I can't remember exactly what the
4 person was, but they got rid of a position and were able to use that
5 money to carry out the rest of their project and extend it a little
6 bit, so we all thought that was pretty much a good idea. The motion
7 -- that motion passed. So we passed a motion on the Gulf Watch
8 Alaska LTRM.

9 And the next was the Standardized High-Resolution Wetlands and
10 Hydrography -- sorry -- Data access, and this was a little harder for
11 us to understand what was going on and they had some savings, they
12 said of a million dollars, and they wanted to use it for more -- to
13 choose a new data program to put everything together and extend their
14 information, and it was not clear, at least to me and to others
15 maybe, what they were going to do with that million dollars. Was it
16 really necessary for that -- all that million dollars to be used for
17 what they wanted to do or could it be done for less, like \$100,000 or
18 \$200,000. So, it's not clear to me. It wasn't clear to us how that
19 money was going to be used, other than the fact that they had it
20 saved. So, we voted overall yes to approve that, I guess it was five
21 to one for that vote session.

22 And then the Data Management Program services, we thought it was
23 a reallocation at first, but it turns out it wasn't. It's actually
24 for some new money and for the data analysis, and after a discussion
25 with that, we voted for that, five in favor for that motion, and I

1 believe that is our actions for that meeting.

2 CHAIR O'CONNOR: All right, thank you.

3 MR. STEKOLL: Okay.

4 CHAIR O'CONNOR: Do the Trustees have any questions? Doug.

5 COMMISSIONER VINCENT-LANG: Yeah, I have one. This is Doug.

6 So, Mike, did you guys talk at all about the killer whale project?

7 And the question I have is when the Trustees voted several meetings

8 ago, we eliminated money for that project moving forward and asked

9 the authors or the principal investigators for that project to find

10 alternative sources of money, and the best I could tell, they've been

11 very unsuccessful toward finding alternative sources of money, and

12 now, instead, they've come back to the Trustee Council to find a

13 workaround to try to find that money moving forward.

14 Did you guys discuss the value of that project moving forward,

15 in terms of -- with the reality that they haven't gotten any public

16 support to continue that work moving forward?

17 MR. STEKOLL: We did not discuss that. We certainly didn't have

18 that information presented to us.

19 COMMISSIONER VINCENT-LANG: Okay.

20 MR. STEKOLL: So, we did mention that we thought it was a good

21 idea to -- for that project to continue, but we didn't know -- have

22 that other information that you just said.

23 COMMISSIONER VINCENT-LANG: Okay, thanks, Mike.

24 CHAIR O'CONNOR: All right. Doug, my understanding was some of

25 the money had been raised. Is that a misunderstanding on my part?

1 COMMISSIONER VINCENT-LANG: (No audible response).

2 CHAIR O'CONNOR: I thought they raised \$20,000-plus, but I'm not
3 sure.

4 COMMISSIONER VINCENT-LANG: My understanding is it was
5 insufficient towards what they thought was necessary to operate. So
6 they've come back again to the Trustee Council finding a workaround
7 to get that project funded, so.....

8 CHAIR O'CONNOR: Okay. All right, any other questions from
9 Council members?

10 COMMISSIONER VINCENT-LANG: And I want to make it clear, I'm not
11 articulating a position on that yet, I just -- I'm just articulating
12 that we have made that decision as a Council to ask -- have them seek
13 alternative sources of funding.

14 CHAIR O'CONNOR: Okay. Anything else?

15 MR. STEKOLL: I'd like to say one thing if I can. For the PAC,
16 it's really important for us to have the information and by not
17 having information, it's hard for us to make decisions that are going
18 to help you, right. That's our whole point, right, is to help you
19 guys out. So, we really need to have more information on some of
20 these issues when they come before us.

21 It would be helpful, for example, if the PIs who want the money
22 would show up and talk to us, which they didn't.

23 COMMISSIONER VINCENT-LANG: Okay, thank you.

24 CHAIR O'CONNOR: Any other comments, questions?

25 (No audible response).

1 CHAIR O'CONNOR: All right, Mike, thank you.

2 MR. STEKOLL: Okay.

3 CHAIR O'CONNOR: All right, at this point, I guess we move into
4 the public comment period. Joy, do we have anybody signed up for
5 public comments?

6 MS. MAGLAQUI: Yes, we only have one, and that's Rob -- Rob
7 Suryan.

8 CHAIR O'CONNOR: Okay, and Rob is from NOAA and is going to be
9 speaking to NOAA's proposal, is that right, Rob?

10 MR. SURYAN: Yes. This is Rob. That's correct. Can you hear
11 me okay, Craig?

12 CHAIR O'CONNOR: Yeah. Do we want to do it now, Shiway, or do
13 we want to do it when the project is brought up on the agenda.

14 DR. WANG: I think that's up to the Trustees.

15 COMMISSIONER VINCENT-LANG: Your call, Mr. Chair.

16 CHAIR O'CONNOR: All right, Rob, well, if you're ready to go, go
17 for it.

18 MR. SURYAN: Okay, sure, yes, thank you. My name is Rob Suryan
19 and I am the science lead for Gulf Watch Alaska Long-Term Research
20 and Monitoring Program. I am one of the four members of Gulf Watch
21 Alaska's Program Management Team, and I'm a research scientist at
22 NOAA's Auke Bay Lab in Juneau.

23 I just wanted to speak about a few key points regarding the
24 budget reallocation request, which you were just discussing also. So
25 this is actually quite timely. Thank you for this opportunity and

1 thank you very much for taking the time to evaluate our request.

2 So just to reemphasize, this is an internal reallocation of
3 funds from the NOAA science side of the management team budget. We
4 are not resurrecting whole projects that were cut. We've identified
5 specific parts of lost projects that will maintain continuity from
6 the previous five-year period.

7 An example is the fall/winter marine bird surveys in Prince
8 William Sound that were not funded. One of those fall surveys of
9 that project, which there are I think a total of -- there were a
10 total of four or five surveys, were -- one of those was part of the
11 integrated predator/prey study, along with the forge fish project and
12 the humpback whale project that were fully funded and have a key
13 focus on the consumption of herring.

14 The reallocation request for funding for that one bird survey,
15 data analysis and reporting are only 10% of what was originally
16 proposed in the full project, because those other surveys required
17 vessel charter platforms, whereas these vessels are already chartered
18 for these other collaborating projects within Gulf Watch.

19 Okay, similarly, the reallocation request for aerial herring and
20 juvenile fish surveys is scaled back to 50% of the FY22-26 full
21 project request, and again, that's a project or that survey is
22 integrated with the forge fish project that was funded.

23 Regarding the killer whale project, the new photo mark recapture
24 survival estimates of killer whales confirmed, the loss of numerous
25 members of the recovering AB pod during the recent marine heatwaves,

1 this is a major setback in the recovery from the *Exxon Valdez* oil
2 spill. It became more -- even more apparent that Gulf Watch Alaska
3 needed this time series to run the full length of our program and at
4 a level that cannot be supported solely by EVOS funds or sorry,
5 solely by non-EVOS funds alone.

6 I'd be happy to address questions related to the non-EVOS versus
7 EVOS funding if you have them, but our request requires additional
8 data analysis and reporting and integration with the rest of our
9 science program.

