



1 ALSO PRESENT EVOSTC STAFF:

2 Dr. Shiway Wang, Executive Director and Science Director

3 Lauri Adams, Program Manager

4 Joy Maglaqui, Executive Assistant

5 Austin Quinn-Davidson, Program Officer

6 ALSO PRESENT PARTICIPANTS:

7 Sunny Morrison, Accu-Type Depositions

8 Ronald Britton, USFS

9 Todd Garrison, AK Dept of Law

10 Shane Carson, DOR

11 Grace Cochon, DOI

12 Mandy Lindeberg, NOAA

13 April Counciller, Alutiiq Museum

14 Sarah Lukin, CIRI

15 Mike Schroeder, CIRI

16 Jane Boer, DNR

17 Brent Goodrum, DNR

18 Ronald McClain, OGC, USDA

19 Donna Aderhold, PWSSC

20 Jacqueline Keeler, USFWS

21 Kris Hess, DNR

22 Stephen Miller, USFWS

23 Seth Deam, DOI

24 Diana Biesanz, USFWS

25 Andy Loranger, USFWS

1 Shalon Harrington, CIRI  
2 John Wros, TCF  
3 Veronica Varela, USFWS  
4 Jennifer Thomas, OGC, USDA  
5 Lisa Fox, DOI  
6 Ellen Kazary, GLT  
7 Lori Nelson, CIRI  
8 Stephanie Aicher, CIRI  
9 Erika Wells, USDOJ

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P R O C E E D I N G S

(On record)

CHAIR O'CONNOR: Do we have a motion for the approval of the September 18, 2024 meeting agenda, drafted September 11, 2024?

COMMISSIONER VINCENT-LANG: I move we approve the September 18, 2024 meeting agenda, drafted September 11, 2024.

MR. VANORMER: I'll second.

CHAIR O'CONNOR: The agenda is approved

(Teams recording started)

CHAIR O'CONNOR: ...September 18, 2024 Trustee Council meeting is now in order. Can you hear me?

. COMMISSIONER VINCENT-LANG: Yeah.

CHAIR O'CONNOR: Sunny?

MRS. MORRISON: Yes, I hear you. Thank you.

CHAIR O'CONNOR: All right. I have to read a lot of words here. So I'm going to go through it. The Trustee Council Chair is to make this statement right after calling the meeting to order. So thank you all for joining the *Exxon Valdez* Oil Spill Trustee Council September 2024 meeting. I'd like to share some instructions and helpful tips on participating in today's online meeting. We're asking that all participants, other than Trustees, PAC members, Council staff, presenters, or those giving public comment, turn their videos off to preserve bandwidth, and allow all of us to focus our attention on the speakers.

1           We also ask that you keep yourself muted unless you are  
2 speaking. We will be taking public comment at several points during  
3 the meeting, as indicated on the agenda. If you've already reached  
4 out to Council staff in advance to indicate that you would like to  
5 provide public comment, we should have you on our existing public  
6 comment list.

7           After moving through the list, we will ask if any additional  
8 participants would like to provide public comment. If you would like  
9 to do so, please use the hand-raise function or say your name and we  
10 will call on you. Please note that there's an opportunity for public  
11 comment toward the beginning of the meeting and also later in the  
12 meeting for specific agenda items. If you'd like to provide general  
13 public comment, please provide it at the beginning. If you'd like to  
14 provide a comment on a specific agenda item that specifically allows  
15 for public comment, please hold your comment for that comment period,  
16 and if you need technical assistance during the meeting, please  
17 contact Joy Maglaqui -- she wrote that out for me to pronounce it, at  
18 [joy.maglaqui@alaska.gov](mailto:joy.maglaqui@alaska.gov). With that, let's go ahead and get started.

19           So to begin with the agenda; the first item is the approval of  
20 the September 18<sup>th</sup> agenda, our agenda for today, and we've discussed  
21 that. Is there any objection to approving the agenda for today?

22           (No audible response).

23           CHAIR O'CONNOR: Hearing none, I consider it to be approved.

24           The second is the approval of our January 26, 2024 Meeting  
25 Notes. Are there any comments on that?

1 (No audible response).

2 CHAIR O'CONNOR: Any concerns with their approval, and Emma, you  
3 had a thought. Go ahead, please.

4 COMMISSIONER POKON: Yeah, it noted in the meeting notes that  
5 there's a note that there was a public comment. I was wondering if it  
6 might be possible to provide in the minutes just the subject of what  
7 that comment related to, rather than just saying that it was a public  
8 comment. Thank you.

9 CHAIR O'CONNOR: All right. Shiway, is that possible?

10 DR. WANG: Yeah, we can do that. We can go back to the meeting  
11 transcript and add that in and then circulate for Trustee review and  
12 approval. Does that work?

13 CHAIR O'CONNOR: Yeah, that would be great.

14 DR. WANG: Okay, can do.

15 CHAIR O'CONNOR: Thank you. All right, next on the agenda is the  
16 PAC Meeting Summary. Who will be providing that? Is that you, Shiway?

17 DR. WANG: It is not. It is Grace Cochon, who is our Designated  
18 Federal Officer for our PAC.

19 CHAIR O'CONNOR: Hi, Grace, welcome.

20 MS. COCHON: Hi, thank you. As Shiway mentioned, my name is Grace  
21 Cochon. I work for the Department of Interior. I am the Designated  
22 Federal Officer for the PAC. The PAC Chair and Vice-Chair were not  
23 available for this meeting. So I am filling in. I'm going to provide  
24 some updates regarding PAC membership, the PAC Charter, and then our  
25 recent meeting on Monday.

1           So with regard to PAC membership, our current status, we have  
2 six members and four vacancies. DOI solicited nominations for eight  
3 positions this year, because we had seven member terms that expired  
4 in May, and then also, one member resigned in May because she took on  
5 a new position with one of the DOI bureaus actually, so yeah, after  
6 soliciting nominations, we appointed four members to the PAC on  
7 August 21<sup>st</sup>, and those were for four-year terms, and they included two  
8 new members and two reappointments.

9           Unfortunately, the former PAC Chair, RJ Kopchak, rescinded his  
10 nomination prior to reappointment, so we were not able to fill his  
11 position. Generally, we received an insufficient number of  
12 nominations to fill all the vacancies, and that was after reopening  
13 the nomination period. Our office exhausted outreach possibilities  
14 and we've regularly had to reopen nominations in the federal  
15 register, which you know, can take months, between approving the  
16 notices for publication and then the nomination period and reviewing  
17 the nominations, and it also -- those Federal Register notices also  
18 cost money, and I believe they come from the EVOS settlement funds,  
19 and so DOI plans to announce another call for nominations to fill the  
20 remaining four vacancies, which those vacancies represent the  
21 interest of subsistence, commercial fishing, recreation, and the  
22 public at-large, and so we are requesting that the Trustee Council  
23 provide assistance and maybe more actively engage in helping to  
24 collect more nominations so we can fill those vacancies. Are there  
25 any questions regarding membership?



