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AUG 19 1994

DOUGLAS MUTTER                      Department of the Interior  
Designated Federal Officer

DONNA FISCHER  
BRAD PHILLIPS (August 3 only)  
PAMELA BRODIE  
JAMES CLOUD  
LEWELLYN WILLIAMS  
JAMES KING  
RUPERT ANDREWS  
VERN McCORKLE (individually, and as alternate for RICHARD ELIASON)  
DR. JOHN FRENCH  
GERALD McCUNE  
KIM BENTON (alternate for JOHN STURGEON)  
CHARLES TOTEMOFF

JIM AYERS            Executive Director, EVOS Trustees Council  
                               (telephonically)

MOLLY McCAMMON Deputy Director, EVOS Trustees Council

MARY MCBIRNEY (alternate for Gerald McCune)  
DAN HULL  
CHARLES MCKEE  
CRAIG TILLERY, Alternate for State Trustee Bruce Botelho  
DR. ROBERT SPIES, Chief Scientist to the Trustee Council  
WALTER SHERIDAN  
SEAN FURNISS, Ecosystem Task Force

DIANE GELBURD, Ecosystem Task Force  
ROGER GRIFFIS, Ecosystem Task Force  
SUSAN HIKE, Ecosystem Task Force  
LOUISE MILKMAN, Ecosystem Task Force  
JIM PIPKIN, Ecosystem Task Force  
ANDREA RAY, Ecosystem Task Force

P R O C E E D I N G S

(On Record 9:40 a.m.)

MS. FISCHER: Are we ready? Good morning, Jim. We enjoyed your story.

MR. AYERS: Pardon me.

MS. FISCHER: I said, good morning, we enjoyed your story.

MR. AYERS: Oh, good. It's one of the sad stories you have to laugh at.

MS. FISHER: Okay, we're going to call to order and do a roll call. Doug, will you do the roll call, please?

MR. MUTTER: Rupert Andrews?

MR. ANDREWS: Present.

MR. MUTTER: Pamela Brodie? (No response) James Cloud?

MR. CLOUD: Present.

MR. MUTTER: James Diehl?

MR. DIEHL: Present.

MR. MUTTER: Richard Eliason? (No response) Donna Fischer?

MS. FISCHER: Here.

MR. MUTTER: John French?

MR. FRENCH: Here.

MR. MUTTER: James King?

MR. KING: Here.

MR. MUTTER: Richard Knecht? (No response) Vern



1 McCorkle?

2 MR. McCORKLE: Here.

3 MR. MUTTER: Gerald McCune?

4 MR. McCUNE: Here.

5 MR. MUTTER: John McMullen? (No response) Brad  
6 Phillips? (No response) John Sturgeon?

7 MS. BENTON: Kim Benton for John Sturgeon.

8 MR. MUTTER: Charles Totemoff?

9 MR. TOTEMOFF: Here.

10 MR. MUTTER: And, Lew Williams?

11 MR. WILLIAMS: Here.

12 MS. FISCHER: Do we have a quorum?

13 MR. MUTTER: You're one short of a quorum.

14 MR. CLOUD: What's Richard Eliason's instructions on  
15 an alternate?

16 UNKNOWN: Either Mr. King or myself.

17 (Aside comments)

18 MS. FISCHER: Is Pam Brodie scheduled to be here because  
19 she usually gets here late? (Inaudible - aside comment) Okay, so  
20 ...

21 MR. MUTTER: I think you can begin the meeting.

22 MS. FISCHER: Okay. On the agenda, we have number two  
23 would be to -- oh, wait, where am I at -- okay, approval of the  
24 summary of the June 28, 1994 meeting.

25 MR. McCORKLE: Madam Chairman, I move that the summary of  
26 the meeting of June 28, 1994 be approved as received in the mail.

1 MR. CLOUD: Second.

2 MS. FISCHER: Moved by Vern McCorkle and seconded by Jim  
3 Cloud. Any discussion? Any corrections? Hearing none, approval  
4 of summary will stand as is.

5 MR. MUTTER: Want to go through the agenda?

6 MS. FISCHER: Okay. Are there any corrections or  
7 additions or anything needed to be done to the agenda? Yes, Jim.

8 MR. KING: At our last meeting, we started out with  
9 a -- what I thought was a pretty interesting discussion of our --  
10 our role in the whole process here -- that's the PAG role, and I'd  
11 like to pursue that a little bit further, at some point. We do  
12 have PAG members listed for comments at the end of the ...

13 MR. AYERS: Sherry, if somebody's talking, I  
14 apologize, I hear nothing. If you're on, please talk.

15 MR. KING: What I'd like to see is a few minutes set  
16 aside for us to talk a little bit more about the role of the PAG.

17 MS. FISCHER: Okay, you'd mentioned that as the PAG  
18 member's comments. That would be on Wednesday. Would that be all  
19 right, James?

20 MR. KING: Well, it would be all right, but the last  
21 thing on the last day is sort of a -- a formula for not getting to  
22 it.

23 MS. FISCHER: Okay.

24 MR. KING: I think we need to talk a little bit.

25 MS. FISCHER: Okay, what about after our recommendations  
26 for the FY '95 PAG budget? At that time then we could give you the

1 chance to say what you would like to. Okay?

2 MR. KING: That would be fine. That's this morning,  
3 huh?

4 MS. FISCHER: Yeah. Any other additions or corrections?  
5 Yes, John.

6 MR. FRENCH: Madam Chairman, my -- my concern about  
7 putting the PAG discussion -- I agree with Jim that would be a  
8 worthwhile discussion. I'm a little concerned about putting it  
9 ahead of the Executive Director's report, especially if he has time  
10 constraints being on the other end of this telephone conference.  
11 We might ask him whether or not that would be appropriate and if --  
12 if so, we might want to move to after that, or maybe the first  
13 thing after lunch. But, I agree with Jim, it's worth putting on  
14 the agenda.

15 MS. FISCHER: Okay, Jim, do you have any objections, or  
16 would you rather get on with your report and then we come back with  
17 some of the things that we have scheduled here?

18 MR. AYERS: I will be -- I have to be away from 11:15  
19 until 12:15 your time, and it makes no difference to me as long as  
20 -- but I will have to leave at 11:15, I'll be back at 12:15. I  
21 don't know what -- how you had scheduled lunch, so ...

22 MS. FISCHER: Okay, we have you scheduled to 10:00 a.m.

23 MR. AYERS: Right, and that works out fine for me --  
24 depends on how long -- and mine will only take about forty-five  
25 minutes, at the most, with questions. But I -- so that would work  
26 out fine. Why don't -- why don't we go ahead and then -- I'm very

1 interested in hearing it, I guess is what I'd like to say. I'd  
2 like to hear your comments about the role of the PAG. I'd also  
3 like to talk about that with regard to the Trustee discussion that  
4 we had at our -- at the Trustee's last meeting, and share with you  
5 their comments. I also want to hear the recommendations from Vern  
6 McCorkle and Mary McBirney. So, why don't we go forward with that,  
7 and then see where we're at 10:15. You'd delay me fifteen or  
8 twenty minutes and then I could do my presentation, and then if you  
9 wanted to carry on the conversation, we -- we could come back to  
10 it, at say 12:15 or whenever you resume after lunch.

11 MS. FISHER: Okay, that sounds good, Jim. I'm going to  
12 ask the people in the audience to please identify themselves and  
13 who they work for or who they represent. We'll start with you over  
14 there, ma'am.

15 MS. OSTERKAP: Joan Osterkap, I'm with the Bureau of  
16 Fisheries and Ocean Science based out of Fairbanks.

17 MS. FISCHER: Okay.

18 DR. MONTAGUE: Jerome Montague of the Department of Fish  
19 and Game.

20 MS. MCBIRNEY: Mary McBirney, alternate for the  
21 commercial fisheries seat on the PAG.

22 MR. THOMPSON: I'm Ray Thompson, Forest Service.

23 MS. FISCHER: Okay, thank you. Okay, we're going to get  
24 into the recommendations of the FY '95 PAG budget with Vern  
25 McCorkle and Mary McBirney will give a report on it and discussion,  
26 and at that time, James, you know, when they finish then we can

1 bring your discussion into it too.

2 MR. McCORKLE: Thank you very much. We're going to  
3 reorganize here so that Mary can sneak in. What a neat way to get  
4 to sit by a pretty girl. (Laughter) First of all, Mary and I have  
5 done a good bit of work and had a number of opportunities to meet  
6 together in the last couple of weeks pursuant to our charge to come  
7 up with an approach to a PAG budget as we go into our second term.  
8 As you all know, the PAG comes to an end, at least from the first  
9 term, with the October meetings. Perhaps that might go on one more  
10 meeting just because of the long time it might take to get new  
11 members seated, but this is the right time to think about next  
12 year, and you've heard me -- yes, ma'am?

13 MS. FISCHER: I just wanted to ...

14 MR. McCORKLE: Pam, welcome.

15 MS. FISHER: ... mention that Pam's here and we now  
16 have a quorum.

17 MR. McCORKLE: We can -- we're legal. You heard me talk  
18 before and I promise not to belabor the point again today, other  
19 than to footnote it by saying I've always been in favor of a little  
20 bit more meeting time for the PAG. I've also lobbied for meetings  
21 outside of Anchorage. They're frightfully expensive, but only a  
22 little bit as you'll hear later on. And it seems to me that as we  
23 go into our second term, those who are coming back to the PAG for  
24 the second time around and those new ones could really benefit by  
25 getting a chance to look at some of the -- the potentials, spill  
26 sites or review some of the projects that are -- that have been

1 being worked on for a couple of years. We've spent a lot of money  
2 doing a lot of things, and don't really have a good feel or grip on  
3 how things are going, not even many reports, yet. So, those were  
4 the -- the basis on which we approached our work. We have had  
5 meetings with Executive Director Ayers and Operations Officer  
6 McCammon, and the federal officer, Doug Mutter, in developing our  
7 report, and our recommendations to you, and the -- the material  
8 parts of our report will be given by Mary McBirney, who has sort of  
9 served as sort as the scribe on our committee and has kept  
10 meticulous notes, and has -- better than I could do, brought them  
11 together in some succinct form that will probably let us go through  
12 this whole subject in about ten minutes, after which we'll then ask  
13 Doug Mutter to go over our proposals for the budget, since he  
14 helped us develop the figures, is more conversant with the  
15 questions you might have, afterwards, then we'll open it up for the  
16 group, and hopefully then be able to propose some action today.  
17 So, without any further ado, Mary would you go through some of our  
18 proposals.

19 MS. MCBIRNEY: Thank you. In our discussions, there were  
20 two general areas that we saw needed immediate attention, and would  
21 be fairly easy to change and without making things too difficult or  
22 too expensive, and we broke those out into meetings and staff. So,  
23 we'll just be dealing with meetings for the short term here. First  
24 of all, as Vern mentioned before, one of the things that is pretty  
25 apparent at this point is that we need more quality meeting time.  
26 Time where we can be better prepared with the information that we

1 can have an opportunity to ask questions of -- of project leaders,  
2 of lead scientists, of the agency people, so that we have more  
3 information to make better quality decisions. Now, the first set  
4 of recommendations that we have are to change the meeting format to  
5 provide more meeting time, and these are very simple things. This  
6 morning we were starting at 9:30, and I realize that some people  
7 are coming in from out of town, they might be catching early  
8 morning flights, but one of the things that we would like to do is  
9 to start a little bit earlier, even if it's perhaps a half hour  
10 earlier in the morning, just to get that much more time that we can  
11 devote to attending to business. Secondly, and I understand that  
12 this change has already been initiated, is to provide refreshments  
13 and sack lunches, keep us in the room and keep us working. Some of  
14 us had an opportunity to attend a scientific working group meeting  
15 several months back, and it was very apparent that having sack  
16 lunches was a very simple way of keeping people in the room and  
17 keeping them working through the lunch hour. You didn't have that  
18 wandering out of people, you didn't lose the input in that  
19 critical mass of people with their information and with their  
20 ideas, and that's what we need to do as well, is to stay working,  
21 stay in the room, and doing that with something simple like sack  
22 lunches would be very simple to do. Thirdly, as far as a change to  
23 the agenda format, we would like to put forth two suggestions for  
24 changing the public input format. Now, as it is now, we spend a  
25 great deal of time frequently on taking public comment, and many  
26 times we end up getting wound around the axle with public comment

1 that really doesn't have much to do with our business and the  
2 issues that we need to deal with. And so, that is the direction  
3 which we're taking right now to deal with that. The first  
4 suggestion would be to require the public to submit written  
5 comments to the PAG which would then be incorporated into the PAG  
6 meeting packet. This would be sort of a baseline requirement for  
7 public input that they submit it in writing, and then have a point  
8 on the agenda where members who would like to ask questions of a  
9 particular public person, to have a presentation, or to get more  
10 information on a particular item or concern, that that person can  
11 then be invited to the table to give a more fleshed out  
12 presentation and to answer questions. That's one suggestion.  
13 Second suggestion has to -- would hinge on having a two day meeting  
14 format, and if we did decide to meet for two days, consistently, we  
15 could have the public comment period moved to the end of the first  
16 day. That way, the -- there would be a time certain on the agenda  
17 that the public could come before the PAG, give their comments, and  
18 we can avoid that problem that we have been having with the public  
19 comment period sort of moving throughout the agenda. We might have  
20 it at 11:30, but by the time we do get around to hearing public  
21 comment, frequently it is later in the afternoon, people have taken  
22 time out of their day to wait around, and wait around, and wait  
23 around, and they don't get an opportunity to talk when they expect  
24 to. Secondly, having it at the end of the day makes it more  
25 convenient for many people that do work to be able to take a little  
26 bit of time out of their day to come and to make a presentation



1 before us. And, then thirdly, this also allows the public input to  
2 the PAG prior to our making any decisions or taking any  
3 deliberative action. So, there is an opportunity for them to do  
4 some persuasive talking. This brings us down to our second general  
5 proposal, which is to schedule more PAG meeting per year. We  
6 thought -- we're going to put on the table a proposal of six,  
7 although there is a slightly amended proposal that also suggests  
8 five, but both of those five, six formats do include four quarterly  
9 meetings in Anchorage, and that really is no different than what we  
10 do now. And, the thing that we would like to see changed though is  
11 that -- that be scheduled to be a firm two day meeting, with the  
12 first day being a workshop day. The day where we can receive  
13 information from the agency people, have an opportunity to ask  
14 questions, see presentations, and basically get educated on what's  
15 on the agenda, the sorts of issues that we'll be dealing with, so  
16 that -- again, we have more information so that we can make better  
17 quality decisions. The second day would be a deliberative day.  
18 The day when we hash out the decision-making, make those decisions  
19 on policy, or on the work plan, whatever it is that we need to do.  
20 Secondly, the other two meetings that I mentioned in our six day --  
21 or our six meeting format, we would definitely like to see the PAG  
22 visit a spill-impacted community. Now, either we could do two one  
23 day meetings per year, where we do a quick in and out visit -- a  
24 spill-impacted community -- hold the public meeting, and do  
25 basically public outreach sorts of activities, public input, or the  
26 other option would be to do a two day meeting, once per year, and

1 this could be in conjunction with a regular Trustee Council  
2 meeting, perhaps, or a meeting of the Trustee Council staff, going  
3 to the communities to offer input -- or updates on projects in  
4 their localities, to take public input on different sorts of  
5 concerns. First day would be dedicated to the public meeting. The  
6 second day could then consist of, say, a field trip, where the PAG  
7 could visit project sites and become familiar with various projects  
8 that the Trustee Council has been funding. That basically  
9 concludes the meeting portions of our suggestions, which brings me  
10 down to staff. We came up with several recommendations for staff  
11 support that would certainly be helpful in providing us with more  
12 information, although sometimes the way information gets to us, it  
13 can be rather overwhelming. First of all, we would like to have  
14 a staff person that would be able to prepare materials for us, and  
15 first of all, to provide a synopsis of Trustee Council meetings,  
16 not the entire transcript, that's not what we're looking for, but  
17 a quick synopsis, a summary of the actions that the Trustee Council  
18 took, and that way it would be easy for us to -- at least stay more  
19 on top of what the Trustee Council is doing, especially for those  
20 of us that are not able to attend all of the Trustee Council  
21 meetings. Secondly, we would propose that the copies of the PAG  
22 minutes be delivered to PAG members not less than ten days before  
23 the next scheduled meeting, so that we have an opportunity to take  
24 a look at the minutes, to read through them very carefully, and if  
25 there are any amendments or clarifications that need to be made --  
26 made, that we can bring those to the table. Thirdly, we would like

1 to have a weekly or bi-weekly calendar of other meetings which PAG  
2 members may attend on a drop-in basis prepared, so that for those  
3 of us that are representing particular interest groups, we can  
4 attend those scientific committee group meetings or working group  
5 meetings, and be able to keep track of the projects and the  
6 policies that are being formulated that affect our groups. And,  
7 finally, under the heading of public relations, we would like to  
8 propose that a section in the newsletter restoration update be  
9 dedicated to the PAG, and that there be a spot in the newsletter  
10 that reports on what we do. Talks about what actions we've taken,  
11 what topics we have discussed, what issues we have deliberated on,  
12 and this would be one way that we can be more in the public eye and  
13 to keep people up on what we're doing, and to make us a presence.  
14 Now, at this time, brings us down to how much it's going to cost,  
15 and I'd like to turn the microphone over to Doug Mutter, who will  
16 walk you through basically what this would cost. Doug.

17 MR. MUTTER: I'll go ahead and pass these out. This is  
18 a note that I prepared for Vern and Mary, and it's based on the  
19 past two years experience with Public Advisory Group, and we've got  
20 some generalized, but I think fairly accurate, costs for meeting  
21 activities. Basically, each time the PAG meets in Anchorage we  
22 budget about fifteen thousand dollars for the meeting -- that  
23 includes travel and per diem for the members from outside of the  
24 Anchorage area; printing and copying of materials and mailing costs  
25 for sending materials out; we have each meeting transcribed, so  
26 we've included transcription services; all of the meetings have to

1 be advertised, and so that's included also. The charter says that  
2 there will be four PAG meeting per year, so that comes to about  
3 sixty-one thousand dollars on an annual cost for meetings. And,  
4 currently in order to support the PAG with my time and the time of  
5 restoration office staff, we've got one point one FTE's, that's  
6 about fifty-two thousand dollars, and then some general  
7 administrative overhead costs. So, the total annual budget at this  
8 point is one hundred twenty-two thousand dollars. The additional  
9 costs that Mary and Vern have proposed for drinks, snacks, we  
10 estimated at about four hundred dollars per meeting, that amounts  
11 -- sixteen hundred dollars for the year, and the -- it's difficult  
12 to gage how much it's going to cost for meetings outside in spill  
13 communities because we don't know exactly where you want to meet  
14 and the prices vary quite a bit, and it depends on who's going to  
15 be traveling. So, I picked as an example, for developing the  
16 budget, Cordova, and those -- and I've -- I scheduled -- I think we  
17 set up two -- yeah, two meetings at about eighteen thousand dollars  
18 each. So, that's an additional thirty-seven thousand dollars. The  
19 added cost -- the total added cost for the recommendations,  
20 including additional staff assistance, which I talked to Molly  
21 about and she felt that that could be handled with the current  
22 staff budget levels, so the total cost is less than forty thousand  
23 dollars for the suggestions that Vern and Mary have come up with.  
24 Back to you.

25 MR. McCORKLE: Thank you very much, Doug. The bottom  
26 line here really is the -- the additional costs for the two extra

1 meetings are the costs -- approximately the costs reflected at the  
2 top of the page, fifteen thousand to fifty, plus travel. So, that  
3 gets it to just around twenty thousand dollars for those extra two  
4 meetings, and you heard Doug summarize that at forty thousand  
5 dollars. If you look at the impact on the overall budget, the  
6 total budget as it stands now is one hundred twenty-two thousand.  
7 We're actually adding thirty-eight point nine to it, which brings  
8 it to one hundred and sixty-one thousand. So, that's less than a  
9 -- twenty percent additional cost to do this work. We feel that  
10 now that we're in our second year, and there is a -- as much need  
11 now as there ever was before, to assess the value of the work being  
12 done by the Trustee Council and their subcontractors and the  
13 agencies involved with the work their doing, that -- the best way  
14 to do that is to travel to a couple of places and look and see.  
15 That seems to also be what the jury is asking in the present case.  
16 So, we're not necessarily out of line with respect to how to -- to  
17 become more informed. So, we're very hopeful that -- that the  
18 Public Advisory Group will see this as -- as the way we ought to  
19 go. What there is for us to -- to decide is -- is how we want to  
20 approach the meetings. Do we want to have the public comment  
21 period on the first of two day meetings, or do we want to have it  
22 go pretty much as it is. And, you've just been passed out a paper  
23 that's called "Discussion paper for PAG meetings" and where we need  
24 to look. Now, is it section I meetings, a -- paragraph (a) or (b)  
25 under subparagraph 3. So, it's I, A, 3, a or b. Those are the  
26 options we want to discuss and I think that that's -- really brings

1 us to the end of our -- of our presentation, and we would now like  
2 to -- to have your questions and have a little bit discussion on  
3 this because we think it's something that's worthy of being done,  
4 and we'd like to have your approval on it, and then at the end, of  
5 course, we'd like to have a motion adopting these recommendations.  
6 So, Madam Chairman, thank you very much for the opportunity to  
7 present, and Mary and I will stand ready, or sit ready to answer  
8 questions.

9 MS. FISCHER: Jim, are you still with us? I just want  
10 to check on you?

11 MR. AYERS: Yes.

12 MS. FISCHER: To make sure you're not fishing.

13 MR. AYERS: I'm -- endless.

14 MS. FISCHER: Any questions for Mary and Vern, John?

15 DR. FRENCH: Yes, this question -- this question mostly  
16 relates to budget items, so -- Mary had suggested field visits to  
17 actual work sites, project sites, and I see that as being expensive  
18 and not reflected in the budget, and I don't know what it would  
19 cost. It would be nice, but I think it would probably be quite  
20 expensive because most of -- if we looked at this site -- this  
21 proposal primarily is including communities that hurt -- Cordova,  
22 Valdez, perhaps Seward, Homer, Kodiak -- there the ones that have  
23 commercial air traffic to them, or at least reasonable alternative  
24 transportation to them. We won't actually be to the work sites,  
25 and I think we need to keep that in mind. The other item is -- and  
26 I fully agree with the recommendation that PAG members be more

1 involved in other types of EVOS restoration activities, including  
2 the science meetings, such as the one that we've -- that Donna and  
3 myself and Gail were at a week or so -- a couple of weeks ago. Do  
4 those items, for example, for me to come in for one of those  
5 meetings, does that come out of the PAG budget, and if so, I think  
6 we need to -- to add that to the budget to allow for a certain  
7 amount of that type of activity, because I do think it's much more  
8 important that the PAG members become more integrated into the  
9 system, that we become more involved with those types of activity.  
10 I think you'll probably agree with me, it was very worthwhile being  
11 at that meeting; it was very worthwhile being at the workshops  
12 earlier in the spring. I think it would be good, if -- if not only  
13 I could remain involved in that, but more PAG members could become  
14 involved in that, and to do so, though, we're going -- it needs to  
15 be budgeted somewhere and if that's supposed to come out of the PAG  
16 budget we need to modify the PAG budget, so that would be the case.

17 MS. FISCHER: (Indiscernible - out of range of  
18 microphone). I think that was a good question on our -- our work  
19 sessions that would be attending.

20 MR. MUTTER: Yeah, this doesn't include any cost for  
21 that, so we'd have to add that in.

22 MS. FISCHER: I would have to think it ...

23 DR. FRENCH: But there needs to be appropriated budget  
24 for where it would appear.

25 MR. MUTTER: I think so.

26 MS. McCAMMON: Madam Chair, the way we handled that this

1 year is that the budget assumes that everyone comes to each  
2 meeting, that there's full complete participation, and in most  
3 cases there is not complete participation, so there's a little  
4 extra in the budget and we've been using that extra in the budget  
5 to have this kind of participation, so it is kind of included in  
6 the budget, if you assume there's not going to be total  
7 participation at each PAG meeting.

8 MS. FISCHER: Okay. Vern.

9 MR. McCORKLE: Also -- first of all, thank you very much  
10 for your support, I'm glad to have that. You're an important guy,  
11 and we needed to know you're in favor of that, but -- to one of  
12 your other points about visiting work project sites, yeah, we might  
13 have overstepped the definition there a tiny bit. We don't mean to  
14 jet off to, or to -- to trek off to someplace forty miles away from  
15 Kodiak, or to visit Afognak, or whatever, but there are  
16 archeological sites, you know, within three miles of town that have  
17 been funded to be worked upon. We might look at that. In -- down  
18 in Valdez, Cordova, other places there are certain things going on  
19 very near. That's not necessarily our primary function. That  
20 would be a spin-off if there is a location which is nearby and it's  
21 convenient for us to visit, it would be a shame not to visit that  
22 site when we're holding a PAG meeting in one of the spill-affected  
23 cities or towns. But, our first objection, I think, Mary, and you  
24 can correct me if we're not quite right on this, but our first  
25 objective is to let the people in spill-affected communities have  
26 some exposure to the PAG, and for the Public Advisory Group to also



1 become a little more familiar with what the people in communities  
2 have been faced with and what they're thinking. So, that's really  
3 where we're going. The -- the visitation of a nearby site would be  
4 like frosting on the cake, if there was a site nearby where we  
5 went. MS. FISCHER: Okay, thank you, Vern. Rupert, you  
6 had a question?

7 MR. ANDREWS: No, I have a comment.

8 MS. FISCHER: Comment.

9 MR. ANDREWS: I appreciate what Vern and Mary have done  
10 in this report, and on the meetings, I wish like at the beginning  
11 of the year, we actually take a calendar and set some dates to plan  
12 around it.

13 MR. McCORKLE: We plan to do that, it just didn't show up  
14 in the report. The report ...

15 MS. FISCHER: Mary -- Kim.

16 MS. BENTON: I have a comment and a question on the  
17 public input section. I think your suggestions are good. I don't  
18 know how many members of the public know enough in advance to  
19 submit their comments in writing prior to the meetings, and I think  
20 moving it to the end of the day is a good suggestion. Another --  
21 maybe two suggestions that I would offer under -- to streamline the  
22 public input would be to limit the time allowed for comments, and  
23 the other one would be to limit the topics. I think in the past  
24 what we've had on a couple occasions is that -- I think what I  
25 would call presentations have been slipped under public comments  
26 because they're of specific interest to the Chair or the members of

1 the committee, and if that's -- those can be agenda items rather  
2 than public comment, I think that we'll end up with a much faster  
3 and better public comment process.

4 MS. FISCHER: I think Mary touched on that a little bit,  
5 you know, and mainly keep it to what we're dealing with, what we're  
6 discussing. I think that's important because sometimes, as Mary  
7 presented, we get topics that have nothing to do with anything  
8 we're doing. I think it's important to stay focused. Chuck.

9 MR. TOTEMOFF: Yeah, I'd just like to make a -- actually  
10 an invitation to -- for the PAG members to come out to some of the  
11 smaller communities in the spill-impacted area. You know, Chenega,  
12 I think everybody knows, was right in the path, and I think I'd  
13 make that invitation now, or consideration for that. As many as  
14 you can make it, you know, we may not be able to accommodate  
15 twenty, but we'll try.

16 MS. FISCHER: Any other comments? Okay, Pam.

17 MS. BRODIE: I'd like to thank Vern and Mary for  
18 working on this, and I think there's some good ideas here. I do  
19 have some concerns, and one is about the public comment. I think  
20 that particularly as a Public Advisory Group, we should not be  
21 making it more difficult for the public to comment to us, and it's  
22 -- it can seem like a burden to -- I think, to everybody to take  
23 public comment, but -- but it is something that legislators have to  
24 do, it is something that people who work in agencies have to do,  
25 it's part of the public process, and I don't think that we should  
26 have an attitude that what we're doing is too important to be

1 listening to the public. If you require written comments, there  
2 are going to be fewer comments. People are going to be either  
3 intimidated or aren't going to be able to get it together, so I  
4 would certainly prefer the -- the other alternative of having a set  
5 time, which I think is a very good idea. I think it's -- it's not  
6 good to tell the public that the comment period is going to be at  
7 a certain time and then we move it around -- that is unfair to  
8 people. Another thing is what John French was saying about being  
9 involved in -- in the process. For me, the most valuable thing  
10 that I do is come to the Trustee Council meetings, and I'm  
11 fortunate that I live, or fortunate or not, I live in Anchorage, so  
12 I'm able to do that. And, I think that we could have much more  
13 effective meetings with less time -- we could get more to the  
14 business, if more people were aware of what the Trustee Council was  
15 doing, and getting minutes of the Trustee Council, it would help.  
16 I thought that those were produced already, whether or not they're  
17 distributed, so since they're already produced it should be easy to  
18 distribute them. I am -- and I think John suggested about getting  
19 involved in the scientific meetings is also good, not just for the  
20 scientific representative. But, all of that leads to the concern  
21 of how much time can people put into this, and if we're having --  
22 if -- moving up to six meetings a year, if they're two day  
23 meetings, that's twelve days a year, if people are getting involved  
24 -- attending public -- attending Trustee Council meetings and  
25 scientific meetings, it becomes quite a job to be on the Public  
26 Advisory Group then. I can do it, but this is my life, and I'd

1 suggest that those of you who have another life, think about really  
2 how much of the time commitment realistically you can make. Thank  
3 you.

4 MS. FISCHER: Jim.

5 MR. CLOUD: I too would like to give my thanks and  
6 appreciation to all the work that this committee did in putting  
7 together this budget, and I think the recommendations are  
8 worthwhile, and I would move either we adopt them or move the  
9 discussion and get on with Mr. Ayers report. So, I guess I'd move  
10 that we adopt the recommendations of this committee.

11 MS. FISCHER: John.

12 DR. FRENCH: Okay, if we -- actually do we need a  
13 second for that? I'll second it to get it on the floor. I'd -- in  
14 -- the interest of the comments on public testimony, and my own  
15 thoughts along with -- are Kim's and Pam's, I would like to move  
16 that we amend the recommendation on public hearing to recommend that  
17 we more aggressively utilize the available tools to us, namely time  
18 limitations on testimony, limitations of testimony to topics on the  
19 agenda or to specific topics. I think -- I agree with Pam, I think  
20 at some point during each meeting we should have at least a small  
21 period of time open for general comments from the public. We are  
22 supposed to be a public body, so I think it's important that we do  
23 so, although it can be kept fairly short, and it can always be  
24 increased at the discretion of the Chair, as I understand it. I do  
25 think though that we could more effectively utilize the time  
26 available if we had public hearings on either topics on the agenda

1 or specific topics, rather than just open public hearing for the  
2 bulk of the comments, and make sure the information gets out to the  
3 public before the agendas -- well, before the meeting actually  
4 takes place.

5 MS. FISCHER: So, you want to amend the public ...

6 DR. FRENCH: I recommend that we utilize currently  
7 available means to limit public comment to more pertinent subjects,  
8 those specifically being limitation of time of testimony and  
9 limitation of subjects open for public hearing.

10 MS. FISCHER: What about written orders?

11 DR. FRENCH: I think we can now and probably should  
12 continue to solicit written input to us. I don't have an objection  
13 to that, but I don't want to see our public hearings governed by  
14 that.

15 MS. FISCHER: Yes, Lew.

16 MR. WILLIAMS: I guess the public comment period  
17 (indiscernible) I have a recommendation on the public comment, and  
18 they touched on it, and I think that's what they mean. I think we  
19 ought to hold it starting at about four o'clock on the end of the  
20 first day, and if it's necessary most of us can stay here through  
21 dinner to get them out of the way, and if we have thirty people  
22 here, we'll just say, well, we're going to have this for two hours,  
23 so you're each limited to so many minutes, and if there's only two  
24 people here, we can tell them, well, you each got an hour. That,  
25 of course, is taking it to the other extreme, but I think that  
26 would be the best time to hold it, so people that have to work can

1 stop here at four o'clock, they can get off an hour early or  
2 something, and then we're not breaking up the continuity of our  
3 meetings either, but I like that idea of holding it at the end of  
4 the first day.

5 MS. FISCHER: Gerry.

6 MR. McCUNE: Madam Chair, I kind of have a little  
7 disagreement here with all of this restriction of public. I don't  
8 even like that kind of talk really. The thing is discretion of the  
9 Chair can handle it. If there's just a general -- if somebody just  
10 wanted to make a general comment, you can let them make a general  
11 comment, you can limit that time. If it's to a specific project  
12 that we're talking about something, maybe it will require a little  
13 bit more time. But, to talk about limiting public, that's why  
14 we're here to take in the public and get their comments, that's one  
15 of the most important things here is understanding what the public  
16 wants, not what we want. So, that's what we're here for. So, I --  
17 I think that if there's lots of people, if they have a general  
18 comment, let them say their general comment. You can hold it to  
19 five minutes or two minutes, or whatever, but if it's on a specific  
20 project for the day, then you -- then we might take a little bit  
21 longer to understand their position. That's my feeling on it.

22 MS. FISCHER: I think that one of the things that Mary  
23 and Vern has recommended, and I -- I think this is what I got out  
24 of it, was that it would be to the agenda items, you know,  
25 something that has nothing to do with what we're dealing with,  
26 would not be discussed, which really basically that's what you base

1 your meetings on. You deal with the subject at hand, and I don't  
2 think that's denying the public anything. They do get that chance  
3 to discuss your projects, or whatever, Gerry, you know, not -- so,  
4 you know, how tall is the building next door, that has nothing to  
5 do with what we're talking about.

6 MR. McCUNE: No, let's be a little bit more specific.  
7 I mean, if they're going to make a general comment about what the  
8 Public Advisory Group is doing, or something to that effect, it  
9 doesn't have -- project, I don't want to listen to anymore money  
10 discussion that we hear the first time.

11 MS. FISCHER: That's what we're talking about, yeah.

12 (Laughter)

13 MR. McCUNE: I agree with that.

14 MS. FISCHER: That's what we're talking about. It has  
15 -- yeah. We were trying not to say it. (Laughter) Okay, Vern.

16 MR. McCORKLE: Thank you. We appreciate all those  
17 comments. I guess we'd -- Mary and I would like to underscore that  
18 we're not really trying to limit public comment in any way. What  
19 we're trying to do is make it easier for the public by saying this  
20 is the time that we're not going to violate, no matter what we're  
21 doing at this hour, and I think Lew's suggestion of -- that toward  
22 the end of the first day is a good one. We're going to stop and  
23 let the public -- and, rather than have the public try and -- and  
24 leave their job in the middle of the day, and maybe, you know,  
25 split up, they may have to take a half day's vacation and like  
26 that, and then maybe not even get on, we thought it would be better

1 if it goes toward the end of the first day, that's a workshop day,  
2 that's very loose and casual, and we're all in a learning mode, and  
3 when we get to that time in the calendar, the clock stops, and the  
4 public then takes over. And, I also appreciate one of Rupert's  
5 comments, I think you mentioned this, or maybe I don't know who it  
6 was now, I forgot. A deliberative body, if you -- you attend the  
7 legislature or you go to city council or whatever, you sit in the  
8 gallery and you don't say boo. Well, we're much more flexible than  
9 that, and we've allowed people, maybe even to our own detriment and  
10 to the disturbance of our agenda, to have their say if they're  
11 really are compelled to talk, and we're compelled to listen. But,  
12 we're trying to get some order that gets the public a better chance  
13 to have their time, and also to allow us to move on an agenda if we  
14 need to. That's why the second day is really the -- the business  
15 day when we sort of do our work. I dare say that the Chair, even  
16 on the second day, if there was somebody who really wanted to make  
17 a public presentation, would find time then too. But, we  
18 appreciate your comments and all the motions that we have on the  
19 floor.

20 MS. FISCHER: Okay, I know John French has made an  
21 amendment to the motion, was there a second on that?

22 MR. ANDREW: Second.

23 MS. FISCHER: Okay.

24 MR. CLOUD: I move that we table this discussion until  
25 after lunch, until one o'clock.

26 MS. FISCHER: Okay, Jim would -- is there a second, do



1 I hear a second on that.

2 MS. BRODIE: Second.

3 MS. FISCHER: Okay. Jim, we're going to let you go on  
4 with your report, and then we'll come back to this after lunch.

