

Final Meeting Minutes
Command Council Meeting
Sacramento Field Office
August 30, 2004, 10:00am to 4:00 pm

1. Attendees

Charlene Andrade	U.S. Fish and Wildlife Service (USFWS)- Primary Representative
Tom Suchanek	U.S. Fish and Wildlife Service (USFWS)- Alternative Representative
Steve Hampton	Calif. Dept. of Fish and Game (CDFG) - Primary Representative
Jennifer Boyce	National Oceanic and Atmospheric Administration (NOAA) – Primary Representative
Joanne Kerbavaz	California Department of Parks and Recreation (Parks) – Alternate Representative
Sarah Mongano	California State Lands Commission (CSLC) – Primary Representative

2. Agenda. Council approved the agenda (attached).

3. Meeting Minutes. Council approved the minutes of the February 17, 2004 and March 22, 2004 meetings (Attached).

4. Summary of Activities Since Last Meeting. A) The Final Restoration Plan and Environmental Assessment was completed in June 2004 and notification of its availability was sent to the public. B) Council approved implementation of the Marbled Murrelet and Corvid Management Project and the Sooty Shearwater Restoration Project.

5. Request To Review Council Costs. The Council received a request by Ron Sturgeon, a member of the public, to; i) review accounting records for Command and Apex Houston Councils, ii) requesting Council to rescind the Final Restoration Plan, and iii) requesting Council to reopen review of the Plan. Charlene Andrade will draft a response letter to Sturgeon, will forward an account summary, will direct him to the administrative record for further information, and will forward the letter and our response to the Apex Houston Council.

6. Annual Summary Report. The Council will develop an annual summary report, to inform agencies and the public about our restoration activities, expenditures and accomplishments. The report will be produced each July and published no later than the end of September of each year. Topics to be covered include: Planning, administrative and project updates and financial status. This year's report will be produced and published in September, and will also discuss;

i) publication of the Final Restoration Plan,

ii) an update on the corvid and murrelet surveys,

iii) project implementation,

iv) summarize our financial status and

v) inform the public that we will house the public administrative record at the USFWS office.

NOAA will produce this product each year, will circulate the report to Council for review, will publish a final report in paper form and publish on the Command website. Charlene Andrade will provide a financial update and summary to NOAA for inclusion into this year's summary report.

7. Administrative Record. Council discussed splitting the administrative record into two sections; a planning and an implementation record. Council tentatively decided to house the administrative record at USFWS's Sacramento office but tabled further discussion and decision on this matter pending general

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counsel input. If Council decides to house all administrative records at USFWS's offices, NOAA will discard their copies of the administrative record at the Gulf of the Farallones, National Marine Sanctuary Office. Hampton will provide draft corvid and mamu survey reports to USFWS for inclusion into the administrative record. Andrade will provide final February and March meeting minutes for inclusion into the planning portion of the administrative record. Pending General Counsel advice, Council tentatively decided to add financial summaries to the administrative record. Council discussed contracting services to manage the administrative record, however now that planning tasks have been completed the record is likely to be more manageable and the Council decided not to contract out for managing the record.

8. Financial Update.

A) *Pre-2003 Cost Documentation Packages.* The Cost Documentation Committee has reviewed all costs and deemed them appropriate for activities on Command (Verue-Slater approved via email). Cost Committee Chair (Pease) will submit the pre-2003 Package to the Council (attn: USFWS) along with a cover letter i) documenting the review process, and ii) formally approving all costs incurred prior to 2003. Cost Documentation Committee will clarify the process they utilized for reviewing and approving pre-2003 costs and will propose changes to the documentation process (if any) for future reviews and update the Cost Documentation Guidelines. The Cost Documentation Committee will submit future approved Cost Documentation Packages to the USFWS (Andrade) for administrative housing of records.

B) *2003/2004 Cost Documentation and 2004/2005 Budget Requests.* USFWS, CDFG and CDPR, submitted their 2003/2004 costs, carryover balances, projected budgets and funding requests. CDPR will resubmit their funding requests for 2004/2005 activities. NOAA and CSLC will resubmit their cost documentation showing carry over balance, projected budget and funding request, or formally notifying the Council that they do not need additional moneys for 2003/2004. CSLC will provide documentation for Mark Meier's time to the Committee. Boyce will forward all packages she has received to the chair of the Cost Documentation Committee. The Cost Documentation Committee will review all packages within a month of receiving all agency's documentation. All future Cost Documentation packages will delineate/separate planning and administrative expenses from project expenses. Council postponed approval of 2004/2005 proposed budgets until all funding requests for planning and oversight have been submitted.