1 (No audible response).

2 MS. COCHON: All right, I will move on.

3 CHAIR O'CONNOR: Grace.

4 MS. COCHON: Yes.

5 CHAIR O'CONNOR: Let me ask a question. This is Craig. Do you get  
6 a sense that there's a feeling of lack of interest on behalf of the  
7 public or what's going on, because in the past, we've had no problem  
8 with nominations, no problem with folks wanting to join. Do you get  
9 any sense of what's going on?

10 MS. COCHON: Well, there -- it is a touchy issue. I have heard  
11 some things, and I can also speak a little bit of what RJ Kopchak  
12 wrote in his notice to -- kind of his resignation notice. He  
13 represented the commercial fishing seat and I believe he has a  
14 herring fishing license, and as you know, herring is -- has not  
15 recovered since the *Exxon Valdez* oil spill, and he had some issues  
16 with, you know, the -- I guess Trustee Council decisions with the  
17 long-term herring program projects and maybe insufficient or what he  
18 feels is insufficient kind of -- I don't know, relations with the PAC  
19 and their recommendations prior to those decisions.

20 There are some feelings that, you know, a lot of the funds have  
21 already been pre-allocated and so, you know, the utility of serving  
22 on the PAC and questions of whether the Council always listens to the  
23 PAC, so -- so those are some of the things that I've heard, with all  
24 due respect.

25 CHAIR O'CONNOR: Thank you. I'm getting...

1 MS. COCHON: Okay.

2 CHAIR O'CONNOR: I'm getting a similar sense, but I think part of  
3 it is fatigue and we've been at this so long (indiscernible), and  
4 future commitments have already been made, and I'm getting some input  
5 on that subject, as well. So I think the Trustee Council needs to  
6 think about this and think what we can do to reenergize folks in  
7 their participation with us, because I think the PAC is of critical  
8 importance to us. Okay, thanks, Grace.

9 MS. COCHON: Thank you very much. We would certainly appreciate  
10 any support that the Trustee Council can provide.

11 CHAIR O'CONNOR: Okay.

12 MS. COCHON: Okay, I guess really quickly, the PAC Charter  
13 renewal -- the current Charter expires on October 3<sup>rd</sup>, and the  
14 Interior Secretary has signed the Charter renewal, and we plan to  
15 file it prior to the next PAC meeting on October 8<sup>th</sup> through 9<sup>th</sup>.  
16 We're also monitoring any potential risk for a government shutdown  
17 and will file the Charter accordingly to mitigate those risks.

18 With regard to the PAC meeting that was held on Monday,  
19 September 16<sup>th</sup>, we had a total of five out of six members participate.  
20 So we were able to establish a quorum, and the agenda items mirrored  
21 this Trustee Council meeting agenda.

22 In terms of recommendations to the PAC, there was one  
23 substantive recommendation regarding the Killey River Purchase  
24 Project. The PAC passed a motion recommending that the Trustee  
25 Council approve Option A, and there were three ayes, and two nays. Of

1 the two members who voted against the motion, both of them preferred  
2 Option B, but they were okay with approving Option A. Of the three  
3 members who voted for the motion, one member also supported Option B,  
4 but he preferred Option A due to its lower cost and with  
5 consideration to the current budget shortfall.

6 The remaining two members who supported the motion, they  
7 strongly supported Option A, and they voiced concerns about Option B,  
8 including the need to reexamine that option and the lack of  
9 subsurface rights transfer for the additional parcels.

10 There wasn't much PAC discussion regarding Options C and D,  
11 aside from a general lack of support for Option D, and so that's it.  
12 If there are any questions?

13 COMMISSIONER VINCENT-LANG: I do. I do want to have a question  
14 for you. So I listened in on that discussion and I was somewhat  
15 confused over the subsurface rights issue, and you know, that would  
16 seem to really complicate things moving forward, if we suddenly  
17 started entering into negotiations on subsurface rights, in addition  
18 to what we currently are doing.

19 Do you have a feeling as to whether or not the PAC wanted to  
20 pull this whole issue up regarding the subsurface rights question or...

21 MS. COCHON: I don't -- I didn't get that feeling. It was -- as I  
22 recall, it was one member who had -- who specifically voiced concerns  
23 about subsurface rights, and I believe with Option A, that wasn't so  
24 much of an issue, but I suppose if the Trustee Council does not  
25 choose Option A, yeah, I don't know. There's just at least one PAC

1 member who had some concerns about subsurface rights, if that answers  
2 your questions.

3 COMMISSIONER VINCENT-LANG: Okay, it does, thank you.

4 CHAIR O'CONNOR: All right, Joy, do you have anybody signed up  
5 for public comments in response to the PAC report?

6 MS. MAGLAQUI: As of right now, I don't have anybody on the list  
7 for general public comment.

8 CHAIR O'CONNOR: All right, I guess we move next to the financial  
9 update. Am I missing anything, Shiway? Did I skip over anything I  
10 should have said, because I'm holding your notes to me and it says...

11 DR. WANG: No.

12 CHAIR O'CONNOR: ...something about don't screw it up, O'Connor.  
13 Okay.

14 DR. WANG: You're doing great.

15 CHAIR O'CONNOR: All right, so you're on.

16 DR. WANG: Okay, financial update: the Subaccount balances as of  
17 August 31<sup>st</sup> are as follows: the Research Subaccount has \$33,035,958,  
18 the Habitat Subaccount has \$70,616,616. The total investment income  
19 for the State fiscal year-to-date for the Research Subaccount is  
20 almost half a million, and a little over \$1.2 million for the Habitat  
21 Subaccount. That's all I have. We have Shane Carson from Department  
22 of Revenue online in case Trustees have any questions about the  
23 investment accounts.

24 COMMISSIONER VINCENT-LANG: Well, I think I -- this is Doug. So I  
25 think we don't need any resolution or any action on this account. We

1 have enough money in both accounts right now to fulfill our  
2 commitments for the next 12 months. We might need to take some action  
3 in the future. So I'm satisfied with the report and satisfied with  
4 the fact that we can pay our bills for the next 12 months, so.

5 DR. WANG: Thanks, Doug.

6 CHAIR O'CONNOR: Anybody else?

7 (No audible response).

8 CHAIR O'CONNOR: Okay, are we making any money on our  
9 investments, just a curiosity?

10 DR. WANG: We are, but Shane, do you want to back me up on that?

11 CHAIR O'CONNOR: No?

12 MR. CARSON: So sorry, it took me a second to find the mute  
13 button. So I can back you up, meaning the numbers you stated were  
14 accurate? Would that work?