5 MR. AYERS: That will fine, and I apologize I had to  
6 make my appointment before I knew exactly when you were going to  
7 take a break, so I will -- let me respond first, so that we don't  
8 just leave that issue cold. I -- I have talked with Mary and Vern  
9 and really appreciate the work that's gone into it. I also  
10 appreciate -- time we took at the last meeting, where each of the  
11 members, I think, took the risk, so to speak, to express their  
12 views, both openly and sincerely, as well as positively. And, I  
13 think that's the way we've tried to take the recommendations. And,  
14 I would like to just say that what I've expressed to Mary and Vern  
15 is that -- I don't want to influence your decision on the vote, I  
16 was hesitating to speak until you take your vote -- but I think  
17 that meaningful, positive participation by the PAG is essential,  
18 and as I mentioned to them during -- during the last meeting, we  
19 had a visitor from the Department of Energy in Washington, D.C.,  
20 whose whole job is to travel around the United States and see what  
21 advisory groups are doing with regard to environmental projects,  
22 issues or disasters. I had a chance to spend some time with him,  
23 and as I said at -- during the last meeting, my view is there's a  
24 decision to be made with regard to whether it's simply a voting  
25 group that simply raises their hands, comes to a meeting says,  
26 yeah, we like it, or, no, we don't, based on personal biases. Or,

1 whether you take the time to do the kinds of things you're talking  
2 about doing, which is to make the sacrifice to be a deliberative  
3 body, to interact with the public, and to have meaningful  
4 participation. The Trustees talked about it at their last meeting,  
5 and they're very supportive of what you're talking about and so am  
6 I. The meetings, I think, are not an issue. More meetings does  
7 not necessarily mean better, but I think that the format changes  
8 that you're talking about with the addition of the meetings,  
9 certainly will add to the participation, and we support it. The  
10 staff support, we will work out. Molly and I have been talking  
11 about that and we will find a way to work it out. The Trustee  
12 meeting notes and the PAG meeting notes -- the number of things,  
13 and the number of meetings that they've had recently because of all  
14 the various issues we're trying to get done at the same time for  
15 implementation sake, or the restoration plan, has caused us not to  
16 be able to get things out, perhaps as we wanted, but certainly get  
17 the Trustee meeting notes and the PAG meeting minutes ten days  
18 before a meeting should not be a problem, assuming that we don't  
19 have a continuation of back-to-back meetings of the Trustees that  
20 we had here in the last three or four months. To calendar it  
21 weekly or bi-weekly minutes -- or meetings, Molly and I are both  
22 time-line oriented people, I've talked about, the critical path  
23 analysis part of a management structure, and I'll mention that  
24 again later and certainly support it. It becomes difficult because  
25 of the number of different things that we're trying to do during  
26 this current time period to get the implementation, or the

1 restoration plan up and off the ground, as opposed to wallowing in  
2 the -- group grope discussions that have gone on, and they continue  
3 to go on over -- over the multitude of changes people have. We're  
4 trying to put together a calendar, and hopefully, we would actually  
5 be able to establish a calendar that would lay out an entire year.  
6 We're obviously not quite there yet, but a calendar of events as  
7 far into the future as we can see is something we understand and  
8 support. Your participation in the newsletter, as well as the  
9 annual status report, I think is imperative. Ecosystem effort and  
10 restoration of that ecosystem is only going to be successful if the  
11 public, and in particular the PAG, are participating in that  
12 process, and in that restoration effort. And, that -- I mean, I  
13 think with that comes also responsibilities to participate in  
14 responses to either industry or press-like questions or attacks.  
15 And, I think -- I think it's imperative that we have this  
16 partnership with regard to information, and certainly participating  
17 in the newsletter and status report are something I support. The  
18 budget, I think, is a question, and it's a detailed work question  
19 that we'll have to work out. I think there are some questions  
20 about costs. Going to Cordova is certainly different than going to  
21 Port Lyons or to going to even Chenega, and going to a work site  
22 once you've gone to a community, or to a project site, I think we  
23 should work out, if at all possible, and I agree with that,  
24 although I think we also need to be realistic. In some cases that  
25 means visiting in Cordova the Prince William Sound Science Center  
26 and then getting out to a project, if near by, by -- by boat or

1 whatever. The same would be true if we went to Kodiak. Just  
2 getting to Kodiak, but then also getting out to a site, either a  
3 beach site or a project site, and I think we do need to work on  
4 that. I think there's also some questions about the actual cost of  
5 that, and including in that all of the costs. We have, as Molly  
6 mentioned, been able to spread and share costs, so to speak, and I  
7 think we need to take a look at the budget, but I think we can do  
8 that. John French mentioned and Donna mentioned, and Mary, I  
9 think, mentioned -- as Pam, I think maybe all of those people that  
10 -- that spoke about other participation. Meaningful participation  
11 in my view, and I think by now you know this, it's more than just  
12 a PAG meetings proper. I think, we've tried, since I came on, to  
13 have members of the PAG actually coming to our work sessions, and  
14 discussions with the scientists about the status of the injured  
15 resources, as well as coming to our scientific and work force  
16 meetings on developing an implementation structure. And so, the  
17 issue of other meetings needs to be addressed in the budget as  
18 well, because I think meaningful participation means continuing to  
19 attend those and we're committed to that. So, let me just say  
20 whatever you decide within those parameters, I think we can work,  
21 and I think that the Trustee Council -- we can make work, and I  
22 think the Trustee Council based on their comments at last meeting,  
23 are supportive of that effort. And, I think that your  
24 recommendation comes based on a positive supportive basis, not on  
25 a challenging political basis, and I certainly take it in that  
26 light and would -- would take it before the Trustee Council on

1 that. I'm going to move -- move on here and try to be as succinct  
2 as possible. We have, with your help, developed a comprehensive  
3 balance plan. It has an ecosystem approach and, I believe, with --  
4 with the beginnings of meaningful public participation. Some of  
5 this is going to be, perhaps, old ground for many of you, but I  
6 want to go through it because I think it's the ground work for the  
7 discussion of the '95 work plan. That comprehensive balance plan  
8 that we've developed with you with an ecosystem approach, has  
9 monitoring and research, and under monitoring and research we're  
10 talking about which resources, what are the injured resources, and  
11 certainly the consent -- the -- create in court action, help us, in  
12 our restoration plan, we've identified those which are the  
13 resources. We're also beginning here discussions here about bio-  
14 indicators, and there's some discussion about that whether there  
15 are other species that also would -- would give us information  
16 about how the damaged ecosystem is doing. But, which are the  
17 resources, where are they and how are they doing. And, within how  
18 are they doing, we're talking about what's the population like, how  
19 does that compare with what we believe a healthy population is, and  
20 what is the condition of that population, of the resources. We use  
21 that to develop the strategy for restoration. Management decisions  
22 are based, or should be based on understanding which resources  
23 we're talking about, where are they and how are they, and then  
24 developing strategies based on how will this strategy lead to the  
25 restoration of that resource, as opposed to simply funding a  
26 project. The second category is general restoration, and in my

1 view, those are projects that will directly improve the conditions  
2 of the resources and services within that ecosystem. Those -- some  
3 of those projects are like continuing with some site clean-up, with  
4 some in-stream improvements. The work we're doing on the clam  
5 beds. General restoration is very attuned. The third area is the  
6 habitat protection and acquisition and, obviously, in many -- we  
7 got conversations about all this I know, but I wanted to review  
8 that in order to have a clear understanding here and if we need to  
9 have further discussion about it, bring that out during this  
10 meeting. Including habitat protection is acquisition, and  
11 identifying key habitat areas that are important for the resources,  
12 for their living, habit, breeding, feeding, molting, etc. For the  
13 long term protection and health of those species. All three of  
14 those, monitoring, research, general restoration and habitat  
15 protection are the basis of our comprehensive balanced ecosystem  
16 approach. We've also talked about adaptive management, and that  
17 is, using adaptive management to take a look at what -- how we  
18 should proceed. We went through the circle chart last time you met  
19 about using adaptive management. Once we know the status of the  
20 resources and we have some reports on our research, or on our  
21 restoration efforts, and how they're doing, then we need to adjust  
22 our course, and adapt our management based on the information we  
23 know. We need to have the PAG and members of the public involved  
24 in understanding how the injured resources are doing so that we can  
25 have the discussion about what should we do next. The structure  
26 that we're using is an implementation structure based on management

1 by objective. It's an inclusive organizational structure, and we  
2 put that up last time. It's a structure that we're recommending to  
3 the Trustee Council. They'll make final decisions about all this  
4 in October. But, it is a part -- it's an important part because it  
5 shows how the Trustees, management, scientists, including the PI's  
6 -- principle investigators -- the PAG, and the general public  
7 participate in the organizational structure. We -- I think, have  
8 designed that structure, but it's important -- I just want to  
9 mention again that meaningful public participation includes having  
10 members of the public and the PAG involved at all levels. If the  
11 scientists and the work force are together with me talking about  
12 what we know, we need to have the PAG representatives participate  
13 in that discussion, so that when we get to talking about what are  
14 we going to do next, they have participated and understand what it  
15 is that we've said is going wrong or going right. The  
16 implementation structure that we've gone over, and I've probably  
17 bored you with in the past, has to do with -- it's important for a  
18 mission statement with goals, objectives and specific strategies  
19 that lead to those objectives, so that we can attain our goals. We  
20 have tried to keep the proposals in the '95 work plan within those  
21 parameters. In order to play in the game, you have to play by the  
22 rules and you have to be able to, in practical terms, describe your  
23 project in a manner that's clear that it leads to a measurable  
24 objective. We're trying to build a budget to carry out the mission  
25 and in building that budget, it's based on that structure. That  
26 budget should be based on strategies that lead to measurable

1 objectives. And again, that includes the PAG budget. A budget, if  
2 we want to have a structure that will lead to the accomplishment of  
3 our mission, we know that we need to have a budget that will  
4 provide the basis of funding the strategies that lead to measurable  
5 objectives in a timely manner. And, let me just mention once  
6 again, that within this structure is also the issue of critical  
7 path analysis or time lines. That a meaningful plan has  
8 objectives, the strategies, time lines and the cost of having those  
9 strategies met in a timely manner, and then an evaluation process  
10 that tells you what you found out and then moving into the adaptive  
11 -- adaptive plan for the following cycle. There have been a couple  
12 of articles recently -- and one I don't know if it's there -- if  
13 it's not there we'll ask L.J. to get a copy -- is this the time to  
14 actually see if anybody's still on line or if I'm talking to myself  
15 here. Molly, did we get the copy of the New York Times article?

16 MS. McCAMMON: We did, and I'll make sure that they get  
17 copies here, enough copies made for everyone.

18 MR. AYERS: There remain injured resources despite  
19 public relation efforts or despite, for whatever reason,  
20 controversial, scientific views, there are, and there remain non-  
21 recovering resources. We're dealing with a damaged ecosystem. The  
22 '94 annual status report, and the form that we put together, was  
23 designed to bring the information to the surface that we have  
24 today, to talk about how the system is recovering, and there are  
25 non-recovering resources at this time. That's what this is all  
26 about, is restoring those, or -- those injured resources in that



1 damaged ecosystem. The '95 work plan was based -- should be based  
2 on, a review of the status of the resources and services, which we  
3 hammered together, as you'll recall in the '94 status report,  
4 identifying those injured resources and services and how they're  
5 doing, finding the gaps, looking at our objectives, and then  
6 putting together a solicitation for projects that would  
7 specifically benefit restoration based on those objectives and what  
8 information we have today. And, that's what we tried to do with  
9 our solicitation that we sent out. What you have today in the  
10 chart -- the table that was compiled and put in your pocket --  
11 packet, is a review. It's our preliminary review and a  
12 categorizing that management, work force, representative of the  
13 PAG, scientists, community reps discussed as preliminary review of  
14 those projects and how they did at describing the restoration  
15 benefits and the technical merits of the project. And, that  
16 categorizing, from my view, we're looking for -- and reflects a  
17 preliminary perspective of, was it an identifiable clear benefit to  
18 a resource, was there technical merit based on scientist review of  
19 the brief project description, is there a clear objective with a  
20 resource objective in mind, is it clear how the project will lead  
21 to restoration, and, as mentioned, the technical merit. And, the  
22 other thing that I look for, although in some instances we  
23 identified that they need more, were they clearly described? Were  
24 the activities in the project clearly described with some  
25 associated costs. And, I say that I think that's one of our most  
26 difficult challenges. In some instances, agencies, independent

1 project proposers, individuals are not -- I won't say they're not  
2 able, but have not identified the cost with associated activities.  
3 It's very difficult, maybe one of our biggest challenges, and  
4 certainly one of my biggest challenges as manager, and I've read  
5 every project description that came in, except for the last seven  
6 or eight that were late. It's very difficult to read a project and  
7 then see a number associated with the cost to carry out that  
8 project and get a clear understanding of why it would cost that  
9 much or that little. Timeliness, again, is a problem in this case  
10 because in many instances, my view is, that we ought to have much  
11 more thorough discussion, particularly with these projects that are  
12 multi-hundred thousand dollar projects that are proposed to go on  
13 for years, if not indefinitely. And, I -- I guess I want to say to  
14 you that as -- as a manager, as the Executive Director, it disturbs  
15 me. I do not have adequate information, and frequently I'm having  
16 to make recommendation based on certainly faith more than detail,  
17 and I hope to remedy that in the coming year. But, those are the  
18 aspects that we're -- we're reviewing with you today, with regard  
19 to the '95 work plan. The memo that I sent out on July 27th talked  
20 about this meeting, and our effort was to give you our preliminary  
21 review, and this first effort at categorizing based on overall  
22 benefit to restoration and technical matter. I believe that --  
23 you're also going to discuss the EIS status and the restoration  
24 plan status. We've received your comments on both of those. We've  
25 reviewed them, and they will be incorporated ultimately --  
26 ultimately incorporated in our recommendations to the Trustee

1 Council. I hope that we are putting a package together that's  
2 based on restoration, but it does mean a very sincere,  
3 collaborative, inter-political, as well as inter-disciplinary  
4 effort, which is not easy. There are not -- there are -- not just  
5 agency role, not just the traditional bureaucratic walls, but there  
6 are also the traditional institutional walls that frequently have  
7 inhibited us from working together. I certainly don't mean that we  
8 shouldn't have and continue to have our disagreements over  
9 perspectives, but I do think that your earlier proposal is  
10 consistent with my view that we've got to be in this together, and  
11 work through -- each year work through developing a work plan  
12 that's consistent with our comprehensive balanced plan, and that's  
13 what I hope that -- that we're doing with the '95 work plan. I  
14 know that there's going to be -- there's also the report today,  
15 I've talked with Alex Swiderski, and Walt somewhat, and read  
16 several different versions of the habitat acquisition policy  
17 issues, less than fee simple, and public access. Craig Tillery is  
18 probably most up to date on the restoration reserve. We have been  
19 in contact, actually several different contacts with the court  
20 registry in Texas that gets to hold the money, and we have been  
21 talking with them about how to establish the endowment, or the  
22 reserve, inside the court registry and have it invested.  
23 Certainly, it's -- it continues to be my view, and the proposed  
24 alternative, that your recommendation is -- is a sound one with  
25 regard to the reserve slash endowment. Our effort is to develop a  
26 strategy of investment based on the DEIS and the restoration plan,

1 proposed reserve that would create a hundred and twenty to a  
2 hundred and fifty million dollar reserve, which would provide long  
3 term opportunities after the payments from Exxon run out. But,  
4 those are things that, I guess I briefly want to cover with you and  
5 still leave some time for questions and I -- I know that we're not  
6 there yet, and I -- I understand that it's going to take a lot more  
7 work on our part to get to the point where we are fashioning our  
8 efforts in a timely manner, and in a collaborative way, and that  
9 certainly is my management goal. I'll stop there and would be glad  
10 to answer questions or even return to the discussion with regard to  
11 the PAG role or the proposed changes in the PAG activities and  
12 meeting schedule. Thank you.

13 MS. FISCHER: Thank you, Jim. Are there any questions  
14 for Director Ayers? Does anyone have any comments about his  
15 report, or statements he made? No comments?

16 DR. FRENCH: Donna.

17 MS. FISCHER: Yes, John.

18 DR. FRENCH: Jim, relating ...

19 MS. FISCHER: John French.

20 DR. FRENCH: Jim, relating to this -- to the -- well,  
21 the relatively new membership of Trustee Council, are you getting  
22 any more feedback directly from the Council as to what they feel  
23 the role of the PAG should be and what kinds of input they would  
24 like to see from us, if we're going to get back into a discussion  
25 of the role of the PAG. I think it's fairly critical since -- you  
26 know, we more or less serve at their pleasure, but we try to couch

1 our role in such a way that we can help address those needs. Have  
2 they been anymore articulate in terms of identifying what products  
3 they would like to see from us?

4 MR. AYERS: Madam Chair, John, the Trustees discussed  
5 it briefly after Brad Phillips made his presentation during the  
6 last Trustee Council meeting, and -- actually, I guess that was two  
7 meetings ago, we've also had a teleconference since then. My  
8 interpretation of what they said was that they do want a  
9 deliberative body who actively participates and provides input with  
10 regard to policy questions. We talked specifically about the way  
11 that we're -- we've been trying to involve the PAG membership in  
12 our science plan discussion in developing a management by objective  
13 structure for the implementation of the restoration plan, and most  
14 recently in the discussion of the habitat issue of less than fee  
15 simple. The Trustees, individually, have commented to me that,  
16 that -- that -- they believe that is more helpful than simply  
17 receiving a chart that shows a vote, fourteen - four, seven  
18 against, or simply a vote tally, and I believe that they are  
19 generally, and by generally I don't mean they feel generally, but  
20 I don't want to speak for anyone of them individually, but I think  
21 collectively they are supportive of you participating as a  
22 deliberative body, as opposed to a body who simply votes and sends  
23 a tally sheet forward. I guess we'll find out -- how each of them  
24 feels with regard to the specific questions of meeting -- more  
25 meetings and travel, and those kind of things. I think that is  
26 consistent, and that certainly is way I'll present it to them.

1 That is consistent with what I believe they mean by a deliberative  
2 body.

3 MS. FISCHER: Okay, thank you. Any other comments? Any  
4 other questions or statements for Jim? Okay, hearing none at this  
5 time, Jim, I think that's probably it for right now.

6 MR. AYERS: Donna, I wanted to mention ...

7 MS. FISCHER: Sure.

8 MR. AYERS: ... a couple of things, this might  
9 generate the questions that will despite -- come up later, but  
10 first of all, I apologize I'm not there to see -- only opportunity  
11 I've had to take care of some other things, including a vacation,  
12 and I'd made these arrangements prior to the scheduling of this  
13 meeting, but -- so, I'm not there. Another thing I wanted to  
14 mention is that there -- if you -- if your individually looking at  
15 the table, or if you have looked at the table, there are certainly  
16 projects that some people feel are in category three that ought to  
17 be in one, or people who believe a category project four --  
18 category four project ought to be really closer to a category two,  
19 there really isn't any policy issue that they can see, and that  
20 includes agency as well as individuals. What we are going to try  
21 -- let me say two things, one, this is simply, based on the input  
22 that I received from our scientists, including our review group of  
23 scientists, some PI, PAG representatives, work force, this is my  
24 perspective based on that preliminary review and those discussions  
25 of where these projects fall. And, we wanted to give you and the  
26 public the opportunity, not to just have a list of a hundred and

1 sixty projects, but to actually see what the preliminary thinking  
2 was so that comments would be more direct and meaningful. The  
3 second thing is that agencies, as well as individual proposers, I  
4 think have in many instances, know that the effort ought to be a  
5 collaborative effort with other proposers who are thinking about  
6 the same resource in many instances, or at least the same approach,  
7 and one of the things we're trying to do is get a ecosystem  
8 approach, and that is difficult. We are going to try and group the  
9 projects in manner that allow everyone, including us, to see how  
10 projects, near shore projects -- one of the -- forage fish, you  
11 know you go through there and you see five or six different forage  
12 fish by projects. Someone else, Dr. Spies, can talk about stable  
13 isotopes, but there's also a group of projects that talk about  
14 research in the area of stable isotopes. There's -- there's some  
15 conflict, frankly, with regard to monitoring some of the species.  
16 There are private contractors who think that they can do it better  
17 than some of the agencies. In some cases, there are agencies that  
18 have some, maybe conflicts not the right word, but competitive,  
19 they're in competition. Those are some things that really need to  
20 be worked out, and what we're trying to do in this effort is ferret  
21 out how to have better collaborative ecosystem approaches, that are  
22 the highest priority that benefit the injured resources based on  
23 our best information today. And, that's the reason that we've  
24 tried to take it this far, and that's the reason we wanted to --  
25 you know, review that with you today, not necessarily to get you to  
26 vote on anything today, but to have a chance for you, as you had

1 requested previously to actually see what the thinking -- actually  
2 some of your members have participated in some of the thinking  
3 that's gone on, as ugly as it has been in some cases. And, also  
4 then to get a chance for you to ask questions about those things,  
5 but not necessarily take any action on those today. I just wanted  
6 to mention that in case someone wanted to ask questions about  
7 what's the difference between a one and a five, a two and a four.  
8 I'll stop there.

9 MS. FISCHER: Okay, any questions on the last comments  
10 of Jim? James.

11 MR. DIEHL: This is Jim Diehl. I'd just like to say  
12 to Jim Ayers that this is by far and away the best thing we've had  
13 to evaluate the projects up to now, the two years I've been here,  
14 is -- particularly the comments of the July 12th and 13th group,  
15 and I'd like to congratulate you on putting this whole thing  
16 together. It's a good job.

17 MS. FISCHER: Jim Cloud.

18 MR. CLOUD: Jim, are we going to get a briefing? I  
19 guess I'd assumed it would be in your comments, or a more precise  
20 briefing on what is taking place with habitat acquisition and  
21 protections, what particular parcels are under negotiations, what  
22 parcels landowners have said they're willing to sell, and what  
23 parcels landowners have said they are not willing to sell?

24 MS. AYERS: Madam Chair, Jim, yeah, we're -- two  
25 things have happened. One is that this issue of -- of policy with  
26 regard to public access and less than fee simple has kind of taken



1 us into another realm because, obviously, in order to complete an  
2 appraisal, and even to get into some negotiations with some of the  
3 landowners, we need to clarify what the Council's position is going  
4 to be. But, let me -- let me quickly say that we are putting  
5 together a spreadsheet, and Carol Please (ph) from DNR and -- are  
6 working with the various negotiators and myself, to put together a  
7 spreadsheet, and we will get that out to you. But, let me review  
8 with you -- I don't have my notes or my draft of that, we did go  
9 through it with the Council at the last session. It's in draft  
10 format, and we did not go into executive session, some of the  
11 specifics of negotiations I won't go into, but let me briefly run  
12 through that with you. The efforts of habitat acquisition are in  
13 three general geographical areas, as you know, Prince William  
14 Sound, Kenai and the Kodiak-Afognak archipelago. In Kodiak, we are  
15 working with landowners in the southern Kodiak area, Old Harbor,  
16 AJV and Koniag, looking at primary -- both nesting and fisheries  
17 production areas, one of the highest productive fisheries, wild  
18 streams left in the state. The acreage I don't have in front of  
19 me, but there is, again, I'll pull that draft together and some  
20 things we need to clean up, but we're negotiating with them  
21 strictly fee simple. Koniag has proposed one area for an easement  
22 or subsistence reserve, and that's in a preliminary discussion  
23 stage, but let me say that I suspect that we're focusing on fee  
24 simple. In the northern Afognak area, there is a discussion with  
25 -- I'm sorry, I think I said AJV down below and I meant Akhiok-  
26 Kaguyak, in the northern area, we are negotiating with AJV, and I

1 believe Craig Tillery is there if you wanted some more detail, you  
2 could talk with him. We are obviously not going to be able to  
3 acquire all of the high value lands in that area, and still  
4 maintain the comprehensive balanced approach we've talked about.  
5 So, we have been working with habitat working group to develop a  
6 package, and then working with the landowner to develop a package  
7 that is both protective and affordable. In Shuyak we negotiating  
8 with the Kodiak Island Borough, for fee simple, for those high  
9 priority areas of Shuyak Island. In the Kenai area we are on hold  
10 with English Bay, and the landowner there is Port Graham, pending  
11 a disagreement, I guess I would say, We are not involved in a  
12 previous appraisal conducted by, I believe, an agency within the  
13 Department of Interior, the appraiser and the negotiation were not  
14 a part of civil trust efforts of the Trustee Council. Although  
15 we're very interested in some of that land, the appraised -- the  
16 appraisal has -- was not accepted by the federal review appraisers  
17 and has been sent to Washington, D.C., Department of Justice for  
18 further review. So, we are not involved, at this time, in  
19 negotiations or discussions with either English Bay or Port Graham.  
20 In Prince William Sound area, we are in negotiations with -- with  
21 Chenega, and that involves some fee simple, and some less than fee  
22 simple. The appraise -- the appraisal has been going on, but  
23 probably will not be finalized, I believe, until later in August,  
24 after timber cruises have been completed. We are in negotiations  
25 and discussions with Eyak, and certainly most of you, I think,  
26 heard at the last meeting the discussion from principals

1 representing Eyak, and then the wholly owned subsidiary Sherstone,  
2 and as they said, they want to participate in habitat protection,  
3 but they do not want to forego some of their recreational or  
4 economic development, recreational related opportunities, and so,  
5 how to pursue a less than fee simple acquisition, and still provide  
6 them some opportunities for both cultural use of that land and also  
7 some economic development related to recreational, or -- or  
8 development consistent with restoration is the big issue there.  
9 Cruises -- the Council discussed that particular issue because the  
10 timber cruises of all these timber related lands, Shuyak, northern  
11 Afognak, Chenega, and Eyak are highly expensive and we had to take  
12 -- the Council took action to provide additional funds for the  
13 cruises and -- and even expedite that, if possible, so that we get  
14 the information up and out on the table where we can see it and  
15 discuss it, and see what we can afford and still provide a  
16 comprehensive balanced approach. Recently, we -- there has been a  
17 request for an appraisal of Tatitlek. Tatitlek has been in  
18 discussions with negotiators. I have not yet authorized that  
19 appraisal, although I anticipate doing so in the next few days.  
20 And, Chugach has contacted us, but again someone from the  
21 Department of Law might know more about that, but we have not  
22 authorized an appraisal of Chugach land at this time, we're just  
23 simply in preliminary discussions with them. And, that's from  
24 recall, so if I've left something out, or if there's some specific  
25 question, why don't you ask, if Craig Tillery or Walt Sheridan are  
26 there, they may want to mention something that I've left out.

1 MS. FISCHER: Okay.

2 MR. AYERS: Did that answer your question, Jim?

3 MR. CLOUD: Thank you, Jim. I think we just haven't

4 had an update on what's going on. It's been conspicuously absent.

5 MR. AYERS: I can't hear, Madam Chairman.

6 MR. CLOUD: They didn't turn me on. Thank you. So,

7 we haven't had an update on what's going on for a long time, so

8 it's been conspicuously absent.

9 MR. AYERS: I apologize for that, and I will get you

10 -- again, we've put together a draft table, and I've been working

11 with DNR on that, as well as the Forest Service, Dave Gibbons from

12 the Forest Service. We have a draft of kind of a current status,

13 and it's in draft because, as you can tell there are all sorts of

14 -- there are several different negotiations going on with a variety

15 of issues in each of those. But, I do have -- I did give that to

16 the Council in draft format at the last meeting, and I will get a

17 copy to the PAG, and it will still be in draft form, but that's

18 okay, Jim, for a variety of reasons. One, I don't -- I don't

19 necessarily want to make a mistake on one of these issues, and

20 secondly, some of that information may not be up to date, but I

21 will get you that out this week, in draft form.

22 MS. FISHER: Okay, thank you, Jim. John French.

23 MR. FRENCH: Jim, I'd just like to take this

24 opportunity to officially thank you for the opportunity you gave to

25 Donna, Gail and I to participate in the July 12th and 13th meeting.

26 I think that was very helpful to us in terms of the PAG, but it's

1 also my impression it was also helpful to whole process, and I'd  
2 just like to thank you.

3 MR. AYERS: Madam Chair, John, someone else had just  
4 also, well -- provided or at least I received it as a compliment,  
5 and let me say that we have a very committed, hard-working staff  
6 and including in that work force is -- well, you know, John, some  
7 of the PI's that have come in from the field to help work with us,  
8 but many, many of the efforts, the progress that we've made here in  
9 the last two hundred and fifty days, have to do with the commitment  
10 and hard work of people that are there with you right now, as well  
11 as some people that are in the field. And, many of the ideas that  
12 I've tried to implement have come from discussions with people in  
13 the PAG and with the Trustee Council. And so, I just want to make  
14 sure that we're all -- we're all clear here that there's a lot of  
15 people and its a collaborative effort that's making this work right  
16 now, and I really appreciate what the staff has been doing, with  
17 regard to moving forward, even -- even in the face sometime of --  
18 of criticism and the tact, people put their shoulder to the plow  
19 and made sure that things got out even when they were being  
20 criticized for not getting things out or getting things out in a  
21 timely manner and then having criticism for it being too much.  
22 But, all of this is working because there's a lot of hardworking  
23 people that are certainly doing it out of commitment more than  
24 simply compensation. So, I just wanted to share that with you, and  
25 I -- I appreciate everyone's participation in particular the staff  
26 who is really laying into this stuff.

1 MS. FISCHER: Yeah, Jim, I think -- this is Donna -- I  
2 think I would have to echo John French's statement there. I think  
3 we both walked away, or all three of us walked away with a whole  
4 different meaning, and a real direction in the way everything is  
5 going, and we do appreciate what the staff is doing and how hard  
6 they are in their dedication, as well as yours.

7 MR. AYERS: Thank you.

8 MS. FISCHER: Any other comments? Okay, you're going  
9 to take off now for your meeting, Jim?

10 MR. AYERS: Yeah, Madam Chair, with your permission,  
11 as I said I'd made this appointment, and I will call back in and  
12 plug back in in about an hour, but I do have to run off to this  
13 appointment.

14 MS. FISCHER: Oh, we're going to watch -- we're going to  
15 time you, so. (Laughter) Make sure you don't go fishing or  
16 something.

17 MR. AYERS: I won't stop at the fishing hole then.

18 MS. FISCHER: Okay, I'm going to call for a ten minute  
19 break here.

20 MR. AYERS: Thank you.

21 MS. FISCHER: Thank you. We'll be back promptly at  
22 twenty after.

23 (Off Record 11:10 a.m.)

24 (On Record 11:15 a.m.)

25 MS. FISCHER: Vern talked about, you know, having  
26 working lunches. We intend to start today with a working lunch,

1 and I meant to say something this morning. I apologize. Jim, will  
2 you forgive me?

3 MR. CLOUD: I don't know.

4 (Aside comments)

5 MS. FISCHER: Anyway, they are bringing sandwiches in  
6 for us today, so we are going to try to work through our lunch  
7 period as -- as possible. I think at noon what we'll do is break  
8 for about fifteen minutes while they get the sandwiches in, we get  
9 our sandwiches and sit back down and go back to work. We only get  
10 fifteen minutes then. Yes, Pam.

11 MS. BRODIE: I also have a lunch meeting.

12 MS. FISCHER: Okay.

13 (Aside comments)

14 MS. FISCHER: We're going to go into -- since we're  
15 coming close to the public comment time, go ahead and go into the  
16 public comment, and then come back to Craig Tillery, is that all  
17 right Mr. Tillery? Are there any objections to that?

18 MR. McCUNE: Do we (indiscernible) from the public?

19 MS. FISCHER: Yes. (Laughter) Jerry, you can go to  
20 lunch if you want. (Laughter) Okay, was there a sign up sheet or  
21 anything for the public? (Aside comments) Okay, yes, Lew.

22 MR. WILLIAMS: I just had a question, you said you're  
23 going to get to Craig after the public. How about less than fee  
24 and public access -- access policies, are we going to touch those  
25 at all?

26 MS. FISCHER: Yes, we are. We're going to come back to

1     them.

2                   MR. WILLIAMS:    Okay.

3                   MS. FISCHER:    But, we'll go ahead and do the public, go  
4     to Craig, get our lunch and then come back.   Okay?   Are there any  
5     signatures out there for public comment?

6                   UNKNOWN:         Dan Hall wants to speak (indiscernible)

7                   MS. FISCHER:    Okay.   Okay, Dan, you wanted to -- there's  
8     a microphone over there down at that end, if you ...

9                   MR. HALL:        Thank you, Madam Chair, and members of the  
10    Public Advisory Group.   I think most of you know me.   My name is  
11    Dan Hall and I'm a gillnetter in Prince William Sound, and chairman  
12    of the board of directors of Prince William Sound Aquaculture, and  
13    I want to speak to a new or revised proposal that that PWSAC has  
14    submitted.   Reading from the executive summary, which I -- I hope  
15    everybody receives copies of, along with the proposal.   The Prince  
16    William Sound Aquaculture Corporation, as you know, is a non-profit  
17    regional corporation, representing users in communities of Prince  
18    William Sound and the Copper River area.   In the efforts to  
19    rehabilitate, enhance and stabilize salmon resources and associated  
20    services.   Following the Exxon Valdez oil spill, salmon in Prince  
21    William Sound experienced productivity decreases, and stocks have  
22    been recognized as injured and not recovering.   In being responsive  
23    to concerns voiced by the Trustee Council members and staff, PWSAC  
24    is submitting this new or revised proposal, which is an evolution  
25    of the initial proposal to fund hatchery operations to replace lost  
26    services and resources with hatchery salmon.   PWSAC, as guided by



1 the voice of its constituents, and directed by the executive  
2 committee, proposes restoration of salmon resources in Prince  
3 William Sound through a program of professional agency and local  
4 resident collaboration, and integration of research, restoration  
5 and monitoring objectives. The proposal delineates a multi-  
6 disciplinary program for investigating salmon resources,  
7 enumerating stocks, and assessing -- assessing stock conditions and  
8 genetic identity. The program further intends to take restorative  
9 action using methods among those described in the EVOS Restoration  
10 Plan Draft Environmental Impact Statement, such as hatchery rearing  
11 of wild stock eggs, netpen rearing of wild stocks, and relocation  
12 of hatchery runs. The program involves a collaboration with  
13 University of Alaska Fairbanks School of Fisheries and Ocean  
14 Sciences, Alaska Department of Fish and Game, PWSAC and local  
15 residents, including members of the Native communities. The  
16 program objectives -- so, I'll read from them here, include: (A)  
17 Restoring wild stock salmon resources and services in Prince  
18 William Sound to pre-spill conditions; (B) Maximize fitness, both  
19 biologic and economic) of injured wild stocks through application  
20 of knowledge of salmon population biology, genetics and disease;  
21 (C) Reduce harvest of injured wild stock by more specific  
22 management of wild and hatchery stocks; (D) Develop, integrate and  
23 coordinate collaborative participants in research, restoration and  
24 monitoring; and (E) Develop, train and use resident expertise to  
25 establish the capability for continuing conservation and protection  
26 of PWS salmon resources. Although actions proposed for focus on an

1 FY '95 timeline, the program described is planned to run through he  
2 year 2002. This length of time is crucial to restore and monitor  
3 two generations of both even and odd year pink salmon including  
4 adult returns. Now, I recognize that submission of this proposal  
5 to the PAG on such short notice limits your ability to review and  
6 digest it as thoroughly as you would like, and the proposal still  
7 requires review by the EVOS staff and the interim Scientific Review  
8 Board, but we do greatly appreciate Jim and Molly's support and  
9 flexibility as a part of their adaptive management strategy to  
10 accept revisions such as this. However, I do ask the PAG for  
11 support of the proposal at this stage of the review process, and I  
12 will tentatively offer to withdraw the initial proposal that we  
13 submitted for FY '95, pending approval by our board of directors,  
14 and I have to say tentatively because the initial proposal was a --  
15 was a board of directors action, which -- which I can't overturn  
16 unilaterally. My neck is stretched out far enough as it is. But,  
17 I am very pleased with this proposal, and I'll give you just a  
18 couple of comments or thoughts as you review it. First, it  
19 represents a different direction or focus for our program in  
20 general, not so much a new -- new direction for PWSAC and for  
21 salmon enhancement, but one that has leaned dormant for a number of  
22 years. The oil spill impact to the salmon resources and services  
23 in Prince William Sound provide us with -- in many ways, with an  
24 opportunity to return to the roots of the organization to  
25 rehabilitate, restore and enhance wild salmon stocks in Prince  
26 William Sound as opposed to simply increasing salmon resources

1 through hatchery production. Secondly, it's a much closer fit to  
2 the overall goals of restoration as described in the Draft  
3 Restoration Plan EIS, and the ecosystem based management structure  
4 developed by the -- by the staff, EVOS staff and agency  
5 representatives and interest groups, as an integrated and  
6 collaborative effort, and one that includes participation by the  
7 user groups and the people in the community and the area. So, I  
8 wanted to give you those thoughts and submitting the proposal, and  
9 I can't answer, unfortunately, all the technical questions on this,  
10 and I'll have to refer to staff on that, but thank you for giving  
11 me the opportunity to present it, and I look forward to hearing  
12 your review.

13 MS. FISCHER: Are there any comments? Okay, Pam.

14 MS. BRODIE: Quick questions to ask Dan. Are you --  
15 are you -- does this still envision some retiring of hatchery debt,  
16 or is that no longer part of it?

17 MR. HALL: No, this is not -- retirement of hatchery  
18 debt is not a part of this.

19 MS. BRODIE: Is PWSAC still looking for that, or is  
20 that off the table?

21 MR. HALL: At this point, I'd say it's not -- it's  
22 not being considered or pursued by our board of directors.

23 MS. BRODIE: My other question is part B, it says  
24 maximize fitness, both biologic and economic, of injured wild  
25 stocks, and I'm kind of wondering about the economic because I  
26 think that goes beyond what the Trustee Council can do with the

1 civil funds. Are you envisioning marketing?

2 MR. HALL: No.

3 MS. BRODIE: What does that mean?

4 MR. HALL: No, no I think it's simply to optimize  
5 wild stock resources to provide for, you know, maximum, optimum,  
6 sustained yield. The economic aspect of that -- it's not to -- not  
7 requesting funding for marketing projects.

8 MS. BRODIE: Is there something separate for the  
9 economics, okay, thank you.

10 MS. FISCHER: Okay, now I know he has for an endorse --  
11 Okay, John.

12 DR. FRENCH: Yes, I have two quick questions. One,  
13 first relating to the level of activity in future years, do you  
14 anticipate that the budget will require -- continue to require  
15 about the one point seven million you're requesting for '95, and  
16 the second question is partially a comment. I have learned we  
17 should never should second guess lawyers, but at the July 12th  
18 meeting, Jim Ayers conveyed the impressions, I believe it was from  
19 the federal lawyers, that all projects involving hatcheries would  
20 have to require an EIS on the hatchery system. If that's the case,  
21 is PWSAC prepared to undertake a EIS on the -- the Prince William  
22 Sound hatchery system?

23 MR. HALL: I guess we're waiting to hear from the  
24 Department of Justice on how, what their legal opinion of this new  
25 proposal on it that fits within the restoration plan EIS, whether  
26 that -- that fulfills any of that EIS assessment. I don't know.