C) *Financial Update.* Andrade provided a financial update to the Council (attached).

9. Council Oversight and Administrative Duties. Council discussed oversight and administrative duties of Council Trustee Agencies. Overseeing and administering restoration project tasks will be charged to planning budgets and not included in project budgets. Council discussed how to use interest accrued in the NRDAR Fund but tabled the discussion until next meeting and will seek advice from general counsel.

10. Restoration Implementation. Council discussed process for reviewing and approving documents associated with implementing restoration projects. The Council Agency overseeing a project is responsible for approving invoices and contracts for that project. Council will be provided an opportunity to review and provide comments on all draft documents associated with projects and will approval authority for all reports (including outreach material, reports, etc.). All draft documents shall be reviewed within two weeks by each agency or it is assumed that the respective agency approves the document. Finalized documents will be labeled as approved by council prior to publication and/or

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labeled as Command Trustee Documents or title page or acknowledge these are documents prepared for the Command Trustee Council. Hampton will resubmit draft 2003 corvid and murrelet survey reports for council's review and will submit comments to Sudjian for revising drafts and completing final documents.

11. Project Updates.

A) *Murrelet Restoration and Corvid Management Project.* State Parks has developed education and outreach materials (partially with staff time funded by the project and partially with in-kind funding) to begin educating visitors about the dangers of feeding wildlife and has submitted the documents for our review. Project costs for some garbage control items have increased due to increased steel prices. CDPR will attempt to balance these increases with project savings in other categories, so that the original total budget remains unchanged. CDPR will provide a project update to Council on this project. Sudjian has begun 2004 murrelet and corvid surveys at the same level of work as last year.

12. Review Tasks and Next Meeting

1. Draft a response letter to Sturgeon and forward information to Apex Houston Council.	Andrade	Oct. 1
2. Draft memo requesting input from Agency General Counsel.	Andrade	Sept. 15
3. Publish Annual Summary Report of Council activities.	Boyce/NOAA	Oct. 1
4. Provide Financial Summary information to Boyce for inclusion into Annual Summary Report.	Andrade	Sept. 15
5. Discard old copies of Administrative Record from Sanctuary Office	Boyce	Pending Council Input
6. Add Financial Summaries to Administrative Record	Andrade	Pending Council Input
7. Submit approved Cost Documentation package for pre-2003 Council expenses to USFWS (Andrade) for archiving, along with a cover letter explaining the review and approval process the committee used and formally approving all costs.	Pease	Sept. 30
8. Clarify the process that the cost documentation committee is using for reviewing and approving costs and if process differs from previous description, propose changes to the process for future reviews and update Cost Documentation Guidelines.	Pease Lown Meier Slater	Sept. 30
9. Submit 2003/2004 cost documentation to Council showing carryover, projected costs and a formal funding request.	Boyce Mongano	Sept. 30
10. Submit all documentation to Cost Documentation Committee Chair.	All	Sept. 30
11. Submit Draft Sudjian reports to Council for review.	Hampton	ASAP
12. Submit CDPR flyers for Council review.	Kerbavaz	ASAP
13. Review Sudjian reports and CDPR flyer within 2 weeks of receipt.	All	ASAP
14. Provide update to Council on Corvid Management Project.	Kerbavaz	ASAP

The Council has agreed to meet the end of September (date to be determined, depending upon availability of general counsel).

AGENDA
Command Council Meeting
USFWS Sacramento Office, Cafeteria Conference Room 1003
August 30, 2004, 10:00am to 4:00 pm

1. REVIEW & APPROVE AGENDA
2. APPROVAL OF PAST MEETING MINUTES
3. REQUESTS TO REVIEW COUNCIL COSTS
4. ADMINISTRATIVE RECORD
 - Actions on AR for planning
 - Open AR for implementation
 - Contractor for managing AR
5. FINANCIAL UPDATE
 - 2003 Cost Documentation Review status
 - 2004 Cost Documentation Review
 - Budgets and Funding allocation requests for council oversight
 - Investment options and strategies
6. RESTORATION PLAN
 - Distribution of Final Plan
7. RESTORATION IMPLEMENTATION
 - Process for approving subcontractor invoicing and \$ allocations.
 - Process for document / Report Approval
 - Updates
 - New Zealand budget changes and new Resolution
 - Corvid Control – Sudjian report, latest activities
 - Implementation of Projects
 - Seabird Colony Protection Project
8. REVIEW TASKS & NEXT MEETING