10 Okay, so can the program management team survive without a fifth
11 person, the program coordinator? Yes, only because I held that
12 position during the previous five years and our small, but efficient
13 and hardworking management team is just that. This allows me to
14 efficiently step back into the administration -- some of the
15 administrative portions of that science coordinator role and I can
16 work with the component synthesis personnel, including the pelagic
17 component synthesis part of this reallocation to ensure that we
18 produce the most relevant integrated science products to meet our
19 overall program objectives, and that's all I have. Thank you very
20 much.

21 CHAIR O'CONNOR: Thanks, Rob. Any of the Trustees have any
22 questions? Doug.

23 COMMISSIONER VINCENT-LANG: Craig, I have a question. So can
24 you tell me how important the killer whale work is to the integrated
25 program? I understand the other two aspects as being integrated and

1 tied into it, but the only reason you gave me for using part of the
2 money that you're saving is to -- is the recent death of a several
3 members of the pod. Can -- is that critical towards the gulf-wide
4 assessment in the work that's going on in that modeling? I don't
5 really understand the killer whale piece of it. I understand
6 everybody wants to find some way to fund it, but I don't understand
7 how it's tied into that ecosystem modeling.

8 MR. SURYAN: Okay, yes -- yeah, thank you, Trustee Vincent-Lang,
9 that's a good question, and I'll do my best to explain where my
10 perspective is on this, as far as science. So there's a couple of
11 things: one is, as Trustee O'Connor mentioned, the funding that they
12 have obtained, I don't remember either, somewhere between \$10,000 to
13 \$20,000, that could certainly help, that's external to EVOS, that
14 could certainly help just conduct the surveys, but what I need for
15 our science synthesis is analysis of the mark-recapture data and the
16 estimates for the different pods of survival rates, and because, for
17 example, in 2021 -- 2021, they thought -- they weren't observing
18 those whales and they thought they had died and the population had
19 declined, but they didn't know for sure until they did multiple mark-
20 recapture analysis, and as you know, data analysis takes a lot more
21 money over time than just doing some of the surveys at a time,
22 especially without an efficient program.

23 Okay, so that -- having the rigorous analysis of survival rates
24 from the mark-recaptures and the photo coordination, that's a
25 critical time series that we need for our science synthesis and this

1 ties into -- we have examples from this region, especially Prince
2 William Sound, post-heatwave that the humpback whale population has
3 not recovered in Prince William Sound.

4 The Steller sea lion, and this is work by the Alaska State Fish
5 and Game, they've shown that survival rates of Steller sea lions in
6 Prince William Sound have declined during the heatwave and the
7 survival rates were lower than what they saw in Kodiak in Southeast
8 Alaska.

9 We had seabird die-offs and seabird populations that were
10 hardest hit in this region. So having -- part of what we want to do
11 post-heatwave -- we did this -- is to look at recovery of these --
12 the community as a whole and the killer whale, having that robust and
13 quantitative killer whale population data is critical for us to add
14 to another piece of that puzzle that -- the energy transfer of these
15 upper trophic levels predators has not recovered since the heatwave
16 and a lot of those populations are still struggling to recover, and
17 then the other side of that too, is having rigorous population data
18 to know if this population that was injured by the oil spill and was
19 recovering since the oil spill, what's it -- what is its recovery
20 potential by (indiscernible) Gulf Watch Alaska.

21 So I hope that's helpful. Sorry, it's kind of long.

22 COMMISSIONER VINCENT-LANG: Well, yeah, it answers my questions
23 partially, but I guess what I'm hearing you say is that you need more
24 -- your responsibility as a science center to do work on marine
25 mammals, including killer whales, and you have some information that

1 would like you to collect some additional information. I understand
2 that as a science center that you want to collect that information,
3 but I'm -- to me, it's almost like a different project than the
4 project we're taking money from to answer. So I'm just -- again, I'm
5 just struggling as a Trustee to figure why we would do this shuffling
6 of the deck, rather than have this project -- the proponents of this
7 project to put in a separate proposal for our consideration moving
8 forward. So that's just -- I'm just struggling with the money
9 shuffle here.

10 MR. SURYAN: Okay.

11 COMMISSIONER VINCENT-LANG: And I understand to the extent that
12 we want to do ecosystem monitoring, then we would do ecosystem
13 monitoring, but the whole justification of this is to make that
14 ecosystem model, but this is really -- this piece of it seems to be
15 more focused on killer whales than ecosystem, so I'm just saying.

16 MR. SURYAN: Okay, and if I could just -- a quick response to
17 that is that I'm speaking solely from my Gulf Watch Alaska science
18 lead hat here. I want that time series. I'm being selfish. I want
19 that time series for Gulf Watch Alaska synthesis because it's a piece
20 of that puzzle that we're trying to put together for understanding
21 ecosystem response to the marine heatwave and how it's affecting
22 recovery and trajectory of EVOS-injured resources.

23 That's purely my focus, and my perspective was that the science
24 coordinator would have been kind of my right-hand person to help with
25 all of this. I decided, along with Mandy and the other management

1 team, that I'd rather have the data collected and the population
2 analysis done of killer whales for the killer whale project, include
3 that for the synthesis, than have another person helping me out right
4 now.

5 COMMISSIONER VINCENT-LANG: Okay, and I understand that, but
6 again, from my perspective, I haven't seen that operational plan of
7 the kinds of work that's going to be done with respect to killer
8 whales and this is a significantly -- to me, expansion of the work
9 that we had looked at in the past, and again, I haven't looked at it.
10 I don't know if our science group, advisory panel, has looked at any
11 of this work that's being proposed moving forward, so -- but I think
12 you've answered my questions. Thanks.

13 MR. SURYAN: Okay.

14 CHAIR O'CONNOR: I'll just add one comment from my point of view
15 as a Trustee, way back when, when the *Exxon* ran aground and we
16 started working on putting together the case that we're continuing to
17 implement here, the restoration projects, one of the driving forces
18 for our ability to settle this case with the -- at the magnitude that
19 we were, and the concern that was raised with us as Trustees in those
20 days from the public was very aggressive with regard to the impact on
21 killer whales, and I realize, that you know, we've got 30-plus years
22 that have gone by.

23 What we're looking at right now is the potential impact of
24 global climate change, when we're talking about the increase in
25 temperature, but we're also talking about resources that are of

1 critical importance to the public that we're functioning on behalf
2 of, and I think to the extent that we would ignore or not move
3 forward with further evaluation of killer whales, given the current
4 state of the ecosystem and the state of the climate and the state of
5 the killer whale population itself, I think would be for us to ignore
6 our responsibilities as Trustees.

7 So I realize that there are challenges associated with killer
8 whales, but I think the important part is that killer whales are
9 important to the people that we represent.

10 So Doug.

11 COMMISSIONER VINCENT-LANG: Okay, yeah, Mr. Chair, I think -- I
12 think we're straying into the -- outside the questions that we need
13 to ask our -- our science center proponent for this and getting into
14 the debate as to whether we support this proposal or not. I think we
15 should save that for the proposal discussion.

16 CHAIR O'CONNOR: All right, anybody else?

17 (No audible response).