1 DR. FRENCH: Anything on the budget?

2 MR. HALL: On the budget, I don't know, no.

3 MS. FISCHER: Okay, Gerry.

4 MR. McCUNE: Thank you, Madam Chair. This is something

5 I've been pursuing for two years, so in that -- it's a direction

6 that I would like to see because it -- it protects the direct

7 injured resources. We're not talking about retiring PWSAC debt or

8 -- this is a perfect source that PWSAC has as an expert in the

9 Prince William Sound to be able to able rehabilitate the wild

10 stocks. They have the facilities and bringing in all the different

11 people and players and expertise to do it. There's two hundred and

12 twenty oiled streams, if I remember right, on the western side of

13 the Sound, and some of those streams are producing and some aren't,

14 and -- because we don't have complete data on what's going on over

15 there, and what's happening in some of those streams. This is a

16 way, and I've worked hard for a long time and a lot of others,

17 fishermen and different community members would like to see this

18 done, and this is going to give us a good review on the injured

19 stocks and how they're doing, and how we can get them back, and

20 PWSAC could be a big player in doing this. And, this would give us

21 a first shot, kind of jump start the wild stocks, and then leave

22 them alone from there. So, we're not talking about the hatchery

23 system itself, except for there is some interaction in there as you

24 read through the proposal, to see what the impasse on the injured

25 stocks are to where the hatchery stocks are released and visa-a-

26 versa. But, it's a solid proposal and it does have CDFU's backing,

1 and a lot of the community members, sports fishermen and others in  
2 the area. So, I was just going to add those comments. Thank you.

3 MS. FISCHER: Okay, would anybody have any objection on  
4 maybe taking this, you know, with them tonight, reading it, and  
5 then come back and present it tomorrow. John.

6 DR. FRENCH: I'd like to move that we consider this  
7 project at the same time we consider the Prince William Sound  
8 assessment project.

9 MS. FISCHER: Is there a second to that?

10 MR. CLOUD: Second.

11 MS. FISCHER: All in favor?

12 PUBLIC ADVISORY GROUP: Aye.

13 MS. FISCHER: Opposed? (No response) Okay, we'll hear  
14 this one when we hear the other Prince William Sound projects.

15 MR. HALL: Thank you.

16 MS. FISCHER: Thank you, Dan. Okay, any other public  
17 comments? Okay, Charles McKee. Now, are your comments going to be  
18 in relation, Mr. McKee, to what is on the agenda? The agenda items  
19 and the projects that are at hand?

20 MR. McKEE: Yes, they are.

21 MS. FISCHER; Do you have anything in writing, as well,  
22 to submit?

23 MR. McKEE: What I have is not -- I'll just -- prove  
24 my copyright approval. My name is Charles McKee, and first of all  
25 I want you to be awful careful with the fact that you might be in  
26 violation of my rights as a -- I'm not sure of anything. But, you

1 might be in violation of the price fixing that because I am of a  
2 very integral part of interstate commerce, in regards to my  
3 copyright approval, and I won and -- against the state and federal  
4 court.

5 MS. FISCHER: Mr. McKee do you have a copy of the agenda  
6 that we have before us today?

7 MR. McKEE: I just want -- I just want ...

8 MS. FISCHER: Excuse me, do you? And, I would like to  
9 keep your comments related to what we are discussing today, the  
10 projects at hand, and only that. That's what we're here to deal  
11 with.

12 MR. McKEE: I wanted to give you a more ...

13 MS. FISCHER: I mean, we appreciate your comments, but  
14 we need to stick with this.

15 MR. McKEE: I agree -- I agree, and I just wanted to  
16 give you a warning, because I heard statements earlier as to the  
17 proposals as far as public comments.

18 MS. FISCHER: Okay, continue on for ...

19 MR. McKEE: Now, as far as my submittal for  
20 restoration of Prince William Sound, I can get very detailed, and  
21 I'm more than willing to do so, in -- and the process of how it's  
22 going to be done, how much it's going to cost, the timeline  
23 involved, what the impact's going to be in relationship to the  
24 restoration of the ecosystem in the Prince William Sound. My main  
25 concern, primarily is in a simple term, you know, the algae. I  
26 refer to it as the blue-green algae aspect. That feeding -- the

1 food aspect of the marine system. And, I'd have to point out that  
2 due process of law -- you know, I mean -- I've had inability to  
3 bring about that information because it's outside of the federal,  
4 state and local cities aspect, but it's going into the social  
5 realm. That's why I went into that investigation, in that it  
6 impedes my ability to bring forth this information because of the  
7 sociological levels that I've been forced to incur, and to develop  
8 the brain-trust to come up with all the documentation. Well, I  
9 mean that we can go ahead and do access the library foundation  
10 which is what I alluded to my thesis and everything else, but it's  
11 still, you know, very cumbersome when you deal with the  
12 psychological impact of -- outside of the governmental agencies and  
13 how they're integrally tied into that process. But, I am more than  
14 willing to do so. I, in fact, attempted to borrow money against my  
15 collateral, which is the copyrighted book, and Small Business  
16 Administration said they couldn't use it as collateral because they  
17 couldn't claim it. It would be in violation of my first amendment  
18 rights, freedom of speech. So, I've -- in conclusion I want to  
19 take certain amount of material processed out of the Turnagain Arm  
20 and seal up as I indicate in my writing the contamination that is  
21 not so much above the waterline, but below it. And, we do know the  
22 location of -- of those areas of oil.

23 MS. FISCHER: Okay, Mr. McKee. Are there any questions?  
24 Anyway, thank you for your comments, we appreciate them.

25 MR. MCKEE: Thank you.

26 MS. FISCHER: Is there anything or anyone else from the



1 public that would like to talk -- to speak -- discuss with us.

2 Okay, we're going to hear from Mr. Tillery.

3 MR. TILLERY: Thank you, Madam Chairman. I'm -- I guess  
4 going to talk about the endowment, where we are now. I would just  
5 suggest that people just interrupt as I say things, and if you have  
6 questions, and that's all you have is an efficient way as anything  
7 to do it. What the Trustee Council is currently looking at is not  
8 so much an endowment as it is a reserve fund. There are still a  
9 number of issues out there on it. It is -- the basis for doing a  
10 reserve fund is the fact that we simply don't know what ultimately  
11 we're going to need to restore out there. We think there's still  
12 things that we -- we have to learn about. That's important because  
13 it's distinct from another possible reason for reserve fund, which  
14 is we know what we are going to do, but it's going to take a long  
15 time to do it. That would -- I think if you -- if it were the  
16 latter, it would give you more freedom to do such things as  
17 actually segregated the money. We could give it to a board, or  
18 something like that, and say, okay, we know we need to deal with  
19 pink salmon, we know it's going to take twenty years, we don't want  
20 to see an existence for twenty years, here's what you have to do,  
21 go do it. But, we're in a situation where we don't know what it's  
22 going to be like in the year 2001. For that reason, it is believed  
23 that the Trustee Council needs to retain the discretion to use  
24 those money in the way it sees fit. That's one of the reasons that  
25 a classic endowment, where we would just give the monies to some  
26 board to use, is not workable, at least that's the view of the

1 Department of Justice and the Department of Law. We concur with  
2 that. From a legal matter, we would be delegating our discretion  
3 and that would not be permissible. Okay, so we went to the idea of  
4 a reserve fund, because we think that we are going to need money  
5 though past the year 2001. The first step in that was to take  
6 twelve million dollars out of '94 work plan and set it aside. It  
7 hasn't been set aside because we got into a big argument over where  
8 we could set it aside. What we ended up doing -- and this actually  
9 goes back -- this goes farther than just a reserve fund, if you  
10 guys ever want to look into it, it just goes into -- the amount --  
11 some of the other money the trustee is sitting on. But, right now  
12 those things are sitting in the court registry account earning  
13 something like two and one-half or three percent interest. The  
14 State of Alaska, on the other hand, is getting six, eight or ten  
15 percent interest on its investments, safely. We had hoped that we  
16 could give the money as a project of the State of Alaska, and have  
17 it invest the money, thus earning a substantial amount more money.  
18 The Department of Justice, one branch of a very large Department of  
19 Justice, believes we could do so, and wrote up a brief and we --  
20 they sent it to the -- another branch of the very large Department  
21 of Justice, which ultimately determined that that was not  
22 permissible, that the only way that we could set up the reserve  
23 account would be in the federal government, which was not  
24 acceptable, and doesn't really get you around the earnings problem,  
25 or leave it in the court registry. The most -- the best way that  
26 appears to us is that we -- court registry -- Jim Ayers alluded to

1 the fact we are trying to deal with the court registry and how to  
2 get out of this short-term investment thing, and try to get into  
3 some kind of a longer term where we hope to at least be getting  
4 about six percent interest. Okay. The -- another associated  
5 question is -- okay, are we -- what do we do with the interest that  
6 we earn? Is it plowed in the reserve fund, or is it used for  
7 ongoing operations? The current concept is that all interest  
8 earned would go into the reserve fund. That will result -- you  
9 know, depending on how interest rates go and so forth, but at the  
10 end of the time period if we put in twelve million dollars a year,  
11 we would hope to have as much as hundred and fifty million dollars  
12 in the reserve fund in the year 2001, I think. Again, Jim has sort  
13 of worked out those -- those numbers, but it's -- it's a pretty  
14 significant amount. We -- the type of a reserve fund we would have  
15 there are a couple of ways you could do it. One would be sort of  
16 a permanent reserve fund. Now, the very idea of having a permanent  
17 reserve fund has caused substantial problems within the Department  
18 of Justice, and it goes back to what I alluded to originally, we  
19 don't know what we're going to need the money for, and we certainly  
20 have no basis for believing that restoration is a permanent  
21 process. Therefore, that's another reason why we can't simply say  
22 we're going to give the money to a board from now on and it's for  
23 this purpose because at some point it is presumed that there will  
24 be an end to the need for Exxon Valdez restoration. However, that  
25 does not mean that some of the attributes of a permanent endowment  
26 cannot be followed as least again under the discretion of the

1 Trustees, which would be to protect the principal of it by -- by  
2 inflation proof the reserve as we go along, so we start in the year  
3 2002. One of the options would be to go ahead and start to  
4 inflation-proof the reserve, not, you know, unlike the Permanent  
5 Fund, might do, and then take what's left and put that into  
6 whatever of the appropriate projects. My understanding is that the  
7 federal government -- or the Department of Justice does not have  
8 any problems with that as long as the Trustees retain discretion.  
9 The other way of doing this has been suggested was a declining  
10 balance type restoration. We would take the money, you would start  
11 in the year 2001, you would say, we think we need twenty more years  
12 of -- of restoration work. You know, if we have the ability to  
13 make that kind of judgment and you can simply figure out, you know,  
14 you're going to assume your interest rates and figure out how much  
15 you can spend, eat away at the principal each year, so that you end  
16 up with a fairly uniform spending over twenty years. Those are  
17 issues certainly that the Public Advisory Group might want to  
18 comment on. The other thing the Public Advisory Group might want  
19 to comment on is the intended uses of the reserve fund. It is --  
20 as it's set out in this draft, that's not necessarily agreed to --  
21 well, it certainly is not agreed to by all the Trustee Council yet,  
22 it suggests that funds will be available for research, monitoring  
23 and associated general restoration projects. There are those who  
24 believe that that should say research monitoring and restoration  
25 projects. The difference is that under the -- first way I read  
26 that, it does not include the concept of using reserve fund for

1 habitat acquisition. If habitat acquisition is to be, at this  
2 time, thought to be something that we want to do with that, then it  
3 should not, you know, it should say something different. It should  
4 say like restoration projects. Now, that again is only intent.  
5 The language would go on to say, however, where there is a showing  
6 of need, the Trustee Council may at any time use either principal  
7 or interest retained in the reserve fund to fund restoration  
8 projects permitted under the memorandum of agreement. That would  
9 include any restoration project, whether it's habitat acquisition,  
10 research and monitoring, general restoration that's -- that's  
11 permissible. That is a discretionary function of the Trustee  
12 Council that cannot be abridged. That discretion has to stay in  
13 there. Still, it would have seemed to me, at least, that it is  
14 important that at the outset of establishing this reserve fund,  
15 there is a statement of intent as to what we believe it is going to  
16 be used for. And, that is something that, I think, that the Public  
17 Advisory Group might want to talk about, and let us know what your  
18 -- what your views are on. That's in a nutshell what the reserve  
19 fund is intended to do. I guess I would be interested in hearing,  
20 at some point, your views on the questions I raised, and also  
21 generally how this reserve fund meets what you had hoped when you  
22 had called for an endowment, and whether this somehow does not --  
23 whether this is adequate or whether there are concepts inherent in  
24 an endowment that you think this absolutely doesn't meet and how  
25 important you think they are.

26 MS. FISCHER: Any questions? Okay, Jim.

1           MR. CLOUD:       Craig, is it possible to get copies of the  
2 Department of Justice briefs that cover -- was it in this issue  
3 there were two briefs or just one opinion that said that they ...?

4           MR. TILLERY:    I think the -- I don't know. You'd have  
5 to talk to (indiscernible) at DOJ.

6           MR. CLOUD:       Actually, I think I got it mixed up a  
7 little bit, there were two - two briefs or two opinions on the --  
8 how you can invest the funds.

9           MR. TILLERY:    Right, and my understanding -- I haven't  
10 seen it, but DOJ sent something to Office of Legal Counsel in --  
11 DOJ environmental sections is in the Office of Legal Counsel.  
12 Office of Legal Counsel sent them back the answer, which was, no,  
13 you can't do it. I should also add, this is the second time we  
14 tried it. We tried it when we first set up the MOA for generally  
15 investing the funds, we tried it with the Bush Office of Legal  
16 Counsel, and they said no, and we tried it again with the Clinton  
17 Office of Legal Counsel, and they said no too. So, there's a  
18 certain -- a pattern emerging from the Office of Legal Counsel.

19           MR. CLOUD:       On the investment fund issue, now, is  
20 there a brief or an opinion on the endowment issue about setting up  
21 a real endowment where the Trustees would establish the future use  
22 of the funds, but leave it at that?

23           MR. TILLERY:    You're asking whether there is a brief on  
24 whether the Trustees could relinquish control of the funds beyond  
25 a written document?

26           MR. CLOUD:       Besides setting up the endowment or trust

1     ...

2             MR. TILLERY:   And presumably specify (indiscernible -  
3 simultaneous talking) purposes.

4             MR. CLOUD:       ... yeah, which would specify purposes.

5             MR. TILLERY:   There is no legal brief on that in  
6 conversations with the Department of Justice. They have used and  
7 -- I think I would have to -- we haven't sort of finalized this,  
8 but I would assume to subscribe to those, or -- you know, you can  
9 try to circumscribe it as -- as tightly as you can, and the more  
10 tightly that you circumscribe what an independent board could do  
11 with it, the more likely you are to pass muster, but ultimately  
12 because the whole basis for setting this up is that we don't know  
13 what's going to happen, delegating the discretion to choose the  
14 relative priority of -- of one thing versus another is something  
15 that -- that can't be done, at this point. When we know more, and  
16 maybe by the year 2001 we will. Maybe by then we'll pretty much  
17 know what our -- you know, what course we need to chart, and it can  
18 be said, hey, just give it to those people and let them go with it.  
19 But, for right now, I guess what I'm mainly interested in doing,  
20 sort of at a minimum is setting this money aside so we don't spend  
21 it.

22             MR. ANDREWS:   Madam Chair.

23             MS. FISCHER:   Yes, Rupert.

24             MR. ANDREWS:   Is     Senator     Murkowski     considering  
25 legislation along this line?

26             MR. TILLERY:   Senator     Murkowski     has     introduced

1 legislation that would establish an endowment in the United States.  
2 The State has some concerns about that, we're very concerned -- I  
3 think we're -- fair to say we were concerned about the concept of  
4 having Congress -- about putting something in the Treasury where  
5 Congress can change the rules.

6 MR. McCORKLE: Madam Chairman.

7 MS. FISCHER: Yes, Vern.

8 MR. McCORKLE: I'm not only concerned, I'm scared to  
9 death about that. I've been in touch with the senator's office,  
10 both senators' office and Don Young's office, and a bunch of others  
11 like most of you have as well, and the downside of getting anything  
12 like a congressional act like we began to talk about here six  
13 months go, is really not a good idea. That's a sure way to lose  
14 the money, and so, I -- and it would take -- because of the court  
15 decree, it would take an act of Congress to get Congress to have  
16 the right to expend that money in the way they see fit, which I  
17 think is probably something we want to avoid like the plague. At  
18 least that's my -- my personal comment on that aspect. I just --  
19 I just feel like we need to hone pretty closely to the words in the  
20 court decree, and perhaps even the memorandum of -- of  
21 understanding of the MOA, because if we don't do that, then we --  
22 I think we open up other possibilities of being found legally  
23 incorrect. The -- the problem I have is -- is with the language in  
24 a couple places here in this draft resolution. It's entitled  
25 "Resolution of the Exxon Valdez Trustee Council" marked draft, and  
26 on page two, paragraph three, it reads, quote, because all



1 restoration needs to the year 2001 are not yet known, the Trustees  
2 must have the flexibility to invade the reserve to fund restoration  
3 projects that are clearly needed and cannot be funded by other  
4 trust funds. Now, I don't have any trouble with that, if there is  
5 a funding that these new programs cannot be funded by other trust  
6 funds and -- and the funds must be invaded. I think that what  
7 we're all trying to do is make sure that there is money left over  
8 after the year 2001 which is not far hence to be utilized in the  
9 way that the decree said it was to be used, which is by the -- at  
10 the discretion, if you will, of the Trustees. We have to -- we  
11 have to proceed from the premise that the Trustees are going to  
12 make the right decisions. So, I just am very, very concerned that  
13 there's a little weasel wording here and -- on page two, paragraph  
14 three, it says that they can use that money for anything that comes  
15 up, and who knows what might come up in the future. What we want  
16 guard against coming up in the future are unwise calls upon that,  
17 invasions, if you will. The word is rather inopportune but it's  
18 there nonetheless -- to invade the funds. So, for -- just for the  
19 record, and I don't know what the PAG will wish to do on this, but  
20 for the original record that goes to the Trustees, I, for one, am  
21 opposed to utilization of the -- the funds, whether they be called  
22 an endowment or reserve or whatever, simply by calling upon it to  
23 be used anyway they wish, if we sort of run short some place else.  
24 It's like having a nice big surable to go get into, but if there is  
25 a finding, and the Trustees and staff say, in fact, well, we have  
26 looked and we have found, and we've made this consideration, and we

1 find and decree the facts must be used -- rather the funds must be  
2 used and so forth, then of course, I am going along with that, and  
3 presumably the Council and the public would as well. But, I really  
4 want there to be a finding that the money is not available some  
5 place else. And, you know and I know, those of us who have  
6 strained budgets, there are boo-koos of bucks that are just sort of  
7 tucked away there in various little places with -- or somebody  
8 else's sugar bowls, you got a lot of sugar bowls out there. And,  
9 I don't think that this trust fund, or this reserve fund, needs to  
10 be a sugar bowl. Thank you, Madam Chairman.

11 MS. FISCHER: Yes, Vern, thank you. Any other comments?

12 MR. TILLERY: Madam Chairman.

13 MS. FISCHER: Yes.

14 MR. TILLERY: If I can just kind of respond on that a  
15 little bit. I understand it, and -- you need to notice that the  
16 way this thing is drafted, the first three things are findings.  
17 The actual implementation of that particular paragraph three is on  
18 the last page, in E, the last sentence says, however, where there  
19 is a showing of need, the Trustee Council may at any time use the  
20 principal interest retained to fund restoration projects. Now,  
21 that's the sort of operative language. And this -- we have  
22 language in there that says where there is a showing of need --  
23 your view is -- perhaps, I should say where there is a finding of  
24 need. I don't personally have any problems with that. The other  
25 thing you would need to know is once -- and we have set this aside,  
26 it's -- I see if the Trustee Council wants to go and play in sugar

1 bowl, they can make any kind of finding they want to, but it will  
2 require a unanimous decision to play in the sugar bowl. So, that  
3 would -- will hopefully prevent raids. Hopefully, there will be at  
4 least one Trustee Council member, that believes in the integrity of  
5 the reserve fund. But, in any event, I -- I don't think I would  
6 personally have problems changes showing to finding.

7 MR. MCCORKLE: Well, finding is, you know, a legal term,  
8 and it requires that certain things have to be done, and usually  
9 not -- not complex or complicated, unless they want to make them  
10 that way, but finding requires that you deliberate, and then come  
11 to a conclusion. Of course, they're going to come to an unanimous  
12 one anyway, we hope, but I do feel comfortable with -- back there  
13 is paragraph E, changing -- I had a whole bunch of language to drop  
14 in there, but if -- if you're willing to change the word "showing"  
15 to "finding," I think that's an excellent suggestion. Thank you,  
16 very much.

17 MR. TILLERY: Okay.

18 MS. FISCHER: Are there any comments? John, I'm sorry  
19 ...

20 DR. FRENCH: Having represented several groups and  
21 Chaired the subcommittee trying to put this thing together, I would  
22 like to reflect a couple of things. The first one is to echo  
23 Vern's sentiments. If there's anything people are worried about,  
24 it's raids on (indiscernible) the reserve funds. The other one is  
25 that, in terms of the uses of it, the wording that's in here,  
26 "monitoring, research and general restoration" is consistent with

1 the intent of most of those people who I have heard -- who I've  
2 received input from on -- on this subject. The wording of  
3 restoration, implying habitat acquisition, is not consistent with  
4 most of that information.

5 MS. FISCHER: James.

6 MR. KING: I probably have an over-simplistic view of  
7 this thing, but it seems to me that the settlement agreement stated  
8 that the Trustee Council should consider very carefully input from  
9 the public in regard to restoration, and the public has come out  
10 with a number of very specific proposals regarding endowments. The  
11 one, perhaps in greatest detail, is the one presented by Arliss  
12 Sturgelewski. But, there's been wide support for these things, and  
13 it seems to me that the Justice Department doesn't even belong in  
14 the ballgame that the Trustee Council should go to the district  
15 court and say this is what you told us to do, listen to these  
16 people, now how do we achieve it. And, I don't know if that's a --  
17 you know, I'm not a lawyer, but that's -- look's like to me the way  
18 it ought to go. I have one other comment. You say at some point  
19 the thing is over and it's done, and I would take exception to  
20 that. There was an enormous amount of oil deposited in a new area,  
21 some of those hydrocarbons are a permanent part of the area where  
22 they were placed. They're in this sediments, they're in the tissue  
23 of the creatures there, they're in the bone structure and shells,  
24 and -- it's not going to be possible to say it's over. Some of  
25 that stuff is always going to be there, and so, on down the line  
26 it's going to be necessary to determine what is the effect of --

1 it's a geological fact, in a sense. So, those would be my -- my  
2 two observations and comments, and I hope that they can be  
3 addressed at some point.

4 MS. FISHER: Mr. Tillery.

5 MR. TILLERY: In response, the way this works with the  
6 Justice Department, they don't really have any say in this, other  
7 than the fact that they have to go get the money. If they don't  
8 like it they won't sign the request to the court for money. But,  
9 on the other hand, when the federal Trustees go to vote, if the  
10 Justice Department tells them it's illegal, they'll vote no, and  
11 since we have a -- they have to -- and since we have a unanimity  
12 requirement, effectively Justice has actually a pretty good say in  
13 what they do when it comes to legal issues. So far, we've been  
14 able to work with the Department of Justice pretty well, sort of  
15 over the long haul. With regard to the permanent aspect of it, I  
16 don't actually disagree with you particular, and I think there can  
17 be some very long term effects, and I think we need to have the  
18 money available in a very long term basis. For that reason,  
19 looking seven years down the line and just thinking now what it's  
20 going to be seven years down the line, I would tend to favor sort  
21 of a permanent thing where it is inflation proof. I mean, that  
22 would be my own view, to at least maintain that option, and then if  
23 at some point we see that, no, this is all over now, then we can  
24 back away from that. But, that's -- that would be one way to do  
25 it, would be to -- if you inflation proof it, and you keep it going  
26 after the year 2001, then you would at least maintained that

1 option.

2 MR. KING: And, two and a half percent isn't going to  
3 inflation-proof.

4 MR. TILLERY: No, it is not. That's the problem.

5 MR. KING: How about the district court now, and how  
6 is the Trustee Council going to fulfill their obligation to listen  
7 to the public when some lawyer who hasn't really been involved can  
8 cancel out all the public comment and public interest and hard work  
9 that a number of people have done. It seems like -- there's  
10 something wrong here.

11 MR. TILLERY: Well, there is, but even if it's a great  
12 idea, if it's not legal, the district court is not going to tell  
13 you that we can do it either. In fact, they're going to say we  
14 can't.

15 MR. KING: Yeah, but the court is where legality is  
16 decided, not in the Justice Department.

17 MR. TILLERY: That is correct, and ultimately if there  
18 are -- if an issue came down and it became important enough, one  
19 thing to do, the court retains jurisdiction over this, we could ask  
20 the court for interpretation or a ruling or so forth. To date, it  
21 has not been necessary because after sufficient conversations,  
22 we've generally been able to do things that tend to make most --  
23 that tend to make -- tend to meet the needs we have, and I'm hoping  
24 that this will kind of work out that way too.

25 MS. FISCHER: Lew.

26 MR. WILLIAMS: You know, my concern is about the amount

1 of money, putting twelve million aside -- I think -- 2001 they hope  
2 to have a hundred and twenty million in it. Each year it looks  
3 from our projects here that the Trustees are authorizing about  
4 thirty-five to forty million in projects, they're getting seventy  
5 million from the Exxon Valdez, so I presume the difference between  
6 say forty-five and seventy, that money is being used for  
7 administrative purposes, land acquisition and the twelve million.  
8 It seems to me over a period of eight years that -- for land  
9 acquisition and administration is pretty high, and more should go  
10 into the trust fund or the reserve account. And, the reason I say  
11 that is because all of sudden in 2001, all the payments are made  
12 and you're spending at the rate of thirty-five to forty million a  
13 year on projects and you're going to be suddenly faced with  
14 earnings from a reserve account of one-tenth of that, and it's  
15 going to be quite a shock to the system, let's put it that way.  
16 So, I think you'd be better to spend a little less each year on  
17 projects and land acquisition, so that you have a bigger reserve  
18 account, so that when 2001 comes we're not in a sudden economic  
19 shock.

20 MR. TILLERY: Yeah, that's a real good point,  
21 particularly with the -- because the people think we're going to  
22 have this -- all this money out there, but really we've only got  
23 the earnings, and if you inflation-proof them you got -- you know,  
24 half of what you might earn, so you'd be talking, you know, three  
25 million or something a year, but the thirty-five million, I think,  
26 those kinds of numbers include the twelve million for the reserve,

1 and include the habitat acquisition money, at least some of it.  
2 So, my impression for general restoration projects, or research and  
3 monitoring, at this point, we're probably only spending in the  
4 nature of eleven or twelve million. Is that right or wrong?

5 MS. McCAMMON: In FY '94 the total of the research,  
6 monitoring and general restoration was about seventeen million, and  
7 then there was an additional four and one-half million on  
8 administration, and the seventeen million includes the support  
9 costs for habitat acquisition. It doesn't actually include actual  
10 purchase, and then an additional twelve million for the reserve.

11 MR. TILLERY: Presumably, that seventeen will also be  
12 declining over the next seven years, and maybe -- I don't know if  
13 this is going to be close enough, I think your point is well taken.  
14 We're not -- it's going to be a shock when the year 2002 rolls  
15 around.

16 MR. WILLIAMS: Yeah, and I think we can avoid it now if  
17 we planned a little in advance. Spending maybe a little less on  
18 something, I don't know what. We have to take care of restoration,  
19 but maybe we can hold back on land acquisition a little bit, by  
20 maybe making some non-fee simple agreements.

21 MS. FISCHER: Any other questions for Mr. Tillery? Pam.

22 MS. BRODIE: A few things. First of all, in response  
23 to Mr. Williams, you were mentioning land acquisition and general  
24 restoration, but research and monitoring is another part of the  
25 money that is being spent now which is not the same as the  
26 restoration reserve. That's where a lot of the money is going into



1 research and monitoring. And also, this specifies twelve million  
2 dollars for the 1994 work plan. It does not say whether future  
3 payments would be more or less than that. There's nothing in this  
4 document that specifies what the other payments would be, that will  
5 be determined by the adoption of the restoration plan, the record  
6 of decision. But, also in part E, where it says what the reserve  
7 funds can be used for, I don't understand any reason why this  
8 should be limited to some types of restoration now and not all  
9 types restoration. I don't see why this should be different from  
10 what's in the settlement about what restoration is. In fact, it is  
11 particularly leaving out habitat acquisition. It is not leaving  
12 out anything else. Well, since the point of this is that we make  
13 -- is that we don't know as much as -- now as we will in the  
14 future. Suppose we find out in the future that some particular  
15 place is necessary to restore some particular species, why should  
16 this be saying no we can't do that. I -- it seems to me -- I don't  
17 personally expect that very much of this reserve will be spent on  
18 habitat acquisition. I think it's unlikely, but I don't think that  
19 the language here should make that impossible. And, what Mr.  
20 French said about the people involved, didn't want it to be used  
21 for acquisition, I'm not sure quite what you meant. I think,  
22 perhaps, that was referring to the Public Advisory Group, and I  
23 would agree that the majority of the Public Advisory Group probably  
24 doesn't want that; that doesn't mean that the majority of the  
25 public or the Trustees feel that way.

26 DR. FRENCH: I was referring specifically to those

1 people I have receive input from, which involve a large number of  
2 fishing groups, the University of Alaska, and Arliss Sturgelewski  
3 and some of the people working with her. I admit there were  
4 numerous public people I have not directly work with on this  
5 request.

6 MS. FISCHER: Okay, Jim.

7 MR. TILLERY: Can I just respond.

8 MS. FISCHER: Okay, let's let Mr. Tillery respond.

9 MR. TILLERY: With respect to your comments, the -- it  
10 actually doesn't make it impossible. In fact, what it says it's  
11 available for certain monitoring associated general restoration  
12 projects. And, then it goes on to say, however, where there is a  
13 finding of need -- if we use the word finding -- Trustee Council  
14 may at any time use the principal interest retained within the  
15 reserve fund, to fund restoration projects permitted under the MOA,  
16 that would include habitat acquisition. What it's -- written now  
17 is saying, we -- the current intent is that it's a research,  
18 monitoring and for associated general restoration projects, but if  
19 down the road we find out, based on what we see, that hey, we  
20 really need something here to protect some species that seems to be  
21 making its last stand (indiscernible), or whatever reason, we need  
22 habitat acquisition, this does not forbid it, it simply says that's  
23 not our current intent, but it's permissible.

24 MS. BRODIE: Yes, you're right. That's true. It means  
25 that habitat acquisition has to go through another -- it has to  
26 jump through a legal hoop that nothing else has to jump through.

1 MS. FISCHER: Jim.

2 MR. CLOUD: Well, although I personally prefer it that  
3 way, Pam, I think (Laughter), you know that paragraph (3) (D) it is  
4 clear that the expenditures from the reserve fund will be made by  
5 unanimous of agreement, consistent with the terms of the memorandum  
6 agreement and consent decree, and it doesn't exclude habitat  
7 acquisition at all, although, if we can get that exclusion in there  
8 somehow, I'd vote for that. (Laughter)

9 MS. FISCHER: Yes, Vern.

10 MR. McCORKLE: Madam Chairman. I have -- from time to  
11 time in the past spoken against massive programs of habitat  
12 acquisition, but I'm not opposed to habitat acquisition. I still  
13 want to go about -- on the record that, and I -- I don't find Pam's  
14 comments repugnant, although I'd -- I like to support her comments  
15 as often as I can. I do find that the language supports the -- the  
16 need to buy habitat in the future if we have to. It doesn't make  
17 any sense at all to say that you can't buy some habitat, if it's  
18 necessary. I just think that, you know, the finding and -- and the  
19 discussion together with the unanimous agreement provides  
20 protection for habitat acquisition that -- that Pam envisions, and  
21 I believe that habitat protection and acquisition is protected in  
22 this draft in two places.

23 MS. FISCHER: Okay.

24 MR. McCORKLE: Could I have one more comment.

25 MS. FISCHER: Certainly.

26 MR. McCORKLE: I'm sorry for changing subjects again.

1 With respect to Mr. King's discussion on -- on the endowment and  
2 the most excellent presentation we had by Jerome Komisar and Arliss  
3 Sturgelewski here several months ago with respect to funding chairs  
4 at the University of Alaska, which I'm also in favor of, but not  
5 with this money. The problem with funding chairs -- I guess  
6 problem is not quite the right word -- the way you fund the chair  
7 at the university is to give them a few million bucks and say, do  
8 with it as you will, and Jerome Komisar was very specific on that  
9 point. If the university is going to properly run its institution  
10 and conduct its -- its mission, it can't have anybody, the PAG or  
11 the Trustee Council or others telling them what to do with that  
12 money. So, when you put the money in a chair at any university, we  
13 really do violate the requirements of the decree document to the  
14 memorandum of agreement.

15 MS. FISCHER: Is there any other discussions? Or any  
16 questions? Yes, Kim.

17 MS. BENTON: Craig, I just have a quick question. In  
18 the way -- because of the way the federal legal advisors see this,  
19 that it can only be governed by the Trustee Council, am I  
20 understanding it correctly that this endowment -- for the length of  
21 the endowment is in existence, the Trustee Council would also be in  
22 existence?

23 MR. TILLERY: That's correct. Now another way to make  
24 this -- over time, and, you know, how this is going to evolve in  
25 the year 2002 and beyond, but it's entirely possible that decisions  
26 could be made -- I think, that an advisory board, a scientific

1 advisory board or whatever else could be created, that could do --  
2 come up with the research plan for a particular year, let's say we  
3 then present to a Trustee Council that would probably be meeting  
4 only, you know, once a year by that point, and could just sort of  
5 go through those. I mean, in essence some kind of board could be  
6 making the recommendations, and I'm not saying a Trustee Council  
7 would rubber stamp them. They have to retain their discretion, but  
8 I don't foresee a big role for the Trustee Council down the line  
9 here, but they do have to retain that ability to make decisions.  
10 So yes, they would remain in existence.

11 MS. BENTON: The would remain an infrastructure  
12 wouldn't have to be (indiscernible - simultaneous talking).

13 MR. TILLERY: The expensive -- well, I mean, you know,  
14 a scientific, you know, board is going to be an expensive  
15 infrastructure. It's going to be hard to get away from it, but you  
16 won't necessarily have a Trustee Council building here, a Trustee  
17 Council restoration staff, or anything else. Maybe, it could be  
18 rolled into some state science and technology foundation. Maybe it  
19 could be a group of people, I don't know. It could that -- I mean,  
20 you know, whatever.

21 MR. FISCHER: Any other comments? Pam.

22 MS. BRODIE: Question, a process question, is this  
23 something that we're going to vote on whether or not to recommend  
24 this to the Trustees for their adoption, or is this just something  
25 that -- that the Trustees -- and did this, initially -- did any of  
26 this initially come from the Trustees, or does it all come from

1 this subcommittee?

2 (Aside comments - laughter)

3 MS. FISCHER: Mr. King, did you have a questions too,  
4 and then maybe he can answer both of them. We -- kind of -- move  
5 on.

6 MR. KING: But, I guess one more point of it. I  
7 think my concern is slamming the door on something that the public  
8 has expressed a strong interest in, and that because of a  
9 solicitor's opinion, and so I would strongly urge that the Trustee  
10 Council keep looking at that, and consider that -- we're not  
11 suggesting -- nobody's suggesting that something illegal be done,  
12 but in a democracy, you have the option of making what the public  
13 wants legal. And, if it turns out that the public really wants  
14 this endowment thing, they should get it.

15 MS. FISCHER: Okay, very good. Can you answer Pam's and  
16 then go into James'.

17 MR. TILLERY: I -- you know, I just got a phone call  
18 asking me to be here. I mean, you need to ask Molly to why -- what  
19 this is -- what the role is.

20 MS. McCAMMON: I think the role of the Public Advisory  
21 Group is what you want to make it. If you would like to just have  
22 these comments go back to Craig and to the staff here, and then be  
23 included in the ongoing discussions amongst all of the Trustee  
24 agencies, it could be at that level, or it could be at the level of  
25 a formal motion that you could make in either -- approving this or  
26 adopting this or recommending that it be adopted, or something of

1 that fashion. It's basically up to you at what level you'd like to  
2 make your input. We're just basically bringing this in response to  
3 a request that was made at the last PAG meeting, and making this  
4 opportunity available.

5 MR. TILLERY: From my perspective, as one Trustee  
6 Council -- person sitting on the Trustee Council, I would just like  
7 to hear your views, and I don't really care, you know, how you go  
8 about it whether you mark this up and come back with your version  
9 of the draft, whether you give a bunch of comments on it, or  
10 whatever you think is the most effective way to communicate, but --  
11 I mean I just like to hear them.

12 MS. FISCHER: Vern.

13 MR. McCORKLE: Thank you, Madam Chairman. One of the  
14 things that I think we could do is there is precedent for this kind  
15 of discussion because it was in -- in our Chairman's report to the  
16 Trustee Council recently when Mr. Phillips asked what had happened  
17 to the idea of a -- a Trustee -- of a trust fund, or a reserve  
18 account. And so, I think it's proper for us to be -- be discussing  
19 it, and I like the idea of making sure that we have an opportunity  
20 to get our comments to the Trustees, whether or not we adopt a  
21 formal motion or have a hands show up and down on -- on this  
22 particular draft, or just discuss or comment. I think all would be  
23 helpful. I'm in favor of preserving the idea of -- of an endowment  
24 or a reserve fund, or call it what you will, so long as it is  
25 hooked directly to the decree and the memorandum of agreement,  
26 because I don't think you'll go far wrong then. You may have to

1 argue like heck to make our own particular points heard, but at  
2 least you do have a process which -- which does not fritter away  
3 the money.

4 MS. FISCHER: Jim.

5 MR. CLOUD: I cancelled my luncheon arrangement so I  
6 could have a sandwich with you folks (laughter), and now you're  
7 using up almost all the time. (Laughter)

8 MS. FISCHER: Well, we're getting ... Jim, I'm sorry,  
9 yeah you gave away your sandwich, but it's a working lunch.

10 (Aside comments)

11 MS. FISCHER: Okay, is there a -- this is not a motion  
12 or anything, I believe -- yes, John.

13 DR. FRENCH: I was going to make a motion that the PAG  
14 endorse -- I move that the PAG (laughter) -- I move that the PAG  
15 endorse a resolution on the -- the draft resolution on this Exxon  
16 Valdez -- whatever this thing is ...