15 DR. WANG: Yeah.

16 MR. CARSON: And yes, you -- you know, with the investment  
17 income, so the returns -- I have year-to-date, I don't have fiscal  
18 year-to-date, so from 12/31, you grew about -- by about 3.7% in  
19 Research and about the exact same, 3.7%, in Habitat. So the funds are  
20 gaining money. They are invested very conservatively in, you know,  
21 mostly cash and one to three government credit -- one to three-year  
22 short-term government credit bonds. So that's kind of, you know,  
23 that's pretty much the investment update. We're not -- there's no  
24 equity exposure. There's not high-risk assets in these funds and so  
25 that's kind of where they're at. So any other questions or any market

1 updates or anything?

2 CHAIR O'CONNOR: Well, thanks, Shane.

3 MR. CARSON: Okay, yeah.

4 CHAIR O'CONNOR: All right, all right, you can tell us about our  
5 spending scenarios.

6 DR. WANG: Okay, and then one other thing, Shane reminded me  
7 earlier that we go over our investment policy statements annually,  
8 and that will happen in January for the next fiscal year, and I will  
9 circulate those to Trustees.

10 CHAIR O'CONNOR: Okay, good.

11 DR. WANG: Yeah, okay.

12 CHAIR O'CONNOR: All right.

13 DR. WANG: FY25 through FY33 spending scenarios, I'm not going to  
14 go over the background on how we got here, unless Trustees want me  
15 to. So cutting to the chase, assuming no losses or gains, the most  
16 recent analysis predicts that the Research Subaccount will be  
17 insufficient to fund projects past FY27, and the Habitat Subaccount  
18 will have about \$29.5 million remaining by FY27.

19 If both subaccounts are combined as Trustees have proposed, the  
20 funds may last until FY30, and again, assuming no new Habitat  
21 projects are approved and there are no future losses or gains in the  
22 market.

23 CHAIR O'CONNOR: All right, what is that assuming with regard to  
24 the Killey River Project?

25 DR. WANG: It's -- the funds for the Killey River are already

1 encumbered in this analysis. The Trustees approved an up-to amount of  
2 \$20.5 million back in 2018, and these funds will not affect other  
3 projects that have already been approved. They won't take away any  
4 funds from any already approved projects.

5 CHAIR O'CONNOR: All right, thanks, Shiway. Anybody have any  
6 questions?

7 (No audible response).

8 CHAIR O'CONNOR: All right, Legislative Amendments on Public Law  
9 106-113, who's going to provide that?

10 DR. WANG: I believe that is Sara.

11 CHAIR O'CONNOR: Sara, you good to go?

12 MS. SARA TAYLOR: Yes, thank you, Mr. Chair. So for several  
13 months, we've been working with delegation staff on a draft bill that  
14 will amend the statute that currently limits our spending based on  
15 the division of our assets into subaccounts.

16 The bill will implement Resolution 22-04, which the Council  
17 adopted pursuant to the Delta Plan to combine the subaccounts and to  
18 allow for maximum flexibility to follow through on all the project  
19 decisions that we made in '21 and '22. A lot of these documents are  
20 available on the Trustee Council website, as our past meeting  
21 minutes.

22 So efforts are underway to try to attach the draft bill that we  
23 came up with, which does two things: it adopts -- it implements  
24 Resolutions 22-04, but it also cleans up the statute a little bit,  
25 and we're trying to attach that to either must pass or passage ready

1 bills this session. It's unclear at this point whether the bills that  
2 have the best chance of fitting our jurisdictional needs, it's  
3 unclear whether any of those bills are actually going to pass this  
4 year.

5 So if we cannot make something happen this year, we may actually  
6 need to wait until this time next year, which is cutting things a  
7 little close for comfort, but we'll be doing all we can to address  
8 all the Committee member's questions that we're getting and the  
9 concerns that they have, anything we need to do to streamline  
10 adoption.

11 We owe a huge debt of gratitude to our PIs for their assistance  
12 in gathering and sharing information that the committee members can  
13 use in their deliberations, and especially to Senator Sullivan's  
14 staff for their creativity and tenacity in helping us through the  
15 legislative process. So I'm happy to answer any questions or field  
16 any comments about this process now or at a more convenient time. So  
17 don't hesitate to reach out.

18 CHAIR O'CONNOR: All right, thanks, Sara. Joy, do we have anybody  
19 signed up to provide any comments on this subject?

20 MS. MAGLAQUI: Not on this one either, we have no one.

21 CHAIR O'CONNOR: Okay, thank you.

22 MS. MAGLAQUI: Thank you.

23 CHAIR O'CONNOR: All right, moving right along, let's get fired  
24 up on the Killey River Project. So how do we want to begin this  
25 conversation?



1 COMMISSIONER VINCENT-LANG: Well, I guess, do we want to accept  
2 public comment first or do we want to get into our deliberations  
3 first?

4 CHAIR O'CONNOR: Joy, do we have anybody signed up for public  
5 comment?

6 MS. MAGLAQUI: Yes, we have one, and that's Sarah Lukin with  
7 CIRI.

8 CHAIR O'CONNOR: All right, Sarah, would you like to speak now?

9 MS. LUKIN: Sure, I would be happy to provide public comment now.  
10 Can you give me a thumbs up, Craig, if you can hear me okay? I'm in  
11 rural Alaska today with not great reception, and so okay, fantastic.

12 CHAIR O'CONNOR: You're good.

13 MS. LUKIN: Well, to my -- good morning, everyone, my name is  
14 Sarah Lukin. I have the great pleasure of serving as the President of  
15 CIRI. CIRI has worked diligently with the Fish and Wildlife Service,  
16 the DNR, and EVOS staff on the Killey River Project since 2018, when  
17 the EVOS Trustees passed Resolution 20 -- or excuse me, Resolution  
18 18-03.

19 We have spent hundreds of man-hours and tens of thousands of  
20 dollars on this project to-date. All of the lands considered for the  
21 transaction are currently private lands that are off limits to public  
22 access without serious explicit approval. This transaction will open  
23 these lands to public access, including lands along the Kenai River  
24 that can be used for sports fishing and other recreational activities  
25 for Alaskans.

1 As described in the email that I sent to the Trustees on Monday,  
2 CIRI is working with the U.S. Fish and Wildlife Service to secure  
3 permanent access for all adjacent landowners, who have traditionally  
4 accessed their parcels by trespassing across CIRI's land.

5 There's a plane. There's a float plane flying by, so my  
6 apologies. I'll let that go by so you can hear me.

7 CIRI -- CIRI is willing to grant easements that would ensure  
8 permanent access, once CIRI's lands are transferred to the Fish and  
9 Wildlife Service. We do ask the Trustees to stand by the commitment  
10 that the Council made when it passed the resolution authorizing this  
11 project back in 2018. Clearly, Resolution 18-03 would support Option  
12 A, B, or C, and CIRI's preferred alternative is Option B.