18 CHAIR O'CONNOR: All right, thanks, Rob. And do we have anybody
19 else from the public who would like to make a comment?

20 (No audible response).

21 CHAIR O'CONNOR: Joy, anybody?

22 MS. MAGLAQUI: We only had Rob on the list for public comment.

23 CHAIR O'CONNOR: Okay. All right, then I don't have to read the
24 mantra with regard to public comment. So next is a financial update.
25 Are we ready to go with that, Shiway?

1 DR. WANG: We are. I am just.....

2 MS. QUINN-DAVIDSON: Mr. Chair, I'm so sorry, Sheway, I was just
3 going to say you might want to give a call for anybody here who wants
4 to provide public comment, but didn't sign up ahead of time, because
5 they are able to provide it today if they're here. Sorry to
6 interrupt.

7 CHAIR O'CONNOR: No, good point. Is there anybody in the public
8 that would like to make a comment at this point?

9 (No audible response).

10 CHAIR O'CONNOR: All right, hearing no one volunteering, am I
11 missing anybody?

12 COMMISSIONER VINCENT-LANG: No.

13 CHAIR O'CONNOR: It seems strange that it's down to Doug and I,
14 holy cow, but you know, being a San Francisco fan, I know we don't
15 get along well. Okay, let's move on to the financial report.

16 DR. WANG: Okay, financial update, I'm just going to read off
17 the numbers for the subaccounts. As of December 31st, there's almost
18 32 million in the Research Subaccount, a little over 68 million in
19 the Habitat Subaccount, which gives a total of just over \$100 million
20 in the investment accounts.

21 CHAIR O'CONNOR: All right, anybody have any questions?

22 (No audible response).

23 CHAIR O'CONNOR: All right, well, moving right along, the next
24 item is the FY25 to FY33 spending scenarios.

25 DR. WANG: Okay, so this is the document that starts with 7 --

1 7-FY25-FY33 spending scenarios, and I'm just going to describe it,
2 unless people want me to bring it up on their screen. This document
3 shows the spending scenarios for both subaccounts and the subaccounts
4 combined for FY25 through FY33.

5 The Research Subaccount is predicted to be insufficient to
6 support projects past FY27, and the Habitat Subaccount will be in
7 excess of \$19 million by FY31. If both subaccounts are combined and
8 the Council decides to move forward with their decisions made in
9 2021, funds are predicted to stretch out to the end of FY30,
10 depending on market performance.

11 CHAIR O'CONNOR: All right, so the news is we've got more needs
12 than we have money to fulfill them beyond 2027.

13 COMMISSIONER VINCENT-LANG: Well, that's if we can't combine the
14 accounts. I -- I am not -- I am not giving up on the prospect of
15 combining the accounts, and I'm certainly, as a Trustee, not giving
16 up on the -- on the -- my desire to back-charge the Habitat account
17 for the services that they weren't billed for, administratively, for
18 those years.

19 So I don't think that -- I'm actually pretty impressed with the
20 financial outlook moving forward.

21 DR. WANG: May I say one thing?

22 CHAIR O'CONNOR: Please.

23 DR. WANG: The Habitat Subaccount is being charged for our
24 general operating budget and will be for the next however long we
25 exist. So we got that taken care of, and the outlook is a little

1 better, and Shane might talk about this a little bit, but the outlook
2 is a little better than what was predicted last time we met, and I
3 think it's because the portfolio performed better than what I have
4 here in my analysis, which is 0% to 3% growth.

5 COMMISSIONER VINCENT-LANG: But Shiway, did we address the issue
6 of the Habitat Account not being charged for all those years?

7 DR. WANG: We did.

8 COMMISSIONER VINCENT-LANG: I know we fixed it moving forward,
9 but did we fix it going backwards?

10 DR. WANG: We did, yeah.

11 COMMISSIONER VINCENT-LANG: Okay, good, okay.

12 DR. WANG: Yeah. Yeah, thanks for checking.

13 COMMISSIONER VINCENT-LANG: My bad.

14 CHAIR O'CONNOR: Sara, did you want to say something? Did you
15 have your hand up or.....

16 MS. SARA TAYLOR: This is Sara Taylor with Interior. I was just
17 nodding my head. We shook that couch pretty hard, Doug, yeah, thank
18 you, and thanks for the suggestion.

19 COMMISSIONER VINCENT-LANG: Yeah.

20 CHAIR O'CONNOR: All right, anybody?

21 DR. WANG: And I think Shane -- Shane's online to talk about
22 market performance and asset allocation, if you like.

23 CHAIR O'CONNOR: Yeah, can you.....

24 COMMISSIONER VINCENT-LANG: I love to talk about asset
25 allocations.

1 CHAIR O'CONNOR: Please, Shane, go right ahead.

2 MR. CARSON: Thanks, Chair O'Connor. So for the record, my name
3 is Shane Carson. I'm with the Treasury Division, Department of
4 Revenue. I've been working with these systems. I'll do a brief bio
5 intro, just because I don't think I've met everybody on here on the
6 screen, but Alaskan born and raised. I grew up in a small town
7 called Tok. I don't know if anybody's ever heard of it. You
8 probably drove through it once and didn't even see it, but I grew up
9 there.

10 I've been working with portfolio management down here in Juneau
11 since 2008. I've worked in multiple asset classes, from public
12 equity, real assets, private credit, alternatives, and now something
13 called multi-asset, mainly for the retirement systems, and then kind
14 of as a -- I also moonlight a little bit as -- and serve as kind of a
15 portfolio management advisor for non-retirement systems and funds,
16 such as the EVOS and public schools and some of the other -- the
17 other funds that require boards and trustees.

18 I have a presentation I can throw up on the screen, if you'd
19 like, Chair O'Connor, or if you have it in front of you on paper, I
20 can just walk you through the page numbers, however you would prefer.

21 CHAIR O'CONNOR: Why don't you throw it up on the screen?

22 MR. CARSON: Okay, I said that, now I'm going to test my
23 technical prowess here, one second. Okay, so a quick check, can you
24 see that? It should say EVOS -- EVOSTC -- December '23?

25 CHAIR O'CONNOR: Yes.

1 MR. CARSON: Okay, perfect. So I will move to slide 2, if
2 anybody's following along online, titled Treasury Division. This is
3 just a quick snapshot of where we work. So the Treasury Division is
4 comprised of 40 employees, professionals that work in portfolio
5 management, accounting, operations, compliance, and cash management.

6 The Treasury staff tenure average is about 10 years, but there's
7 some of us that have been here considerably longer, some of us, you
8 know, almost 25 years, some, you know, like myself, over 15. We
9 manage about 50 billion in assets for different entities across the
10 state. Retirement systems is the biggest one, which is roughly about
11 30 billion, the defined contributions systems, which run about 10,
12 and then there's a list there that you can see some of the various
13 other systems that we manage money for.

14 For the State systems, for the non-retirement systems, well,
15 actually, for the retirement systems too, we make asset allocation
16 recommendations to the different constituents and then we manage the
17 money within those asset allocations based on targets that have been
18 preapproved, usually by the boards, the Commissioner. It depends on
19 who the fiduciary is, but one of the things that I wanted to point
20 out is every quarter, the CIO, sometimes Treasury staff, meet with
21 the Commissioner and an independent investment advisory council, and
22 so this council is made up of an academic, an industry professional,
23 and then a third one, I can't remember the background on, but it's
24 kind of more of an administrative side.