17 MS. FISCHER: Trustee Council ...

18 DR. FRENCH: ... Trustee Council ...

19 MS. FISCHER: Endowment.

20 DR. FRENCH: ... formation of a restoration reserve  
21 with the modifications to -- with any modifications necessary to  
22 appropriately strengthen it against raids on the -- the fund, and  
23 also that we recommend continued allocation, if that's the  
24 appropriate word, of a minimum of twelve million dollars a year to  
25 the fund.

26 MS. FISCHER: Go ahead ...



1 DR. FRENCH: I guess that's all we need, yeah.

2 MR. McCORKLE: Second the motion.

3 MS. FISCHER: And, Vern second the motion. All in  
4 favor, say aye.

5 PUBLIC ADVISORY GROUP: Aye.

6 MR. McCUNE: What about discussion on this motion?

7 MS. FISCHER: Oh, yeah, okay. Yes, you're right. We  
8 haven't discussed it enough. (Laughter) Gerry, discuss it, I'm  
9 sorry.

10 (Aside remarks)

11 MR. McCUNE: I would like to say that I -- I thinks  
12 it's a little preliminary for a motion myself. I -- I'm still very  
13 unclear about what exactly we could do, or exactly what we can't do  
14 here. You know, I -- it isn't a matter of title to me -- endowment  
15 -- as long as I get the right things in the reserve fund, or  
16 whatever you call it in here, and I'm still -- from what I hear  
17 it's very vague, and I think it's preliminary to -- to pass a  
18 resolution or to endorse this resolution at this time. So, that's  
19 my comment, I'll make it short.

20 MS. FISCHER: Okay. Are there any other comments? All  
21 in favor of the motion?

22 PUBLIC ADVISORY GROUP: Aye.

23 MS. FISCHER: All opposed.

24 MS. BRODIE: Nay.

25 MS. FISCHER: One, two, three ...

26 MR. McCORKLE: Call for a raising of the house?

1 MS. FISCHER: Call for hands, yeah. Okay, I need to go  
2 back to the original ayes and nays. All in favor, please raise  
3 your hand.

4 REPORTER: Can we do a voice vote?

5 MS. FISCHER: Okay, we can do a voice vote. Let's start  
6 with Rupert.

7 MR. ANDREWS: Yes.

8 MS. FISCHER: Pam.

9 MS. BRODIE: No.

10 MS. FISCHER: Jim.

11 MR. CLOUD: No.

12 MR. DIEHL: No.

13 DR. FRENCH: Yes.

14 MR. CLOUD: Up with concern.

15 MS. FISCHER: You want yes, James. James (indiscernible  
16 - laughter) a yes.

17 MR. CLOUD: Do you want me to answer that?

18 MS. FISCHER: No, it's bound to have gone to his head.

19 UNKNOWN: He's got a little blood sugar.

20 (Aside comments)

21 MS. FISCHER: Yeah, okay, John French.

22 DR. FRENCH: Yes.

23 MS. FISCHER: Where are you at? Are you ...

24 MR. MUTTER: Vern McCorkle.

25 MS. FISCHER: Okay, Vern.

26 MR. McCORKLE: Yes.

1 MR. MUTTER: Charles McCune.  
2 MS. FISCHER: Kim.  
3 MS. BENTON: No.  
4 MS. FISCHER: Chuck.  
5 MR. TOTEMOFF: Yes.  
6 MR. WILLIAMS: Yes.  
7 MR. KING: Yes.  
8 MS. FISCHER: Yes.  
9 MR. CLOUD: Madam Chairman.  
10 MS. FISCHER: Yes.  
11 MR. CLOUD: Vern also votes for Senator Eliason.  
12 MS. FISCHER: Are you saying yes for him too?  
13 MR. McCORKLE: Yes, I am (indiscernible - simultaneous  
14 talking).  
15 MS. FISCHER: And, yes for Senator Eliason.  
16 MR. McCORKLE: Yes, that's right. Yes, I'm saying yes.  
17 MS. FISCHER: Okay. Let's see where we're at first.  
18 Okay, nine for the amendment and four opposed -- amendment -- or  
19 the resolution passes. Any of those that had -- made plans for  
20 lunch and would like to go out and leave for lunch, since no one  
21 knew it would be a working lunch or we would be here, may do so at  
22 this time, and the rest of us will break, get our sandwiches and  
23 come back and do a working lunch. And, we're going to pick up with  
24 less than the fee and public access policy. Mr. Tillery, we want  
25 to thank you for being here and talking with us, meeting with us.  
26 If you'd like, stay and have lunch with us, and maybe somebody can

1 talk to you some more.

2 (Off Record 12:30 p.m.)

3 (On Record 12:45 p.m.)

4 MS. FISCHER: ... and still work, and we're going to go  
5 back to less than fee and public access -- access policy, and  
6 that's Chuck Totemoff, Pam Brodie, Jim Cloud, John Sturgeon and  
7 Walter Sheridan. I'm going to ask if Walt will come up and give a  
8 brief overview and maybe lay out how you'd like to have this  
9 discussed or what you want to do about it, Walt, okay?

10 MR. SHERIDAN: Okay, thanks.

11 MS. FISCHER: There comes Chuck now. Okay.

12 MR. SHERIDAN Well, I guess I'd first say that having  
13 worked on the issue now for several months, I note that it raises  
14 some pretty high level of feelings at some time, and as a luncheon  
15 topic, I hope it doesn't interfere with anyone's digestion.  
16 (Laughter) But, I -- Alex Swiderski and I worked with the subgroup  
17 of the PAG, and we had three different meetings, via teleconference  
18 with part of the people here and part of them in Juneau, and we've  
19 come up with a discussion draft that you have before you now. I  
20 thought what I might do is just briefly summarize what some of the  
21 elements of that draft might be and then turn it back to you folks  
22 to dispose of it as you feel fit. The policy statement starts off,  
23 sort of -- with a general area that clarifies that the purpose of  
24 the comprehensive habitat protection process is to identify and  
25 protect habitat that will benefit restoration, and I think that's  
26 worthwhile to go ahead and state that right up front, and then list

1 the number of tools that might be available to accomplish that,  
2 everything from fee simple acquisition to less than fee, timber  
3 rights, the land exchanges to cooperative agreements. Then it  
4 discusses how that the selection of tools should be made, that it  
5 should clearly be related to the habitat requirement, look at cost  
6 effectiveness, public access issues, and then -- I think other  
7 worthwhile areas that it -- it should recognize, it should look at  
8 the cultural economic needs of the existing landowners. Then, it  
9 goes into a discussion of what fee simple acquisition is all about,  
10 and notes that in many cases that acquisition of the fee title is  
11 only marginally more expensive than acquisition of less than fee.  
12 It will also that it -- that fee simple has some advantages of ease  
13 of administration, and the like. The next section talks about  
14 acquisition of less than fee, and notes that there are reasons to  
15 pursue this strategy. Sometimes that is all that's necessary to  
16 meet the restoration objectives. Sometimes it's -- you can save  
17 some money, that it allows -- and it allows the landowner the  
18 option of pursuing some economic and cultural objectives that might  
19 not be available under fee acquisition. Next section deals with  
20 acquisition of commercial timber rights, and in this section it  
21 talks about that if you do that that you need to make sure that  
22 your are meeting the restoration objectives, and that the specific  
23 kinds of activities that might be allowed by the landowner should  
24 be stated as clearly as possible, that it -- you should try to  
25 preclude any future ambiguities to the extent that you possibly can  
26 and that you ought to identify which sites specifically would be

1 available for development or size, locations and the nature of the  
2 development that would be allowed. And, that would be the  
3 preferred way of going at the less than fee acquisition. It also  
4 recognizes that in some cases, the landowner may be unwilling to  
5 make that kind of commitment over the long haul, and that more  
6 generic kinds of restrictions on development other than timber  
7 harvesting might be all that would possible to acquire, and that in  
8 both cases that there are a number of ways that those restrictions  
9 could be identified. As an example here, the example being use of  
10 basal area restraint with a number of subsidiary restraints, such  
11 as where incidental timber could be removed, specifically the size  
12 and the exact position of any openings that might be allowed, and  
13 specific prohibitions against removal within a certain distance of  
14 anadromous streams or nesting areas for injured species, etcetera.  
15 And, that should be made clear that that's just one example. There  
16 are a number of other ways that those kinds of restrictions could  
17 be put into an agreement. You could use zoning for critical  
18 habitat, you could use area control rather than basal area,  
19 acreages for instance, but that the specific restrictions should be  
20 tailored to the particular parcel and to the specific restoration  
21 objectives that you have for acquiring it. The final section deals  
22 with public use, and notes that -- that it is something that the  
23 Council will probably want to pursue in a lot of cases, and that  
24 this should be sought when two conditions are met. Those two  
25 conditions are, first that when the price to be paid for the rights  
26 that are being acquired starts to approach fee simple that then

1 public access should be, clearly should be a consideration, and  
2 also, the second one is that the acquisition of the public use  
3 rights will serve to benefit services lost or diminished as a  
4 result of the oil spill. So, it makes it necessary that there be  
5 a nexus between the acquisition of the public access rights and  
6 services that were injured by the oil spill. And, that's a quick  
7 overview of the draft policy, and I'll be glad to answer any  
8 questions or turn it back to the Chair for further discussion.

9 MS. FISCHER: Okay, I think at this point we probably  
10 should hear from Chuck, Pam, Jim, and John Sturgeon. So, we'll  
11 start with you Chuck. Do you have any comments or statements to  
12 make?

13 MR. TOTEMOFF: Actually, what I have to present to you is  
14 some observations and clarifications on the document -- the draft  
15 document, today. But, what I'd like to do, in order here, is to  
16 try to turn it over to Kim first of all to explain the process that  
17 the subcommittee went through, and then I can follow-up with my  
18 observations and clarifications of the document itself.

19 MS. BENTON: I'll try. We had several meetings to try  
20 -- the draft has come a long way from where it was, and of course  
21 when you're working with a lot of diverse interests, you're not  
22 going to ever end up with a document that's all things to all  
23 people, and I don't think we're trying to do that. Chuck had to be  
24 involved at the Exxon trial and wasn't able to be at the public --  
25 the small meetings that we had, but he does have a couple of  
26 comments that I think are just to be taken more for informational

1 purposes when you're reading through the document, rather than try  
2 to make revisions to the language that's in it. I think it  
3 compliments it, I just think it's more for points of clarification.

4 MR. FISCHER: Okay, Jim Cloud.

5 (Aside comments)

6 MS. FISCHER: I have no comments.

7 MR. CLOUD: I think Walt covered it just fine. What  
8 went on, but, you know, as with the rest of the volunteers on these  
9 little subcommittees, the rest of you owe us a lot. (Laughter)

10 (Aside comments)

11 MS. FISCHER: Lew.

12 MR. WILLIAMS: I just have some questions. Who gets  
13 title to the land when it's fee simple, and the reason that's a  
14 concern of mine is because, although the effects of the oil spill  
15 might run out in ten, twenty or thirty years, when you acquire land  
16 it's forever, at least if it goes to a government agency, and I  
17 just want some clarification there what's the intent. We -- you  
18 know, we selected land under Statehood Act and the Native Claims  
19 Settlement Act to get it out of the federal government into a state  
20 and private hands, and now are we going to go back to federal land,  
21 or is it going to state land, or what's going to happen.

22 MS. FISCHER: That's a good question. Walt, can you  
23 answer that.

24 MR. SHERIDAN: Yeah, Madam Chair, that was not an issue  
25 that was addressed in this document. This was focused on public  
26 access and less -- the issue of less than fee. I guess the only



1 comment that I would have on that is that the precedent for it has  
2 been the acquisitions that we've undertaken to date where the  
3 Council has made the decision on which agency, either the state or  
4 federal agency, would have the management responsibility, and it  
5 appears to me, at least, that they've used criteria of which one  
6 would be most administratively expedient to do it, in the best  
7 position to manage it, and whether -- where the land is located  
8 relative to a particular -- other particular ownerships.

9 MR. FISCHER: Okay, Kim.

10 MS. BENTON: I have a couple of issues that were  
11 forwarded to me after the last meeting and one of them was brought  
12 up during the subgroup meetings that we had, and I think that  
13 they're important that the whole group be able to hear, and if I'm  
14 not saying it in the way that it was stated at the subgroup  
15 meetings, any of the people that were there, please let me know.  
16 But, the first concern that I have has been brought to me by a  
17 couple of other timber and landowners, is that they're feeling a  
18 little uncomfortable calling this a policy and there has been a  
19 preference to call it rather than a -- they have it worded on the  
20 front -- a policy statement, an advisory statement. This is a  
21 statement that has come through the Public Advisory Group, and I  
22 don't think that we're in a position to create policy, but rather  
23 to advise. The second thing that I think is important to bring up,  
24 public access -- the issue of public access on non-fee simple or  
25 fee simple lands has been brought up through the Trustee Council,  
26 and I think that a couple of members in particular because there

1 was a feeling that the public wanted and mandated public access,  
2 and it was brought up through the subgroup meetings that we had  
3 that public access is not always a make or break issue, and that it  
4 could be -- should be considered on a case-by-case basis, weighing  
5 several different things, and that public access is not make or  
6 break, and I think that that's a message that needs to be stated  
7 very clearly to the Trustee Council. I think that they're under  
8 the impression as was I before we had the -- the smaller meetings  
9 and did more contact that that was a real critical issue. And,  
10 from what we heard from the other user groups, that isn't always a  
11 make or break issue. The third concern that I have is in fairness  
12 to the land and timber owners in the way that the policy is  
13 written, and -- advisory statements written, and I don't think that  
14 there's any place in the statement to implement this. I just think  
15 it's something that the Trustees also should be made aware of.  
16 There's no place right now in the appraisal process to determine or  
17 value public access, and yet what this statement asks for in less  
18 than fee simple acquisitions where public access is not allowed is  
19 to take out a value for public access. I don't know how you do  
20 that. If the public access has never been valued in the front end,  
21 how do back it out of the other side without being unfair to the  
22 private land and timber owners. I don't know how you address that,  
23 but that's also something that needs to be discussed more on a  
24 case-by-case basis, or if -- Jim Ayers said earlier that we're now  
25 into a new realm of acquisitions because of public access. But,  
26 there isn't any place for valuing of public access in the ongoing

1 appraisals. So, I don't know where that fits in, but it's a  
2 concern that I have. The final concern that I have is to look at  
3 other things, and they say that fee simple title acquisitions have  
4 the potential to provide the highest level of habitat protections,  
5 but is it where we get the most restoration for our money? I think  
6 that we need to always be looking -- keep our eye on a prize such  
7 as restoration, and maybe in all cases that isn't where we get the  
8 most bang for our buck, if you will. It may be more difficult, but  
9 it may not serve the purpose of restoration. That's really all I  
10 have.

11 MS. FISCHER: (Indiscernible)

12 MS. McCAMMON: Madam Chair, I'd like to respond mainly to  
13 the first comment that she made. The intent of this draft policy  
14 statement is to develop the PAG's recommendation to the Trustee  
15 Council for their adoption -- possible adoption as a policy. So,  
16 in this case it would be the PAG's recommendation to the Trustee  
17 Council, and then they in turn would look at this and decide what  
18 kind of a policy statement they would adopt, or they would adopt  
19 any policy statement. But, that was the whole goal with this  
20 document.

21 MS. BENTON: Is there some way that the message could  
22 be conveyed to the Trustee Council that there are several  
23 landowners and private timber owners that are concerned with the  
24 specific policy and that would apply to all areas at all times, and  
25 would rather look at something that would be an advisory statement  
26 that that would tend to say, okay, this is basically the guidelines

1 that we're going to follow, but it's not as strictly interpreted as  
2 a policy. I have heard that come back from a couple of people that  
3 you're in negotiations with now that they're concerned about a  
4 policy.

5 MS. McCAMMON: I think you could do it in a couple of  
6 different ways. You could either do it with an intent statement at  
7 the beginning that indicated that preference, or you could do it  
8 with an accompanying letter of intent that came from the PAG. You  
9 could do it in a couple of different fashions, but I think that you  
10 could do that easily.

11 MS. FISCHER: Any other questions? Vern.

12 MR. McCORKLE: Yes, ma'am. I'm still waiting for the  
13 answer to Lew's question of what happens in fee simple when the  
14 spill is over, as we heard speakers this morning say some day, just  
15 like Rawanda, it will end. We don't know when that will be, but is  
16 there -- all of the land that will pass to -- to various  
17 governments, will that land continue to stay in the hands of  
18 governments when the spill problems have passed, or is there some  
19 other plan. And, Lew if you want to speak more to that question,  
20 then -- or clarify it some, I'd be glad to yield to you.

21 MR. WILLIAMS: You asked it fine.

22 MS. FISCHER: Jim.

23 MR. DIEHL: Jim Diehl. I've been thinking about what  
24 Lew said before and what Vern just said, and perhaps both of you  
25 should knock -- knock. In fact both of you should look into the  
26 the less than fee simple as the better alternative to buying rather

1     than fee simple.

2                 MR. McCORKLE:   Would you like to speak on that a little  
3     bit?

4                 MR. DIEHL:       Well, it's not really my place, but, you  
5     know, you guys -- I mean, a less than fee simple, if you buy  
6     certain rights and you have certain access, then at the -- I don't  
7     know what's going to happen at the end of the restoration period  
8     either there. But, I would think that the owners would -- if it's  
9     less than fee simple and say you're just buying timber rights, then  
10    the owners would be able to develop the land any which -- any way  
11    they wanted except for -- and the questions that came to me, I  
12    consulted with different people in my club about this was does it  
13    go through -- you know, what is the period of time? Would it mean  
14    that the land, if it was less than fee simple, would be clear-cut  
15    in the future -- could be clear-cut in the future, that the timber  
16    rights would revert back to the landowner some time in the future.  
17    I mean, just what is -- what are we buying? And, you know, these  
18    are some of the questions that came up. The other -- the big  
19    access questions that came up is -- well, the access questions were  
20    kind of sticky, but it -- it was told me by at least one member of  
21    my club that at the time these titles were given over to the Native  
22    corporations in Prince William Sound area, that access was looked  
23    at then, and withdrawals were made so that the public boaters, in  
24    particular people that travel in Prince William Sound on bike-boat  
25    would have certain access rights, so that they can gain access to  
26    lands that were pretty far away, you know. They would have a

1 landing site here on the way to there, that type of thing. So,  
2 access became less of a problem for me after finding out some of  
3 these things. You know, I -- I don't know how to solve your --  
4 your problems, but, you know, perhaps looking at less than fee  
5 simple as an alternative might help you.

6 MS. FISCHER: Okay, I'm going to go back to Lew again.

7 MR. WILLIAMS: Now, just one other way to be handled as  
8 a common business practice, you just lease, lease it for ten years  
9 or twenty years, or lease with option to buy. At the end of twenty  
10 years you may find, well, you don't even want to buy it because it  
11 isn't feasible for development. And, there's more than one kind of  
12 development other than timber and, you know, you want to look down  
13 the line, maybe ten, fifteen years from now somebody wants to put  
14 a resort some place, you want to protect it now from maybe having  
15 them go in and do some damage to habitat, but twenty years from now  
16 you may be encouraging them to go in there and put something in  
17 because -- well, you know how it is with seal, for example, at one  
18 time you wanted to protect them. Now I know fishermen that would  
19 love to shoot them.

20 MS. FISCHER: Pam.

21 MS. BRODIE: I'd like to let Walt speak first and I'll  
22 come after.

23 MR. SHERIDAN: Okay, on the question of tenure, all of  
24 the issues that I've heard raised around here are just -- just in  
25 the opening part of this advisory -- if that's what we want to call  
26 it -- those are all tools that we should be looking at, that the

1 policy recognizes as tools that we should be looking at, and  
2 relating to what the needs of the particular species or service  
3 might be for restoration. In some cases term leases might be  
4 exactly the right thing for meeting your restoration objectives, or  
5 leases, or land exchanges, or any variety of tools. And, the key  
6 is to make that very clearly in your plans for making the  
7 acquisition, make it very clearly to restoration objectives.

8 MS. FISCHER: Okay, Pam.

9 MS. BRODIE: A couple of things, one about whether  
10 protection -- habitat protection should be permanent or temporary.  
11 This group just adopted a policy that the money should be put in a  
12 permanent endowment, and some of the people who do not want to see  
13 habitat protection permanently are very concerned to see the money  
14 protected permanently. If the -- I think the habitat acquisition  
15 could be seen as a -- an endowment for wildlife -- the permanent  
16 protection of wildlife. The other thing is about, again where the  
17 land goes and what kind of protection it gets. The Trustee Council  
18 has limited powers over that. The Trustee Council can't designate  
19 a state park for example. As Walt says, though, for each  
20 particular place it's usually very clear what government agency  
21 makes the most sense, and if it's something that is completely  
22 surrounded by the borders of a national park or a state park, it  
23 would become part of that national park or state park, that's what  
24 happen with Kachemak Bay State Park. If not, then it takes some  
25 other action and in the case of Seal Bay the state legislature  
26 later decided to designate it as state park, but that doesn't

1 necessarily have to happen.

2 MS. FISCHER: John.

3 DR. FRENCH: I better not pass up an opportunity to  
4 agree with Pam Brodie (laughter), but I -- but I do in the case of  
5 acquisition. If it's worth buying land or timber rights or mineral  
6 rights, I think it's worth doing in perpetuity on a term basis.

7 MS. FISCHER: Kim, then Chuck.

8 MS. BENTON: I just had a question, I don't know,  
9 Molly, if you know this answer, but as it's happening now, with the  
10 timber appraisals and land appraisals, I call it the acquisition  
11 train, for lack of a better way. The train goes forward in non-fee  
12 and fee simple evaluations, and now we've entered a new realm with  
13 the public access issue. Is there going to be a place for valuing  
14 that public access inserted into the current process, or is the  
15 train going to have to stop when we get to that issue on -- in  
16 case-by-case. I'm just curious how that's all going to fit.

17 MS. McCAMMON: Madam Chair -- Walt, you can jump in here,  
18 but the way the appraisals are going now, they're being appraised  
19 assuming it's fee simple acquisition, and then if negotiations end  
20 -- end up with less than fees, than you're right, they do back a  
21 certain point out, and I don't know what the process you have  
22 available in the appraisal process for public access, and some of  
23 these other kind of lessons, these concerns in -- in determining a  
24 value, and Walt might be able to address that.

25 MR. SHERIDAN: Yeah, I can address it a little. I'm not  
26 an appraiser, and -- make sure everyone understands that before I



1 start saying -- get too far into an area that I don't have a lot of  
2 expertise in, but from what I understand from talking to the  
3 appraisers is, you know, the concept is the highest and best use  
4 that they will be looking at in terms of the appraisal, and that  
5 whole bundle of rights that are in there, and to the extent that  
6 public access can be valued and affect that total, then it's looked  
7 at. And, the specifics of how they go about that, I don't have a  
8 clue.

9 MS. FISCHER: Kim.

10 MS. BENTON: Madam Chair, the reason I bring that up is  
11 because in the first two acquisitions that occurred in Kachemak Bay  
12 and Seal Bay, public interest was part of the value, whether -- it  
13 was a controversial part of the evaluation process. So, when they  
14 said, hold it, stop, let's come up with some standard appraisal  
15 instructions, public interest -- public access was taken out. Now,  
16 we're talking about somehow putting it back in so that we can talk  
17 about how to change the values and consider that as part of the  
18 value, and I'm confused. And, I think that many of the land and  
19 timber owners are confused. That's what I'm hearing also is that  
20 there's -- there's a confusion over there.

21 MS. FISCHER: Okay, Chuck, do you want to make a  
22 comment?

23 MR. TOTEMOFF: When I first read the initial draft that  
24 -- I'm not sure who in the office were -- Swiderski or someone else  
25 -- my impression of it was that it was slanted towards fee simple  
26 acquisition, and we became very concerned with that, because I know

1 a lot of landowners are interested in less than fee sale of its  
2 land interest. There seems to have been a movement here that, I  
3 think that I'm trying to address and I'm trying to stop, is that,  
4 you know, there are other methods of habitat protection, and fee  
5 simple, in some cases, isn't the only alternative. I'd like to  
6 remind the PAG that in some cases, less than fee title is the only  
7 option available to them, and in a lot of cases that's not  
8 debatable. So, it becomes a case of whether the Trustee Council  
9 wants to consider what's -- what it means by habitat protection,  
10 protection to resources, rather than doing this high-flying act of  
11 doing fee simple across the board. And, I think there's room for  
12 both fee title and less than fee, and I think it ought to be --  
13 they ought to be considered equally and jointly. And, there  
14 shouldn't be an undue amount of pressure on the landowners to say  
15 are you willing to sell it or not, and a lot of cases the people  
16 that are interested are willing sellers, but -- and some parcels  
17 they're not willing to sell fee title. And, which brings me to  
18 this public access issue. Some of the landowners that I'm aware of  
19 have been talking about this for some time, and it was never a part  
20 of -- especially in those less than fee title discussions, that  
21 public access would be a key part of that, or a deal breaker. I'm  
22 very concerned about that because it -- it will be a source of  
23 friction here within the next month or two that could be a deal  
24 breaker, and it's very critical at this point in time that PAG  
25 understands that and especially the Trustee Council. There needs  
26 to be ways to avoid that, and I agree with Kim here, that can only

1 be done on a case-by-case basis. But, there shouldn't be this  
2 overriding desire to have a fee simple title. There's got --  
3 there's got to be room to compromise on both sides. Jim.

4 MS. FISCHER: Okay, can I get a motion on the draft?  
5 Jim.

6 MR. CLOUD: I had some comments first. (Laughter)

7 MS. FISHER: Well, we have comments too after we get a  
8 motion, as Gerry has pointed out. (Laughter)

9 MR. CLOUD: Anybody want to make a motion?

10 MS. FISCHER: Okay, James.

11 MR. KING: I guess, I'd like to say, not being a  
12 realtor, I really don't feel comfortable about voting for or  
13 against something of this nature. I see this as a -- as a really  
14 excellent process of -- of getting the debate going, and how these  
15 realtor people should be accommodating public interests, and I  
16 think I could vote for it as a working draft, but not as a final  
17 document.

18 MS. FISCHER: Okay, Jim.

19 MR. CLOUD: Well, I -- I think when we -- when we  
20 looked at the first draft that we saw at the last meeting, and when  
21 we held our first get together, it was clear that we all agreed  
22 right from the outset that -- that whatever policy or guideline  
23 that the Trustees wanted to adopt for themselves ought to have  
24 maximum flexibility so that they could evaluate things on a case-  
25 by-case basis. Do you get that when you do the transcript, do you  
26 put cough down in parenthesis? (Laughter)

1 (Aside comments)

2 MR. CLOUD: Anyhow, we also -- we also agreed that in  
3 order for the Trustees to have a process to chose tools rationally,  
4 and also, we -- I think we all agreed that the public deserved to  
5 know what were the restoration or replacement services objectives  
6 on a parcel-by-parcel basis, and once then you determine what  
7 objectives you're trying to reach for habitat acquisition, or a  
8 replacement of a service, a particular parcel, then you could chose  
9 from this list of tools that Walt alluded to. And -- but  
10 throughout the whole thing, we looked for getting maximum  
11 flexibility, and I think if you -- if you find -- you'll find the  
12 answers in Walt's work, and really Walt and Alex did everything, we  
13 just asked them to take out a sentence here and put in a word  
14 there. But, the -- there is maximum flexibility. There isn't  
15 anything that would cause a deal to be broke, except if two parties  
16 couldn't agree on something, and that is what would happen anyhow.  
17 In answer to -- partial answer to John Sturgeon's concern, Kim's  
18 concern, on valuing of public access, well, you know, valuing of  
19 anything is basically willing buyer and a willing seller, whatever  
20 the two agree to, and each case certainly will be different. No --  
21 no matter where you are in the Sound or out of the Sound, a public  
22 access on one parcel will be more important to an owner than on  
23 another parcel, or be more important to the Trustees. And, that to  
24 reiterate also what I think Pam brought out was during this  
25 conversation when -- with Rupe Andrews and Jim, on the line, and  
26 their groups -- you know, they would be representing groups that

1 would be concerned about public access, and they basically thought  
2 that they couldn't think of any reasons to be -- to make public  
3 access a deal breaker, if -- if a landowner was selling only or  
4 only leasing its land for a period of time, or just the timber  
5 rights or something like that, and wanted to retain public access,  
6 they have public access now, and those areas like streams and --  
7 and tidal areas are still protected for public access anyhow, under  
8 current laws. It's mainly -- we were concerned about Jim's group  
9 out in kayaks on a stormy, windy day and not being able to find a  
10 place to get dry under a tree. (Laughter) Anyhow, that's the  
11 process we went through, and I think Walt and Alex put up with a  
12 lot of our banting back and forth to get -- get it done.

13 MS. FISCHER: Okay, Molly wanted to answer something  
14 here.

15 MS. McCAMMON: Madam Chair, I just wanted to point out,  
16 the reason this whole issue came about was because there are a  
17 number of negotiations currently under way by Trustee staff. And,  
18 there are a number of issues regarding less than fee and public  
19 access that will be part of those ongoing negotiations. There was  
20 some Trustees who wanted a policy developed to guide those  
21 negotiations, and they directed staff to go off in a corner and  
22 attempt to develop such a policy. What you as a working group  
23 started out with was the initial staff drafted policy, and there's  
24 been some modifications based on your input. I think what the  
25 staff found, when they went off to develop this policy, is that  
26 it's really difficult, it's not impossible, to set a hard and fast,

1 cut and dried policy. That really when it comes down to it, you  
2 use guidelines and you approach it on a case-by-case basis, for the  
3 most part. And, that's pretty much what the policy reflects.  
4 These are guidelines. These are things to consider as you go  
5 through these kinds of negotiations. And, I think that the most  
6 beneficial input from the PAG has been to get your input in terms  
7 of the priorities of less than fee versus fee simple, and see how  
8 you -- what you think about one versus the other, and then also  
9 your views on whether you see this as a set of guidelines to be  
10 used case-by-case, or whether you see as a cut and dried, hard and  
11 fast type rule. And, I think that's the kind of input from you  
12 that's been most beneficial in terms of drafting a policy or  
13 guidelines, or whatever the Trustee Council ends up adopting.

14 MS. FISCHER: Okay, Rupert. Rupert had the next  
15 question, and then go to Pam.

16 MR. ANDREWS: Comment of something that Kim brought up.  
17 There are guidelines for purchase of public access. There's a  
18 program in the Lower Forty-eight, I call it -- I think they call it  
19 CPR lands for (indiscernible) monies are involved with lease  
20 hunting rights (indiscernible) landowners. Chuck and I were going  
21 to sit down here and negotiate (indiscernible), I'd probably say to  
22 him that this -- well, actually I'd like to have, and he would  
23 probably say to me, this is what's on the table. So, if you're  
24 going to negotiate timber rights, negotiate timber rights. If  
25 you're going to negotiate timber rights, plus access, then  
26 negotiate access on top of that or whatever -- whatever we're going

1 to talk about them. I think each one of them is going to be a  
2 negotiable thing on the table, and you budget in the contract  
3 whatever it is.

4 MS. FISCHER: Pam.

5 MS. BRODIE: I would like to move that we recommend to  
6 the Trustee Council that they adopt this document with the change  
7 that instead of the title being policy statement, that the title  
8 would be guidelines or advisory.

9 MS. FISCHER: Do you have a question?

10 MS. BRODIE: I think that from what Molly was saying  
11 the guidelines.

12 MS. FISCHER: Guidelines.

13 MS. BRODIE: ... either what's going to handle it.

14 MR. ANDREWS: Madam Chairman.

15 MS. FISCHER: Yes.

16 MR. ANDREWS: Could we also include ...

17 UNKNOWN: I second it.

18 MS. FISCHER: We have a movement ...

19 MR. ANDREWS: I'll second it.

20 MS. FISCHER: Rupert will second. Okay, Chuck.

21 MR. TOTEMOFF: I just have a comment. I was wondering if  
22 we could have a PAG comments included along with this draft --  
23 written up where the Trustees can see them.

24 MS. BRODIE: I would accept that as a friendly  
25 amendment.

26 MS. FISCHER: A friendly amendment (laughter - aside

1 comments). Is that okay with the second? Okay. All right Gerry.

2 MR. McCUNE: Madam Chair.

3 MS. FISCHER: Now he'll talk.

4 MR. McCUNE: I just want to make sure that when we put  
5 guideline on there that we also say that, you know, we appreciate  
6 the Trustee Council stay flexible, so -- and that should be the --  
7 what we're saying with guidelines, but we can add that little note,  
8 you know. If everybody agrees that they should stay flexible in  
9 these negotiations.

10 MS. FISCHER: Lew.

11 MR. WILLIAMS: As long as we're going to send comments,  
12 I would like to continue to add mine, that I think they should, as  
13 much as possible, spend as little money on this as they can, so  
14 that there's more money available in 2001 when you'll have an  
15 entirely new bunch of Trustees, plus you'll have a new President  
16 and a new Governor, so future generations can make a decision on  
17 what they want to do, and maybe Chuck's grandchildren will decide  
18 now that they're -- they want to sell the land.

19 MS. FISCHER: Jim. Are you getting all the comments?  
20 Okay.

21 MR. CLOUD: They're writing fast and furious.

22 MS. FISCHER: I just wondered if they were catching your  
23 remarks, Jim.

24 MR. CLOUD: Well, I guess the concern over -- somebody  
25 raised the concern over priorities, and we -- we discussed that at  
26 one point in this subgroup, and Alex Swiderski was very clear to us



1 that -- he said the Trustees have stated that their priorities are  
2 first fee simple acquisitions, being number one, and that less than  
3 fee simple acquisitions of anything, just timber rights or anything  
4 less than fee simple was less desirable to the Trustees. And, we  
5 discussed quite a bit, and actually I think the language had been  
6 a little more stiffer slanted towards fee simple in the initial  
7 draft, and I think Walt toned it down a little bit. But, you know  
8 there -- when Alex was standing there telling us that he didn't  
9 care -- they didn't care what we said, they're stated goal was for  
10 fee simple acquisition, if at all possible, then they'd consider  
11 something less.

12 MS. FISCHER: Okay, Vern.

13 MR. McCORKLE: Thank you, Madam Chairman. In reading  
14 this policy statement which is before us, I don't see any  
15 reference, maybe I've missed it, to prioritization, and I would --  
16 what's that (aside comments) -- yeah, I -- I am not in favor of  
17 prioritization. I am in favor of maximum flexibility. I'm not  
18 opposed to fee simple, but I do want to say that I'm not opposed to  
19 less than fee simple title either. I think it should be determined  
20 on a case-by-case basis, and based upon that, I can vote in favor  
21 of this policy or advisory statement which I -- I do prefer the  
22 title "guidelines." Now, what the Trustees do with when they act  
23 on it will be another matter. But, I like guidelines and I like  
24 flexibility, and I do not like prioritization for this particular  
25 activity.

26 MS. FISCHER: Okay, Kim.

1 MS. BENTON: I guess I wanted to comment on something  
2 that Molly stated early as a word of caution. If the appraisal  
3 process -- the appraisal train is going forward right now --  
4 assuming fee simple on all the lands that the appraisals are being  
5 done, I would ask you, or recommend that the owners be asked what  
6 they're considering the uses be of their land, and that if they are  
7 considering less than fee simple or alternatives that are going to  
8 raise the public access to be -- that be identified sooner rather  
9 than later for valuation, so that we don't get to the finish line  
10 and say, rest, we're across the finish line, here's the value, we  
11 valuated your land for fee simple, and the owner says, golly that's  
12 really nice, but that's not what we had in mind, and then you have  
13 to backtrack. I think we're going to lose some time and money. If  
14 the people are already, you know, having to change some sort of  
15 appraisal instructions or appraisal valuations, that they do that  
16 sooner rather than later.

17 MS. FISCHER: Walt.

18 MR. SHERIDAN: The intent with going forward with the fee  
19 simple was to try to speed the process rather than delay it,  
20 because we -- you know, we're in the middle of ongoing negotiations  
21 at the present time. We don't know exactly what the bundle of  
22 rights might be that we will end up with. And, the intent here was  
23 to determine what the whole bundle's worth, and then when the  
24 appraisal was -- when the negotiations are complete, we can figure  
25 out -- then the appraisers can figure out then what the value is of  
26 the portion of those rights that we're going to acquire.

1 MS. FISCHER: Okay, I'm going to ask for a vote on the  
2 motion. The wording of policy is changed to "guidelines," and  
3 "flexibility," I believe, is added with that. All in favor --  
4 we're going to do a voice count, and Doug will call, okay?