13 So as somebody who personally lived through the *Exxon Valdez* oil  
14 spill and really experienced first-hand the devastating impacts that  
15 the spill had on my family and my village and our subsistence, the  
16 environment and economy, I really want to stress for you today how  
17 critical it is for stakeholders like CIRI, our sister Alaska Native  
18 corporations, and the public be able to rely on the commitments that  
19 are made by the Trustee Council.

20 We have expended significant time and resources on this project  
21 in reliance on the Council's 2018 resolution. So from our  
22 perspective, you know, a decision not to move forward on this  
23 project, this transaction at this stage would not only be unjust to  
24 CIRI, but it would create an incredibly concerning precedent for  
25 other stakeholders who have an interest in EVOS projects into the

1 future, and with that, Mr. Chair, quyana caknek , thank you very much  
2 for your time, and myself or Mike on my team is available to answer  
3 any questions.

4 CHAIR O'CONNOR: Thank you, and I owe you an apology. I found in  
5 my email a while ago -- I've been out talking for a bit, but a  
6 representative from your office asked me to call you, and so I'm  
7 assuming whatever you would have said, you just said, so -- but my  
8 apologies for being rude and not getting back to you, so...

9 MS. LUKIN: Thank you very much, appreciate that.

10 CHAIR O'CONNOR: Yeah. Joy, are there any other...

11 COMMISSIONER VINCENT-LANG: Can I ask a question of Sarah? Thanks  
12 for the opportunity to meet with you.

13 CHAIR O'CONNOR: Go ahead, Doug, sorry.

14 COMMISSIONER VINCENT-LANG: Thanks for the opportunity to meet  
15 with you the other day at your headquarters and kind of get a better  
16 understanding of this whole issue. I understand that your desire is  
17 to go with Option B, which is to fulfill the negotiations that were  
18 settled between the Refuge, CIRI, and the EVOS Trustee Council staff,  
19 but I think you understand now that the EVOS Trustee Council members  
20 weren't really fully engaged in some of those discussions moving  
21 forward.

22 How do you see inholders' access being preserved into the future  
23 as lands are transferred from CIRI over to the U.S. Fish and Wildlife  
24 Service, especially inholdings that are newly created or in some  
25 cases, municipal roads and the actual right-of-way to those roads, I

1 guess where CIRI holds right now, are going to be turned over to the  
2 U.S. Fish and Wildlife Service, which would landlock potential  
3 subdivisions moving forward?

4 How do you see those interests being protected if the Trustees  
5 were to go toward Option B without the State having some degree of  
6 say in that moving forward?

7 MS. LUKIN: So Doug, there's -- I'm in a very public location in  
8 rural Alaska and float planes keep going by.

9 COMMISSIONER VINCENT-LANG: Okay, okay.

10 MS. LUKIN: So I'm going to kick questions, if I may, to Mike,  
11 and if the noise calms down, I'll be happy to jump in, but I don't  
12 want to be disruptive.

13 COMMISSIONER VINCENT-LANG: Okay.

14 MS. LUKIN: So Mike, can you handle that one?

15 MR. SCHROEDER: Yeah, I'm happy to, and like Sarah mentioned and  
16 outlined in her email that she sent to the Trustees, we are -- we  
17 have identified specific easements to all of the inholding properties  
18 that would be created by this conveyance. CIRI's more than willing to  
19 convey those prior to the conveyance to U.S. Fish and Wildlife  
20 Service, and the draft deed, which has been -- which I have seen for  
21 the conveyance to U.S. Fish and Wildlife Service, would stipulate  
22 that it's subject to all existing rights.

23 So those easement conveyances that CIRI would put in place prior  
24 would solve all access problems to the created inholdings.

25 COMMISSIONER VINCENT-LANG: What about the municipal land -- I

1 mean the municipal road that -- the Salmon Creek Road or whatever  
2 that road is that goes -- now would be -- the actual bed of that road  
3 would be transferred over to the U.S. Fish and Wildlife Service. What  
4 -- how do you guarantee that moving forward?

5 MR. SCHROEDER: Well, I mean, CIRI can't guarantee anything that  
6 Fish and Wildlife or the Refuge is going to do in the future, but any  
7 existing right-of-way would transfer and would be unchanged.

8 COMMISSIONER VINCENT-LANG: Would CIRI be opposed to having that  
9 right-of-way held by the State rather than the Service?

10 MR. SCHROEDER: CIRI doesn't have any -- no, we -- CIRI wouldn't  
11 be opposed and doesn't have any opinion on that.

12 COMMISSIONER VINCENT-LANG: And the second question I have for  
13 you: would CIRI -- there's several pieces of land that are  
14 nonadjacent or noncongruent to the Refuge currently, and would CIRI  
15 be opposed if the State held those lands with the federal  
16 conservation easement rather than the State holding a conservation  
17 easement over -- and including those within the Refuge?

18 MR. SCHROEDER: And I assume that you're talking there about the  
19 lands that would be added under Option B?

20 COMMISSIONER VINCENT-LANG: Yes.

21 MR. SCHROEDER: Yeah, CIRI doesn't have a position on who holds  
22 it or a preference, whether those would go to U.S. Fish and Wildlife  
23 Service or would go to the State.

24 COMMISSIONER VINCENT-LANG: Okay, thank you.

25 CHAIR O'CONNOR: Emma.

1           COMMISSIONER POKON: Thank you, I was -- we heard earlier from  
2 the PAC that there had been concerns from some members of the PAC  
3 about splitting surface and subsurface interests. I don't know if --  
4 I think we just heard from CIRI that they prefer Option B, but I  
5 wanted to understand if there was anything from CIRI's perspective in  
6 terms of the surface and subsurface rights and what that dynamic will  
7 be that we should be thinking about.

8           MR. SCHROEDER: Yeah, you are correct that Option B would include  
9 some lands that would be surface only. CIRI doesn't currently have  
10 any intention of developing those subsurface areas, and I think CIRI  
11 would be interested in kind of exploring a conveyance of those  
12 subsurface lands.

13           The issue that CIRI faces at this point is those weren't  
14 included in the appraisal, so they would need to be appraised before  
15 any -- before they were included in any sale. So from our  
16 perspective, that would best be accomplished through an additional  
17 phase of the project, if there was interest in acquiring those  
18 subsurface lands, and we would need to get approval from CIRI's Board  
19 for those subsurface lands, because it was not included in the  
20 approval that we got in the spring.

21           COMMISSIONER VINCENT-LANG: Thank you, but you -- so -- if I  
22 could just follow up, so you would much rather proceed without the  
23 subsurface right issue and deal with that subsequently?

24           MR. SCHROEDER: Yes, given CIRI's timeline, we would rather not  
25 hold up the rest of the transaction, but pursue that in a separate

1 phase.