25 These are contractors that are independent and are there to

1 provide advice, effectively call us out if we start, you know, trying
2 -- getting off the rails or anything like that. So it provides that
3 independent third-party oversight over all the systems and all the
4 investments that we do. So I think that's important to note.

5 I'm going to move to slide 3. So I'm just going to briefly
6 touch on the market and the economy. I'm not an economist. I'm not
7 a, you know, a huge expert on this, and most of what I can recite,
8 you can pick up the Wall Street Journal and read the headlines right
9 alongside me, but there are some interesting things happening right
10 now and they are impacting markets. One, I'm sure the Trustees
11 remember in June of 2022, inflation was on fire. CPI had peaked at
12 9.1% year-over-year growth. So the Fed jumped into action, started
13 raising short-term interest rates, effectively made borrowing more
14 difficult, more expensive for consumers and businesses, and that's
15 brought inflation back down to 3.1% in November, and then 3.4% in
16 December, year-over-year.

17 The Fed has stated outwardly that they have a target of around
18 2%. So year-over-year, we're still slightly above that, but right
19 now, what I'm hearing from different investment managers and
20 economists is they anticipate that the Fed will start backing off the
21 magnitude of the interest rates, short-term interest rates, sometime
22 in 2024. The predictions vary, depending on the economist you talk
23 to, but the market -- the point is, is the market has reacted
24 favorably to that news and to that expectation, because the markets,
25 they like stability. They like lower interest rates and they don't

1 like to be pushed into a corner, and they like the economy to move
2 along at a quick pace and a nice pace.

3 The one thing that I find really interesting when we think about
4 the speed of the economy and inflation and then the Fed's reaction to
5 it, is if you think about the -- if the Fed raises the short-term
6 interest rates, one of the things to ponder and to consider is how
7 this truly impacts the different areas of the economy.

8 So what do I mean by that? So typically, if you think about a
9 consumer, they don't need to load up on a lot of debt if they're
10 going to go out to a restaurant, go to a hotel, go to a concert,
11 unless it's a Taylor Swift concert or something like that, but they
12 will need to load up on debt if they're going to purchase a vehicle
13 or a home, and so what you've seen is you've seen the goods part of
14 the U.S. economy be impacted more significantly by higher interest
15 rates than you are the services sector.

16 And why this is important is because back in the, you know,
17 1950's, the services sector and the goods sector of the U.S. economy
18 were almost on parity with each other, you know, they vary over time,
19 but now, the U.S. economy is, you know, roughly 60 to 70% services,
20 and a very small -- much smaller component of the goods sector, and
21 so you've got one part of the economy that's still doing fairly well,
22 clipping along at a good pace, and then another part of the economy
23 is being suppressed by these higher rates.

24 So it's just an interesting thing to watch. It's played out a
25 little bit in markets and how these different companies are being

1 impacted by that.

2 Sorry, was there a question?

3 CHAIR O'CONNOR: No, I'm sorry.

4 COMMISSIONER VINCENT-LANG: No, I was just looking at the pretty
5 colored graph. I'm glad I'm not color blind.

6 MR. CARSON: Well, it's got numbers, so that helps. So again, a
7 little more on the market. This is slide 4, for those that are
8 online. 2022 was a challenging year for most asset classes in the
9 market. You could see that almost everything was negative, with the
10 exception of cash, but then when 2023 came around, there started to
11 be -- the market started to get more comfortable with some sort of an
12 end to the Feds increasing interest rates, and so almost all asset
13 classes recovered extremely well in 2023.

14 You can see Broad U.S. Equity increased by 26%, and cash
15 equivalents even went up by 5%, benefiting from the higher yields.
16 So that's the byproduct of that if the Fed increases lower --
17 shorter-term interest rates, that's actually cash. That's increasing
18 the yield on cash investments and that positively -- that helps these
19 funds out considerably, and so when the Executive Director Shiway
20 mentioned that the funds had returned a little more last year than
21 she expected her -- like 3% target, that's effectively why, is
22 because a big chunk of the asset class is in cash and in short-term -
23 - short-term fixed income.

24 So I'm going to move to slide 5. This is the asset allocation.
25 So right now, the target asset allocations for EVOS are consistent

1 with a low to moderate risk tolerance, which effectively reflects the
2 objectives of a minimum exposure to principal loss, the anticipation
3 of high near-term liquidity requirements, and a low tolerance for
4 account variability, which is just a low tolerance for risk.

5 Right now, the target allocation is 65% short-term government
6 credit. So that's kind of a -- called a 1.5 to a three-year
7 duration, and 35% cash equivalents, which is, you know, zero to 90-
8 day. You can see the allocations are fairly close to targets in the
9 tables there. Treasury systematically rebalances the accounts back
10 to close to targets on a quarterly basis. Deviations that do exist
11 could be -- they're driven by either differences in asset allocation
12 performance or if there's some cash flows that could occur -- smaller
13 cash flows that could occur that didn't trigger a rebalancing event.

14 Any time Treasury does rebalance these accounts, we will send
15 the Executive Director an email detailing how we rebalanced the
16 accounts and the cash flows and target -- the cash flows and
17 allocation percentages as a result of that rebalance.

18 Okay, so I'm going to move to slide 6. So performance through
19 December 31st, it's been really good. Not only has it been good from
20 an absolute perspective, but we've also have been able to add
21 additional return through a little bit of active management in the
22 fixed income portfolios.

23 Ultimately, through all time periods, both Research and Habitat
24 have exceeded their benchmarks. It's -- the one thing that I think
25 it's important to note is that the -- the absolute return is mainly

1 driven by long-term asset allocations. So anytime -- so the -- the
2 active risk, the active exposure within the funds is really fairly
3 minimal, and you can see, that you know, for like the one-year at
4 best, it added 47 basis points for EVOS, just 46 basis points for
5 Research and that was mainly driven by our Fixed Income team making
6 some slight bets, taking some slight exposure differences from the
7 benchmark in duration and the difference between corporate weights
8 and government bond rates -- or weights, excuse me.

9 And then in the long-term, you can see over all time periods,
10 especially the inception-to-date, we've added about 22 basis points
11 to the Habitat fund and about 40 basis points to Research. So good
12 absolute performance and Treasury was able to add some excess return
13 on top of that.

14 Slide 7, so the first four sentences on this slide are just kind
15 of factual statements. I think the Trustees know when their fiscal
16 year is, but we just want to put that down for documentation
17 purposes. The next -- let's see, the fifth sentence there, on
18 January 4th, the Executive Director sent Department of Revenue an
19 updated spending forecast, and then resent that again with -- I think
20 it was the same numbers, but changed the fiscal year on January 22nd,
21 and so Department of Revenue takes those spending forecasts and we
22 apply that -- we determine some sort of a spending time horizon,
23 almost kind of a weighted average liability, if you will, weighting
24 the life of the liabilities.