5 MR. MUTTER: Rupert Andrews.

6 MR. ANDREWS: Yes.

7 MR. MUTTER: Pamela Brodie.

8 MS. BRODIE: Yes.

9 MR. MUTTER: James Cloud.

10 MR. CLOUD: Yes.

11 MR. MUTTER: James Diehl.

12 MR. DIEHL: Yes.

13 MR. MUTTER: Vern McCorkle for Richard Eliason.

14 MR. McCORKLE: Yes.

15 MR. MUTTER: Donna Fischer.

16 MS. FISCHER: Yes.

17 MR. MUTTER: John French.

18 DR. FRENCH: Yes.

19 MR. MUTTER: James King.

20 MR. KING: Yes.

21 MR. MUTTER: Vern McCorkle.

22 MR. McCORKLE: Yes.

23 MR. MUTTER: Gerald McCune.

24 MR. McCUNE: Yes.

25 MR. MUTTER: And, Gerald for John McMullen.

26 MR. McCUNE: Yes.

1 MR. MUTTER: Kim Benton for John Sturgeon.  
2 MS. BENTON: Yes.  
3 MR. MUTTER: Charles Totemoff.  
4 MR. TOTEMOFF: Yes.  
5 MR. MUTTER: Lew Williams.  
6 MR. WILLIAMS: Yes.  
7 MS. FISCHER: All right. Alrighty, due to the late  
8 start that we had, I don't think we're too far off schedule, so the  
9 next thing on the agenda would be to report on the '90 -- '94 work  
10 session. Would be John -- pardon me.  
11 MS. McCAMMON: Just interrupt real quickly. There was  
12 one item left under the Executive Director's report, Restoration  
13 Plan Draft EIS.  
14 MS. FISCHER: That's right, we need to come back to  
15 that.  
16 MS. McCAMMON: We've just received word -- Jim is at an  
17 appointment that -- and he's still hung up there and probably will  
18 be for the next half an hour to an hour, but I could just give you  
19 a little bit of a -- just a summary on where we are on that in  
20 terms of the EIS and choosing the final alternative for the final  
21 EIS, and just kind of bring you up to speed on that.  
22 MS. FISCHER: Okay, we'll do that, and then we'll come  
23 back to the recommendations of the FY '95 PAG budget because Mr.  
24 King had some comments that he wanted to make, and when we broke I  
25 said -- we said we'd come back, you know, after that, and we  
26 haven't done that yet. So, we'll let Molly give the rest of Jim's

1 report and then come back to you Jim, okay?

2 MR. KING: That will be fine.

3 MS. FISCHER: Okay.

4 MS. McCAMMON: August 1st, or yesterday, was the deadline  
5 for public comments on the draft environmental impact statement on  
6 the draft restoration plan. We haven't gotten all of those public  
7 comments summarized, yet. Included within that was a comment  
8 letter from the Public Advisory Group based on your discussion at  
9 your last meeting, and you do have a copy of that in your packet  
10 today. The plan now is to summarize those comments, to report to  
11 the Trustee Council on August 23rd. At that time they will choose  
12 the final alternative, the preferred alternative for the final EIS,  
13 based on public comment. They could either continue with  
14 alternative five, which is the proposed action, which is the draft  
15 restoration plan, they could modify it in some way, they haven't  
16 really made that determination yet. But, that will be decided on  
17 August 23rd. At that point, the final EIS gets printed, it gets  
18 published by the end of September, there is then a thirty day  
19 appeal period or cooling off period, or what have you. The only  
20 appeal since this document will be signed at the Secretarial level  
21 is within the court system. So, there's not an appeal to the  
22 President, for example. You would have to go to the court to  
23 appeal anything within the final EIS. The record of decision on  
24 the EIS would be signed by the end of October, approximately  
25 October 28th, October 31st, whenever they have a meeting around  
26 that time. Well, actually it -- it gets signed by the three

1 federal secretaries, and after that record of decision is signed,  
2 the Trustees can adopt a final restoration plan. And, it's our  
3 intent to look through all of the public comments generated by the  
4 EIS, modify the Draft Restoration Plan to accommodate those, and  
5 come up with a final restoration plan that the Trustees would  
6 approve on October 31st. So, that's kind of the schedule that  
7 we're on. We've been told by all of the attorneys that really no  
8 decisions can be made until a final restoration plan is adopted and  
9 in place, and it's our intent to have that happen by October 31st.

10 MS. FISCHER: Okay, thank you, Molly. Okay, we're going  
11 to go back to the earlier -- where we had tabled until we heard Mr.  
12 Ayers' report -- that's pretty much finished up now, and we're  
13 going to come back to it, and Jim King had some remarks he also  
14 wanted to make about the PAG group, and then I'll entertain the  
15 motion on the proposal that they put forth, you know, on the  
16 recommendations on our meetings, set up budget, and what have you.

17 MR. KING: There were three things that really caught  
18 my attention about our last meeting. One was Brad Phillips led off  
19 with concern about the effectiveness of our committee, and then Jim  
20 Ayers gave us a little talk about the need for consensus opinion,  
21 or at least attempting from the PAG, and then later Doug Mutter  
22 pointed out that our appointments are all up in October, and that  
23 we don't know whether the group will continue in the same form or  
24 in a different form. So, in essence, we are PAG number one, and  
25 after October PAG number two begins whether we're all together  
26 still or not. And, thinking about that in the interim, I got to

1 thinking, you know, that it's been a learning process that we've  
2 been through for the last couple of years, and some of us have been  
3 more vocal than others in expressing opinions and concerns, and I  
4 thought something that we could do in our last meeting would be to  
5 put together a list of issues, and -- that perhaps if each one of  
6 us would put together, oh, up to half a dozen of the issues that  
7 are of concern to the constituencies that we are supposed to  
8 represent, and some alternatives for addressing those issues, and  
9 send them into the staff at some appropriate date, like the first  
10 of September, and have a compilation sent back to us. At our final  
11 meeting, we could say these are the issues that our committee sees  
12 on the table now. These are the ones that we are pretty much in  
13 accord on, and these are ones that we're in a sixty-forty position  
14 on, or -- or don't have an agreement on, so -- and that could serve  
15 as the final report of PAG number one. So, I'd be interested in  
16 doing that if anybody else wants to.

17 MS. FISCHER: Are there any comments on that? I think  
18 that's a very good comment, Jim. I -- now I think I'm going to  
19 with what you sent out already.

20 MR. KING: Well, that started it, and I suppose I  
21 rambled more than the I should have on that, but -- it was an  
22 attempt to let the committee know what I was thinking about, and  
23 then I got to thinking, well, there's quite a few of you here that  
24 haven't had a chance to sit down and have a personal discussion  
25 with, and I'm not sure in a lot of cases what you really feel are  
26 the important issues. So, this might be a way to address that.

1 So, it grew out of that thing I sent around. I sent that in hopes  
2 that it would open up some discussion, and that it would allow the  
3 rest of you to know better what I was thinking.

4 MS. FISCHER: Yes, John.

5 DR. FRENCH: I agree with Jim, it's -- that it's worth  
6 trying to sit down once a year, or at least once every two years,  
7 and it would be in this case, and try to identify the key aspects  
8 of where we've been and where we're trying to go. Also, perhaps  
9 Doug can clarify this. As I understand it, the Charter for the PAG  
10 is expiring also, in addition to our terms. Is that correct?

11 MR. MUTTER: That's my understanding, I need to verify  
12 that.

13 DR. FRENCH: Yeah, in which -- in which case probably  
14 recommendations on the structure of the PAG may be valuable in  
15 addition to specifically, topically what we think has been  
16 important in the past, and what we'd like to see covered in the  
17 future.

18 MS. FISCHER: Any other comments? Vern.

19 MR. McCORKLE: Thank you. I am curious to know where the  
20 idea of a sunset on the public advisory function came from. It's  
21 my understanding that's in the memorandum of agreement, a group  
22 like ours, maybe not the PAG, but a group like this is mandated.  
23 Unfortunately, it doesn't give any duties, or job description, but  
24 am I wrong on that point?

25 MR. MUTTER: Madam Chairman.

26 MS. FISCHER: Yes.



1 MR. MUTTER: No, that's correct. The agreement carries  
2 it out for the ten year period, but the way the federal advisory  
3 group charters are set up to run every two years. That's why I  
4 need to verify if we need to renew the charter or not. I think  
5 it's a bookkeeping process.

6 MR. McCORKLE: Okay, thank you.

7 MS. FISCHER: I know there's been a few questions that  
8 apparently -- and in talking to John Sandors -- Sandor -- that his  
9 hope, and he thought that talking into -- or talking to the rest of  
10 the Trustees, is that the most of us would stay on or reapply to  
11 stay on because it's quite a hard process to go through, and have  
12 to retain, you know, so many -- maybe new seats or something, or  
13 maybe stagger the sessions, you know, and stuff like that. So, I  
14 thinking what they're hoping is that we don't reapply and then  
15 start looking at a different way having the seating set up. Okay,  
16 I'm going to ask for a motion -- getting back to the budget. Yes,  
17 Doug.

18 MR. MUTTER: Do I understand that the PAG wants to give  
19 itself this assignment that Jim raised to -- to put together a list  
20 of issues and send them in and have Molly or I compile those?

21 MR. WILLIAMS: Yeah, I'll move we do it.

22 DR. FRENCH: Second.

23 MS. FISCHER: And we have a motion from Lew Williams and  
24 John French will second.

25 UNKNOWN: Will you read that motion for us?

26 MS. FISCHER: Go ahead.

1           MR. MUTTER:     That the PAG -- PAG members put together  
2 a list of issues of concern to their constituent groups and some  
3 alternatives to resolve those, send that information by September  
4 1st to the staff for compilation and discussion at the October  
5 meeting. Is that correct, Jim?

6           MR. KING:       Sounds good.

7           MS. FISCHER:   Do we need a voice vote on this, or can we  
8 just go, all in favor.

9           PUBLIC ADVISORY GROUP:   Aye.

10          MS. FISCHER:   Any opposed? (No response) The ayes have  
11 it. Okay, now we're going to go back to the budget that we put  
12 down before lunch. Anyway the budget that -- oh, here it is -- the  
13 discussion paper for approving PAG meetings and the budget. Can we  
14 entertain a motion on this, or suggestion? Jim.

15          MR. CLOUD:      I have two motions (indiscernible). My  
16 motion to accept it and John's to amend my motion, isn't that  
17 right, John?

18          MR. MUTTER:     Madam Chairman. We have an amendment to  
19 use time limitations -- this is on public presentations, to use  
20 tools such as time limitations for presentations, limit the topics  
21 on the agenda or requested topics, let the public know ahead of  
22 time of presentation times, and Lew Williams suggested starting at  
23 four o'clock on day one, but that wasn't acted on as an amendment.

24          MR. McCORKLE:   Madam Chairman.

25          MS. FISCHER:   I move that we take from the table the  
26 topic which is now under discussion. Hopefully it will be seconded

1 so we can continue the discussion.

2 MS. BRODIE: Seconded.

3 MR. McCORKLE: Thank you, Pam.

4 MS. FISCHER: Alrighty. One other thing I'd like to ask  
5 on this before we get going. When this is advertised, and I'd like  
6 to -- I think it would be well to say, or that we put in this  
7 agreement, that we also advertise or put down that it would be a  
8 working lunch, so that we will know, you know, and not make plans  
9 for it too. Don't you think that should be in there, and then if  
10 it doesn't say working lunch, you know, when the meetings  
11 advertised, then we know we get that lunch hour free, or something.

12 MR. McCORKLE: We like to surprise you.

13 MS. FISCHER: We probably should before we adjourn each  
14 meeting, do we want to decide if that's going to be a working lunch  
15 or -- or what.

16 MR. McCORKLE: Madam Chairman. We -- in our budget  
17 proposal, propose that all the meetings are working lunches, that  
18 they be two days, and that it would be that way unless notified to  
19 the contrary. So, we'd go ahead and -- that's the budget amount  
20 that we're proposing will allow for that. Also, during the break,  
21 it was called to my attention that there seems to be a great PAG  
22 favorite for making sure that they are two days in each of the --  
23 of four sessions, and that the first day be the day on which the  
24 public is notified it is their time to speak, so they have  
25 something they can definitely focus on. And, I'm not sure there  
26 was a motion to that regard, yet, but, those guys and gals were

1 making motions might want to add that.

2 MS. FISCHER: All right. Lew.

3 MR. WILLIAMS: I was going to make a motion that the  
4 public comments be the last order of business on the first day of  
5 the meeting.

6 MS. FISCHER: Okay, do we have a second to that?

7 DR. FRENCH: I'll second that. Jim Cloud and I -- I  
8 think Jim was the maker of the original motion ...

9 MR. CLOUD: Yes.

10 DR. FRENCH: Were discussing the paper -- headed  
11 discussion paper for improving PAG meetings, I think that's  
12 basically what the original motion was relating to, that and the  
13 budget. And, in terms of my amendment, it could mostly be  
14 streamlined down to modifying the first word of 3 A to read  
15 "encourage" instead of "require" public submit written comments.  
16 It doesn't specifically state other limitations on this discussion  
17 paper. After we -- I guess we need to vote on that amendment  
18 first, but I do wish to also provide notice, I guess, that I will  
19 be submitting another amendment to the original motion because the  
20 budget does need to be modified to allow for additional travel to  
21 working group meetings, as I understand it.

22 MS. FISCHER: Jim.

23 MR. CLOUD: I think that on 3 B -- your latest comment  
24 -- 3 B, your latest concern is addressed, so it says -- it reads  
25 move the public comment period to the end of the first day.

26 MR. WILLIAMS: Thank you, Jim. I'll withdraw it if you

1 want.

2 MS. FISCHER: Okay, motion withdrawn then. Mr.  
3 McCorkle.

4 MR. McCORKLE: Whatever, whoever. Further to Mr.  
5 French's comments, I'm wondering -- I'm not really too sure what  
6 these working groups are. Are they function of the Public Advisory  
7 Group, or are they a function of staff, or something else? I just  
8 -- I wonder if we need to incorporate that into the PAG budget  
9 which then seems to make the PAG budget much bigger than it may be  
10 ought to be, and maybe those funds should come from some other  
11 source. Once they are meetings that this group requests or calls  
12 for.

13 MS. FISCHER: I think Molly covered that a little bit  
14 earlier when she said it pretty much is incorporated already into  
15 the budget to allow, because when you plan on certain work sessions  
16 you do include, if possible, some of the PAG members that would  
17 like to attend if they come from out of town. Is that not right,  
18 Molly, is that pretty what you stated earlier?

19 MS. McCAMMON: Well, the way we've covered it in the past  
20 -- in the past six months, is by using money within the PAG budget,  
21 but money that hasn't been used because not everyone participates  
22 in every PAG meeting, so -- so there's a little, kind of flex  
23 there. Now, we could -- I mean, it's possible to add X amount of  
24 money and be very much more up front about it, and what would end  
25 up being is that, in all cases is that not all the money would be  
26 expended and we keep giving back a certain amount of money at the

1 end of the year. It does make the budget look bigger. I don't  
2 think it's a big -- a big deal about.

3 MS. FISCHER: I think some of the discussion that we had  
4 at the last meeting was that shouldn't we maybe have some designate  
5 to go to the different work shops, you know, not all the PAG  
6 members, and then come back and report, which we're finding we are  
7 doing. I mean, we're working on different projects that are going  
8 to help us be more informed, so. Yes.

9 MR. McCORKLE: Yes, as a follow-on, Madam Chairman, I  
10 approve of that. I'm not opposed to spending unused money from a  
11 PAG to a -- to a reach those accommodations. What I'm sort of not  
12 too thrilled is making the budget any bigger than it is. I -- if  
13 we need to have more money for later on, and I think, you know,  
14 appeal and see if we can't find it some place.

15 MS. FISCHER: Should we fund an endowment.

16 MS. McCORKLE: Yeah, right. (Laughter)

17 MS. FISCHER: I'm just kidding. John.

18 DR. FRENCH: Yeah, first of all I only see this as an  
19 addition of perhaps fifteen thousand dollars. I -- perhaps less,  
20 but I think it's important whether we end up spending it or  
21 spending dollars we're saving from elsewhere to have a pure as a  
22 budget line to justify internally that the PAG is taking on the  
23 responsibility to be representing itself on these working groups,  
24 because I think the PAG presence on them has been very useful, in  
25 terms of both stimulating discussion items that the agency people  
26 haven't been thinking of, and also in terms of introducing all

1 other level of credibility to the exercises, and because of that,  
2 I think it's important that we have a budget line so they can't  
3 say, oh, the money is not there. The money will be there.  
4 Hopefully, we'll save money at the end of the year and we can  
5 budget it more accurately the next year, but I think it's worth  
6 having it in the budget.

7 MS. FISCHER: John, too, I think it makes our presence  
8 -- we questioned what importance were we, you know, as PAG members.  
9 And, I think this also makes us a little more involved, where -- I  
10 think John said it well, that we have a presence here and they  
11 recognize us, you know, that we'd be included.

12 MR. CLOUD: I second John's amendment to the  
13 amendment.

14 MS. FISCHER: To the amendment.

15 MR. CLOUD: ... to the motion.

16 MR. McCORKLE: I expunge my remarks. (Laughter)

17 MS. FISCHER: Okay, do you want to read the amendment  
18 and the motion?

19 MR. MUTTER: Well, I think we need to do the amendment  
20 to the amendment first, and that is to add to the budget a line  
21 item that allows for travel and per diem for PAG members to attend  
22 working sessions in an amount of fifteen thousand dollars.

23 DR. FRENCH: Jim was suggesting twelve, I'd say twelve.

24 MS. FISCHER: Okay.

25 DR. FRENCH: We need to vote on that first.

26 MS. FISCHER: All in favor of amending the budget

1 expense to twelve thousand dollars, say aye.

2 PUBLIC ADVISORY GROUP: Aye.

3 MS. FISCHER: Opposed. (No response) Okay. That's one  
4 amendment, the next amendment.

5 MR. MUTTER: The amendment is that regarding the public  
6 comment period that we use currently available means to implement  
7 time limitations on public presentations, limit to topics on the  
8 agenda, or as requested and let the public know ahead of time of  
9 the schedule and the rules.

10 MS. FISCHER: All in favor of this -- this amendment.

11 MR. CLOUD: Well, I think we changed this amendment  
12 just to change the word in 3 A to encourage and drop required.

13 MS. FISCHER: Okay, require.

14 DR. FRENCH: At least drop on that document --  
15 depending on what's going forward in the discussion on that  
16 specific document.

17 MR. MUTTER: Well, that's not the amendment on the  
18 table.

19 DR. FRENCH: That's correct.

20 MR. CLOUD: I mean suddenly ...

21 DR. MUTTER: Do one at a time.

22 MS. FISCHER: Yeah, we're doing one at a time, Jim.

23 (Laughter)

24 MS. FISCHER: Okay, all in favor -- okay go ahead.

25 MS. BRODIE: I'm sorry, I got confused.

26 MS. FISCHER: Will you read the amendment again, please,



1 Doug.

2 MR. MUTTER: The amendment was regarding the public  
3 comment period to exercise time limitations on public  
4 presentations, limit the presentations to topics on the agenda or  
5 as requested by the PAG and let the public know ahead of time about  
6 this.

7 MS. FISCHER: Pam.

8 MS. BRODIE: I will oppose this because I think that  
9 John French's later way of showing this document (indiscernible) --  
10 regarding what Jerry said before, I don't think that we should be  
11 (indiscernible) John French's second idea.

12 MS. FISCHER: What was your idea?

13 DR. FRENCH: Probably propose as a conditional  
14 substitute amendment -- Jim assures me that his original motion  
15 relates to this document. Therefore, my substitute amendment will  
16 simply be the -- changing the first word in 3 A from "required" to  
17 "encourage."

18 MR. MUTTER: Does the second agree -- that's Rupert?

19 MS. FISCHER: Rupert, do you agree?

20 MR. MUTTER: You were the second?

21 MR. ANDREWS: Yes. You better check.

22 MS. FISCHER: Okay. All in favor?

23 PUBLIC ADVISORY GROUP: Aye.

24 MS. FISCHER: Any opposed? (No response) Then the ayes  
25 have it. All right, now what's the next amendment.

26 MR. MUTTER: No more amendments. It's the motion which

1 is the presentation paper and budget as amended. We're going to go  
2 on the motion first and then we'll -- the original ...

3 MS. BRODIE: Offer an amendment?

4 MS. FISCHER: Okay, what's your amendment?

5 MS. BRODIE: To the budget, first I'd actually like to  
6 ask a question of Molly. I'm very concerned about how much money  
7 this Public Advisory Group is spending. The fact that we spend  
8 \$15,000.00 per meeting, I find -- well, let's say I question  
9 whether every meeting we have is worth \$15,000.00 and so in looking  
10 for places to cut, I'm wondering whether the transcription service  
11 is necessary. Would it be enough that we have minutes? Molly? Or  
12 Doug?

13 MS. McCAMMON: Doug may need to respond to that just from  
14 a legal or according to charter.

15 MR. MUTTER: Well, we talked about that early on in the  
16 PAG history and at that point, the Trustee Council said they  
17 wanted to know what the PAG members thought and what the issues  
18 were and the only way to capture that is to have the meeting  
19 transcribed and they get copies of the transcription so they know  
20 what people's views are on the issue. I can't keep up with all  
21 that.

22 MS. BRODIE: Charlie Cole used to read them. I don't  
23 know if any of the other trustees are reading them. Rather I  
24 should say any of the trustees now. Perhaps that could be --  
25 perhaps the Trustees could be asked to consider that, now whether  
26 they still want to have the transcription.

1 MS. McCAMMON: Madame Chair, it's my understanding that  
2 the Trustees receive those upon request. And I think we would --  
3 I think that might be a good idea is to poll them and see -- I'm  
4 not really sure if any of them are requesting them at this point or  
5 instead relying basically on the summary notes that are prepared by  
6 Doug Mutter and then the PAG report at each of the Trustees  
7 meetings and are relying on that at this point but I'd be happy to  
8 look into that and follow up on that and see if there is a need for  
9 that and based on your guidance here, you might want to consider --  
10 we might want to consider that as a budget reduction.

11 MS. FISCHER: Do they listen to the tapes too?

12 Ms. McCAMMON: I don't believe so unless there is one  
13 particular issue that they wanted to really look into.

14 MS. FISCHER: Are there any other comments on that  
15 amendment? Kim.

16 MS. BENTON: I just have a question. Do you know -- I'm  
17 a big believer in public information and information being  
18 available. Do you know if members of the public request  
19 transcripts from the Public Advisory Group meetings for their use?  
20 I think that that's a very important thing.

21 MS. McCAMMON: They do periodically. I'm not sure when  
22 the last request was made. I know we do get regular requests for  
23 the Trustee Council....

24 MS. BENTON: Right.

25 MS. McCAMMON: I'm not sure how frequent there are  
26 requests but...

1 MS BENTON: I think that would be an important  
2 consideration whether we -- in deciding. I think it's an important  
3 tool for the trustees, but I think that if there are members of the  
4 public that use them, as an information tool, that that should be  
5 a consideration too.

6 MS. FISCHER: Yeah, and I think that would be a good  
7 point to find out to see how many requests there are there before  
8 we would cut that out of the budget. I think that would be  
9 important 'cause I think there are some groups that do request PAG  
10 minutes just to see how their members are, you know, holding up or  
11 voting or reacting. Yes. Doug.

12 MR. MUTTER:

13 MS. FISCHER: Excuse me.

14 DR. FRENCH: ...spoke out of turn, but I asked....

15 MS. FISCHER: Doug has the floor first.

16 MR. MUTTER: Thank you. Even though I'm not a member.  
17 I just wanted to clarify that I think the meeting summary would do  
18 takes care of the legal requirements for the minutes report. There  
19 is one but I don't think we need the transcript.

20 MS. FISCHER: Okay. John. I'm sorry.

21 DR. FRENCH: I asked what the 15,000 on advertising was  
22 going to -- 1500 was going to. Whether or not, you know, are we  
23 buying ads in all the coastal newspapers or are we basically  
24 utilizing public information notices which are generally free?

25 MS. FISCHER: You know, that's a good point. Are you  
26 using...

1 MS. McCAMMON: Madame Chair, we do. We do a combination  
2 of both. We advertise in the Anchorage Daily News, the Juneau  
3 Empire. I believe, maybe the Fairbanks paper plus all of the  
4 papers within the spill region. To advertise both the PAG meetings  
5 and the Trustee Council meetings. In addition, we do PSA notices  
6 but those are only -- radio stations only use those on a -- they  
7 can use them or not use them as they choose to do so. So it's kind  
8 of hit and miss in terms of coverage there.

9 DR. FRENCH: I just wanted verification.

10 MS. FISCHER: Okay. Pam. One more and then we got to get  
11 on with this.

12 MS. BRODIE: Also regarding the budget, some of us have  
13 been wondering about the \$46,000.00 for the Fish and Game full-time  
14 employee. Who is that?

15 MS. FISCHER: Who is the Fish and Game full-time  
16 employee?

17 MS. McCAMMON: The Fish and Game employee full time is  
18 Sherry Womack.

19 MS. FISCHER: Oh, okay. And we've asked for staff --  
20 help from personnel, too.

21 MR. CLOUD: They said that they could handle it with what  
22 they had.

23 MS. McCAMMON: Beg your pardon?

24 MS. FISCHER: What was the question, Jim?

25 MR. CLOUD: You said that we had asked for...

26 MS. FISCHER: Oh, last meeting we wanted to know if we

1 would have - you know, staff personnel that would help us and I  
2 guess that's Sherry, isn't it?

3 MS. McCAMMON: Madame Chair, what Jim and I have been  
4 discussing is in addition to Sherry having some -- an additional  
5 staff person who is designated as the assistant more in terms of  
6 compiling comments on actual policies and providing some of the  
7 follow-up in terms of working with the work groups -- on these  
8 subgroups, So there will probably be -- we're looking at another  
9 person whose full-time job would be community involvement,  
10 community outreach, public outreach who would also be working with  
11 the Public Advisory Group in addition to Sherry. Sherry performs  
12 mostly primarily dealing with all of your travel arrangements,  
13 dealing with all of the paperwork, providing all of the support  
14 services in terms of getting all the materials out and a lot of  
15 those functions that are critical to pulling a meeting off,  
16 organizing the meeting and things of that nature.

17 MS. FISCHER: Jim?

18 MR. CLOUD: (Indiscernible)

19 MS. McBIRNEY: The one question I had regarding the  
20 budget, there were two options in terms of meetings in spill  
21 affected communities. One was a one-day duration, two meetings per  
22 year. the other was a two-day meeting, one meeting per year. They  
23 have a significant difference in cost because there is not too much  
24 difference between a one-day meeting and a two-day meeting in terms  
25 of costs. You maybe have a little bit more per diem if people have  
26 to spend the night at a hotel, but the travel costs are basically

1 the same. And the estimates here that Doug Mutter came up with  
2 were 18,650 each. So there's a significant difference there  
3 between recommending one additional meeting or two additional  
4 meetings and if you have some clarification on that, that would be  
5 helpful.

6 MR. McCORKLE: Madame Chairman?

7 MS. FISCHER: Yes, Vern.

8 MR. McCORKLE: I am probably going to be in the minority  
9 here, but I would like to speak in favor of two meetings outside  
10 Anchorage. We can always decide not to take them if the  
11 circumstances do not warrant and we can't justify. I don't see how  
12 we can travel anyplace without adequate justification. And since  
13 it doesn't cost but just a few more dollars more to have an  
14 overnight and make it a two-day there than it does one, it seems  
15 that's an option that the Executive Director and the staff and the  
16 PAG could decide each time. But I really would like to retain the  
17 idea of two outside of Anchorage meetings a year if we can come up  
18 with, you know, the justification for doing that. Anytime that we  
19 cannot justify a meeting to travel, I don't think we should.

20 MR. McCUNE: We still have a motion on the floor, right?

21 MS. FISCHER: Yes.

22 MR. McCUNE: So, we're going all around in circles here  
23 unless Pam wants to (indiscernible) specific term in the budget,  
24 I'd like to bring it back to the point of order of the motion.

25 MS. FISCHER: Good. Okay.

26 MR. McCORKLE: Call for the question.

1 MS. FISCHER: Doug, will you repeat the motion?

2 MR. MUTTER: Well...

3 MS. FISCHER: We're back to the original motion, I take  
4 it.

5 MR. MUTTER: The original motion is to approve the paper  
6 in the budget as amended.

7 MS. FISCHER: ...amended. Okay, now do we -- do we need  
8 an amendment to go with either a one or two-day there?

9 \*\*

10 MS. FISCHER: It's all in there, okay. That wasn't the  
11 way I was reading it but -- okay. All in favor?

12 Public Advisory Group: Aye.

13 MR. FISCHER: Any opposed? (No response) The  
14 discussion paper for approving PAG meetings and budgetary items  
15 have been approved and I'm going to suggest that we take a ten-  
16 minute break, come back. I'm sorry, Doctor Spies. Still a little  
17 bit longer but maybe we can get started on it, so. Ten minute  
18 break.

19 (Off the record - 1:58 p.m.)

20 (On the record - 2:09 p.m.)

21 MS. FISCHER: Okay, we're going to get this meeting  
22 started and I'm going to turn this over to Molly as of right now  
23 and she'll go over the new agenda. Are we the only ones that have  
24 this or does everybody?

25 MS. McCAMMON: Everybody....

26 MS. FISCHER: Okay, you have a new agenda in front of you



1 and that's what we're going to go by and try and work through this  
2 as quickly as possible and get as much done today as possible.  
3 Okay. So Molly.

4 MS. McCAMMON: This agenda is called FY '95 Draft Work  
5 Plan, Public Advisory Group Review Session. And this is the agenda  
6 just for going through the draft '95 Work Plan and there are also  
7 copies of this on the table outside and you should have -- everyone  
8 should have them at their table. In speaking with the three  
9 members of the PAG that participated in our July 12th and 13th  
10 review session, we had a discussion on Friday on how to best  
11 present all of the projects that have been submitted through this  
12 process and try to focus a little bit of the discussion today on  
13 the review and that's what you see in this agenda. It certainly  
14 is, by no means, limiting. It's just an initial way of presenting  
15 the draft work plan to you. I'm going to start by going back to  
16 this document here which I believe all of you should have copies of  
17 and if you don't we have extras here and this actually is a very  
18 useful document. It's "Five Years Later,"; it's a 1994 status  
19 report on the Exxon Valdez oil spill. This document, it's our  
20 intention to publish something like this every year and basically  
21 it will be a "here we are now, at this date, the status of the  
22 injured resources, what the Trustee Council is doing about it and  
23 what the status of recovery is." So this will be kind of an annual  
24 thing that we produce and we've actually referred to it quite a bit  
25 in terms of going back to where are we in terms of the injured  
26 resources and their recovery.

1           From this report, we developed over a series of workshops  
2 last spring and winter, this document and we're actually running  
3 out of documents of this and we're almost down to zero copies. We  
4 call this the invitation and it's kind of this gray boring document  
5 but it was our first cut at going out to the public with "here's  
6 our best -- here are our best thoughts on what we think we want you  
7 to put forward in terms of projects." This is kind of what our  
8 thoughts are in terms of what our research needs and priorities  
9 are, what kind of a monitoring schedule we're thinking about, what  
10 kinds of restoration projects are -- might be possible and give the  
11 public some more guidance than they've had in the past in terms of  
12 submitting projects through the submission process. This went out  
13 to an extensive mailing list and was advertised widely. We had a  
14 30-day submission period from May 15th to June 15th. During that  
15 time, we received 178 project proposals, totally in requests about  
16 \$58 million. Our next step was what do we do with all of those  
17 proposals and how do we go through them in terms of reviewing them.  
18 Because we don't have a final restoration plan in place, the  
19 attorneys who as Jim says are advisory only in this case, but they  
20 basically advised us that the trustees were not able to take action  
21 until the final restoration plan is in place and so the trustees  
22 basically gave it to staff, to the chief scientist and to others to  
23 review these proposals and kind of organize them to go out to the  
24 public in a way to generate public comment. So the draft work plan  
25 that will go out -- and it's supposed to go to the printer in mid-  
26 August will include our initial thoughts of staff based on the

1 advice of the Chief Scientists, peer reviewers and kind of an  
2 interim science review board session, Public Advisory Group members  
3 had participated in a review session and these are just very  
4 initial thoughts. They do not reflect any decision at all. There  
5 will actually be no formal recommendations from the Executive  
6 Director and from the Chief Scientist until October. So what we  
7 did was went through the 178 proposals and first divided them into  
8 five categories and they aren't -- they don't always go into these  
9 categories very easily but just for purposes of analysis, we did  
10 this. We divided them up into research, monitoring, general  
11 restoration, habitat protection and acquisition and administration.  
12 So the tables -- the kind of information that you have in the  
13 packet you received last week includes, first of all, a list -- a  
14 summary of the projects by categories and by amounts. It includes  
15 a list of all the projects, sorted by project number so you can go  
16 through at this -- if you're looking for a numerical project. It  
17 also included a list -- I believe in this -- I guess these were  
18 sorted by project number. We did put through -- included the five  
19 tables based on research, monitoring, general restoration, habitat  
20 and administration. At a mid-July meeting, we had probably 30  
21 people present where it was the Executive Director, staff, Bob  
22 Spies, the Chief Scientist, four other peer reviewers who  
23 participated in a review session. We had members of the  
24 coordinating committee which -- for marine mammals, birds,  
25 fisheries, archaeology and near short, we had three members of the  
26 Public Advisory Group participate in that. We went through project

1 by project and gave each one an initial ranking or categorization.  
2 Category 1 were those projects that appeared to have the highest  
3 benefit to restoration and the highest technical merit. Category  
4 2 were those that seemed to perhaps not have quite as much merit or  
5 maybe not be quite as high priority or perhaps might be something  
6 we might not want to start in FY '95 but somewhere down the road.  
7 Category 3 were those projects that basically were either  
8 incomplete or had very little technical merit or very little  
9 benefit -- direct benefit -- to restoration. Category 4 were those  
10 projects that we identified as having potential legal or policy  
11 concerns. Category 5, I believe, were close-out projects where  
12 completions of efforts begun in prior years and there were a couple  
13 o category 6 which were carry forward projects, projects that, for  
14 one reason or another, were not really started this year and they're  
15 merely asking for permission to carry forward the money to next  
16 year to do the project next year. So what we have in these tables  
17 is our kind of initial presentation of these in terms of  
18 categorization. We also included in these tables some - in the  
19 notes section some kind of comment on why we believed they were  
20 either -- why they received that kind of category and identified  
21 some of the issues and concerns. You'll notice in a lot of these,  
22 there's a lot of combine, integrate, coordinate, consider rolling  
23 into another project. When you get 178 proposals likes this,  
24 there's a significant amount of overlap. There's a significant  
25 amount of different people doing very similar things that if they  
26 just sat in a room together and all talked that they'd probably end

1 up with a much better project at the end of that discussion. So  
2 you'll notice there's a lot of follow-up work that's going to come  
3 about in the next two months as a result of this initial work  
4 here. The review that we have kind of going from now until the  
5 Trustees take action at the end of October is -- kind of follows  
6 like this. On August 15th, we go to the printer with a summary  
7 document and that summary document will be all of these tables  
8 showing the initial categorization plus a narrative where we  
9 explain how these projects fit into our overall restoration  
10 objectives -- goals and objectives. We'll also try to pose  
11 questions to the public in terms that -- for example, we have ten  
12 herring projects and they're proposing to do this ,this and this.  
13 Is this the right approach for dealing with the problems of herring  
14 in Prince William Sound? This is an example. So we'll try to  
15 help direct some of the public questions and some of the kinds of  
16 things we'd really like the public to focus on during the comment  
17 period. We're also planning to schedule -- just so -- it goes to  
18 the printer in mid-August but the public comment period will be  
19 from September 1st until October 1st. Towards the end of that  
20 period, we plan to have a teleconferenced public hearing on this  
21 document that will be connected to all of the LIO sites.

22 (Due to malfunction, a verbatim transcript is not  
23 available for the next portion of the Public Advisory Group.  
24 Following is a brief summary of this section taken from recorder's  
25 notes:)

26 Ms. McCammon continued her presentation of the Draft Work

1 Plan, and how the 178 proposals had been divided into five  
2 categories for purposes of analysis. These included Research,  
3 Monitoring, Administrative as well as others. Thirty people,  
4 including some PAG members, participated in a July meeting, to rank  
5 and categorize the proposals into ones which would be of the  
6 highest benefit to restoration and those of highest technical  
7 merit. Some projects, which were carry forward projects, were  
8 listed in a sixth grouping. The report on the proposals includes  
9 tables and notes as to why the project had received that ranking.  
10 Ms. McCammon pointed out that there were a lot of projects that  
11 could be combined, integrated or considered to be rolled into  
12 another project as she reiterated the overlap in project proposals.  
13 She noted that there would be a lot of follow-up work on the plan.  
14 The time table to get the plan, along with a summary document, the  
15 entire categorization plus a narrative, to the printer is August 15  
16 so that the public will have an opportunity to provide input in  
17 terms of whether or not this is the right approach for the herring  
18 project, just as an example.

19 Ms. McCammon said that a work session on sockeye as well  
20 as a similar session on herring was scheduled for the second week  
21 of October.

22 Research projects had been divided into five topics,  
23 including Prince William Sound, forage fish, stable isotopes, near  
24 shore ecosystems and ecotoxicology. Jerome Montague from the  
25 Department of Fish and Game is available for a presentation.

26 Gerald McCune asked about some of the proposals that had

1 disappeared from category one and had been moved to category four.  
2 Mc. McCammon said that most had related to hatchery. In response  
3 to another question from Gerald McCune regarding whether an  
4 Environmental Impact Statement had to be done on each project, Ms.  
5 McCammon said not necessarily, though every single project still  
6 has to comply with NEPA. She was not willing to say whether all  
7 projects still have to go through the process but was very clear  
8 that PWSAC would require a full-blown EIS.

9           James King asked for a distinction between proposer and  
10 lead agency. Ms. McCammon said that for purposes of handling the  
11 proposals, each was assigned a lead agency and expanded on that  
12 topic. King said that you can't tell who ultimately will do the  
13 job. McCammon responded that each project would have to go out to  
14 competitive bid.

15           Dr. French noted that with respect to category 4, all the  
16 hatchery projects had been put into category 4. Clearly, he said,  
17 there were some good projects in there and encouraged some  
18 additional clarification. He discussed the ecosystem approach and  
19 integrated processes. He noted the focus on category 1 projects.

20           McCammon responded to Dr. French's concerns and then  
21 presented Chief Scientist Robert Spies who began discussion on  
22 specific proposals.