2 COMMISSIONER VINCENT-LANG: Okay, thank you. You're muted, Craig.

3 CHAIR O'CONNOR: That's a dream my wife has. Sara, did you have  
4 something that you wanted to add?

5 MS. SARA TAYLOR: Something I wanted to add with respect to what,  
6 Mr. Chair?

7 CHAIR O'CONNOR: Yeah, I thought I saw your hand up for a second,  
8 at least.

9 MS. SARA TAYLOR: No. I just -- I think -- I could just take the  
10 moment to point out that in a lot of ways, the surface is the part of  
11 the additional lands that really supercharges the restoration  
12 potential of this project. It's the habitat value. It's like the --  
13 it's the value to salmon for rearing and spawning. It's the value to  
14 dollies for rearing. It's the value to the caribou for their calves.  
15 It's all of that. So to me, I think, in a lot of ways, it's a pretty  
16 big bargain.

17 CHAIR O'CONNOR: All right. Joy, do we have anybody else? I saw a  
18 hand pop up and then go down. Is there anybody in the public that  
19 wants to comment on this?

20 MS. MAGLAQUI: I think Jacqueline had her hand raised, but she  
21 just texted in the chat, but as of public comments, we don't have  
22 anyone on the list.

23 CHAIR O'CONNOR: Okay, all right.

24 COMMISSIONER VINCENT-LANG: Well, I'll make a motion, if you  
25 would like a motion, Mr. Chair, then we can get to discussion of it.

1 CHAIR O'CONNOR: Yes, please, Doug.

2 COMMISSIONER VINCENT-LANG: Okay, I move that subject to the two  
3 conditions that will follow, we approve the purchase of approximately  
4 4,283 acres of interest in lands owned by Cook Inlet Region  
5 Incorporated for \$15,075,000 plus applicable due diligence expenses  
6 and other transaction related costs and fees and closing costs. This  
7 acreage amount is approximate, and it may vary slightly between this  
8 approval and the closing of the purchase, but aside from minor  
9 corrections to boundaries and the like, the specific locations of the  
10 parcels may not change.

11 The conditions on this approval are as follows: the first  
12 condition is that the title to the westernmost parcel of the  
13 purchase, the one that is across the Kenai River from the Refuge, as  
14 well as the title to the island properties in the Kenai River, are  
15 held by the State of Alaska with the accompanying conservation  
16 easement held by the U.S. Department of Interior. Title to other  
17 lands purchased under this approval will be held by the Department of  
18 Interior with the accompanying conservation easement to be held by  
19 the State of Alaska.

20 The second condition is that prior to the transfer, the State is  
21 granted easements that will ensure equal and uninterrupted access to  
22 inholdings and communities along the Kenai River. This includes  
23 inholding access to easements and municipal road easements, and with  
24 a second, I'll be willing to discuss it.

25 COMMISSIONER POKON: I'll second the motion.



1 COMMISSIONER VINCENT-LANG: But I think we have to have a fed.

2 COMMISSIONER POKON: Oh.

3 MR. VANORMER: Yeah, I can second the motion.

4 COMMISSIONER VINCENT-LANG: Okay, so I guess I was somewhat taken  
5 aback by the amount of negotiations that occurred kind of without the  
6 knowledge of the Trustees moving forward this, since our original  
7 motion, which I wasn't part of, almost seven years ago, and those  
8 negotiations significantly altered both the size of the purchase, as  
9 well as the actual allotments that were being discussed, and I  
10 understand that there's going to be minor modifications as you move  
11 forward, but the amount of the change was significant, and it created  
12 inholdings. It created questions regarding access to people's  
13 properties that currently live along the river, and as a State of  
14 Alaska representative, I have obligations to the citizens of Alaska  
15 to kind of watch out for their interest moving forward, and in some  
16 cases, we haven't -- once title's been transferred to the federal  
17 government, we've had a range of experiences in how those commitments  
18 have been upheld, in terms of providing inholding easements, as well  
19 as withholding the access moving forward.

20 I have no reason to suspect that commitments won't be followed  
21 through on these, but we were excluded, as Trustees, State Trustees,  
22 in any of the review of those discussions and everything else. So I  
23 guess I just am very concerned that we are potentially landlocking  
24 some Alaskans, and I want to make sure that as we proceed with this,  
25 and I understand we have commitments that go long-lasting back to the

1 original agreement, as well as commitments associated with the  
2 Sterling Highway that I want to fulfill, but in fulfilling those  
3 agreements, I want to make sure that we're not impacting Alaskans'  
4 access that have those, and I appreciate what CIRI is trying to do  
5 here, but I want to make sure the State has a role in reviewing  
6 those, prior to those being transferred to the federal government, so  
7 that we're convinced that access is protected, and number two, is  
8 that we're not expanding the authority of the Refuge, in terms of  
9 federal subsistence issues and a variety of other issues, as lands  
10 that are noncongruent to the Refuge are granted over to the Refuge,  
11 and in that case, I think we want to fulfill the commitments to  
12 conservation, but we don't see a reason why that commitment couldn't  
13 be held by the State with a federal conservation easement over the  
14 top, rather than adding to the reach of the Refuge moving forward,  
15 and I think this motion will, again, move this issue forward in a  
16 timely manner, so that we can fulfill our commitment to CIRI, but we  
17 can fulfill our obligations as State Trustees to Alaskans moving  
18 forward. So thank you for the opportunity to speak.

19 CHAIR O'CONNOR: Any thoughts of other Trustees on this?

20 COMMISSIONER POKON: I'd like to just take a moment to affirm  
21 Commissioner Vincent-Lang's thoughts and place a little bit of  
22 emphasis on my desire as a Trustee, where there's a been a resolution  
23 that has approved negotiation in general with a little bit of hedge  
24 language, that if there's significant departures from what was  
25 approved in a resolution, that we have some opportunity to have

1 visibility on that and weigh in before potentially secondary issues  
2 arise because of the departure from all this originally approved.  
3 Thanks.

4 CHAIR O'CONNOR: (Indiscernible).

5 COMMISSIONER VINCENT-LANG: I think Sara's got her hand up.

6 CHAIR O'CONNOR: Sara, go for it.

7 MS. SARA TAYLOR: Thank you, Mr. Chair. My only concern really  
8 is, is it -- would it be possible for the State to hold the  
9 reservation for access, like would it be possible for us to make  
10 those assurances in, you know, consultation with the landowners? I'm  
11 just nervous about the landowners being able to negotiate the exact  
12 access that they want, and then there being an interference with that  
13 by having a reservation that then gets attached to that deed to the  
14 State, and I don't know what that reservation looks like, and I don't  
15 know what it says, and I don't want to foist that onto the people who  
16 are already being surrounded by conservation lands.

17 So is there a way to make space for the landowners preferred  
18 option to guide those negotiations, perhaps, or the -- to ensure that  
19 the access is the strongest guarantee that can be made in the  
20 conveyance documents or is there some kind of guarantee, short of  
21 requiring the State hold an easement over all of these access points?  
22 I understand the roads are already probably reserved, right, but as  
23 these new access things are reserved, I would prefer the landowners  
24 be able to maintain control over that access and have it run with the  
25 parcel, without the encumbrance of a State interest. I'd like to

1 create space for that, if I could.