25 So we look at the time horizons. We look at the spending

1 forecast and discussion with Trustees, if necessary, or with the
2 Executive Director, we determine loss tolerances for the funds or for
3 the dollars within the accounts, and we determined that those are
4 little changed from 2023. There just wasn't a lot of big changes in
5 the spending and return expectations -- or sorry, in the, call it
6 risk tolerance expectations, but I would say -- I would offer that if
7 you do combine the accounts and the spending remains consistent with
8 the forecast we were provided this year, that may drive us to
9 reevaluate how we do invest these funds. We would want to talk about
10 targets. We would want to talk about, you know, the intention of the
11 funds and really tolerances for deviations, but if those accounts do
12 get aggregated, that would be something that the Department of
13 Revenue would want to work with the Executive Director pretty quickly
14 on to determine how we -- if we wanted to make any asset allocation
15 changes, but given there's very little change from last year,
16 Treasury Division is not currently recommending any alterations or
17 modifications in the target investment allocations for both Research
18 and Habitat accounts for this upcoming fiscal year, and through the
19 delegation that is detailed on this slide, I have submitted
20 separately to the Executive Director investment policy statements for
21 signature or approval, and then a small presentation deck that she
22 can use to provide to Trustees, if she needs, or you guys would like,
23 but it's separate from this presentation.

24 CHAIR O'CONNOR: All right.

25 MR. CARSON: And then the -- on slide 9, this is more

1 informational, Chair, given time constraints or I don't have to go
2 over this. This -- I think the Trustees could just read through
3 this, if they would like on their own, but really, this just kind of
4 details the summary bullets of how Department of Revenue or Treasury
5 Division develops asset allocation targets for the different
6 constituents, and so with that, I can take any questions, and if no
7 questions, I'd like to thank the Trustees for allowing me to speak
8 today.

9 CHAIR O'CONNOR: Thank you, Shane. Do any of the Trustees have
10 any questions, comments?

11 COMMISSIONER VINCENT-LANG: No, I think this follows through on
12 the decisions we made in the past to try to keep money in fairly
13 liquid resources, not tied up into long-term commitments so that we
14 could pay the bills down quickly. No, thank you, I think it actually
15 benefited us to take it out of the longer-term investment and keep it
16 in cash for the last year. So we won on both fronts. Thank you.

17 CHAIR O'CONNOR: Thanks. Anyone else?

18 (No audible response).

19 CHAIR O'CONNOR: All right, thank you, Shane, very much.

20 MR. CARSON: Thank you.

21 CHAIR O'CONNOR: All right, moving right along, update on the
22 Legislative Amendment of the Public Law, Sara.

23 MS. SARA TAYLOR: Thank you, Mr. Chair. This is Sara Taylor
24 with the Department of the Interior. I have no updates on any bills
25 or legislation that's in active consideration that will help us with

1 this -- with our request.

2 Just as a way of background for our visitors and our guests
3 here, we passed a resolution that rescinded a 1999 resolution of the
4 Council, and that 1999 resolution of the Council is in legislation as
5 something that must be followed when it comes to how we allocate our
6 money, and so the new resolution, in order to be implemented fully,
7 that legislation needs to be amended, and so it's quite a simple,
8 straightforward amendment of the law. It is backed by that
9 resolution rescinding the prior resolution and basically, right now,
10 it's just about making sure that there is the right legislative
11 vehicle to make that happen, and there have been some hang ups in
12 Congress for a while just about budgets and there's a lot of --
13 there's a lot of oxygen that's going towards a lot of high priority
14 issues right now.

15 So I do expect to be able to meet with the delegation in the
16 coming months to make sure that they understand what it is that we're
17 asking for and how important it is to get it done by the end of next
18 year. Thank you, Mr. Chair, for this time. I'm happy to answer any
19 questions anyone might have about this.

20 CHAIR O'CONNOR: Any questions, Doug, Emma?

21 COMMISSIONER-DESIGNEE POKON: I just wanted to clarify. Is it
22 absolutely necessary to have a change to the public law or is there
23 an option where the funds would be returned from Revenue to the, I
24 think originally it was like they were in the Court's hands for
25 management until they were spent, and that separation was part of the

1 -- like in the -- wrapped up in that decision to invest via Treasury.

2 Was there another pathway that was available that would have
3 involved just moving the funds back to the Court without needing
4 action by Congress?

5 MS. SARA TAYLOR: Yes, we had -- we had kind of an alternative
6 that we explored at our last meeting, different ways that we could
7 fund the actions that the Council took in 2021, and that was, you
8 know, there were -- that was one of them, was to, you know, basically
9 move the money so that it then became untethered by any of those
10 connections anyway, at which point it would be discretionary, but I'm
11 actually kind of glad we didn't do that, because as Doug mentioned
12 about the presentation we just got, we did make money by not doing
13 that, and so that was one of the main reasons we didn't adopt that
14 approach was that we would lose money by doing that, because we would
15 be losing that investment income, and so what we decided to do was to
16 ask the delegation to amend the law so that we could combine the
17 accounts and pay out the bills that wouldn't otherwise qualify for
18 Habitat funding under the old resolution that we rescinded.

19 COMMISSIONER-DESIGNEE POKON: Thank you for that background.

20 CHAIR O'CONNOR: Yeah, and I guess that the rate of return on
21 the Court account, which is, I guess referred to as the CRIS (sp)
22 account was negligible at best and we would have -- I think we had a
23 half a point fee that went to the court system. So it was going to
24 be a negative as opposed to the positive that we ended up with. Is
25 that fair, Sara, the (indiscernible).....

1 MS. SARA TAYLOR: That's correct, Mr. Chair, yeah.

2 CHAIR O'CONNOR: Yeah, okay. All right, moving right along to
3 24 Work Plan discussions. So how do we want to kick this off, Gulf
4 Watch, numero uno on the list.

5 COMMISSIONER VINCENT-LANG: Do you want to have a general
6 discussion first?

7 CHAIR O'CONNOR: Sure.

8 COMMISSIONER VINCENT-LANG: And then motions? Okay, yeah, well,
9 I'm pretty comfortable with everything in this proposal, except for
10 the killer whale piece, and I want to make it clear that I don't
11 question the value of collecting additional information on killer
12 whales. However, I have not seen what is specifically proposed with
13 respect to advancement of the killer whale work.

14 I'd like to see potentially that come forward as a separate
15 proposal and I would much rather prefer that we eliminate the killer
16 whale piece of this proposal moving forward and put that money back
17 into the principal of the fund, any savings that would be associated
18 with that work, and ask the proponents, in this case NOAA, and the
19 group, the scientists associated with the killer whale work to come
20 back with us with a proposal that can run through the -- our Science
21 Panel or Public Advisory Committee, as well as the agencies for some
22 additional science review before we start, but I just wanted to kind
23 of throw that on the table as an idea and -- before I make a motion
24 so we can have a discussion about it.

25 CHAIR O'CONNOR: Okay. Anyone else have any comments, general

1 comments on the work plan proposals?

2 (No audible response).