23           (Begin verbatim transcript as follows:)

24           DR. SPIES:       And, also the interaction of the Public  
25 Advisory Group is a lot better, I mean, you know, it was in '94,  
26 especially non-existent, I think. So, I'm really happy to be a

1 part of this process in a very -- encouraged with the way things  
2 have been going. I've been involved since late in '89 in one way  
3 or the other with this process, and it's -- I think that we're  
4 really a positive point right now. And, kind of -- another reason  
5 for optimism, I think, just to back up a minute, is we were  
6 involved in -- first of all injury assessment in '89, we've been  
7 focusing on single species and people have been telling us this is  
8 not the way to go, we should be taking an ecosystem approach to  
9 this -- this injured ecosystem. We definitely have species that  
10 are not recovering in that system, and we need -- we need to look  
11 at the entire system as it sustains these organisms. And, I think  
12 it's a very positive approach that we're starting to shift our  
13 paradigms from just studying sea otter, or just pink salmon or  
14 just, you know title, and now we're looking at this system more as  
15 a whole, and I think that's going to have a number of benefits, not  
16 the least of which is that twenty, thirty, fifty years from now,  
17 we'll look back and say we -- perhaps spent the money really well.  
18 We made an investment in understanding the resources of Alaska, and  
19 we got some basic information on those, rather than just focus  
20 necessarily on an injured species and how quickly it comes back,  
21 ignoring the whole system as it exists then. So, that is really  
22 good, and I have to credit the local communities, particularly in  
23 Prince William Sound and putting forward a very visionary program,  
24 the 94320 which is the ecosystem assessment in the Prince William  
25 Sound, focused on the problems with herring and pink salmon. And,  
26 that program has played a key role in kind of getting our thinking



1 reorganized along those lines. We certainly had a lot of other  
2 people have been talking about the need to take this sort of  
3 ecosystem approach. That combined with some of the management  
4 philosophy that Jim and Molly have brought to the process, I think  
5 is -- is a second reasons, you know, for optimism. So, with those  
6 kinds of preliminary comments, let me talk just briefly about these  
7 packages. We have in front of us a research and -- a package with  
8 about thirteen million dollars of programs that would -- in the  
9 research area -- eleven million of those approximately are projects  
10 that are -- were consider category one. As Molly said, and as John  
11 indicated, we had a lot of overlap in what was sent in and there  
12 certainly a need to kind of organize it. Now, with 95320 which is  
13 kind of one end of the spectrum, we -- we have a program that  
14 pretty well integrated. It was reviewed pretty thoroughly when it  
15 got started over the winter and spring with a workshop and some  
16 intense review, it's headed in a good direction, they're out there  
17 gathering data, the program appears to be successfully on the water  
18 and doing what they need to do to get their answers. We're going  
19 to have another review of that program in October. We didn't spend  
20 a lot of time on that -- that's kind of one end of the spectrum.  
21 The other end of the spectrum is that people thought perhaps some  
22 sort -- some sort of topic was really appropriate to study, say the  
23 nearshore ecosystem. Well, that was -- this is not necessarily a  
24 good example, but it's a lot of projects that were put in that had  
25 some relationship to one another, but they weren't yet entirely  
26 integrated, they haven't evolved far enough down that path to be

1 really -- really tightly integrated yet. So, that's kind of the  
2 other end of the spectrum, and so I think a good way to look at  
3 this whole kind of large package of research proposals that were  
4 put in, you know, kind of as a result of issuing this -- invitation  
5 to proposals. A good way to look at that is to take each of these  
6 packages that we -- that these projects tended to fall into,  
7 although we don't cover all the basis. The first of which would be  
8 the Prince William Sound system investigation. As I said, we --  
9 let's take that one first and then we'll just kind of go through  
10 these other packages, as we can, these other categories of  
11 research. In the Sound ecosystem assessment, as I said, the -- we  
12 had a workshop, we had an intense review this spring of the  
13 proposed work for '94. It appears to be progressing pretty well in  
14 the field. I made a trip out there and my associate Dr. Gunther as  
15 well. We've had a lot of interactions. It's a -- it's a very  
16 tightly integrated project. It appears to be focusing -- making a  
17 very good approach to trying to solve some of the problems. We  
18 didn't spend a lot of time -- the reviewer -- didn't spend a lot of  
19 time in our meetings in July on this -- on this program. It's  
20 going to have another round of review in October before the  
21 Trustees' meeting at the end of October. Essentially, we put most  
22 of those -- all of those twelve projects in category one, and --  
23 and went on to some of the newer proposals that are being put in  
24 under other packages. That was kind of -- that Sound ecosystem  
25 assessment was kind of the model for some of the other efforts at  
26 the workshop in Cordova in late -- late winter of '93. The -- it

1 was recognized that some of nearshore ecosystem studies, we needed  
2 to do something in that area. We needed to do something in the  
3 area of forage fish because of the declining -- so, that -- that  
4 was kind of the model for what has falling out as other sorts of  
5 categories under this research. So, let's move on to the -- unless  
6 anybody had particular questions, feel free to kind of raise them  
7 at this point about that ecosystem assessment, how we dealt with  
8 that. Let's move on to the forage fish area. There's a package  
9 here of about two point six million dollars. The -- kind of the  
10 basic philosophy behind this -- the need for this sort of research  
11 is that there's ongoing declines exacerbated, or greatly  
12 exacerbated by the spill, and a lot of the seabirds and marine  
13 mammals in Prince William Sound and throughout the greater spill  
14 area, includes such species such as pigeon guillemots and murre, and  
15 and so forth. And, this stock by many people -- the limitations to  
16 recover these species may lie in their food resources, which  
17 basically cover the whole area of forage fish -- it's the  
18 availability of herring, caplin, sand lance (ph), pollack and so  
19 forth, the forage fish complex. And we don't know much about the  
20 forage fish complex at all in the Prince William Sound, and little  
21 or nothing in the Gulf of Alaska to really understand what's going  
22 on in relation to these ongoing declines. So, we have a group of  
23 -- of projects in there that are addressing two things, they're  
24 addressing the relationship of the forage fish as potential food  
25 for these declining species and, secondly, the relationship of the  
26 forage fish as a resource in its own being, and also in relation to

1 some of the other fishes in this system. There could be some very  
2 strong interaction between forage fish and pink salmon. There  
3 could interactions between herring, which is one of the forage fish  
4 complex, and other forage fish. There could be things going on  
5 with pollack -- it's strongly suspected there are things going on  
6 with the pollack populations. So, that group of projects generally  
7 address those kinds of things, and as we tried to emphasize today,  
8 we're really in a kind of evolutionary mode here with -- dealing  
9 with all these research projects that just arrives as proposals in  
10 mid-June. And, forage fish -- planning for the forage fish is  
11 moving forward and -- and integration, and what is really needed,  
12 what isn't, how they -- the problems are best approached  
13 scientifically, what we can do this year, and so forth. And, so  
14 there's this very active work going on in that package right now.

15 MR. CLOUD: Dr. Spies.

16 DR. SPIES: Yeah.

17 MR. CLOUD: How do you voluntarily get a puffin to  
18 throw up so you can sample the diet?

19 DR. SPIES: You can -- apparently put screens over  
20 their burrows, and if they can't -- if they can't get back into the  
21 burrow then they will often regurgitate the food and somebody can  
22 go over and pick it up.

23 MR. CLOUD: That's how the Department of Interior  
24 plans to do that?

25 DR. SPIES: Yes. It's kind of a ....

26 (Aside comments - Laughter)

1 DR. SPIES: It's kind of a working lunch concept.

2 MS. FISCHER: Jim's working lunch.

3 (Laughter)

4 DR. SPIES: Pam.

5 MS. BRODIE: Sorry, I didn't get my hand up soon enough

6 before. Could you say a little more about the -- the connection

7 between the Sound ecosystem assessment and this Prince William

8 Sound system investigation. Were these -- these twelve projects,

9 to get category one, were they all part of the SEA?

10 DR. SPIES: Pretty much, it's pretty much the package

11 from last year, and there's some -- a few differences.

12 MS. BRODIE: There are things that were in SEA that are

13 not here or because they're category four, is that right? Or, was

14 everything from SEA in here?

15 DR. SPIES: I think pretty much everything that was

16 SEA except the hatchery work.

17 MS. BRODIE: Okay, thank you.

18 DR. SPIES: And, there are some connections that we

19 have to make here, I mean, as well as integrating within these

20 particular research topic areas, like forage fish, there's some --

21 there's a strong need for integration with other packages. For

22 instance, the -- there's the hard ecoustics going on with nearshore

23 fishes, there's predation work going on with various fish species

24 that interact with the forage fish complex as well, so there's a --

25 there's a need for that sort of integration, and that's being

26 planned and carried out right now as well. Jerry.

1           MR. McCUNE:     The end -- the end result of this is that  
2     you'd find out what -- what murren -- what they are feeding on, and  
3     if there's a lack of ...

4           DR. SPIES:     What -- basically what this for is -- is  
5     where the seabirds are concerned, the approach would be to try to  
6     see what -- what's available generally in terms of forage fish as  
7     a resource, what's available to them by their way or their mode of  
8     feeding near their foraging areas. What kind of fish they feeding  
9     on? What the energetic content of those fish are? Are they  
10    getting enough food for themselves and for their chicks, and so the  
11    reproductive aspects of this, and we won't forget about things like  
12    predation, too, is another controlling process on population. It's  
13    -- lot of the questions have to do with the food supply. The third  
14    package here is a stable isotopes. This is not so much a research  
15    question, but a research tool. But, there was such an interest in  
16    stable isotopes and so many different projects, I think. I did a  
17    little search and I think that there were some twelve or thirteen  
18    projects that actually propose in one way or another to use stable  
19    isotopes or to look at or to provide samples for someone to  
20    analysis stable isotopes, and what -- this is -- kind of a brief  
21    capsulated description of what these things do, for those of you  
22    who don't know. It -- if you look at carbon -- most carbon has a  
23    molecular weight of twelve, but there's a few molecules that have  
24    thirteen. So, it's kind of -- it's a very, very small percentage,  
25    and the same could be said for nitrogen, fourteen and fifteen.  
26    And, the differences in the -- the amount -- in number of molecules

1 per thousand of carbon thirteen and carbon twelve, that ratio  
2 changes as it goes through the biological system. The same is true  
3 for nitrogen. And, you can do two things with that, if the -- and  
4 the plants fix these things at different rates so that a signature  
5 you get for carbon thirteen to twelve ratio in phytoplankton, for  
6 instance, could be different than that in eel grass or different  
7 from that in some algae. And, that can provide you -- looking at  
8 the consumers can provide you with a picture of how much of the --  
9 the plant material at the base of the food web supplies to any  
10 particular animal, inactivate -- is this animal dependent mostly on  
11 phytoplankton, which may have certain implications -- this forage's  
12 recovery, or does it depend mostly on algae or some other source.  
13 That's the first kind of question it can answer. The second kind  
14 of question it can answer is, kind of atrophic position question,  
15 because these -- these ratios change with every trophic step.  
16 There's less -- there's more and more carbon thirteen as you go up  
17 in relation to carbon twelve is an example. Animals get  
18 isotopically heavier. So, you can kind go to an area that you  
19 don't really understand too much about, take a lot of measurements  
20 and kind of construct the food web out of this. You kind of see  
21 who eats who, and it can also be applied to seasonal phenomena as  
22 well, under some circumstances. So, it's a tool, it's a very  
23 useful tool, it can provide answers, and not necessarily be  
24 answered easily other places, and can provide answers relatively  
25 inexpensively in some cases. What we're going to do with that  
26 project, based on some discussions we've had, is to combine all the

1 stable isotope work into one project, probably issue it is it an  
2 RFP. That's a policy decision that the Executive Director has to  
3 make, but I'm going to probably recommend to him something like  
4 that. And -- and, that has certain advantages in that we'll  
5 minimize duplication of effort, we will centralize all the  
6 measurement and quality assurance that has to go on with -- with  
7 doing these things, they're not necessarily simple to measure. And  
8 secondly, we'll get a lot of help from an experienced investigator.  
9 If we put it on an RFP, we'll -- I'm sure -- I know we'll get a  
10 good qualified people to -- to respond to it, and we'll be able to  
11 provide the highest level of good interpretation on the results of  
12 the stable isotope measurement. So, if there are no questions on  
13 the stable isotopes, why don't we move on to the nearshore  
14 ecosystem package.

15 MR. CLOUD: Dr. Spies, I have one question on the last  
16 thing you said. These projects have all been proposed by different  
17 universities, in this case, except for Duffy's Tavern. What are  
18 they doing? If you -- if you take -- if you're going to do the  
19 projects any how, but you take away the projects from the proposer,  
20 and put out an RFP, won't you in the future stifle any creative  
21 thinking of people that want to ...

22 DR. SPIES: That's a really good point. We've dealt  
23 with that, and I'm not sure we've got an optimum of, you know, the  
24 ideal solution for that problem. Molly just commented on that in  
25 relation to another questions, but we -- we've had -- we've dealt  
26 with this in the past of when we've asked for ideas -- kind of a



1 two step thing: send in your ideas and a brief project  
2 description, and you don't necessarily own those ideas, and those  
3 are downsides of that, and that somebody could have a really good  
4 idea, send it in, and it can be essentially -- and becomes public  
5 information, and then an hour fee is put out, and the person who  
6 originally proposed it may not be the person who gets the project.  
7 So, there's definitely a downside to it.

8 MS. McCAMMON: When we put out the invitation, on May  
9 15th, we made that really clear in the invitation also that -- that  
10 none of these proposals were confidential and that anything that  
11 was submitted could end up being the basis for an RFP. It's  
12 something that, I know the Trustees have struggled with, we have  
13 staff who have struggled with, we -- the Trustee Council itself  
14 does not have contracting authority, so we have to go through one  
15 of the Trustee agencies, and for the most part, it's very difficult  
16 to do a sole source contract. One of the things that we  
17 experimented with this summer, and may actually end up being very  
18 useful, is the federal procurement process called the broad agency  
19 announcement, and you put out this broad agency announcement of the  
20 kinds of research proposals you'd like, and all of those proposals  
21 that get submitted, you could end up doing several things with  
22 them. You could either do a negotiated contract, the sole source  
23 system; you could end up developing and RFP, or you could -- it  
24 also allows other agencies to compete. Part of the problem with  
25 doing RFP's on all of these things is that, for the most part, the  
26 agencies have said, either through legal constraints or through

1 policy constraints, have said that they would not be able or  
2 willing to compete with the private sector. So, it's a question of  
3 how you get private entities into -- able to compete with agency  
4 entities, and both of them able to compete on the same level, and  
5 it's -- we're just -- it's been a continuing struggle and we're  
6 experimenting with a number of different things, and this broad  
7 agency announcement may be a way of doing it. We're also  
8 experimenting with the state two-step process, which also goes --  
9 basically, calls for a number of proposals, confidential proposals,  
10 on a topic, and then the proposals that come in, you end up  
11 actually crafting an actual RFP that those original proposers are  
12 the only ones able to go after, but that prohibits agency folks  
13 from competing in that process, and it -- we're just trying a  
14 number of methods, but it's a problem.

15 DR. SPIES: The challenge is to try to integrate  
16 these. I mean, if somebody doesn't know what the whole program is  
17 going to look like in the end, to have them write a proposal that  
18 you accept wholly on it's own merits, it may or may not integrate  
19 with other things that you're doing and provide the kind of  
20 answers. So, it -- there are some difficulties here, and we're  
21 struggling with them.

22 MS. FISCHER: I think we all are.

23 MR. McCORKLE: Well, ladies and gentlemen, stop  
24 struggling. I mean, I think it -- there's nothing wrong with that  
25 struggle, and I'm astonished at hearing you say that you think that  
26 people set a -- or a proprietary rights to a project because that

1       ...

2               MR. CLOUD:       I wasn't saying one way or the other.

3               MR. McCORKLE:   Okay.

4               MR. CLOUD:       I was just noting that when he said that  
5 he was going to combine these four projects -- and once -- I  
6 thought, well, in two years from now, so these people are going to  
7 quit submitting creative ideas of things -- research projects that  
8 could help solve our problems because they do -- go to this work to  
9 submit it and then somebody else does the -- ends up being used.

10              MR. McCORKLE:   Well, that's just the risk though of the  
11 RFP process, and it's been that way for a hundred years. And,  
12 whenever you -- either you submit an idea for a project, or submit  
13 a proposal to do it. Unfortunately, we are stuck with the public  
14 sector, and so we have to do this in the -- in the glare of, you  
15 know, public inspection. And, I don't shed any tears for the  
16 agencies who can't compete with private enterprise, nor do I say  
17 that private enterprise should have any prerogatives to -- to get  
18 in on these things at the beginning. And, because of what Molly  
19 has said, with particularly the broad agency proposal and the  
20 federal procurement regulation. If you can't find anybody to do  
21 what you want, you can, in fact, use the broad agency proposal to  
22 get a project on the way that you want to do, but I think it's  
23 very, very valuable to go through the struggle, both the -- both of  
24 you have mentioned that word a couple of times, so I really know  
25 what you're talking about, but it's valuable to go through that  
26 struggle to shake out the best way to do the research, whether it

1 be a government agency, a private agency, or some other outfit.  
2 So, I -- I don't see there's -- there's any short cut for going  
3 through that process, since we're working in a public arena here,  
4 so my hat's off to you for the struggle you're going through, but  
5 I think it is just something we just have to allow.

6 MS. FISCHER: Kim, oh, I'm sorry.

7 MS. BENTON: This is a follow-up -- it's for  
8 clarification. If a state or federal agency submits a project for  
9 consideration, are they under -- theirs may also have to go out for  
10 RFP same as a private person who submits a proposal? That's where  
11 I'm confused, and I -- I think the fairness issue there is a little  
12 questionable.

13 MS. McCAMMON: This is the problem that we're dealing  
14 with is that there is no good way of making it a total level  
15 playing field for private and public and Trustee agencies. We have  
16 looked at all kinds of things, and there is no -- we haven't found  
17 a good way of doing that. There is -- it's just not possible. We  
18 can give money directly to the Trustee agencies. So, any Trustee  
19 agency that submits a proposal, the money goes to the court  
20 registry and it gets -- if it's approved by the Trustees, it goes  
21 directly to the agency. The question is, with the non-Trustee  
22 agencies, and this can be universities too, and with the private --  
23 with private individuals. And we've just -- we're experimenting  
24 with a couple of different ways to try to level the playing field.  
25 I mean, one way of doing it is just by saying this particular  
26 project, even though an agency has proposed it in the past and

1 wants to do it this year, it's going to go out to competitive RFP.  
2 If you do that, you are automatically taking the agencies out of --  
3 out of the game there. So, it -- it's a -- and that might be fine  
4 in a lot of cases, that there's no problem doing that. It's -- but  
5 we have not been able to find the perfect ideal way of making it so  
6 that everyone is totally equal. It just -- but the Trustees are  
7 very committed and the staff here are very committed to trying to  
8 encourage and expand the ability of private entities to participate  
9 and be involved in the process and be active players.

10 MR. McCORKLE: That's really the point I'm speaking to  
11 that Jim brought up, and we encourage you and salute you for the  
12 hard work you're doing to try to do that because, I think, as long  
13 as we try and level the playing field, even if we can't really do  
14 it, as long as we try, as long as there is appropriate public  
15 process, and I think, you know, all you're doing is the best you  
16 can do, and I'm glad to note that's new because -- well, that's  
17 happening because that is new, we didn't do that when we began.

18 MS. McCAMMON: One of the things that will be included in  
19 the Draft Work Plan when it goes out for public review, is a  
20 section on who should do this project, and we would like to hear  
21 from the public, and where we have a project proposal in there that  
22 NOAA or Fish and Game, or DEC or whomever is proposing, or a  
23 private sector, we'd like to hear from the public, well, we think  
24 that should go out to competitive RFP because we think there are  
25 people out there in the public who can do just as good of a job or  
26 better, or whatever. Those -- so we will encourage getting

1 comments back from people on those aspects too.

2 MR. McCORKLE: Thank you for the delays.

3 MS. FISCHER: Yes, John.

4 DR. FRENCH: In the risk of delaying us even further,  
5 I think this is a real important issue. Many -- many very real  
6 respects, research people in universities and in private research  
7 organization, be they a small consulting groups or larger ones, to  
8 a very real extent, their ideas are money. They are what pays  
9 people's salaries, they are what keep the organizations running.  
10 Most universities and almost all private research foundations don't  
11 live on appropriations from somebody. To take this School of Fish  
12 and Ocean Sciences at the University of Alaska Fairbanks, for  
13 example, we only get about two dollars out of every ten from state  
14 general funds. The rest of it comes from research grants. And,  
15 what you need -- what we're doing by requesting enough information  
16 on a project for the scientific peer review teams to rate it highly  
17 enough to go into this package, is basically doing more even than  
18 most agencies are asked for in terms of a pre-proposal, and then  
19 we're turning around and saying, you played out your ideas, we have  
20 them all on the table, we're now going to send them out to see who  
21 can do it the cheapest. Whereas, in many respects the ideas are  
22 what make that -- that whole thing unique and what gives that  
23 organization a competitive edge. Now, unlike what Vern said, most  
24 agencies, if you go to a pre-proposal level, and indeed it's asked  
25 to be elaborated into a full proposal, you're the only one that's  
26 competing on that proposal. It's not going out to another RFP

1 after you've already responded on the low level to it. So, this is  
2 a fairly unique aspect of this process, and it's one that if we  
3 turn too many of the ideas away from the original investigators,  
4 we're going to stop that flow of new ideas coming into the process.  
5 So, I think we need to cautious on how its operated, and I do think  
6 the staff has done a good job of trying to compromise on that. I  
7 realize you get a lot of -- of, quote, state and federal rules that  
8 make it difficult to find a good compromise solution, but I don't  
9 want to -- to at all play down the end -- the other end of the  
10 issue that's on the university and private research people's side  
11 because, you start misusing those ideas that people are giving up  
12 voluntarily, and it's going to -- the flow's going to stop, believe  
13 me.

14 DR. SPIES: Yeah, the other conflict, of course, is  
15 that someone has a great idea, it may or may not tie -- and, you're  
16 taking an ecosystem approach, for instance the forage fish, what  
17 they want to do may tie in with some modification to the other --  
18 other programs, and there is this conflict of trying to say, well,  
19 don't do that, and why don't you do this, and so you're kind of  
20 interfering in a different way with the creativity, so that's  
21 another thing we're struggling with. We don't need just a  
22 collection of brilliant scientific projects out there, we need  
23 something that really is going to tell us about this system as a  
24 whole.

25 MS. FISCHER: Vern, do you have any opposition or  
26 anything to say on that? Otherwise, I'd like us to move on, and

1 you want -- Bob, maybe you can answer, do you want us to go down,  
2 and voice a vote, or what on these?

3 DR. SPIES: Well, we're just trying to present this in  
4 kind of a -- of a informational mode here and answer questions you  
5 have, and if there is particularly strong feelings that people  
6 have, or want to express about things they'd like to see done, or  
7 react to the general philosophy that we've taken here, that's kind  
8 of what we're here for.

9 MS. McCAMMON: Right, we're not -- we're not actually  
10 seeking an actual formal recommendation until October.

11 MS. FISCHER: Okay, we'll do that in October. Okay.

12 DR. SPIES: The next category is the nearshore  
13 ecosystem, and -- and this came from -- kind of got started after  
14 -- in Cordova, in I believe it was December when we had the  
15 workshop, and I -- it wasn't limited just to the pelagic ecosystem  
16 and herring and pink salmon, but there were quite a number of  
17 people there representing or interested in the -- in the decline of  
18 sea birds and marine mammals, and the impetus for this -- this sort  
19 of nearshore ecosystem work came up as well at that time, and it's  
20 focused particularly around the species that are not recovering in  
21 nearshore areas, particularly sea otters, pigeon guillemots, to  
22 some extent river otters. And so the -- the category one projects  
23 an they're -- include kind of the predators and their prey  
24 populations of clam population, sea urchin populations and  
25 (indiscernible) invertebrates populations and their predators and  
26 other -- but not their only avian predators, but other invertebrate



1 predators. And, there's some work on proposed in category two on  
2 structures and mussel --mussel beds and impacts of herring spawns,  
3 sea otters. So, if there are no questions on that particular one,  
4 perhaps we can move on to the category of ecotoxicity, kind of one  
5 of the remaining hypotheses about the -- the processes that are  
6 affecting species and their recovery is if you -- somehow the  
7 remaining oil gets in the ecosystem is having some toxic effects.  
8 And, so there was a number of projects that are addressing this, in  
9 one way or another. There not necessarily integrated altogether,  
10 but they're answering important questions remaining about the  
11 ecotoxicity, and includes such projects as the formation -- the  
12 ecotoxicity of hydrocarbon degradation products, some work on  
13 herring reproductive impairment. We've had some indications that  
14 there may be some problems with herring reproduction in the oiled  
15 area, but the preliminary work is pretty -- pretty preliminary on  
16 that question, so it still -- it's been funded this year and this  
17 is a continuing -- proposal for continuing to work in that same  
18 area. Then there's the effects of oiled incubation -- incubation  
19 of pink salmon eggs on the stream -- incubation of pink salmon eggs  
20 with oiled substrates on the -- on the strain of pink salmon.  
21 That's a new proposal. Monitor -- ongoing work on investigating  
22 oiled related egg and alevin mortalities, and this is very, very  
23 interesting work that's ongoing. It's pointing the direction of  
24 some perhaps genetic damage to the -- the pink salmon stocks in the  
25 Prince William Sound. Some very unusual findings there and very  
26 actively pursued and of great interest to many people, that was

1 95191, and -- parts A and B. Then there's, finally research  
2 category other proposals that didn't necessarily fit very neatly  
3 into any of those above categories, and includes such things as the  
4 experimental -- survey and experimental enhancement of octopuses  
5 and there intertidal habitats. A lot of the people in the spill  
6 area, particularly -- Chuck can perhaps comment on this, but  
7 there's been a -- the Native people have remarked on the lack of  
8 octopus and chiton and other subsistence foods in the area of  
9 Chenega and perhaps Tatitlek, and other -- other places that have  
10 been affected by the spill. We've never really looked at these  
11 populations, except the chitons in some cursory way, but we haven't  
12 look at the octopuses, which are kind of wider spread and on a  
13 different scale than the intertidal studies have been carried out,  
14 and so this is something we think would be a good opportunity to  
15 integrate with the -- with the people in the villages, and do some  
16 survey work to see what the populations are out there, and what can  
17 be done to enhance those populations. And, I think it will help a  
18 lot and the scientific involvement of the communities in -- in the  
19 spill area would be ongoing research and -- and, looked upon very  
20 favorably by the reviewers. Another project in this category is  
21 predation by killer whales and on harbor seals and other aspects of  
22 the feeding behavior of killer whales, proposed by Craig Matkin of  
23 the Gulf Oceanic Society. 95025 is factors affecting recovery of  
24 sea ducks and their prey, includes the injured harlequin ducks and  
25 perhaps the golden eyes, and some other of the sea ducks. Looking  
26 at feeding and ...

1 MS. FISCHER: I wanted to ask ...

2 DR. SPIES: Sure.

3 MS. FISCHER: Go back and I want to ask about the whales

4 and that. I understand that they're becoming so plentiful all

5 over. Is this true? Are we finding this in the Sound, too? I

6 mean, even though that one pod supposedly was to have disappeared,

7 but hasn't (indiscernible - simultaneous talking)

8 DR. SPIES: Well, there were some members missing on

9 that pod, but, you know, overall looking at all pods that use the

10 Sound, we don't have an overall problem with killer whales, but

11 it's just that one AB pod that really had the problem.

12 MS. FISCHER: And, they couldn't prove that anything

13 really happened, that maybe they just left, or couldn't they?

14 DR. SPIES: Well, it's not -- most killer whale

15 biologists think that the -- that the -- something happened. It

16 was such an unusual event, such high mortality that something

17 probably happened, and there's argument on both sides of those if

18 it was oil or it wasn't.

19 MR. DIEHL: In that proposal, Matkin, I believe is

20 proposing putting forth all of his research from '83 on into a GIS,

21 into a (indiscernible - simultaneous talking).

22 DR. SPIES: It's either that or there's another

23 proposal that Matkin put in and -- and I ...

24 MR. DIEHL: To help look at where whales have

25 historically fed in Prince William Sound.

26 DR. SPIES: Right. And, then also in that package is

1 95031 which is reproductive success of -- is a factor affecting  
2 recovery of murrelets, and this is the ongoing murrelet projects  
3 that have been very, very helpful looking at marbled murrelets in  
4 the Prince William Sound, and their nesting in old growth forests,  
5 and now we're getting more into not only their -- their habitat  
6 requirements for nesting, but their actual reproductive success,  
7 and some aspects of feeding. 95064 is the monitoring habitat use,  
8 and trophic interactions of harbor seals in Prince William Sound,  
9 being proposed by Cathy Frost, Fish and Game, who has done some  
10 very excellent work with harbor seals since '89. And, finally  
11 95105 is a very interesting proposal. It's looking at the whole  
12 problem of recovery of the Kenai River sockeye salmon stocks and  
13 factors limiting recovery -- limiting the survival of juvenile  
14 salmon. Some of the interactions with their food and predator  
15 populations and this is an experimental study using large  
16 enclosures to try to -- try to enhance some of those processes.

17 MR. ANDREWS: I've a concern with this project. We had  
18 a representative from the department here last fall that spoke to  
19 this. There were two years prior to 1992 with ... (Speaker is  
20 interrupted to reposition microphone.)

21 MS. FISCHER: Clip it to your shirt. You're generating  
22 feedback.

23 MR. ANDREWS: How's that, okay. And, they don't address  
24 that. Secondly, when they was questioned for four hundred thousand  
25 dollars, how are they going to rehabilitate sockeye, they said  
26 through regulator means. That doesn't add up to four hundred

1 thousand dollars. They also proclaimed they're going to close the  
2 season this year, fishing, well, they didn't. They increased the  
3 sport fish bag limit by fifty percent. They had a better than a  
4 ten year harvest, the sockeye already. I have real concerns with  
5 this worthwhile project, and lastly, I think this is an item that  
6 the agency budget should be covering.

7 DR. SPIES: Well, this -- this is one of three sockeye  
8 projects.

9 MR. ANDREWS: I understand that.

10 DR. SPIES: Right, right. You're concerned about the  
11 overall package.

12 MR. ANDREWS: Yes, correct.

13 DR. SPIES: We had a review of the scientific work  
14 that's gone on in the Kenai River system, last year at the meetings  
15 at the American Fisheries Society had a special session on it, and  
16 it was in Vancouver, and got some really good sockeye biologists  
17 from -- particularly Canada, and a lot of the people in the  
18 Department of Fish and Game, that are doing this work were there as  
19 well to describe their program, and talk about, and it got very,  
20 very -- the overall scientific technical content was very, very  
21 favorable, and certainly. It is true that the problems that are  
22 caused over-escapement, are not separable returning -- necessarily  
23 the Exxon Valdez spill and other things that happened in that  
24 system in the previous two years for other reasons. One was the  
25 Glacier Bay spill and one was an over-escapement, I think it was in  
26 '88, then there was an over-escapement in '89.

1 MR. ANDREWS: '87 ...

2 DR. SPIES: Yeah, '87 was the Glacier Bay, '88 was the

3 ...

4 MR. ANDREWS: Well, it seems to me we're rewarding them

5 for two years of mismanagement.

6 DR. SPIES: Well, that's ...

7 MS. McCAMMON: Well, weren't you telling me that some --

8 wasn't that kind of the scientific team really didn't feel that

9 this should be was or that because they didn't follow

10 (indiscernible - simultaneous talking).

11 DR. SPIES: I mean, we have not tried to -- to get

12 into the area of policy here, as to who should be funding this, and

13 whether this is regular agency management. The Fish and Game's

14 position, I think, and Jerome Montague can certainly will --

15 certainly will speak to this, in a minute or two when I'm through

16 talking, is that the -- that this -- we've had to do a lot more

17 management of this system because of the over-escapement caused by

18 oil spill. In other words, although we can't have a great deal of

19 scientific certainty that it was necessarily just the oil spill

20 year, certainly that third year could have well have been the straw

21 that broke the camel's back in that system. And, that's the --

22 been the basis of the government to pursue as claims. What is

23 perceived as claims, in that litigation, and I think it's also been

24 consistently viewed that way, and the private claims case as well,

25 although I haven't kept that close (indiscernible - simultaneous

26 talking).

1           MR. ANDREWS:   Well, last year I know there was a lot of  
2 discussion about the methodology and techniques of this whole  
3 enumeration of -- juvenile enumeration in Kenai and Skilak Lake,  
4 and, you know, there's been discussion on whether the sonar gear  
5 was working properly and hydro--

6           DR. SPIES:     Hydrocoustics.

7           MR. ANDREWS:   Yeah, hydrocoustics, there was a lot of  
8 discussion on that. That's -- that's why I was concerned about it.

9           MS. MCCAMMON:   Mr. Andrews, I think the -- well, I know  
10 for sure that the Executive Director shares some of those concerns.  
11 After our review in mid-July, he did request that we have some kind  
12 of a sockeye review mini-session, just to look at the overall  
13 sockeye program, because it is an expensive and fairly substantive  
14 portion of the research and monitoring portion of the work plan,  
15 and it was, it's our intention, and I think it's probably going to  
16 held the second week of October, but before the final  
17 recommendation goes to the Trustee Council, to look at all of the  
18 sockeye projects, to look at the whole management program to see  
19 what's been happening, where things are now, look at all the  
20 proposals, kind of as a complete package. And, I don't know,  
21 Jerome, you might want to speak -- add anything to -- if you do,  
22 you have to come to a mike though.

23           DR. MONTAGUE:   You want me to do it now or wait until Bob  
24 is done.

25           MS. FISCHER:   Let's wait until Bob is done, so we can  
26 keep moving on and then do it afterwards, so you can cover it all,

1     okay Jerome?

2             DR. FRENCH:     I have a question on -- rather it's a  
3     statement on -- on one of the other category projects here, the  
4     95057. In the July review, there -- this is Norcross' juvenile and  
5     larval fish transport project. The question had come up in  
6     discussion there from the science review team, and otherwise, as to  
7     whether or not it was really sampling just larvae, or whether it  
8     was sampling juvenile fish also. The PI in question assures me  
9     that it is sampling juvenile fish, and as such, it may be better to  
10    consider as part of the forage fish complex, but she also indicated  
11    that yes, the project is dependent on the oceanographic models, and  
12    perhaps would be better pursued in later years after the  
13    oceanographic model in the system investigation effort have been  
14    better developed.

15            DR. SPIES:     Yes, it -- it occurred to me that it might  
16    be also a way to also kind of index what's going on with the forage  
17    fish complex. It won't necessarily tell you what's happening with  
18    the population sizes, but it may be some sort of index, much as --  
19    I mean as -- bay system where you used the larval striped bass  
20    abundance, you know, sample would -- would plankton, that's the  
21    kind of get at -- where the population.

22            DR. FRENCH:     With all these forage fish questions, one  
23    of the problems I had, and one of the problems chief staff -- I'm  
24    only trying to relate to here, you know is how -- what are the  
25    populations we're dealing with, you know, all these forage fish  
26    studies. Are they moving in and out of the Sound? How localized



1 are they? There are certainly people who believe they're moving  
2 through the Sound, not resident in the Sound, and this would help  
3 address those questions. As a matter of fact, the larval  
4 transport, well she put it recently that the component that usually  
5 is the one that causes the problem is the one you don't study. And  
6 -- but this would, basically study both larval and juvenile, rather  
7 than just juvenile, but the real telling point here, and why I  
8 think it probably should stay in the category it is, is that she  
9 feels the project is better done in future years rather than this  
10 year because of the tie to the oceanographic models.

11 DR. SPIES: I appreciate her heuristic view on this.  
12 Okay, well, that kind of takes me to the end of the category one  
13 projects under those different packages, including kind of the  
14 others that, you know, at the tail end there. The next thing is a  
15 report on the status of the fisheries.

16 MS. McCAMMON: Madam Chair, with your permission, if it  
17 would be possible since Jerome is here and will be here all  
18 afternoon because he's captive. We have some people from Outside  
19 who are just here for a short period of time on -- the Institute of  
20 Marine Science, if we could do that real quickly and then come back  
21 to Jerome's report, if that would be ...

22 MS. FISCHER: Okay, sure. After they -- we'll take a  
23 ten minute break.

24 MS. McCAMMON: Okay, so Kim. I know this one's  
25 specifically requested by John French, so John if you have specific  
26 -- there was a briefing to the Public Advisory Group at the last

1 meeting.

2 DR. FRENCH: My question -- my question most directly  
3 related to question -- Joan Osterhouse (ph) -- it also -- help  
4 address here because she was in a meeting that we had with co-host  
5 and president of the University of Alaska, and the questions really  
6 came up with their find, reservations and concerns in relationship  
7 to the project to the university. And, if Kim wants to come up to  
8 a mike, you can respond. But, primarily we feel -- well, first of  
9 all, the relationship between the university and that of the  
10 project, in our mind should be clearly stated to the public and  
11 that is that, you know, if the university isn't going to have  
12 control over development of a project, it doesn't want to have to  
13 be saddled with potential obligations to the project in the sense  
14 of operating and maintenance costs. Second of all, if it's going  
15 to carry the university name -- Joan, you were there, would you say  
16 the preference was that it not carry the university name at all, or  
17 anyway, if it carries the university name, did it carry the  
18 university name reflective of the administrative structure of the  
19 university, and that is that the facilities are under the School of  
20 Ocean Fisheries and Ocean Science, and not the Institute of Marine  
21 Science. But, overall -- at this point, my concerns really relate  
22 to a number of things. One, if it's a private entity which is  
23 being administered by a private board, how do we assure, one, that  
24 the faculty members that are proposed to be endowed under the  
25 package, are responsible to the University of Alaska, and that the  
26 University of Alaska has control over their promotion and tenure.

1 That's a -- one of the critical issues that was identified, same is  
2 true for assistantships. And, the third one that I have that  
3 really wasn't discussed, is what is to prevent this -- at this  
4 point, amicable relationship between the Center and the University  
5 of Alaska from becoming non-amicable and the Center deciding it  
6 wants to contract with, say, University of Washington or somebody  
7 that's willing to pay for the services than the University of  
8 Alaska, which is at this point is paying virtually nothing for the  
9 services.