2 COMMISSIONER VINCENT-LANG: I'm open to that suggestion. What I'm  
3 trying to do is make sure that as we transfer this land, that the  
4 State has an opportunity to concur that we believe that the access  
5 that's being granted is there, and that we have some kind of an  
6 opportunity to weigh in, in the future if the U.S. Fish and Wildlife  
7 Service determines that, well, we really don't like Salmon Road  
8 cutting through our land, which has now been deeded to us. We  
9 understand there's an easement there, but we're now going to modify  
10 the conditions of that easement, and that's happened in the past in a  
11 couple of different activities across the state.

12 So we just want to make sure that if those conditions change,  
13 the State has some say in protecting those residents, which are  
14 Alaskans, and I don't know how to get there, other than the language  
15 I did. I just -- I understand -- I just want to have the State be in  
16 a position to help those people make sure that Salmon Road is  
17 enclosed or reroute it or something, you know.

18 MS. SARA TAYLOR: Yeah, I get it, I just want to make sure that  
19 we're not creating the problem.

20 COMMISSIONER VINCENT-LANG: Yeah, if you can think of...

21 MS. SARA TAYLOR: And also, to note too that...

22 COMMISSIONER VINCENT-LANG: If you can think of language, I'm  
23 open to it, so...

24 MS. SARA TAYLOR: Okay, great. If we can work on language, like  
25 that would be amazing, because I think we could fine tune it, and

1 also, in terms of the -- in terms of the title issue, I don't see  
2 that as being a problem, I'm just only concerned about the State  
3 making those determinations in time, right. So would it be possible  
4 to get the State to identify whether -- or getting the State to  
5 confirm whether or not it will take title to those parcels that you  
6 identified, the island parcels and the westernmost parcel, which I  
7 don't think isn't connected to the Refuge. The parcel immediately  
8 downstream is Refuge, but if that's the parcel you're talking about,  
9 the one that's closer to Soldotna.

10 COMMISSIONER VINCENT-LANG: Yeah.

11 MS. SARA TAYLOR: The part -- okay, so that's in Options A and B,  
12 right? It was in the original 2018 proposal, but if, you know, if  
13 it's that parcel and the island parcels, sure, but if there's a way  
14 that DNR could make that determination or the Governor could make  
15 that determination by two weeks, we would have a -- we would be able  
16 to make the timeline here. So like if there's an opportunity for the  
17 State to confirm that it will take title by October 2<sup>nd</sup>, and then  
18 otherwise, maybe we could switch it back to the State taking the  
19 conservation easement if they don't have the resources or they don't  
20 find it's in the State's best interest to hold title. Is there a way  
21 we could put an October 2<sup>nd</sup> deadline on that determination?

22 COMMISSIONER VINCENT-LANG: So I talked to John Boyle by email  
23 today and he suggested that this is acceptable to him, but I'm not  
24 going to -- I imagine he made that not talking to anybody from DNR,  
25 who may be on the phone right now, so I'm going to defer to DNR to

1 find out whether they can do that or not, but it's -- but that is  
2 kind of hard line for us. We don't want to add not congruent parcels  
3 to this moving forward. So Brent, are you on the phone?

4 MR. GOODRUM: I am, Commissioner. I would anticipate that the  
5 State could meet an October 2<sup>nd</sup> deadline or DNR could, as far as our  
6 willingness to take title to those parcels.

7 MS. SARA TAYLOR: That would work for me, but on the condition  
8 that if DNR indicates that it's not interested, could we reserve that  
9 option for the Refuge, or would it then -- or would it then not be  
10 part of the acquisition? I think I would like to make that clear in  
11 the modification of this amendment or this motion.

12 COMMISSIONER VINCENT-LANG: Well, I just heard that we're going  
13 to accept -- the State is going to accept that, so I guess I'm not --  
14 if for some reason, the State can't meet it, I'm not willing to just  
15 suddenly go, we're going to transfer all this land to the federal  
16 government, you know, so yeah.

17 MS. SARA TAYLOR: Okay, so that's not a fair amendment.

18 COMMISSIONER VINCENT-LANG: Yeah, yeah, okay.

19 CHAIR O'CONNOR: All right, at this point, the Chair perceives  
20 that we have work to be done on this subject, that we need to get  
21 words crafted that meet the agreements or at least tentative  
22 agreements that have been discussed, and as a result, without any  
23 objection, I will defer further action on this item, and I will call  
24 us back together to see where we are, and see what language has been  
25 crafted to meet the positions articulated by Doug and Sara, and the

1 ability to move forward on this, and I would actually like to have  
2 that discussion next week, and keep this moving as promptly as we  
3 can. Sara, do you have something to say? I can't get the...

4 MS. SARA TAYLOR: Is my hand raised? I would like to open the  
5 floor here. We have a lot of hands raised.

6 CHAIR O'CONNOR: I have -- I have the other Sarah from CIRI with  
7 her hand..

8 MS. SARA TAYLOR: President Lukin, yes.

9 CHAIR O'CONNOR: Yeah.

10 MS. LUKIN: Thank you very much. Just wanted to stress the  
11 importance for CIRI and meeting this timeline by year-end. That is  
12 our deadline. I understand that we're now kicking the can on this  
13 initiative while you work through the details, but I do urge the  
14 Council to complete those discussions so that we can close this  
15 transaction by year-end, if at all possible. Thank you.

16 CHAIR O'CONNOR: Thanks. Emma, you had your hand up.

17 COMMISSIONER POKON: I was just -- we can work on the scheduling.  
18 I think a number of the Commissioners, including Commissioner  
19 Vincent-Lang and I, will be in Ketchikan next week, and so that may  
20 limit our availability, but I feel like it should be able to be  
21 worked out.

22 COMMISSIONER VINCENT-LANG: If we do it on Monday, it would work  
23 a lot better.

24 MS. SARA TAYLOR: I'm available Monday. I'm also available later  
25 today, if that's an option. I don't think this should take that long.

1 CHAIR O'CONNOR: All right, well, I'll leave it up to you folks  
2 to get together.

3 COMMISSIONER VINCENT-LANG: You've got EVOS Trustee hands up  
4 here. I mean, EVOS staff hands up here.

5 CHAIR O'CONNOR: Shiway, I'm sorry. I don't see these things very  
6 well.

7 DR. WANG: No worries. Thanks, Doug. We have -- you guys have  
8 another 30 minutes here until the meeting is over. I'm wondering if  
9 it's possible for you guys to work on the wording now. How does  
10 everybody feel about that?