3 CHAIR O'CONNOR: Shiway, I have a question for you. Did this --
4 oh, Sara, go ahead, I'm sorry.

5 MS. SARA TAYLOR: Thank you, Mr. Chair, this is Sara Taylor with
6 the Interior Department. I would like to concur with Trustee
7 Vincent-Lang. I think it's important -- I understand -- I have a
8 really big understanding of the first two projects being funded at
9 partial levels that then interact with the program at-large, but I
10 think that the last two increases -- or the last two opportunities
11 that we've given to fund the killer whale project, they've come to us
12 directly with the proposal, which has given us an opportunity to look
13 at what they have in mind for the money and in what ways they've
14 tried to secure that money elsewhere, consistent with a lot of our
15 advice in the past, and so I concur that it would be, I think
16 important procedurally and also just to have more information to have
17 that proposal come back to us and to have that be how we address the
18 things that didn't get funded, is that they can make an alternative
19 proposal, while we are still here meeting as a Council. Thank you,
20 Mr. Chair.

21 CHAIR O'CONNOR: Are you suggesting that proposal be sent to us
22 now or that we have a second -- a follow-up gathering to discuss it?

23 COMMISSIONER VINCENT-LANG: I would suggest that we ask them to
24 come forward with a proposal. When and if they do, we consider it
25 and decide if we're going to have a meeting to hear it, but given

1 ample opportunity for our Science Panel and our Public Advisory
2 Committee to weigh in on it, as well as have different agency staff
3 weigh in on it, so.....

4 CHAIR O'CONNOR: Shiway, did the Science Panel have an
5 opportunity to evaluate this -- these proposals?

6 DR. WANG: They did. The Science Panel did, and they supported
7 the request as a whole, and I'm trying to find -- I'm going through
8 their proposal amendment right now, and I know that in here, they
9 listed the reduced work that they wanted to do with the funds. So
10 it's in here, it's just not in the detail, that you know, a full
11 proposal would have. So are you guys asking for the PIs to come back
12 with a full proposal with the work that they want to do with the
13 amount of money that they've requested? Is that true?

14 COMMISSIONER VINCENT-LANG: What I am proposing to do is to ask
15 -- to eliminate the component of the work moving forward that's
16 associated with killer whale work and ask the proponents of the
17 killer whale work to come back with a detailed plan as to what they
18 would do with that additional money, and if they need actually more
19 money, then come back with a proposal and then we could consider it
20 for funding.

21 DR. WANG: Okay, okay, got it.

22 CHAIR O'CONNOR: All right, any comments on any of the other
23 proposals?

24 COMMISSIONER VINCENT-LANG: Just this one or are we just talking
25 about 9A. right now or all three of them?

1 CHAIR O'CONNOR: Just generally -- just generally all three of
2 them.

3 COMMISSIONER VINCENT-LANG: What's this -- I don't -- I can't
4 split screen my computer here, so what are the other two? Can you
5 just.....

6 CHAIR O'CONNOR: Okay, well, let's stick with the first one
7 then.

8 COMMISSIONER VINCENT-LANG: I'm sorry, I just.....

9 CHAIR O'CONNOR: Well, I've got it -- is the handouts, so.....

10 COMMISSIONER VINCENT-LANG: Yeah, I know, I've -- I have been on
11 the road for 10 days, so.....

12 CHAIR O'CONNOR: All right.

13 COMMISSIONER VINCENT-LANG: So I guess I move to approve this
14 proposal forward with the amendment that we not include the killer
15 whale piece. We take the money that was going to be saved from the
16 project and put that back into the fund and we ask the proponents to
17 come forward in the future with a detailed proposal to fund an
18 extension of the killer whale work that we could have reviewed by our
19 Science Panel and our Public Advisory Committee.

20 CHAIR O'CONNOR: Sara (indiscernible).....

21 COMMISSIONER VINCENT-LANG: And this is Doug, for the court
22 record.

23 MS. SARA TAYLOR: I don't know if you would call this a friendly
24 amendment or not, but instead of clawing back the money, I'd be
25 willing to let NOAA use that money for one of the things that's

1 currently going unfunded. The -- there being -- I think -- I really
2 am grateful for this proposal because NOAA's giving us a tremendously
3 generous in-kind investment in this program, and I think if there's
4 an opportunity for that money that they are saving in order to give
5 it to the Killer Whale project, I'd be willing, I think to let them
6 put that money toward the in-kind contribution, if that's something
7 you're open to.

8 COMMISSIONER VINCENT-LANG: Well, I thought about that, however,
9 I'm taking NOAA at their words that they can -- they can do the work
10 that they had laid out within the constraints that they had and they
11 can complete those other two tasks that I thought were there. I
12 thought if they needed that money for the other two tasks, they would
13 have identified that. So I guess -- I would like to see -- if they
14 think they need more money for this project, then they should come
15 back and ask for it.

16 MS. SARA TAYLOR: Okay, thank you.

17 COMMISSIONER VINCENT-LANG: So no, I guess it's not a friendly
18 amendment.

19 MS. SARA TAYLOR: Okay, I withdraw it.

20 CHAIR O'CONNOR: Any other Trustees have any comments on this
21 project, other than the one that I already put forward?

22 (No audible response).

23 CHAIR O'CONNOR: All right.

24 COMMISSIONER VINCENT-LANG: My motion needs a second to get
25 carried.

1 COMMISSIONER-DESIGNEE POKON: I will second your motion, Doug.
2 This is Emma.

3 CHAIR O'CONNOR: All right, we have a crafted motion. Do we
4 need to rely on that, Shiway, or can we go with Doug's? Let's do
5 this one, then say it's okey dokey.

6 DR. WANG: I think that one is okay, if it has all the
7 components that we need, so no killer whales, so basically, it's the
8 motion that says we approve the pelagic component synthesis, the
9 forage fish surveys, and the aerial surveys, correct?

10 COMMISSIONER VINCENT-LANG: Yes.

11 DR. WANG: Okay.

12 COMMISSIONER VINCENT-LANG: And the remaining -- the money that
13 would have gone to killer whales is not approved, but it goes back
14 into the fund.

15 DR. WANG: Okay, yeah, that's not in one of the motions. So
16 we'll have to add that.

17 COMMISSIONER VINCENT-LANG: Yeah, yeah, and then I don't know if
18 it needs to be part of the motion, Shiway, or not, but we -- we want
19 to make it clear that I understand this killer whale work is
20 important, but a separate proposal should come forward for our
21 consideration.

22 DR. WANG: Got it.

23 COMMISSIONER VINCENT-LANG: If they so wish.

24 CHAIR O'CONNOR: Any other comments?

25 (No audible response).

1 CHAIR O'CONNOR: The motion has been made and seconded by Sara
2 or Emma. Who seconded it?

3 MS. SARA TAYLOR: Emma.

4 CHAIR O'CONNOR: Emma seconded, okay. All right, call for the
5 question. All in favor, say aye.

6 COMMISSIONER VINCENT-LANG: Aye.

7 MR. TREG TAYLOR: Aye.

8 MS. SARA TAYLOR: (No audible response). (Ms. Sara Taylor
9 raised her hand in support).

10 COMMISSIONER-DESIGNEE POKON: Aye.

11 ACTING REGIONAL FORESTER CROCKER: Aye.

12 CHAIR O'CONNOR: All opposed?

13 (No audible response).