10 MR. SUNDBERG: I'll try to respond to those questions,  
11 and if I couldn't remember all the different questions, you can  
12 refresh my memory. I'll respond to the last one, first, about the  
13 relationship or proposed relationship between the university and  
14 the project. First of all, I was instructed in January 31st when  
15 the Trustee Council took action on this project to work with the  
16 university, and so, I've been working actively with the University  
17 of Alaska, the Institute of Marine Science, and the School of  
18 Fisheries and Ocean Science, among others, to keep them involved in  
19 the project and to seek their input in terms of not only the  
20 overall program that would occur there, but how the facility would  
21 be designed, and how the proposed operating structure would occur.  
22 With that said, at the present time, the proposed operating  
23 structure would have the University of Alaska, School of Fisheries  
24 and Ocean Sciences and the Institute of Marine Science located at  
25 the facility with occupying a portion of the offices and  
26 laboratories spaces, primarily related to marine mammals, marine

1 birds and some fish and invertebra work. These are proposals that  
2 have come forth from the School of Fisheries and Ocean Science and  
3 IMS.

4 DR. FRENCH: IMS is, of course, is a part of the School  
5 of Fisheries and Ocean Science.

6 MR. SUNDBERG: Correct, correct. And, we've been working  
7 with both, Don Shell (ph) the Director of IMS and Vera Alexander,  
8 the Dean in the School of Fisheries and Ocean Science, to keep that  
9 aspect of the project coordinated. We've also been working with  
10 the -- the architect -- the architecture and design people at the  
11 university to keep them informed on the overall facility. The  
12 proposal is, at this point, that the facility would be owned and  
13 operated by a non-profit organization, probably the Seward  
14 Association for Advancement of Marine Science, or some similar  
15 501(c)(3) organization. They would have an operating structure and  
16 by-laws that recognize not only the University of Alaska's  
17 involvement but the EVOS mission for this project. In other words,  
18 that with respect to other people coming in and doing research out  
19 of the project, EVOS would have the number one priority. So, any  
20 projects that were EVOS related projects would have first rights to  
21 use the facilities, and at the present time, would not be charged  
22 for rent at the facilities, per se, for space that they occupied or  
23 the facilities. If the facility was not fully occupied by EVOS  
24 projects, then SAAM's could, or the -- the structure or the  
25 operating organization of the facility could allow other people to  
26 come in with research grants, and they would be charged some type

1 of prorated cost that was reflective of what their -- their costs  
2 were to the facility. But, at the present time, it looks like  
3 there are probably enough EVOS related projects to occupy --  
4 anticipated EVOS projects to occupy the facility fully for the  
5 foreseeable future. Did I answer your last question?

6 DR. FRENCH: Well, in terms of -- do you envision there  
7 being a legal obligation of the board of directors to the  
8 university, or is it -- it's simply the university is the most  
9 convenient tenant, and therefore -- it also happens to be a good  
10 neighbor and it's next door. I realize there's a lot of history  
11 there, but I'm concerned about the possibility, if we have a 501(c)  
12 non-profit that's responsible for it, that they may turn around and  
13 say, we've got a better deal being offered from say UW, if they  
14 want -- they decided they want to expand into -- they do a lot of  
15 research in Alaska waters to start with -- they could turn around  
16 and say we want a shore-based center here. To date they haven't,  
17 but they could. Does that mean that basically we're setting up  
18 potential competition next door to our own marine science center?

19 MR. SUNDBERG: I don't think so because the terms of the  
20 grant for the funding to this project would have strings attached  
21 to it that SAAMS would be obligated to provide EVOS projects with,  
22 the number one priority for use of the facility. In other words,  
23 SAAMS would be in potential violation of any of the public funds  
24 that went into this facility, if they were, to say, market it as a  
25 research institute to other entities that are non-EVOS.

26 DR. FRENCH: Right, but there's no guaranty that EVOS

1 project -- oh, we were talking about that earlier this morning in  
2 terms of restoration, that EVOS projects are going to go on past  
3 2001.

4 MR. SUNDBERG: Well, there's no guaranty, but I think the  
5 anticipated -- anticipation is that there would be funds available  
6 after 2001 for EVOS studies, and, I mean, looking in the far future  
7 down the line, if there were no EVOS funds for this facility,  
8 twenty -- two decades out or three decades out, they could be used  
9 for other types of research, but at least in the near term, I  
10 thinks there's the need that's been expressed by the scientist that  
11 they would like the facility to be available for EVOS related work  
12 and anticipate that there would be EVOS related work, at least for  
13 the foreseeable future, that could make use of -- of this facility.

14 DR. FRENCH: With the emphasis being on EVOS work  
15 rather than the University of Alaska related work.

16 MR. SUNDBERG: Well, it would be EVOS work that the  
17 University of Alaska and the Department of Fish and Game and other  
18 entities were successful in getting. And, that -- they would be  
19 ...

20 DR. FRENCH: Well, what I understand is we're setting  
21 up genetics work in direct competition with our own genetics work,  
22 but -- I think that was the example that came -- well, wasn't it  
23 Joan?

24 MR. McCORKLE: What's happening here?

25 MR. SUNDBERG: No, I don't think we're setting up  
26 genetics, we're ...

1 DR. McCORKLE: I've lost your drift. I've listen to all  
2 the words you said, but I don't know what you doing.

3 MR. CLOUD: Talk about whose in charge here?

4 DR. FRENCH: I mean that's going --

5 MR. McCORKLE: ... felt like an internal scene, little  
6 spat.

7 DR. FRENCH: I'm trying to figure out where we're going  
8 here. Some of it -- some of it, if it had been resolved internally  
9 could have stayed resolved internally, yes. It's occurring here  
10 because it hasn't been resolved internally because, for one thing,  
11 the project is still carrying a name that we supposedly gave  
12 directives to both Don Shell and Vera Alexander were supposed to  
13 change.

14 MR. McCUNE: Why don't you guys go back and solve this  
15 internally and then come back ...

16 MR. SUNDBERG: See, I don't particularly have a problem  
17 because I have a letter here from Dr. Vera Alexander, the head of  
18 the Fisheries and Ocean Science, which we can make available, and  
19 it says the University of Alaska anticipates the planned facilities  
20 at Seward will fill a major existing need in Alaska. There are no  
21 suitable facilities at present anywhere in Alaska for holding  
22 marine mammals and birds, and this is impeding the progress of  
23 physiological research needed to understand the impacts of stress  
24 and cleaning oil spills. The Institute of Marine Science,  
25 University of Alaska, has a small but outstanding group of marine  
26 mammal scientist. These researchers, along with the graduate

1 students, can effectively conduct needed research in connection  
2 with the decline in some marine mammal populations, as well as  
3 anthropogenic effects, given adequate facilities. The facilities,  
4 students and programs already exist, but cannot function optimally  
5 given the present lack of coastal facilities. The prospect are  
6 enhanced capability in ecosystem research are also encouraging.  
7 Signed Vera Alexander, Dean of School of Fisheries and Ocean  
8 Science, July 30th, 1994. So, I don't have a problem with the  
9 university supporting ...

10 DR. FRENCH: That's well, but if that's all she sent  
11 you, why somewhere along the way the reservations I just expressed  
12 have not been communicated, and we were told directly. I was in  
13 the same meeting that the dean was in -- directly to communicate  
14 those to you.

15 MR. McCUNE: Madam Chair.

16 MS. FISCHER: Yes.

17 MR. McCUNE: I don't see this going any place. I mean,  
18 I see there is some problem, and I understand the problems. I read  
19 about it, but I don't see where the exchange is going to help us.

20 DR. FRENCH: No, it's not going productively, I agree.

21 MS. FISCHER: Are there any other questions or any other  
22 comments on the science center, or maybe we could take a break and  
23 John and ...

24 MS. McCAMMON: Madam Chair, I just wanted to make one  
25 comment about the name, and -- I mean the original name of this  
26 proposal was just the word "sealife center." When that proposal



1 came to the Trustee Council and there was consideration on whether  
2 it was eligible for Trustee funding, there was a decision at that  
3 time to change the project name to infrastructure improvements at  
4 the Institute of Marine Science. Since this will not be directly  
5 a university facility, it probably is appropriate that there be a  
6 further name change at some point. However, there was a definite  
7 decision made that since this whole project was going through an  
8 EIS and going through public review, that it would not be to the  
9 public's benefit to change the name once again, in the middle of a  
10 public review process. And, for that reason, the name of Institute  
11 of Marine Science infrastructure improvements has continued, and  
12 will so until the EIS is completed, and until the Trustees take  
13 final action, and at that point it would be my assumption that  
14 there would be a further name change.

15 MS. FISCHER: Okay.

16 MR. CLOUD: Are we going to get a summary of the  
17 status of the project after (indiscernible - feedback) or before  
18 this?

19 MS. McCAMMON: After.

20 (Laughter)

21 MS. FISCHER: We ought to take a break.

22 (Off Record 3:38 p.m.)

23 (On Record 3:48 p.m.)

24 MS. FISCHER: All right, I'd like everyone to take their  
25 seats, please. Let's get started. Come on, let's get this wrapped  
26 up.

1 (Pause while members take their seats.)

2 MR. McCORKLE: You may proceed.

3 MS. FISCHER: Thank you, I appreciate that, Vern. Okay,  
4 we're allowed to go ahead. Where were we?

5 MS. McCAMMON: Madam Chair, did you want a briefing on  
6 the Institute of Marine Science projects, more specific status  
7 report on it.

8 MS. FISCHER: Yes, let's get a briefing and status  
9 report. Good idea.

10 MR. SUNDBERG: Yeah, I'm back again. Thank you, Madam  
11 Chair. We provided a briefing to the PAG at their last meeting on  
12 the conceptual design of the ...

13 MS. FISCHER: (To the audience in attendance) Excuse  
14 me, please. I'm sorry.

15 MR. SUNDBERG: It's okay. We provided a briefing on the  
16 conceptual design of the facility at the last PAG meeting. Since  
17 then, we've been moving forward with -- on several different  
18 fronts. We're now in the schematic design, which is actually  
19 breaking this facility down into actual functional units for  
20 various different types of research activities, and right now  
21 there's five major research functions at the facility, in terms of  
22 components. There's a marine mammal component which consists of  
23 tanks and wet labs and research areas and offices for marine mammal  
24 programs to take place. There's eight different research types of  
25 projects that have been outlined, including physiology studies,  
26 general body condition, diving physiology, diseases, health,

1 telemetry studies, and drug studies, relating to immobilizing  
2 drugs. There's a marine bird component which consists also of a  
3 large habitat tank and some smaller research tanks, and some wet  
4 lab and some office space. The types of projects that would be  
5 going on there would include bird health and disease, factors  
6 affecting bird populations, physiology, feeding studies, and  
7 telemetry. There's a fishing invertebrate component, primarily the  
8 studies going on there would be related to fish genetics and  
9 looking at -- Dr. Spies was talking about the long-term heritable  
10 effects of oil on king salmon and possibly herring. It's a project  
11 that ADF&G is looking at doing down at this facility relating to  
12 fish genetics. Also, there would be some studies on energetics and  
13 forage fish that the University of Alaska anticipates participating  
14 in, in terms of overall SEA plan studies and other ecosystem  
15 studies in the Gulf of Alaska. There would also be some  
16 oceanography occurring out of here, mostly office-type work related  
17 to the fact that Seward is a historical center for oceanographic  
18 studies that the University of Alaska has done. This would be sort  
19 of a data synthesis in design of oceanographic programs. Also, a  
20 library -- a research library, repository and information synthesis  
21 function that would occur in a library space in an ecological  
22 modeling area. So, that's pretty much the way the building is  
23 coming together. We're still working on the costs and we're still  
24 working with the scientific work group and the education work group  
25 to refine the assumptions about what would be occurring out of  
26 here. We've also got an EIS process that's -- the Draft

1 Environmental Impact Statement comment period closes on August 8th,  
2 and we've had two public hearings on that attended in Seward and  
3 Anchorage. We're looking for a -- completing the EIS process in  
4 October 28th, and I'd be happy to answer any questions, if anybody  
5 has any.

6 MS. FISCHER: I guess I'd -- okay, you were talking  
7 about a library, and it would be a research, monitoring,  
8 information library. Would you be taking -- utilizing the  
9 information that has been gathered so far from all over the Sound,  
10 or what, and giving that information out, or?

11 MR. SUNDBERG: Yes, the concept behind the library is it  
12 would be a research library with information on the EVOS area, both  
13 from studies that were done as a result of the oil spill and other  
14 studies, and looking towards synthesizing that information and  
15 making it available to, not only other researchers, but the public.  
16 So, it would be involving a librarian, a research assistant, and an  
17 information specialist, and having not only the repository of  
18 material -- library materials, but also having that interconnected  
19 through data links with -- with the other library network systems  
20 like the Western Library Network, Internet, and some of the other  
21 systems.

22 MS. FISCHER: Jim.

23 MR. CLOUD: How long before it (indiscernible).

24 MR. SUNDBERG: The schedule is to have the doors open in  
25 June of 1997. The constructions, if we have favorable funding by  
26 later on this year, the construction would begin probably next

1 spring, on-site work, and it would be an eighteen month long  
2 construction period to construct the facility. So, June of '97  
3 would be sort of the official opening, although some of the  
4 projects could get going there in the last year of construction  
5 when the -- the seawater system and some of the tanks become  
6 available.

7 MS. FISCHER: Any other comments or questions? Yes,  
8 Gerry.

9 MR. McCUNE: I just wondering, you know, I see this as  
10 kind of a duplication in quite ways here. You know, we have three  
11 science centers already in and around the state, and I -- you know,  
12 do you see some duplication there yourself, or are you going to see  
13 this as something new -- the research that you think you're going  
14 to be able to -- because you have bigger facilities and better  
15 facilities there.

16 MR. SUNDBERG: I think we're going to be able to research  
17 here that we haven't been able to do in Alaska so far because of a  
18 lack of facility. I -- I don't think we'll be duplicating what  
19 other people are doing. We're looking at having through wet lab  
20 facilities and capabilities with tanks with work with captive  
21 animals and doing controlled studies that can't be done in any  
22 other facilities that exist here right now. We're trying not to,  
23 and I think we're successful in not duplicating what other people  
24 are doing at other facilities in Alaska. This may take some of the  
25 work that's -- that Alaska work that goes to outside facilities,  
26 such as the Vancouver Public Aquarium or Long Green Labs (ph) or

1 some of the other outside facilities, and it may bring it back to  
2 Alaska to be done here. But, I kind of think that that's a  
3 beneficial effect because it brings it back closer to where the  
4 resources are -- where the expertise is.

5 MR. McCUNE: And do you view this facility as being  
6 able to share and commensurate with the other science centers, or  
7 bring them in on projects, or ...

8 MR. SUNDBERG: Yeah, definitely. I mean, I think that  
9 there's a lot of work to be done out there to get a better  
10 understanding of what's going on in the Northern Gulf of Alaska,  
11 and I see this as being one part of a -- of a group of research  
12 centers and scientists that would be -- you know, integrating and  
13 bringing their information together, and working together, I think,  
14 on these common problems.

15 MR. McCUNE: And, after this is all built and going,  
16 how do you plan on funding it beyond that.

17 MR. SUNDBERG: Well, the facility itself is not  
18 dependent, in terms of the overall economics of having a large  
19 infusion of money, capital or operating costs put into it from,  
20 say, government or a research. It has anticipated revenue stream  
21 from visitor gate receipts, memberships, and what-not that would be  
22 at the -- public education side to -- to essentially carry the bulk  
23 of the operating costs of the facility. And, given the current --  
24 the past market projections which were done, there's two different  
25 marketing studies that have been done on this project, and there's  
26 a third being done right now, looking at the current numbers. All

1 of those have shown that the facility could be self-supporting with  
2 essentially the bulk of revenue coming from visitation, membership  
3 and other things related to public education.

4 MR. McCUNE: If I remember right, it was the estimate  
5 of what, two hundred thousand people a year, or something like  
6 that.

7 MR. SUNDBERG: Two hundred and fifty thousand.

8 MR. McCUNE: So, everybody in the state is going to  
9 have to visit it. We have to get a lot of people to come from out  
10 of state. But anyway, what's your estimate cost per year, after  
11 you -- you have it built and everything.

12 MR. SUNDBERG: The annual operating costs are somewhere  
13 on the order of about three million dollars a year. Three point  
14 five million dollars a year for the full facility with all the  
15 education programs and the things that the Trustee Council is not  
16 being asked to do. The research side of it is about one point nine  
17 two million a year.

18 (Aside comments)

19 MR. SUNDBERG: Very obviously, you haven't been to Seward  
20 lately?

21 MR. McCUNE: Not since I had a girlfriend there, no I  
22 haven't.

23 (Laughter)

24 MR. SUNDBERG: Is she still there?

25 MR. McCUNE: Moved to Cordova, but I follow this issue  
26 pretty close.

1           MR. SUNDBERG: For anybody who hasn't been to Seward  
2 lately, there is a large stream of tourism. It's growing, it's  
3 been growing every year for the last ten years, and we're also  
4 trying to be very conservative about those numbers knowing that  
5 there's ups and downs in the cycles, and we're not using the high  
6 expectations, we're using moderate to low expectations about  
7 future, but even with those expectations it looks like the facility  
8 could probably carry itself.

9           MR. McCUNE: Thank you.

10          MS. FISCHER: Pam.

11          MS. BRODIE: Like Gerry, I'm concerned about operating  
12 costs, and I thought that those visitor projections were all based  
13 on the previous idea of this being essentially a public  
14 entertainment facility and not a new study since it was turned into  
15 a research facility, or am I wrong on that?

16          MR. SUNDBERG: Well, I -- I wouldn't classify it  
17 necessarily as a public entertainment. This is not going to be  
18 the Sea World of the North where, you know, people ride animals or  
19 that kind of thing. It's essentially looking at sort of the models  
20 outside, if anybody's been to say the Monterey Aquarium, well this  
21 is smaller and more modest than the Monterey Aquarium, or the -- or  
22 the Oregon Coast Aquarium, the Birch Museum at Scripps. The focus  
23 now in terms of public aquariums or facilities where the public can  
24 see what's going on in the marine environment are more gearing  
25 towards research, showing them what's going on with research, and  
26 that's definitely the thrust of what our concept is, is that this



1 be bringing people to find out what's going on with the animals and  
2 the environment, what their problems are, what's going on in the  
3 research community, and actually have these scientists engaging  
4 with the public to explain what their research is about and  
5 interpreting it. So, when people come to this facility, they'll be  
6 coming basically to find out and learn about what's going on out  
7 there rather than just sort of being -- come -- coming to be  
8 entertained.

9 MS. BRODIE: Maybe I wasn't making my question very  
10 clear. That is, the plans for the facility have changed. It has  
11 shifted more towards research than towards a public facility.

12 MR. SUNDBERG: There's been a big shift.

13 MS. BRODIE: Has the -- has the projection of visitors  
14 changed with that, or are you still using the old projections of  
15 visitors?

16 MR. SUNDBERG: We are having another marketing study done  
17 with the new project. It has changed significantly from the  
18 previous concept designs. Being that it's a more research oriented  
19 facility, we're having another study being done to look at whether  
20 that changes the perception of -- whether that decreases or  
21 increases the number of people that might come. I think  
22 preliminarily it looks like it probably doesn't decrease it any, in  
23 terms of what the anticipated expectations are for visitation.

24 MS. BRODIE: Thank you.

25 MR. CLOUD: Public restrooms will get the visitation.

26 (Laughter)

1 MS. BRODIE: Fifteen dollars a head.

2 MR. CLOUD: In Seward they'll pay anything.

3 (Aside comments)

4 MS. FISCHER: I think at first, you know, when it  
5 started out to be a marine sanctuary or, you know, that type of  
6 thing when you first started out, and then I remember Valdez came  
7 forth with a proposal as a library, research center, and satellite  
8 up-links, you know, to -- around the country possibly for  
9 scientific review, and now we're told that that will not fit  
10 anywhere in the guidelines, and now that's the same proposal that  
11 we had two years ago that you're now coming up with, and that was  
12 not in your projection earlier on.

13 MR. SUNDBERG: Well, the facility was always designed as  
14 to have three components, research, mammal and bird rehabilitation,  
15 and public education. I think originally the emphasis in this  
16 project was probably more on the public visitation and less on the  
17 research and rehabilitation. We still have those three components  
18 in this project. It is still going to do those three things, but  
19 the emphasis has shifted more to research and less rehabilitation.  
20 The education and public input side is probably about the same as  
21 it was before, but the EVOS Trustees are not being asked to fund  
22 any of that. That -- that aspect, the public educations, so the  
23 public spaces and what-not are all being required to be funded  
24 privately, and there's a private fund-raising effort going on right  
25 now to raise capital funds for this project to the tune of about  
26 ten million dollars for the capital program. Also, there are also

1     trying to raise six million dollars in endowment for three  
2     university positions at the facility with private -- private funds,  
3     so it's a combination of EVOS money and private funds that would be  
4     going into this.

5             MS. FISCHER:     And, I'm sure Valdez will refer a lot of  
6     people to Seward.

7             (Laughter)

8             MS. FISCHER:     Sorry. Gerry, go ahead.

9             MR. McCUNE:     Your original proposal here is for twenty-  
10    four million, is that the last one I've seen?

11            MR. SUNDBERG:    Twenty-four nine, I think, was in January  
12    31st, from the joint funds.

13            MR. McCUNE:     Which is half of the money available?

14            MR. SUNDBERG:    Half the money available ...

15            MR. McCUNE:     ... in that category.

16            MR. SUNDBERG:    I don't think there's any category.

17            MR. McCUNE:     Well, I can't remember exactly, but that's  
18    a -- you know, that's a lot of money. It takes a lot of money away  
19    from other projects. This is my big concern, you know. If people  
20    see fit to fund this, you know, I think we're going to have --  
21    myself, this is my personal feelings, spread it out some because  
22    that's taking away a lot of -- lot of money from other worthwhile  
23    projects also that wouldn't be available. That's a big chunk of  
24    money. That's just my view -- of that -- this proposal.

25            MS. FISCHER:     Okay, are there any other comments? Kim.

26            MS. BENTON:     Can I just ask you a question. When you

1 were talking about the funding for the facility, you said three  
2 million something, and then the person in the back said for the  
3 scientific side, one million something. So, is the total cost  
4 annually close to five, and you're assuming ...

5 MR. SUNDBERG: No.

6 MS. BENTON: Okay, I'm sorry, the portion of that is --  
7 the science portion of that?

8 MR. SUNDBERG: Right, we've cost it down what it would  
9 cost to operate it strictly in terms of costs as a research  
10 facility, it's about a million nine, if you were to staff it with  
11 research biologists and what-not, and all the staffing it would  
12 take. If you add on the additional staff for the public education  
13 side of things it raises it up to about three million.

14 MS. FISCHER: Okay, are there any other comments, or can  
15 we move on? Kim, thank you very much.

16 MR. SUNDBERG: Thank you.

17 MR. CLOUD: (Indiscernible) informed me that there  
18 were only twenty-four U.S. Forest Service outhouses.

19 MS. FISCHER: Okay, let's move onto the two o'clock  
20 report and report on the status of fisheries in Prince William  
21 Sound. And, who is going to take the lead on that.

22 MS. McCAMMON: Jerome Montague.

23 MS. FISCHER: Okay, Jerome.

24 (Aside comments - laughter)

25 MR. CLOUD: I hope that you're not going to read that  
26 for us Jerome. (Laughter)

1 MS. FISCHER: Makes everybody nervous, doesn't it. You  
2 can go visit your outhouse and read it.

3 DR. MONTAGUE: Okay, I'd like to cover three areas. I  
4 know you'd only mentioned Prince William Sound, but I thought the  
5 group would be interested in the -- at least in the injured  
6 species, returns for Cook Inlet and Kodiak. And, for Prince  
7 William Sound we'll cover pink salmon first and all of this  
8 discussion is in sort of an empirical discussion that will make it  
9 a lot easier to understand if you have blank piece of paper and a  
10 pen so you can kind of follow the forecasts relative to what  
11 actually returned, and so on and so forth. But, for pink salmon in  
12 Prince William Sound, generally speaking we have an early return to  
13 the Valdez Arm, primarily the Sullivan Golds Hatchery, the Valdez  
14 Fisheries Development Association, and then later on it comprises  
15 all the rest of Prince William Sound and the PWSAC, Prince William  
16 Sound Aquaculture Corporation, hatchery returns. So, since there  
17 two separate finds, we'll cover the Valdez one first, and our  
18 forecast which was made back in December, was for five point two  
19 million fish to return. The return that was actually realized was  
20 eleven million. And, this was the largest return ever for the VFDA  
21 hatchery. The previous largest being eight point nine million in  
22 1990. And, of these eleven million, three point five million were  
23 caught for cost recovery by the hatchery and for brood stock. And,  
24 the price per pound on those fish was twenty-four to twenty-eight  
25 cents per pound. Quite a bit higher than the rest of the fish  
26 because they had pre-season contracts for their cost recovery. For

1 the remaining seven and a half million fish, it was eighteen to  
2 twelve cents a pound. And, other interesting things on it, they  
3 were good size fish and good quality, and while this was far above  
4 our forecast, we were able to get the processor capacity to handle  
5 it all. And, on to the rest of Prince William Sound, it's a little  
6 too early to say what's happening there, but our forecast for the  
7 hatchery returns was nineteen point two million. And, our forecast  
8 for wild stock returns was two million. And, just for a note that  
9 wild stock forecast of two million compares to an average wild  
10 stock return of about seven million. The first opening was the  
11 twenty-fifth of July, two hundred thousand fish were caught. The  
12 thirtieth of July was another opening and about a million fish were  
13 caught. It's -- again, it's too early to make any real prediction.  
14 We won't know until about the eighth or tenth of August. You know,  
15 at that time we'll probably be able to say whether we're going to  
16 be above or below forecast, but what we can say at this time, is  
17 that it doesn't look like that it will be the disaster of '92 and  
18 '93. Relative to the SEA investigation there's a particularly  
19 interesting point here in that one of the hypothesis in the SEA  
20 plan is that if copepods are available when the fry are released  
21 that fish that would prey on the fry, prey on the copepod. Now,  
22 the last year in Valdez Arm, the copepods were available, so, you  
23 know, if the SEA hypothesis proves to be correct, that could  
24 explain why there was such a good return here because the fish  
25 weren't -- I mean, the fry weren't preyed upon because there was  
26 copepods available. For the rest of Prince William Sound last

1 year, they weren't available, so, you know, again if that  
2 hypothesis holds true we would expect the rest of Prince William  
3 Sound to have returns poorer than what we saw for VFDA. And, an  
4 additional point is I think the VFDA fry are released at one gram  
5 of weight and the PWSAC fry are usually released about three tenths  
6 of a gram. And that's it for pink salmon at the moment. It should  
7 be interesting within a week or so to see if they return as good  
8 as, you know, a big bang up year. Coghill Lake and Prince William  
9 Sound is the sockeye system. It's extremely poor this year. There  
10 hasn't been a fishery allowed on it for some time. The escapement  
11 is twenty-five thousand, that's the, you know, minimum number we  
12 like to see return. Last year there was only eight thousand  
13 returning, and this year there was only two thousand. The pink --  
14 or the chum salmon returns to Wally Nurenberg (ph) hatchery were  
15 about a million fish, and in order to protect Coghill-bound  
16 sockeye, the fishing for these chums were limited to lake and  
17 (indiscernible) bays which we hoped would prevent interception from  
18 the sockeyes -- of the sockeyes. And the price for the chums was  
19 fifty to seventy-five cents a pound, but fell to about thirty-five  
20 cents when southeast chums began to come to the market. And then  
21 for sockeye in Prince William Sound hatchery runs for main bay,  
22 Coghill stock, and now these are not fish going to Coghill, they're  
23 Coghill genetic origin, about twenty-five thousand returned which  
24 is much below what's expected. And, the Eshamy genetic stock  
25 coming from the hatchery, is coming in late and weak. It's too  
26 early to tell, but it doesn't look very good as well. And, then as

1 you've heard from, I think previous PAG meetings, there was not a  
2 herring, seine or sack roe fishery this year at all in Prince  
3 William Sound due to returns below escapement levels. Okay, on to  
4 Cook Inlet sockeyes, the forecast was three point two million, the  
5 return was four point seven million. And, relative to this group  
6 what we're really interested in here is Kenai River bound fish. Of  
7 that three point two, about one point five was forecasted to be  
8 Kenai bound. What's actually returned to the Kenai looks like  
9 about two million. And, you know, getting more specific of the '89  
10 year class, we forecasted seven hundred thousand, and about one  
11 point four million returned, so about twice as good as our  
12 forecast. Now, the forecast for the Kenai five year olds or the  
13 '89 fish was based upon our smolt counts three years earlier, which  
14 was two and one-half million. So, we feel the best explanation to  
15 explain why seven hundred -- why one point five million came back  
16 instead of seven hundred thousand coming back is that our smolt  
17 counts were off by about, you know, about half. So, but then  
18 getting back, you know, was there an injury, the one point four  
19 million fish that went into the river in '89, a normal survival  
20 would have had five adults returning per spawner. So, you know,  
21 five times one point four million, so if there was a not an injury  
22 to the system we would expect seven million fish to return instead  
23 of, you know, one point five, which is still better than, you know,  
24 twice as good as we predicted, but still far, far below what a  
25 healthy system ought to net. So, assuming this is true that the  
26 smolt counts, and it's real preliminary, are all by half, then the



1 following years that we had three hundred thousand smolts, there  
2 might be six hundred thousand, which is still going to be  
3 phenomenally poor and still reflects on the order of about ninety  
4 percent reduction of what was pre-spilled. So, even though there  
5 was a little better return than we expected, there's nothing in the  
6 data said that repudates anything about our understanding of what the  
7 injury was to the system, and off from the Kenai to Kodiak, the  
8 Iokulik (ph) River, the '89 year class is returning below  
9 escapements and there's no fishery open for that stock this year.  
10 And, are there any questions on ...?

11 MS. FISCHER: Jerry.

12 MR. McCUNE: I'll just make a couple of comments  
13 actually. It's real easy to get disillusioned at Prince William  
14 Sound as all of a sudden rebounding back because we're talking  
15 about hatchery stocks, which I expect to rebound quicker than wild  
16 stocks anyway, because they have the capability of holding them,  
17 and feeding them until the plankton blooms and then releasing them.  
18 And the Valdez case is an exceptional case this year, really caught  
19 everybody by surprise, and at PWSAC we don't know what the strength  
20 of that run is yet, but the first opening down there, Sam Short  
21 (ph) tells me that was eighty-five percent hatchery stocks, of his  
22 tagging program. He can tell me that much, and he can't me much  
23 more until he gets the rest of that data worked up. And, so to the  
24 wild stocks, a lot of the districts are still weak, especially on  
25 the western side of the Sound. And, this is only -- another thing  
26 to keep in mind, this is only one cycle. This is the even cycle,

1 next year is the odd cycle, so we have to see what happens there,  
2 but -- I know there's been a lot of articles about how many fish  
3 there is and it's good that the seiners are getting out there and  
4 getting some fish, and the signs are that there is some wild stocks  
5 showing up in different areas, stronger than we expected, but I'm  
6 still not ready quite to jump out and celebrate because you never  
7 know because hatcheries are inconsistent in -- until we get the  
8 wild system back into a healthy system, you know, and compliment  
9 everybody then, we're not -- still not going to be where we want to  
10 be until we get that wild system back, but there's some -- some  
11 good hope there. This year looks a little bit better. So ...

12 MS. FISCHER: Any other questions? John.

13 DR. FRENCH: Yeah, Jerome, as you know the core of the  
14 SEA Prince William Sound systems investigations project is  
15 primarily the ecosystem work with an emphasis on pink salmon  
16 recovery. The herring projects are kind scattered throughout the  
17 whole document, although they are numerous, I admit. Would you  
18 propose any change in the balance in terms of trying to get a  
19 little more emphasis on herring and a little less on pink salmon,  
20 maybe?

21 DR. MONTAGUE: Yes, Dr. French, that -- that between '94  
22 and '95, I know, Dr. Spies was for the most part correct saying  
23 that the core was the same as '94, but we did have approximately --  
24 probably three either new or three expanded components to herring  
25 that are profiled, so '95 does have two whole new projects with  
26 herring and the salmon predators project was expanded to be salmon

1 of the herring predators, so there was a recognition of the  
2 weakness in herring component, and I think that's been adequately  
3 dealt with.

4 DR. FRENCH: Is that in the core, or where is that? We  
5 have to make sure that's picked up separately in other parts ...

6 DR. MONTAGUE: Well, a couple -- couple of them are  
7 priority one, but currently not in SEA core ...

8 DR. FRENCH: Not in a core. The point I was trying to  
9 make and where -- I was wondering if we should look at that in our  
10 further deliberations in terms of trying to make sure that they  
11 might -- at least in my vision I see that -- that the systems  
12 investigation is probably going forward with less scathe than some  
13 of the others may be. I'm concerned that the herring -- some of  
14 the herring projects are going to drop by the wayside, especially  
15 when I hear from Molly and Jim Ayers that you have too many herring  
16 projects.

17 DR. MONTAGUE: Those are 95166, which is herring natal  
18 habitats and 95165 which is a carry over from -- it was funded in  
19 '94.

20 (Audio feedback interference)

21 MS. FISHER: Oh, Sherry.

22 MS. McCAMMON: Correct -- correct if there was a  
23 misunderstanding or something put forward. We're not saying that  
24 there are necessarily too many herring projects, it's just that  
25 there are a lot of herring projects proposed, and they have not  
26 been looked in relationship to all of the projects together, and

1 we're just recommending that they be looked at that -- in that  
2 fashion. The final recommendation could be that all of them go  
3 forward. Let me to clarify that.

4 (Indiscernible - simultaneous talking)

5 DR. FRENCH: You never indicated there were two -- two  
6 (indiscernible)

7 MS. FISCHER: Jim.

8 MR. CLOUD: Have you revised your forecast the, for  
9 Cook Inlet in future years?

10 DR. MONTAGUE: The forecast in December of year prior to  
11 -- this December we'll come out with '95 forecast and it will  
12 incorporate all that we have, I mean all the information that we  
13 have.

14 MR. CLOUD: Based on your monitoring of the smolt  
15 escapement -- or going down -- you -- you've had in past years  
16 forecast for this year, '94, '95, '96, '97 -- you haven't adjusted  
17 them because of the information that ...

18 DR. MONTAGUE: Well, I know that we haven't adjusted them  
19 because of this information because we're not even comfortable with  
20 this that this is what's happened, this is just very preliminary.  
21 But -- I mean, each year that we make forecast it will be based on  
22 the latest information that we have. So, yes, I do expect -- you  
23 know, if -- if we've made multi-year forecasts that they will be  
24 modified.

25 MR. CLOUD: When can you -- might make a note of this,  
26 I haven't been able to get down on the Kenai this year, so I'm sure

1 that accounts for some of that escapement.

2 (Laughter)

3 DR. MONTAGUE: And, when Rupe gets back I would like to  
4 answer his question.

5 UNIDENTIFIED: He left.

6 MS. FISCHER: He'll be back.

7 MR. McCUNE: Did you have -- did you have the latest  
8 thing for -- for Cannery Creek hatchery? Is that -- was it a  
9 million caught? Is that what you said? Or, do you have it broken  
10 down like that? Because I left before that opener, and I just got  
11 curious if there was a build up there.

12 DR. MONTAGUE: Well, on the thirtieth, the Cannery Creek  
13 was three hundred thousand.

14 MR. McCUNE: Okay, it wasn't as strong as I thought it  
15 was going to be. Okay, thank you.

16 MS. FISCHER: Is there -- there's no explanation for the  
17 huge run in the Valdez Arm or anything like that, is there? Or ...

18 DR. MONTAGUE: Well, I tried to hit on two possibles.  
19 One is the size of the fry when they're released. They're released  
20 much larger and, thus, would be expected to have greater survival.  
21 And, two, the copepods were abundant last year when the fry were  
22 released and, thus, the fry, assuming this hypothesis is correct,  
23 and we won't know if it's correct until the SEA investigations are  
24 done, but, that would mean few of the fry were eaten by their  
25 normal predators because their predators had other things to eat.  
26 So, those are two things that could explain. I mean, we're not

1 saying they do explain, but they could.

2 MS. FISCHER: I know it's been wonderful. Wonderful  
3 for the fishermen after starving for two years. So, it's been  
4 great. Are there any other comments or questions for Jerome?  
5 Okay, we'll move right along then, thank you, Jerome. And, we'll  
6 move onto remainder of research projects. Who's going to take  
7 that, Molly?

8 MS. McCAMMON: Yeah, Madam Chair, Dr. Spies actually went  
9 through most of the category one and two projects, but, I guess, I  
10 wanted to just focus your attention on a couple of items when you  
11 review all of these projects together over the next couple of  
12 months. First of all, I think you'll notice that the emphasis of  
13 the research that -- proposed research package at this point has  
14 been mainly to answer the question of why are certain injured  
15 resources not recovering, and the goals of these research proposals  
16 are to answer some questions, is it oceanographic, climatic  
17 conditions, is it disease, is it community structure, it is rearing  
18 habitat, is it oil, is it predation, competition, food supply,  
19 these kinds of questions. So, I think the kinds of proposals that  
20 you see here in the packages, are aimed at answering those  
21 questions. Why are these resources not recovering? What is  
22 causing this lack of recovery? And, I think all of the reviewers,  
23 at least through this initial screening, were very impressed by the  
24 quality of the proposals, and how responsive they were in terms of  
25 responding to the research priorities that were developed through  
26 the -- through the workshops that were held through the winter and

1 spring. But, you also should look at, when you're reviewing these  
2 projects, the fact that the vast majority, or I would say at least  
3 half of these are new efforts that are being proposed. The Prince  
4 William Sound system investigation is a project or a package that  
5 the Trustees approved last year that is being proposed for ongoing.  
6 One of the forage fish projects was started last year. It  
7 actually, by the time it went through the competitive RFP process,  
8 is only going to get in the water, I believe, in August, this  
9 month. So, that's just starting. It's a new -- it's a new project  
10 this year. A number of these projects are new efforts. One of the  
11 whole purposes of having a science review board, or some kind of a  
12 group, an entity like that, is to provide us with big picture  
13 analysis, is to look at the ecosystem, to look at all the research  
14 being proposed, see how it integrates and synthesizes together, and  
15 come up with kind of a big picture analysis. And, I think one of  
16 the things that happened in July with their initial screening, is  
17 that because we had so many project proposals before us, that the  
18 group that met in July and the peer review process that has taken  
19 place thus far, has not been able to really complete that big  
20 picture review. Their focus was pretty much on the individual  
21 projects, and trying to do kind of a -- a sifting through, a first  
22 sift. And, one of the reviews that we'll be doing staff-wise, that  
23 the agencies will be doing, that Dr. Spies and the other core  
24 reviewers will be doing over the next two months, is to look at  
25 this research package, and does it really make sense? Is this  
26 really going to get us to the answers that we're looking for? This

1 is a major -- if the Trustees go forward with this, it's -- it's a  
2 major effort, and it's going to require a substantial financial  
3 commitment over the long-term. These are not projects that you do  
4 one year and the next year not do. These are three to five year  
5 commitments, minimum. And, we'll be looking to the Public Advisory  
6 Group to give us feedback in October on this kind of an effort, a  
7 research effort, and what your thoughts are, in terms of making  
8 that kind of a commitment. I just want wanted to kind of put it in  
9 overall perspective. Pam.

