Exxon Valdez Oil Spill Trustee Council

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SEPTEMBER 18, 2024, TRUSTEE COUNCIL MEETING NOTES

Trustee Council Members Present:

Craig O'Connor*, Special Counsel, National Oceanic and Atmospheric Administration
Emma Pokon, Commissioner, Alaska Department of Environmental Conservation
Sara Taylor, Policy Advisor – Alaska, U.S. Department of the Interior
Treg Taylor, Attorney General, Alaska Department of Law
Chad VanOrmer, Alaska Regional Forester, U.S. Forest Service, U.S. Department of Agriculture
Douglas Vincent-Lang, Commissioner, Alaska Department of Fish and Game

*Chair

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1. Call to Order

The meeting convened at 10:34 a.m., September 18, 2024, using the Microsoft Teams conferencing platform.

2. Consent Agenda

Approval of the September 18, 2024 meeting agenda

APPROVED MOTION: Motion to approve the September 18, 2024, draft meeting agenda, dated September 11, 2024.

Motion by Trustee Vincent-Lang, seconded by Trustee VanOrmer. Approved unanimously.

Approval of the January 26, 2024 meeting notes

Trustee Pokon requested that staff add the topic of a particular public comment in the meeting notes. Executive Director Shiway Wang responded that she would do so and

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recirculate to Trustees for review. [Following the meeting, Executive Director Wang added the requested information to the meeting notes and circulated to Trustees for review. Trustees unanimously approved the revised January 26, 2024 meeting notes by email.]

3. PAC Meeting Summary

Grace Cochon, Designated Federal Officer, reported on the September 16, 2024 EVOSTC Public Advisory Committee (PAC) Meeting.

4. Public Comment

There were no general public comments.

5. Financial Update

Executive Director Wang provided subaccount balances. Shane Carson (Alaska Department of Revenue) verified the conservative investments mix and income growth for each subaccount.

6. FY25-FY33 Spending Scenarios

Executive Director Wang provided estimated spending for both subaccounts, both separately and as a combined total.

7. Legislative Amendment of Public Law 106-113

Trustee Sara Taylor provided a status update.
There were no public comments regarding the proposed legislative amendment.

8. Killey River Purchase Project (KEN 4015)

Public Comment:
Sarah Lukin (President, Cook Inlet Region, Inc.-CIRI) provided public comment on the Killey River Purchase Project (KEN 4015).
Mike Schroeder (Associate General Counsel, CIRI) answered Trustee Vincent-Lang's questions regarding CIRI's position on rights-of-way and the United States and/or State of Alaska holding title to the lands in question. Schroeder also answered Trustee Pokon's question regarding CIRI's perspective on subsurface and surface rights.

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Trustee Vincent-Lang made a motion, seconded by Trustee VanOrmer, which would authorize approval for $15,075,000 for the purchase of approximately 4,283 acres of land, as identified in Option B presented to Trustees, with two conditions as described in more detail below.

Trustee S. Taylor suggested changes regarding private landowner access and eventual federal ownership of the lands if the State of Alaska is unable to commit to accepting title to certain of the lands by October 2, 2024.

Chair O'Connor suspended the meeting at 11:31 a.m. and restarted the meeting at 11:58 a.m.

Trustee Vincent-Lang then amended his proposed motion as follows:

APPROVED MOTION: Motion to approve the purchase of approximately 4,283 acres of interests in lands owned by Cook Inlet Region, Inc. for $15,075,000 plus applicable due diligence expenses, other transaction-related costs and fees and closing costs, subject to the two conditions that will follow. This acreage amount is approximate and may vary slightly between this approval and the closing of the purchase, but aside from minor corrections to boundaries and the like the specific location of the parcels may not change. The conditions on this approval are as follows:

The first condition is that title to the westernmost parcel of the purchase—the one that is across the Kenai River from the refuge—as well as title to the island properties in the Kenai River, are to be held by the State of Alaska, with the accompanying conservation easement to be held by the U.S. Department of Interior. Title to the other lands purchased under this approval will be held by the Department of Interior with the accompanying conservation easement to be held by the State of Alaska. The State of Alaska will have until October 2 to expressly accept or decline to accept title. If the State declines, Trustees will reconvene.

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

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Motion by Trustee Vincent-Lang, seconded by Trustee S. Taylor. Approved unanimously.

Meeting adjourned at 12:02 pm.

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