11 COMMISSIONER VINCENT-LANG: I don't mind doing it, I just -- I  
12 just -- I don't want to do it in a crowd.

13 DR. WANG: Yeah, no, no, I'll send you guys a different meeting  
14 link that you can work on it together.

15 COMMISSIONER VINCENT-LANG: That was (indiscernible).

16 DR. WANG: Yeah, does that work for everybody?

17 MS. SARA TAYLOR: That works for me.

18 CHAIR O'CONNOR: All right, so...

19 DR. WANG: And Austin and Lauri also have some questions, and I'd  
20 like to let them ask.

21 CHAIR O'CONNOR: Yeah, please, whoever's next. I see another.

22 MS. QUINN-DAVIDSON: Hi there, this is Austin. Would you mind if  
23 I share my screen? I want to share the map and just make sure that I  
24 understand Trustee Vincent-Lang's, excuse me, understand the parcels  
25 he's referring to. Can you see it?



1 CHAIR O'CONNOR: Yeah.

2 MS. QUINN-DAVIDSON: Okay, great. So the westernmost parcel is  
3 this one, right, Trustee Vincent-Lang? That seems pretty clear. That  
4 was in your motion?

5 COMMISSIONER VINCENT-LANG: Yes.

6 MS. QUINN-DAVIDSON: Okay, excellent, and then when you say the  
7 "island parcels," do you mean these, these, and interestingly, those  
8 aren't in -- I see, and this? Or which parcels do you mean by "island  
9 parcels," just so we make sure.

10 COMMISSIONER VINCENT-LANG: All of the island parcels.

11 MS. QUINN-DAVIDSON: All of those that I pointed out? I'm sorry,  
12 these, these, and this?

13 COMMISSIONER VINCENT-LANG: Yes, they're not -- all of them are  
14 noncongruent to the Refuge.

15 MS. QUINN-DAVIDSON: Okay, I just wanted to make sure when you  
16 say "island parcels," that we know what you're talking about so we  
17 can fulfill the motion accurately. Excellent, yeah, and then to the  
18 timeline, I think Trustee Taylor made a good point just about getting  
19 the money released. I think October 11<sup>th</sup> is our internal deadline to  
20 do that, so that we can move it through the federal system and might  
21 need to be the State, as well, at this point.

22 One thing to consider is that usually, we have the State, if  
23 we're -- well, we'll have to talk about this, but if we're moving  
24 money to the State, we usually have it -- the State accept receipt  
25 and expenditure authority. So anyway, I'd like that to be part of

1 what the Trustees discuss, if we have to move it through the State  
2 system. Thank you.

3 CHAIR O'CONNOR: All right, I guess I'm confused by that last  
4 statement. Why is it..

5 MS. QUINN-DAVIDSON: Yeah, Lauri, can you weigh in on whether you  
6 think that's needed here, just sort of thinking out loud?

7 MS. ADAMS: All right, yeah, sorry. I had two things to add: one  
8 was a suggestion and then the other about how the money will move.  
9 The suggestion was that in past meetings and normally the way we've  
10 operated, the Trustees go ahead and adopt a motion with all the  
11 conditions that Commissioner Vincent-Lang had added to it, and then a  
12 resolution is drafted to reflect that, which obviously the Trustees  
13 would review before they sign, but if a motion was passed today, I  
14 don't think we'd have to have another meeting of the Trustees.

15 So it's a question of whether we're firm enough on what the  
16 conditions are, but I'm just saying it sounds like everybody is, you  
17 know, it's really hard to get you folks together and if a motion  
18 could be passed, if, you know, there's a motion on the floor right  
19 now, if it could be passed, then the resolution could be drafted,  
20 given to Trustees to review, make sure it reflects all of that and  
21 then that could go ahead and be signed. So that was my suggestion.

22 As to the money, I think -- we'll have to look at that a little  
23 more, but traditionally, if a project -- goes, the money's going to  
24 have to go through the federal government, but that's okay, I think.  
25 We'll have to talk -- we're going to have to talk to U.S. Fish and

1 Wildlife Service about that.

2 The issue that Austin raised is that normally, when it's a State  
3 project, it goes through the State Legislature, which we can't do in  
4 the next week or two. So I think that can't happen. It will have to  
5 somehow be run through the federal government, but that may be  
6 possible to do with title transferring to the State. We're going to  
7 have to look at that, it's a good point, Austin, and we've never had  
8 it come up before.

9 CHAIR O'CONNOR: Emma.

10 COMMISSIONER POKON: I -- if I understood Lauri's comments  
11 correctly, I just wanted to offer that I think I'd like to know what  
12 the language is, and where we found consensus among the Trustees  
13 before we pass any resolution. I'd be more comfortable having that  
14 certainty.

15 CHAIR O'CONNOR: All right, Sara, Doug, how do you want to do  
16 this?

17 COMMISSIONER VINCENT-LANG: You're ready to get the meeting off,  
18 I guess?

19 MS. SARA TAYLOR: Yeah.

20 COMMISSIONER VINCENT-LANG: I'll be (indiscernible)...

21 MS. SARA TAYLOR: Let's jump off, get some language that we can  
22 draft, even if the idea is to follow it up with a resolution that we  
23 also approve, yeah, but get some language, consensus language today  
24 where we can all see it all at once, kind of, and then look at it and  
25 take a vote, so -- yeah.

1 COMMISSIONER VINCENT-LANG: Do we need a public meeting for a  
2 vote, or can we do a vote by email?

3 CHAIR O'CONNOR: Shiway, any reaction to that?

4 DR. WANG: I think since we've had public deliberations, I think  
5 it is okay to do by email, but we can also leave this meeting up and  
6 running, and somebody can text me, if it's easy to just get back on  
7 the meeting, and just give a five-minute in-meeting vote. So I do  
8 think it's okay to do over email, since we did have public  
9 deliberations, but if any attorneys are online and want to chime in  
10 or text me and let me know if that's not appropriate.

11 CHAIR O'CONNOR: All right.

12 MS. SARA TAYLOR: I'd feel a lot more comfortable with a vote on  
13 the record, I think, once we get -- and -- on the agreement in  
14 principle that we come up with, right, that's what we'll be agreeing  
15 to.

16 CHAIR O'CONNOR: All right.

17 COMMISSIONER POKON: Yeah, I wonder if there's some Open Meetings  
18 Act requirements that apply to the actual decision point.

19 MS. SARA TAYLOR: Right, yeah.

20 DR. WANG: Okay. Okay, I have sent you guys a new Teams meeting  
21 link, and then so I will just leave this -- I guess this meeting link  
22 open, this current one.

23 CHAIR O'CONNOR: Well, I would think we would adjourn this  
24 meeting.

25 COMMISSIONER VINCENT-LANG: Yeah, I think we adjourn this one.

1 MS. SARA TAYLOR: Let's adjourn, right, for 20 minutes.

2 DR. WANG: Okay, okay, all right, all right.

3 CHAIR O'CONNOR: Okay, so when I get word from the folks doing  
4 the crafting here, that we can get together, then we can set  
5 something up, and whether it happens today or it happens in the next  
6 few days, remains to be seen.