14 CHAIR O'CONNOR: I'm going to abstain.

15 All right, the next project. Sara, is that yours?

16 MS. SARA TAYLOR: Certainly, I'm ready to just speak to it. I'd
17 also like to recognize that Sydney Thielke has joined us here. She
18 is -- she has been really taking the lead of this and I'd like to see
19 if it'd be okay, Mr. Chair, to allow her an opportunity to address
20 maybe some of the things that we -- that were raised at the PAC
21 meeting, but also some of the questions the Trustees have raised
22 about this carryover opportunity. So is that okay, Mr. Chair?

23 CHAIR O'CONNOR: Absolutely.

24 MS. SARA TAYLOR: Thank you.

25 CHAIR O'CONNOR: Go for it.

1 MS. THIELKE: Thank you, Mr. Chair, and thank you, Sara. This
2 is Sydney Thielke, the Regional Wetlands Coordinator for the U.S.
3 Fish and Wildlife Service, and I would like to start out by just
4 explaining that we did have a hard time with this project to
5 determine if it would be a true carry-over request or a budget
6 reallocation based on our original proposal, and we did opt, through
7 working with the EVOS office, that submitting this as a budget
8 allocation for full review, reallocation for full review, recognizing
9 there is a lot of similarities with the carryover, was the most
10 appropriate and transparent opportunity or option to proceed with.

11 What we're requesting to do really does advance the overall
12 objectives laid out in our original proposal which is to establish a
13 framework for understanding the hydrologic connectivity and
14 relationships that exist between wetlands and surface water
15 throughout the EVOS region and the adjacent Copper River Delta and
16 Bering Glacier Watersheds.

17 That framework is and will be used to make extensive,
18 comprehensive decisions regarding the resources injured by the *Exxon*
19 *Valdez* spill, and the data, in terms of 3D hydrologic information can
20 be used by all Trustee agencies and the public to inform questions
21 regarding where water is moving, how it is warming, where we should
22 be monitoring flow, contaminants could be moving, fish passage
23 issues, et cetera, and we came to this situation by making our
24 initial proposal recognizing that there was some new high resolution
25 hydrologic information available for the Cook Inlet region, and so

1 that was the basis for identifying key watersheds to be included in
2 our original proposal for data creation.

3 Through technological advances and trying to keep up with the
4 ever-changing world of geospatial data, there are new data models
5 that exist, and we have produced data to meet those new models in the
6 other watersheds addressed by this project. We've also seen
7 significant cost savings through combining our contracting of
8 hydrologic and wetlands information simultaneously. We anticipated
9 we would see those cost savings when we made this proposal, but no
10 one had done it before, and so we weren't able to actually articulate
11 how big those cost savings would be and they wound up being quite
12 significant.

13 And so that's why with this proposal, we look at three remaining
14 watersheds that are considered coastal watersheds, primed for
15 collection and development of the 3D hydrologic program datasets, and
16 that's why we are requesting to expand the footprint of 3DHP data
17 using our allocated funding for those watersheds.

18 COMMISSIONER VINCENT-LANG: So all of the areas that you're
19 going to expand into are within the *Exxon Valdez* area of effect --
20 where the *Exxon Valdez* affected the -- the oil spill area, I guess?

21 MS. THIELKE: Yes, that is correct.

22 COMMISSIONER VINCENT-LANG: Okay.

23 COMMISSIONER-DESIGNEE POKON: Do you by any chance have a map or
24 an image that shows kind of the specific areas that you're looking at
25 for that detailed mapping?

1 MS. THIELKE: I do. Yeah, it is on page three of our proposal.
2 It includes the -- both western and eastern Cook Inlet and the lower
3 Kenai Peninsula and the Resurrection Frontal Watersheds.

4 COMMISSIONER-DESIGNEE POKON: Thank you.

5 COMMISSIONER VINCENT-LANG: And just remind me, I looked at this
6 about three months ago, but just remind me, what kind of information
7 are we collecting and what's the utility of this again?

8 MS. THIELKE: This would be development of the 3D Hydrologic
9 Program, hydrographic data.

10 COMMISSIONER VINCENT-LANG: Okay.

11 MS. THIELKE: So it.....

12 COMMISSIONER VINCENT-LANG: Hydrograph (indiscernible).....

13 MS. THIELKE: A lot of folks are familiar with the National
14 hydrography dataset that USGS has been updating. That data model has
15 been retired and the 3DHP is its replacement, and so this.....

16 COMMISSIONER VINCENT-LANG: Okay.

17 MS. THIELKE:would be generating data according to that
18 new 3DHP data model.

19 COMMISSIONER VINCENT-LANG: Got it, okay, and then one last
20 question, just so we can get the record built here: why did you
21 select these areas versus areas around Kodiak?

22 MS. THIELKE: Kodiak and Shelikof were completed according to
23 both the old NHD and the new 3DHP data model, and they were specified
24 in our original proposal and so.....

25 COMMISSIONER VINCENT-LANG: Okay.

1 MS. THIELKE:we did not include the Copper River Delta
2 region in this amendment because the 3DHP data model works on going
3 from developing data from headwaters out to the ocean, and so until
4 the headwaters data for the Copper River is complete, we don't have
5 the baseline information to develop the 3DHP model for the Delta
6 Region at this point in time.

7 COMMISSIONER VINCENT-LANG: Okay, thank you, great explanation.

8 CHAIR O'CONNOR: Question for you, I raised my hand. How is
9 this going to be used by the Trustees as -- this information in the
10 long-term as far as our restoration decisions are concerned?

11 MS. THIELKE: So the basis of what we put on our initial
12 proposal was really thinking about an entire ecological system
13 approach to restoration and recovery of species, and a lot of the
14 information has been focused on looking very species-centric, as
15 opposed to looking throughout the entire spill zone and knowing that
16 there are upstream situations that could be affecting the recovery of
17 injured species, and so that basis for this kind of ecological and
18 ecosystem-based approach that we initially submitted was to look at
19 the entire watershed system of the spill zone and have data available
20 to make decisions and inform subsequent information gathering
21 efforts, planning decisions, NEPA, et cetera, with true, factual
22 baseline information, which didn't previously exist throughout the
23 watersheds of the spill zone.

24 So examples of how this could specifically be used include
25 looking at, you know, potential for fish passage, you know, where are

1 roads crossing existing streams. These datasets inform the
2 anadromous water catalog location information, can prioritize
3 locations for stream temperature monitoring, and then also help us
4 look at potential upstream impacts for where could contaminants,
5 sediments, et cetera, be flowing from upstream areas, moving out
6 through watersheds into wetlands and subsequent coastal systems.

7 CHAIR O'CONNOR: And having an adverse effect on the resources
8 we're trying to address.

9 MS. THIELKE: Indeed.

10 CHAIR O'CONNOR: Any other questions, comments?

11 COMMISSIONER VINCENT-LANG: No, just, you know, I reviewed this
12 project when it was originally submitted. I thought it was good
13 work. I applaud the authors for -- I mean the project principal --
14 the project people to find savings and expand this work in other
15 areas. I think it has value moving forward. So I support this work,
16 and I thank you for finding the savings to be able to expand it
17 moving forward. So I think this is different than the previous
18 project where we're moving into other areas than what you have. So
19 this is an expansion of the work that we had already approved. So
20 I'm supportive of it.

21 MS. THIELKE: Thank you.

22 CHAIR O'CONNOR: Do I hear a motion?

23 COMMISSIONER VINCENT-LANG: I don't know. I don't have a motion
24 sheet in front of me, but I.....

25 UNIDENTIFIED SPEAKER: Mr. Chair.....

1 COMMISSIONER VINCENT-LANG:move to approve this project
2 proposal as presented.

3 UNIDENTIFIED SPEAKER: I second.

4 MS. SARA TAYLOR: I'll second.

5 CHAIR O'CONNOR: Any objection?

6 MS. LINDLEY: I'm sorry, who seconded, please?

7 COMMISSIONER VINCENT-LANG: That was Doug made the motion.

8 MS. LINDLEY: I know Doug made the motion. Who seconded,
9 please?

10 MS. SARA TAYLOR: Sara Taylor with the Interior seconded. I
11 think there might have been a couple seconds.

12 MS. LINDLEY: Thank you.

13 MS. SARA TAYLOR: Sorry about that.

14 CHAIR O'CONNOR: All right, call the question, all in favor?

15 UNIDENTIFIED SPEAKER: Aye.

16 UNIDENTIFIED SPEAKER: Aye.

17 UNIDENTIFIED SPEAKER: Aye.

18 CHAIR O'CONNOR: Anybody opposed?

19 (No audible response).

20 CHAIR O'CONNOR: I didn't hear anybody. Okay, it's passed.

21 And finally, the data management project, which I can't find in
22 my pile now.

23 DR. WANG: Hey, Craig, could I ask for one clarification
24 regarding the decision on the LTRM proposal, please? We're trying to
25 figure out if an abstention results in a lack of unanimous decision

1 by the Trustees and we need a unanimous decision. So I've been
2 messaging Garrison and I tried to email Erika, but if either one of
3 you are on, would you mind just clarifying if -- if an abstention
4 doesn't qualify as an objection or if any of the Trustees know what
5 the -- because I haven't dealt with this yet, so just making sure
6 that we have this on record if the motion passed, even if we have an
7 abstention.

8 COMMISSIONER VINCENT-LANG: Well, my read of it, as a Trustee,
9 is that if somebody's abstaining, they're not taking a position.
10 They're not counting as a vote. So the people voting are unanimous.
11 So we passed the motion.

12 DR. WANG: Okay.

13 CHAIR O'CONNOR: Right, I think that's in our SOPs.

14 DR. WANG: Okay, all right, thank you very much for the
15 clarification.

16 CHAIR O'CONNOR: If I had voted no, it'd have been a different
17 issue.

18 COMMISSIONER VINCENT-LANG: Yeah.

19 DR. WANG: Got it, okay. Thank you.

20 CHAIR O'CONNOR: Okay.

21 DR. WANG: Data Management?

22 CHAIR O'CONNOR: Yes, ma'am.

23 DR. WANG: So let's see, Data Management, they're required for
24 the request by the project LTRM and the total amount would be
25 \$122,058, which includes GA for FY24 through FY26, but that includes

1 the Killer Whale project, so I think I also included numbers for Data
2 Management without the Killer Whale project, so that should be in
3 your motion sheet there.

4 MS. SARA TAYLOR: Mr. Chair, this is Sara Taylor with the
5 Interior. I move that we approve \$40,686, which includes GA for the
6 Data Management Program Project 24120113 to ensure the Council's data
7 policy requirements are met for the forage fish aerial surveys, for
8 the Gulf Watch Alaska Long-Term Research and Monitoring Program for
9 the FY24 through FY26, three-year funding cycle. I further move that
10 we approve \$40,686, which includes GA for the Data Management Project
11 24120113 to ensure that the Council's data policy requirements are
12 met for the seabird surveys for the Gulf Watch Alaska Long-Term
13 Research and Monitoring Program for the FY24 through FY26, three-year
14 funding cycle.

15 COMMISSIONER VINCENT-LANG: Second, this is Doug.

16 CHAIR O'CONNOR: Any comments, any discussion?

17 (No audible response).

18 CHAIR O'CONNOR: Hearing none, I'll call for the question.

19 Doug, how do you vote?

20 COMMISSIONER VINCENT-LANG: Aye.

21 CHAIR O'CONNOR: Sara?

22 MS. SARA TAYLOR: Aye.

23 CHAIR O'CONNOR: Treg?

24 MR. TREG TAYLOR: Aye.

25 CHAIR O'CONNOR: Emma?

1 COMMISSIONER-DESIGNEE POKON: Yes.

2 CHAIR O'CONNOR: Janelle?

3 ACTING REGIONAL FORESTER CROCKER: Aye.

4 CHAIR O'CONNOR: I abstain.

5 COMMISSIONER VINCENT-LANG: So we have -- we -- is that
6 unanimous, we have five ayes and one yes.

7 UNIDENTIFIED SPEAKER: No, different question.

8 CHAIR O'CONNOR: (Indiscernible). All right, do we have
9 anything else (indiscernible)?

10 DR. WANG: Chair -- Mr. Chair, can I say one more thing?

11 CHAIR O'CONNOR: Sure.

12 DR. WANG: I'm going to, with your permission, I would like to
13 use the funds from NOAA that was -- that would be going to the Killer
14 Whale to cover some of these DM services, just to minimize money
15 shuffling and fees. Does that sound okay with you guys?

16 COMMISSIONER VINCENT-LANG: For administrative what?

17 DR. WANG: For DM, for the data management services. So funds
18 that NOAA already has to be used for the data management services,
19 because they're going to be shuffled through NOAA anyways. So
20 instead of releasing more funds through ADOR, and charging additional
21 GA.....

22 COMMISSIONER VINCENT-LANG: So it would not result in a net
23 increase, it would just be using those funds to move over to there,
24 and so we see a decrease in the amount of -- overall in the
25 withdrawals for the admin person, yeah.

1 DR. WANG: Correct.

2 COMMISSIONER VINCENT-LANG: I have no problem with that.

3 DR. WANG: Okay.

4 MS. SARA TAYLOR: Clarifying question, Mr. Chair, so this would
5 be -- Sara Taylor from the Interior, so instead of getting \$309,090
6 of the reallocation back for the Killer Whale Monitoring project, the
7 amounts that we approved for the Data Management Program would be
8 reduced from that amount? Is that correct? So it would be about
9 \$82,000 less?

10 DR. WANG: Are you asking me?

11 MS. SARA TAYLOR: Yeah, yes, yes, \$81,362 -- 672, something like
12 that? You don't need specific numbers, I'm just making sure that
13 that's what's happening.

14 DR. WANG: That's what I was trying to explain, thanks.

15 MS. SARA TAYLOR: Okay, thank you, I agree.

16 CHAIR O'CONNOR: All right, anything else to come before us?

17 COMMISSIONER VINCENT-LANG: Motion to adjourn.

18 CHAIR O'CONNOR: Do I have a second for that?

19 MR. TREG TAYLOR: I'll second it. This is Treg.

20 CHAIR O'CONNOR: All right, thank you.

21 3:26:14

22 (Off record)

23 (END OF DAY)

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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 53 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 26th day of January 2024 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 29th day of February 2024.

SIGNED AND CERTIFIED TO BY:



Lisa N. Nelson
Notary Public, State of Alaska
My Commission Expires: 02/06/28