7 DR. WANG: Okay, it just needs to be 15 minutes, not even that?

8 MS. SARA TAYLOR: We'll start there.

9 DR. WANG: Okay, all right.

10 COMMISSIONER VINCENT-LANG: Good, thank you, guys, everybody.

11 CHAIR O'CONNOR: Thanks.

12 MS. SARA TAYLOR: Thanks, everyone.

13 COMMISSIONER VINCENT-LANG: Anything else on our meeting?

14 CHAIR O'CONNOR: All right, so this meeting is suspended and  
15 we'll be called back together by me, as the Chairman.

16 11:31:11

17 (Off record)

18 (On record)

19 11:58:04

20 CHAIR O'CONNOR: All right, we're all restarted.

21 COMMISSIONER VINCENT-LANG: So we haven't -- we -- we met, Sara  
22 and I met with a bunch of other Trustees and talked through the  
23 motion. I think we have a motion now that we can put on the table  
24 that has concurrence, at least amongst the people that were on the  
25 phone. So Sara do you have that up? Can you put that on the screen

1 or -- so for the record, I'll read it.

2 I move that, subject to the two conditions that will follow, we  
3 approve the purchase of the approximately 4,283 acres of interests  
4 in lands owned by Cook Inlet Regional Incorporated for \$15,075,000  
5 plus applicable due diligence and other transaction-related costs  
6 and fees and closing costs. This acreage is approximate -- this  
7 acreage is approximate and may vary slightly between this approval  
8 and the closing date of purchase, but aside from minor corrections  
9 to boundaries and the like, the specific location of parcels may not  
10 change. The conditions of this approval are as follows: the first  
11 condition is that the title to the westernmost parcel of the  
12 purchase, the one that is across the Kenai River from the Refuge, as  
13 well as the title to the island properties in the Kenai River, are  
14 to be held by the State of Alaska, with the accompanying  
15 conservation easement held by the U.S. Department of Interior. Title  
16 to the other lands purchased under this approval will be held by the  
17 Department of Interior, with the accompanying conservation easement  
18 to be held by the State of Alaska. The State of Alaska will have  
19 until October 2<sup>nd</sup> to expressly accept or decline to accept title. If  
20 the State declines, the Trustees will reconvene.

21 The second condition is that, prior to the transfer with the  
22 concurrence of the landowners, easements are reserved that ensure  
23 equal or better and uninterrupted access to inholdings and  
24 communities along the Kenai River. This includes inholding access  
25 easements and municipal road easements.

1 CHAIR O'CONNOR: All right, Sara, are you good with that?

2 MS. SARA TAYLOR: I second, Mr. Chair.

3 CHAIR O'CONNOR: All right.

4 MS. QUINN-DAVIDSON: May I ask a question, Trustees?

5 CHAIR O'CONNOR: Please.

6 MS. QUINN-DAVIDSON: In the language that the Trustees presented,  
7 it said that the Trustees -- that if the State declines, the  
8 Trustees will reconvene. Can you clarify if that means they would  
9 only reconvene with regards to what to do with those specific  
10 parcels, versus the entire project?

11 MS. SARA TAYLOR: We reserve the discretion to immediately  
12 reconvene and address the situation with the understanding that we  
13 have at that time.

14 MS. QUINN-DAVIDSON: So just to be clear, we couldn't move  
15 forward with closing the rest of the parcels that are not those  
16 westernmost and island parcels?

17 COMMISSIONER VINCENT-LANG: That's correct. We are going to work  
18 our due diligence on the State side to accept this (indiscernible)...

19 MS. QUINN-DAVIDSON: Okay.

20 COMMISSIONER VINCENT-LANG: ...by October 2<sup>nd</sup>.

21 MS. QUINN-DAVIDSON: Okay, thank you for the clarification, and  
22 then the only other thing is that, would it be appropriate when we  
23 turn this into a resolution and return it to the Trustees, that we  
24 add some language about -- well, I suppose -- how do we want to  
25 handle the phased approach then, is there no phased approach since

1 you would need to convene?

2 (No audible response).

3 (Chair O'Connor, Ms. Sara Taylor, and Mr. VanOrmer nod head in  
4 the affirmative).

5 MS. QUINN-DAVIDSON: No phase, okay.

6 COMMISSIONER VINCENT-LANG: We're going to get this done.

7 MS. QUINN-DAVIDSON: Thank you.

8 CHAIR O'CONNOR: All right, so we have a motion and a second. Do  
9 I hear any dissent?

10 (No audible response).

11 CHAIR O'CONNOR: Consider the motion approved (indiscernible).

12 COMMISSIONER VINCENT-LANG: Thank you, all.

13 CHAIR O'CONNOR: Yeah, thanks, Sara.

14 MS. SARA TAYLOR: Thank you. Thanks so much to the State Trustees  
15 for raising these issues and to the staff, CIRI staff, Refuge staff,  
16 U.S. Fish and Wildlife Service staff. There was some major hustling  
17 the past couple of weeks to really bring this across the finish line  
18 and I just want to recognize all those folks that really leaned in  
19 to help.

20 COMMISSIONER VINCENT-LANG: Thank you.

21 CHAIR O'CONNOR: Thank you. Are we going to have a site visit  
22 when this is over? We'll try, all right.

23 MS. SARA TAYLOR: I've got my eight-inch rod, yeah, yeah.

24 COMMISSIONER VINCENT-LANG: Yeah, you won't be able to use a  
25 motorized boat bicycle though.



1 CHAIR O'CONNOR: (Indiscernible), all right, all right.

2 DR. WANG: Sara, would you send me that Word doc, so we can work  
3 off of that, please?

4 MS. SARA TAYLOR: (Nods head in the affirmative).

5 DR. WANG: Okay, awesome. Thank you.

6 MS. QUINN-DAVIDSON: Thanks, everyone.

7 COMMISSIONER VINCENT-LANG: Thank you, everyone, bye.

8 DR. WANG: Thanks, Trustees, bye.

9 MR. VANORMER: Thanks.

10 CHAIR O'CONNOR: Bye, bye, thank you guys very much.

11 MS. SARA TAYLOR: Thanks, Craig.

12 DR. WANG: Yeah, thank you, Craig.

13 12:02:52

14 (Off record)

15 (END OF DAY)

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C E R T I F I C A T E

UNITED STATES OF AMERICA )  
STATE OF ALASKA )

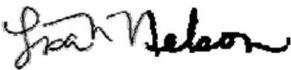
I, Lisa Nelson, CSR No. 5907, Notary Public in and for the state of Alaska and reporter for Accu-Type Depositions, do hereby certify:

THAT the foregoing pages numbered 2 through 41 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 18<sup>th</sup> day of September 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 7<sup>th</sup> day of October 2024.

SIGNED AND CERTIFIED TO BY:



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

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