10 MS. FISCHER: Okay, any comments? Pam.

11 MS. BRODIE: The shift from resource specific to  
12 ecosystem-wide science, is there a corollary shift, or do you think  
13 there might be in the general restoration -- type of general  
14 restoration projects, because the list of potential general  
15 restoration projects, it appears in the EIS and the restoration  
16 draft EIS and restoration plans, are pretty much specie-specific,  
17 and I wonder -- I don't know what ecosystem wide general  
18 restoration projects might be, but I wonder maybe you folks have  
19 some ideas about that.

20 MS. McCAMMON: I think you have made a very good  
21 observation there, that when it comes to research, it's much easier  
22 to look at ecosystems because you're looking at systems, and what  
23 makes the systems function. In terms of general restoration  
24 projects, I think it's -- it is a lot more difficult to do  
25 something system-wide. So, I think there is more of an emphasis on  
26 a specie-specific response for general restoration. Certainly, the



1 habitat acquisition and protection program is on an ecosystem  
2 basis. It's protecting -- up one habitats that are important to a  
3 multitude of species. I think you raised a good point, and it's  
4 something that I think we should look at over the next two months.  
5 Also is how some of these general restoration projects fit in to  
6 the ecosystem approach. It's something that's not real naturally  
7 done.

8 MS. FISCHER: Jerome.

9 DR. MONTAGUE: Pam, one point I'd like to make on that is  
10 that, you know the Prince William Sound ecosystem project is a  
11 research project, but it's outputs are to be used for management to  
12 have ecosystem-wide effects, and it's too early to implement this,  
13 but, you know, off the cuff, management actions that could occur  
14 based upon what we even found in this short field season in '94 is  
15 that pollack were far more abundant than anyone had ever  
16 anticipated -- you know, and simplistically speaking without  
17 knowing all the answers, you could very easily say that based upon  
18 SEA plan, we should have a pollack fishery, and -- you know, not  
19 only will that, you know, create new jobs there, but it will remove  
20 predators that were feeding on herring and pink salmon. So, that's  
21 an example of how general restoration can come out of research.

22 MS. FISCHER: Okay, any comments? James

23 MR. KING: I think what I'm hearing is that if we  
24 understand the ecosystem, which is what was damaged, we then will  
25 understand how to do the repair work that might be possible, and if  
26 that's what I am hearing, I think that's really encouraging, and I

1 feel excited about that. It looked, for awhile like we were sort  
2 of focused on a few species and there was -- kind of arbitrary, but  
3 I like what I'm hearing.

4 MS. FISCHER: Any other -- or Vern.

5 MR. McCORKLE: Well, I guess I need to echo those  
6 comments, Mr. King. I'm -- I'm really glad to see that were sort  
7 of moving out of the specific specie activity, although I guess  
8 that was -- that's where you begin when you don't really know what  
9 you're doing. That's not a negative comment because we didn't have  
10 a spill like this anytime before. But, I'm not sure I agree  
11 entirely that -- that an ecosystem approach is simpler. Really, I  
12 don't think it is. It's really simple to target a specie and just  
13 focus on that, and sometimes -- and sometimes that leads us to an  
14 answer and other times it doesn't. But, the system-wide approach  
15 that we're moving into now, is sort of exciting, and it's easier  
16 for a non-scientific lay person to sort of grapple with that. But,  
17 my concern is we -- we need to, and maybe this is coming with the  
18 new Ayers-McCammon era, here. But, we need to -- sort of management  
19 systems approach to what we're doing. To see whether or not the  
20 shift from specie specific to ecosystem approach -- to see what  
21 impact that's going to have on the overall projects we're working  
22 with. And, what I am concerned about is that we have a number of  
23 worthy projects that are going into their third year, and Molly has  
24 just said, and we all agree, that it's, you know, these things are  
25 going to have to have a cash flow for a number of years, and we've  
26 got a lot of things started. So, I hope that somewhere along the

1 line, we'll begin to develop a financial resource needs approach to  
2 what's going on because it would be a tragedy if it would get down  
3 the road a few more years and have a lot of projects started but  
4 not any money to finish any and have to dump some over the side  
5 because there isn't -- there isn't money to go on. Now that's sort  
6 of a back yard approach, saying why I think the -- the setting  
7 aside of endowment money or a reserve account is really so  
8 critically important to what we do, and why I hope we'll find a way  
9 in future budget years to increase that twelve million into a  
10 little bit more, as we go. But, I am -- I -- sort of, I guess, by  
11 way of this vehicle, am asking if the -- if the management group is  
12 thinking about a cash forecast of needs of three, six, eight, ten  
13 years down the road, even though we've got six years left in the  
14 primary project. It's important, I think, to begin looking at what  
15 we're going to need to finish up all the projects we have started,  
16 assuming that they are all worthy of continuation. So, Molly, can  
17 you put that down, or is that -- is that coming along in some of  
18 the things you're planning?

19 MS. McCAMMON: Madam Chair, I can assure you that -- that  
20 it's absolute on the Executive Director's mind. As a matter of  
21 fact, at our -- at the last PAG meeting there was discussion about  
22 a financial plan, spread sheet. However, the -- the attorneys are  
23 advising us that that may be pre-decisional, given the fact that  
24 the draft EIS was out for public comment, and it's going through  
25 this review process now, so -- and that's why the Executive  
26 Director has not brought that back to you. However, in a very

1 short time, as soon as it's deemed appropriate, he will be doing  
2 that. The other comment that I would like to make too is that even  
3 though we are taking an ecosystem approach and research, and these  
4 things are kind of gathered in packages for informational purposes,  
5 we can't forget the fact that the whole reason for restoration is  
6 to respond to the needs of the injured resources, which are specie  
7 specific to a large degree. So, you have to go back also to the  
8 injured species. And, one of the things that we'll be doing in the  
9 draft work plan that actually goes out to the public for their  
10 review is going injured species by species, and showing how the  
11 projects that are being proposed meet the objectives of  
12 restoration.

13 MR. McCORKLE: Madam Chair, can I have a follow-up. Well  
14 -- am I hearing sort of a diversion in goals? If we are to operate  
15 from the standpoint of specie-specific with respect to the work  
16 that the restoration program is to work on, how do we then address  
17 the new shift in directions, maybe not totally, but the new  
18 emphasis on the ecosystem approach?

19 DR. SPIES: We're -- can make a useful distinction  
20 here between studying the whole ecosystem and studying an injured  
21 specie within the ecosystem, and it's more the latter that we're  
22 doing. We're looking at, for instance in the SEA program, you're  
23 looking at the pink salmon and herring, not only what they're doing  
24 particularly, but they're all stages of the life cycle and how  
25 they're tied into their food resources and predators, and so forth.  
26 They're not studying everything about the ecosystem, but looking at

1 the close relationships between the particular injured species and  
2 their -- and the ecosystem -- prospects of the ecosystem that  
3 particularly affects them.

4 MR. McCORKLE: Well, thank you for making that  
5 distinction. I hadn't focused on that, that helps me understand a  
6 little better.

7 DR. SPIES: I also might make a follow-up comment  
8 relative to your question about, you know, sustainability and  
9 funding for these projects in the long-term. Those of us who have  
10 worked on a multi-disciplinary large scientific projects, generally  
11 find that you have to have a certain amount of outlay for a  
12 project, in terms of getting the kind of useful information to test  
13 your hypothesis. It's kind of a minimum amount of money you have  
14 to put in. On the other hand, the way science works, it's not  
15 really a product, it's more of a process. You build on the  
16 feedback you get -- and it's very serendipitous. You often get  
17 answers you didn't expect. Things that -- that should cause you to  
18 make major shifts in -- in the goals of the program. So given  
19 those realities, it may make sense to build some of these programs  
20 somewhat slowly. In other words, to start with a core that's  
21 necessary to get the base amount of information, and then build  
22 onto these things slowly every year, rather than trying to do too  
23 much all at the same time. Just from the standpoint of what you  
24 learn is probably better -- probably can better -- get a better  
25 return for -- for kind of building this thing over a period of  
26 years based on the feedback and the systems. So, there's --

1 there's kind of an adaptive management aspect to the technical side  
2 of this as well.

3 MS. FISCHER: Are there any other comments? Okay, we'll  
4 move onto the next item, and I believe we're probably, what, either  
5 down to general restoration or administration.

6 MS. McCAMMON: Recovery monitoring ...

7 MS. FISCHER: Okay.

8 MR. CLOUD: Did we go over research projects?

9 MS. McCAMMON: Those were pretty much all covered in  
10 (indiscernible - simultaneous talking)

11 DR. SPIES: Yeah, I took those up at the end of  
12 package. Why don't we just go through these briefly, and if you  
13 have questions about them, we can try to amplify on -- on each of  
14 the projects, and then I think -- I don't know when you want to  
15 break. We could probably cover general restoration as well,  
16 following that.

17 MS. McCAMMON: Madam Chair, I think general restoration  
18 will probably take quite a bit longer, and but I think ...

19 MS. FISCHER: Maybe I should do that tomorrow.

20 MS. McCAMMON: But, I think we could do general  
21 restoration, administration and habitat protection all in the  
22 remainder of time tomorrow morning.

23 MS. FISCHER: Tomorrow or tonight?

24 MS. McCAMMON: Tomorrow morning.

25 MS. FISCHER: Tomorrow morning. So, should we break  
26 here, or should be continue on?

1 MS. FISCHER: We could do monitoring today -- and finish  
2 up with monitoring.

3 MR. CLOUD: I still have a question on research  
4 projects.

5 MS. FISCHER: Okay.

6 MR. CLOUD: ... I think, that we haven't finished.

7 MS. FISCHER: Okay, why don't we stop here then and open  
8 up for questions and comments and things like that at this point,  
9 and then finish up on the rest of the morning. It's going to take  
10 -- is that all right? Jim, you comments, please.

11 MR. CLOUD: In the -- in the table one of research  
12 projects, and the stuff that we haven't discussed, under category  
13 four there's one called spruce bark beetle infestation impacts on  
14 injured fish and wildlife species of the Exxon Valdez oil spill.  
15 Kind of a ...

16 MS. FISCHER: What number is that, Jim?

17 MR. CLOUD: Page twenty on the table one entitled  
18 "Research Projects." This -- this wouldn't -- in my mind, I think  
19 this would closely more be attuned to habitat protection research  
20 needed basically for habitat protection because it's addressing the  
21 issue of uplands habitat being degraded in vast amount of acreage,  
22 and changing, and what effect that's going to have on injured  
23 species trying to recover in the spill-affected area. But yet it's  
24 kind of buried in research projects and given a policy question, I  
25 guess.

26 MS. McCAMMON: Madam Chair, the policy issue -- there is

1 a policy in the Draft Restoration Plan that we're currently using  
2 until the final plan gets adopted, that the Trustee Council would  
3 not fund ongoing agency responsibilities. And, in the initial  
4 review, and I should stress initial review of this process, from  
5 the description of the project it appears that these were the types  
6 of activities that the state and federal agencies are already  
7 pursuing, in terms of their ongoing responsibilities, and that was  
8 the question that was flagged.

9 MS. FISCHER: Does that answer your question, Jim?

10 MR. CLOUD: Well, sort of.

11 MS. FISCHER: Or statement?

12 MR. CLOUD: I still think that it probably belongs in  
13 the habitat protection area, but whether or not -- whether or not  
14 the study that is designed here is something that would be done, if  
15 it weren't done here, as we all know that a lot of the agencies  
16 aren't doing any work on the beetle infested area -- areas ...

17 MS. McCAMMON: It's my understanding then that your  
18 comment is more that you believe it's more appropriate in the  
19 habitat protection table as opposed to the research table?

20 MR. CLOUD: Right. Really it's more related to  
21 habitat protection. I mean, whatever information you get out of  
22 here is going to help you make decisions on habitat protection, not  
23 on -- you know, further monitoring.

24 MS. McCAMMON: Oh, I'll have the other staff look at that  
25 again and see if maybe it should be in a different category, or a  
26 different table.



1 MR. CLOUD: A follow-up, and I Hope I'm not preempting  
2 anybody else, is the one just before that, a test of sonar  
3 accuracy. Is that to teach people to point their sonar not at the  
4 ground for their fish? I couldn't help that, Jerome.

5 DR. SPIES: That's a rhetorical question?

6 (Aside comments - laughter)

7 MS. FISCHER: Okay. This will finish then. There's a  
8 couple of things, we'll meet tomorrow morning at 8:30 and then  
9 tomorrow also we'll have visitors here from the Ecosystem Task  
10 Force appointed by the Vice-President. So, what time will they be  
11 here tomorrow?

12 MS. McCAMMON: 8:30, I believe.

13 MS. FISCHER: 8:30. So, we'll meet with them and listen  
14 to them, or are they just going to sit in our meeting, or ...

15 MS. McCAMMON: They're actually doing a presentation, is  
16 my understanding.

17 MS. FISCHER: They will do a presentation, okay. So, we  
18 need to be here ...

19 MR. McCORKLE: Which Vice-President?

20 MS. FISCHER: Hopefully, the recent one.

21 MR. McCORKLE: Oh, that one.

22 MS. FISCHER: So, anyway we need to be here promptly at  
23 -- starting at 8:30.

24 (Off Record 4:45 p.m. August 2, 1994)

25 (On Record 8:42 a.m. August 3, 1994)

26 MS. FISCHER: There's a survey team here that's been

1 appointed by, I understand Vice-President Gore, to tour some of  
2 Alaska and get information and to meet different people in Alaska,  
3 and I'm going to ask them if they would stand and introduce  
4 themselves, starting with their chair, co-chair, and maybe perhaps  
5 go down the line, if that's all right. Give a little bit of  
6 introduction about yourself, what you're doing, what agency your  
7 with. Start with you.

8 MR. JIM PIPKIN: I'm Jim Pipkin, I'm Counsellor of the  
9 Secretary of Interior and co-chair of this working group that was  
10 set up pursuant to the -- the study that Vice-President Gore  
11 chaired last year on -- been named Reinventing Government, but one  
12 of the things related to that report was a -- a chapter that  
13 essentially said that, in terms of managing, at least the federal  
14 lands, ecosystem management was something that should be done more  
15 broadly by the federal government than it has in the past. And, a  
16 task force was set up consisting of the assistant secretaries from  
17 twelve departments and agencies, to look at what's meant by  
18 ecosystem management, what lessons can be learned and what  
19 guidelines can be given to the federal agencies about how to do  
20 that. And, we're here because one of the case studies that we  
21 picked out to take a look at was Prince William Sound, and it was  
22 because of the extent of the cooperation and learning that has been  
23 obtained for Prince William Sound. So, we're here to listen and  
24 ask questions of you all, if possible.

25 MS. FISCHER: Okay.

26 MS. DIANE GELBURD: Hi, I'm Diane Gelburd, I'm Associate

1 Deputy Chief for Programs in the Soil Conservation Service in  
2 Washington, D.C., and I'm the other co-chair, and we're very happy  
3 to be here today, and we appreciate your inviting us to your  
4 meeting. And, I'll just mention that what we're doing is primarily  
5 looking at processes and how are people dealing with ecosystems,  
6 and what we can learn from you on a general level, not so much  
7 specifically on your particular ecosystem, but more of a -- of a  
8 general nature, some recommendations we can make to improve how the  
9 federal government operates in managing natural resources, and how  
10 they can improve and help facilitate what people like yourselves  
11 are doing.

12 MS. SUSAN HUKÉ: Hi, I'm Susan Huke, I'm a Forest  
13 Service employee and I'm on loan to the Soil Conservation Service  
14 for a few months as a special assistant to Dianne, and I'm  
15 particularly interested in your group because I'm responsible for  
16 looking into public involvement and how the public has been  
17 involved in -- in the response -- Alaska's response or follow-up to  
18 the oil spill. So, I'm really looking forward to learning about  
19 the Public Advisory Group, and how you operate, and -- and what  
20 you've tried -- you know, how you've involved the public and how  
21 that's working.

22 MS. ANDREA RAY: I'm Andrea Ray, from NOAA, I'm with  
23 the NOAA Office of Oceanic Atmosphere Research, currently working  
24 in the NOAA headquarters policy office. And, I'm on this team  
25 looking at institutional issues, how the various different agencies  
26 work together, and whether we can -- if there's any of the

1 processes or legislative things that we can change to make it work  
2 -- about interaction work better.

3 MR. SEAN FURNISS: I'm Sean Furniss, I work with the  
4 U.S. Fish and Wildlife Service, in the Division of Refuges. I'm  
5 here working with the team looking at science information and data  
6 base management issues to see the things that you have done that  
7 are successful, how you've been able to cooperate in managing  
8 information, and reporting results.

9 MS. LOUISE MILKMAN: I'm Louise Milkman, I'm an attorney  
10 at the Justice Department, Environment and Natural Resources  
11 Division in Washington, and I'm particularly focusing on legal  
12 authorities and how they either prevent or encourage ecosystem  
13 management.

14 MR. ROGER GRIFFIS: My name is Roger Griffis, I'm  
15 assistant to the Director of Ecology and Conservation office in  
16 NOAA, NOAA headquarters. My role here was to help facilitate the  
17 survey team's meetings here in Alaska, and to help pull together  
18 the report that the others are contributing to.

19 MS. FISCHER: Thank you. Doug is going to give you a  
20 brief little synopsis to what the PAG is.

21 MR. MUTTER: Okay, I'm Doug Mutter, I'm an employee of  
22 the Department of Interior, and I'm the Designated Federal Officer  
23 for the PAG. When the state and federal governments settled --  
24 made their out-of-court settlement with Exxon, part of the  
25 agreement was that a -- an advisory group would be set up and run  
26 for the ten years of the settlement, and so the Trustee Council

1 developed a charter for this group, the Public Advisory Group, and  
2 identified seventeen different members, five of which are public-  
3 at-large representatives, and then the rest are representatives of  
4 different special interest groups, as you can tell from the signs  
5 around the room. And, the purpose of the Public Advisory Group is  
6 to advise the Trustee Council on their restoration plans, and  
7 budgets, how to spend the settlement money, and participate in the  
8 planning process. And, to date they's had -- well it was created  
9 two years ago, their first two year -- two year cycle is up in  
10 October, and I think we've had about fourteen meetings, or so,  
11 during that time. The charter was set up for this group to meet  
12 four times a year. Yesterday we had some discussion, the group's  
13 recommending they meet six times a year. And, currently the  
14 discussions and debates for last meeting, this meeting, and the  
15 next meeting focus primarily on the fiscal year 1995 work plan that  
16 the Trustee Council is developing at this particular time. And, if  
17 any of the PAG members would like to add anything about background  
18 and history, they've been here as long as I have, feel free to.

19 MS. FISCHER: I'm going to ask if Dr. Spies will explain  
20 a little bit about what he does, and introduce yourself again. I  
21 know everybody kind of emerged on everybody here, and it's kind of  
22 hard to remember whose who. So, I'm going to ask Dr. Spies to  
23 identify himself and then we'll go around the table, and each PAG  
24 member tell where your from, what group you represent, so they can  
25 see, and if they want to talk to you during break or something,  
26 they can ask you, you know, personal questions about your area or

1     whatever.   Okay, starting with Dr. Spies.

2                 DR. SPIES:         Okay, I'm Bob Spies from the -- I'm the  
3     Chief Scientist for the Exxon Valdez Trustee Council.   I've been  
4     involved since October of '89 in the process, and put together the  
5     case for damages against Exxon using a combination of principal  
6     investigators and peer reviewers of the science.   We've had a large  
7     number of studies, pretty exhaustive look at the ecosystem, and as  
8     we've gotten into restoration after the settlement in '91, we've --  
9     the science has evolved now, and we're kind of in the -- you're  
10    arriving at an interesting time, I think, because we really  
11    switching paradigms from a species based approach to understanding  
12    damages and recovery to one of looking at the -- trying to  
13    understand in a broader ecology context how the -- what's  
14    constraining recovery of some of the species that are not  
15    recovering.   And, that necessitates looking at much broader than  
16    oil toxicity and recovery and reproduction and credation.   We're  
17    really looking at sources of food, habitat limitation and other  
18    sorts of ecological portion of processes that are important in the  
19    recovery of these species.   One of the key things that went on in  
20    the last couple of years, is that there -- there was a local group  
21    in Cordova -- Cordova based in other -- Prince William Sound that  
22    really on -- on a lot of -- with a lot of local initiative and  
23    tremendous integration between other members of the community,  
24    scientists, fishermen, other interest groups, put together an  
25    initiative to -- to look at Prince William Sound.   It was kind of  
26    spurred by -- or greatly spurred by the failures of the pink salmon

1 runs the last couple of years, and the failure of the herring, and  
2 a recognition that if we're going to do something worthwhile with  
3 this money, and those are both injured species, that we should try  
4 to understand what controls the strength of runs of those species.  
5 And, at the same time we're going to learn a lot about the  
6 ecosystem. And, this is not a study of the whole ecosystem, but  
7 rather kind of how these species work within -- within the system.  
8 And, based on that, now we're into evolving kind of a broader look  
9 at -- both in terms of the spill area, as a whole not just Prince  
10 William Sound, but also looking at other aspects of the system that  
11 aren't recovering, the nearshore ecosystem, and there's a whole  
12 question with forage fish that we're looking at as well. So,  
13 there's a lot of things that are on the table now for taking this  
14 broader ecosystem-type approach, and the challenge is to try to  
15 integrate these studies in a way that makes sense, and we have some  
16 sustain -- long-terms sustainability in our study program, because  
17 we're potentially looking at probably one hundred and fifty million  
18 dollars, something in that order, and actively discussing concepts  
19 like a restoration reserve, it would go beyond the year two  
20 thousand, so we're looking at some long-term programs. We're  
21 trying to build something that really makes sense scientifically,  
22 it's going to leave a legacy to the people of Alaska, to the United  
23 States about how these -- this system works.

24 MS. FISCHER: Thank you, Dr. Spies. Molly, would you  
25 identify yourself.

26 MS. McCAMMON: My name is Molly McCammon, and I'm

1 Director of Operations for the Trustee Council. I was hired in  
2 December, along with Jim Ayers, who was hired by the Trustee  
3 Council as Executive Director. This was part of a reorganization  
4 and a restructuring of the management of the Trustee Council. I  
5 know there are a lot of agency people here who have been involved  
6 with this process from the very start. I'm relatively new to this,  
7 having just started about eight months ago, but it was apparent  
8 even when I came in that, and when the Executive Director was  
9 hired, that the process, that the way the Trustee Council was  
10 organized, being made up of six member agencies, three state and  
11 three federal, and requiring unanimous votes on all decisions that  
12 the Trustees make, any decision that gets made takes six yes votes.  
13 This, in effect, gives each agency virtual veto authority over  
14 anything that might be proposed. It -- the way the process got  
15 started, this meant that all of the planning and management,  
16 communications, every aspect of the Trustee Council was made up of  
17 six -- the six member agencies. There were committees of  
18 committees of committees, and it was a very frustrating process, I  
19 think for a lot of people. It was a very cumbersome process. I  
20 think it resulted in -- in not much accountability. Since there  
21 was nobody ultimately responsible, it was very easy for things to  
22 slide through the cracks and things not to followed through on.  
23 The Trustees, I think took to heart criticism that they received,  
24 and I believe their own frustrations, by restructuring last year  
25 and hiring Jim Ayers as Executive Director. What we've tried to  
26 do, and I know Jim will go into this with you to a greater detail



1 tomorrow, is bring a management approach to the Trustee Council,  
2 setting up processes of following through on things, setting up  
3 accountability, setting up timelines, trying to set up decision-  
4 making processes that weren't in place in the past. I think the  
5 biggest challenge that we found is trying to ensure the things that  
6 we say are going to get done, actually do get done, and get  
7 followed up on.

8 MS. FISCHER: Thank you, Molly. I want to introduce the  
9 staff, just give you -- would you mind just giving your name.

10 (Introduction of staff from audience - out of microphone  
11 range)

12 MS. FISCHER: Okay, James, do you want to start with  
13 you?

14 MR. KING: My name is Jim King, and I'm a forty-five  
15 year resident of Alaska, and I've been involved with wildlife work  
16 during that time. I'm a wildlife biologist, and I was nominated  
17 for the PAG by the Pacific Seabird Group, and was appointed as  
18 conservationist -- I'm -- for the -- on the group, and I've taken  
19 that to mean that I need to support conservation of the money as  
20 well as the resources that are involved, so I've been supporting  
21 what Dr. Spies was talking about, long-term programs. We've been  
22 interested in an endowed program, possibly through the University  
23 of Alaska to -- continue to wrestle with the problems of the  
24 ecosystem, which may or not be separated ultimately from the oil  
25 spill. We think that the -- there's residue of that oil that will  
26 continue to be there, and we need to continue to watch the

1 resources that are vulnerable to it.

2 MS. FISCHER: Thank you, James. Lew.

3 MR. WILLIAMS: Yes, my name is Lew Williams, I'm a  
4 retired newspaper publisher. I guess, I'm a public member and I'm  
5 probably a good reference for history because I've been writing  
6 newspapers in Alaska, that is until four years ago, since 1946. I  
7 grew up in the state before that, World War II. And, while I was  
8 on the -- as a publisher, I managed to get around the state quite  
9 a bit, and served on other commissions, one of them was the  
10 Citizens Advisory Commission on federal management areas. That's  
11 a group that held a lot public hearings on the federal management  
12 plans that come out of the reserves set up under ANILCA, so I had  
13 some background there on what the public view was on a lot of  
14 management plans. And, I've know people like Jim King and Rupert  
15 Andrews, we all got active right after World War II, and I'm  
16 interested, like Jim is, in trying to make this thing financially  
17 viable so we don't just blow all the dough here first, not complete  
18 our studies, and run out of money in 2001, or twenty-oh-one, and  
19 have not completed the work. And, I think the group, this Advisory  
20 Group and the Council are going in that direction, so I'm very  
21 encouraged.

22 MS. FISCHER: Thank you, Lew. Chuck.

23 MR. TOTEMOFF: My name is Chuck Totemoff, I'm President  
24 of our village corporation, Chenega Corporation. I'm currently  
25 representing the Native landowners on the PAG, been on this for two  
26 years, but have involved with the oil spill since 1989. This --

1 this whole process has been very frustrating for me personally, you  
2 know, trying to address the problems that the oil spill has caused  
3 us. And, one of our biggest problems is that there's a tremendous  
4 amount of need out there for restoration, especially the area that  
5 I'm from, which is from the Village of Chenega Bay, and when we  
6 tried to put in for projects, and things that we see that needs to  
7 be done, there's -- there always seems to be a way that somebody  
8 brings up to say we can't do it for this reason or another, and  
9 we're at a point right now where we don't really know what to do.  
10 You know, we submitted our ideas as best we can. We have a limited  
11 amount of staff and support that we can bring forth to the Trustee  
12 Council. And, I know just recently a Trustee Council is trying to  
13 fix that, but I think the Native people are still at a loss as to  
14 how to bring their concerns to the Trustee Council for restoration.  
15 I think that needs a lot more work.

16 MS. FISCHER: Thank you, Chuck. Kim

17 MS. BENTON: My name is Kim Benton and I serve as  
18 alternate for the forest products industry representative for John  
19 Sturgeon. Our primary interest is a large one because of the large  
20 sum of money that has been spent and it will probably be spent on  
21 habitat acquisition and protection. The majority of lands held  
22 that are considered for protection and acquisition are private  
23 lands and timber, primarily Native private lands and timber, in --  
24 in -- throughout the spill area. There have been several  
25 acquisitions that have occurred and I'm sure several more, but I  
26 appreciate the opportunity, and I'm sure John appreciates the

1 opportunity to be involved on this process, to monitor that really  
2 important issue. Thank you.

3 MS. FISCHER: Thank you, Kim. Gerry.

4 MR. McCUNE: My name is Gerry McCune, I'm filling the  
5 commercial fishing seat, I'm a commercial fisherman out of Prince  
6 William Sound representing all the fishermen in the spill area. I  
7 think there's been a lot of good changes, the PAG has come a long  
8 ways, the Trustee Council has made some good changes, but along the  
9 way it's been real frustrating, I've got to agree with Chuck, in  
10 getting these changes, and also fighting for the research money in  
11 Prince William Sound was a real frustrating battle, since I was in  
12 the forefront of that battle. Although, I think that we're seeing  
13 some progress in different areas, and Jim Ayers brought a new light  
14 to the Trustee Council and direction, and so has Molly, and I think  
15 we're seeing a different direction in the way we're going. So, I  
16 hope -- we hope that in the future it's going to be better and  
17 smoother as we work through this process. And, the PAG should be  
18 a big factor in this, as we realize as we go along, I think, you  
19 know, we are the speaking public, so hopefully as we all learned in  
20 -- in two years here what we can say and what we can't say, and how  
21 we can go about it, so I think we've learned a lot and I think that  
22 we can be effective as -- as a public, but we need to be -- I think  
23 we need to be a little bit more vocal and keep moving.

24 MS. FISCHER: Okay, thank you, Gerry. Before we move on  
25 to Vern, I would like to introduce Gerry's alternate, who has set  
26 in on most of the meetings, Mary McBirney. Mary, would you please

1 identify yourself, tell a little bit about ...

2 MS. MCBIRNEY: I'm Mary McBirney and Jerry's alter ego on  
3 the PAG. But, until very recently I was also a resident of  
4 Cordova, although I have relocated to Anchorage, but still have a  
5 very deep interest in the process involved with the restoration of  
6 the spill impacted area. I was -- was a resident of Prince William  
7 Sound prior to the spill, worked for the legislature during the  
8 time of the spill for the senator representing Prince William  
9 Sound. So, working with the policy issues, the resource issues,  
10 and the restoration issues surrounding the Exxon Valdez oil spill  
11 has been very much a part of my life, since March 1989, and I  
12 anticipate that it will continue to be well into the future, and I  
13 have really enjoyed working with my colleagues on the PAG, and  
14 while it's been a rocky two years trying to get this group up and  
15 running, I sense that we're starting to reach a critical mass,  
16 where we're actually getting to a point where we're going to be  
17 productive. Personally, I feel that the next step that we need to  
18 take is to put together some very firm goals and objectives to  
19 outline our identity, which is still a little -- pretty vaporous at  
20 this point. We don't have a real clear direction and idea of who  
21 we are and what we and how we fit into the whole process. But,  
22 with the change in command with Jim Ayers and Director of  
23 Operations, McCammon, there is more of an emphasis that's being put  
24 on management by objectives and a critical path analysis for giving  
25 some direction to the process in general. And, we now have to put  
26 together a way that we're going to fit into that paradigm, and

1 that's going to be -- what I see as see as our next step.

2 MS. FISCHER: Thank you, Mary. Vern.

3 MR. McCORKLE: Thank you, I'm Vern McCorkle, a member of  
4 the public-at-large, and -- I guess, greetings of welcome to our  
5 visitors, we're really delighted to have you here, and you have  
6 heard in the previous speakers, a lot of folks express our -- I  
7 think our equal feelings, that we -- we really have been sort of  
8 groping in the dark. But, you mustn't get put off by that, because  
9 when you're suddenly given nine hundred million dollars to spend  
10 and only very limited goals as to what they are, and then you're  
11 invited to be a group comment on how those dollars are being spent,  
12 and the ecological problems that are being remedied, it takes  
13 awhile to get things in order, and it seems to be inexcusable to  
14 say it's taken two years to get to that point, but I think we all  
15 feel that it has taken awhile to do that. The OPA '90 and the  
16 organization of the Trustee Council was formed more out anger than  
17 enlightenment, and we're left then to deal with those rules and  
18 regulations and make things work, and I think we are doing that.  
19 I'm one of five people who represents the general public. All the  
20 other members of the group represent specific interest groups, and  
21 as a result there is a lot of shoulder rubbing there. And, that  
22 kind of process is very healthy to making sure that we consider all  
23 of the various facets of a problem. So, my background has been in  
24 the city management in Alaska. I spent a career doing that, and  
25 presently am managing director of a publishing company in Alaska.  
26 But, I think the -- the important thing that we are looking at now

1 is what is the ecosystem approach. And, I'm glad to know that  
2 you're going to be able to tell us. Your here from Washington to  
3 give us that new-found truth, so we'll be glad to hear that before  
4 you go. But, we really are switching horses a little bit here,  
5 maybe we're just getting -- riding two horses at once. Because  
6 we've got a lot of projects going, three or so hundred million  
7 dollars worth of projects going, and we want to make sure that  
8 there is enough money to complete that when it's all finished.  
9 And, so as a result of that, we -- the Public Advisory Group, is  
10 the group that brought to the Trustee Council the suggestion that  
11 we have a restoration reserve, and we not fritter away all these  
12 funds in the next few years. We have, in fact, been under -- not  
13 we, but the Trustee Council is under great pressure to spend all  
14 that money right away. And, as we have begun to reserve -- I mean,  
15 look at this program and process, we've decided that, well, maybe  
16 we should take it a little bit slower, but that doesn't wash well  
17 when you have species and environments that are still, not only  
18 endangered, but still not recovering. So, there is a need to  
19 operate with some speed. But, I think good skill and good process  
20 is what has brought us know to the new management approach that Mr.  
21 Ayers and Ms. McCammon have -- have brought, so I'm being also told  
22 to hurry on, so I will conclude and say thank you very much for  
23 being here.

24 MS. FISCHER: Thank you, Vern. John.

25 DR. FRENCH: I'm John French; I represent the science  
26 academic interests on the Public Advisory Group. Professionally,

1 I'm the Director of Fishery Industrial Technology Center, which is  
2 a technology based center of the University of Alaska, Fairbanks,  
3 School of Fisheries and Ocean Sciences, based in Kodiak. As such,  
4 one of the things we've been working on over the past five or ten  
5 years that may be of interest to you, is an attempt to co-locate  
6 and integrate the research activities at the University of Alaska,  
7 the National Marine Fisheries Service, and the Alaska Department of  
8 Fish and Game, in their fisheries activities in Kodiak. This  
9 recently resulted in the requirement study for a facility in  
10 Kodiak, and has resulted in some fairly substantial collaboration  
11 between the university and particularly the federal agencies and  
12 the National Marine Fisheries Service. We've done collaborative  
13 projects -- we actually co-locate and house the utilization  
14 research division of the National Marine Fisheries Service, and we  
15 certainly do a number of collaborative projects with Ray's (ph)  
16 division and otherwise. In terms of my position on the PAG and our  
17 perception on how things have been running, throughout the NRDA  
18 process and the settlement here, one of the things that we really  
19 felt was a weakness is the integration of the large scientific  
20 community outside of the Trustee agencies into the process. There  
21 are a number of good private researchers in the state, and there  
22 certainly a large body of research expertise within the University  
23 of Alaska. And, other than myself and a few indirect contacts,  
24 there's not been a real avenue for integration of these -- this  
25 research expertise into the process. Occasionally, it's worked in  
26 the past -- worked less well except in one particular set of



1 coastal habitat projects with the university and the NRDA part of  
2 the process, but recently with management -- the change in  
3 management structure that Molly alluded to, and the ecosystem shift  
4 that Bob Spies alluded to, there's been a much greater integration  
5 of university faculty members into the planning process, and if  
6 this continues and grows the way it looks like it is right now,  
7 there will probably be much more effective utilization. There's  
8 certainly -- much -- much greater university presence and influence  
9 on the existing projects in the current work plan that we're  
10 thinking of -- we're debating on at this point. But, if I was to  
11 redo the process, as Vern said, we've inherited a lot of rules, why  
12 one of the things that I think is really lacking in the current  
13 environmental regulations, is the ability to incorporate and  
14 integrate in expertise that's not in the actual agencies that are  
15 responsible for the resources. I recognize the legal  
16 responsibility and where the Trustee concept came from, but  
17 politics the way they are, the nature of scientific communities  
18 being the way they are, the whole process has tended to ignore a  
19 certain body of available expertise in doing that, and I'm not sure  
20 exactly in terms of statutory changes what I'd recommend, but I  
21 think that's an area that area that could be refined and expanded.

22 MS. FISCHER: Thank you, John. Jim.

23 MR. CLOUD: My name is Jim Cloud, and I represent the  
24 -- one of the five members representing the public-at-large. My  
25 background is in banking, and I bring a social and economic  
26 conscience to the group, probably. Right, Pam? I'd like to take

1 a moment -- everybody has commented on a lot of the frustrations  
2 that we experienced over the last year, but I'd like to introduce  
3 one of the chief public commentator to this group and other groups  
4 around town, Charles McKee. Charles, would you stand. Perhaps,  
5 you folks while you're in town would like to take Charles for an  
6 afternoon and explore some of the great ideas he's spent on us.

7 MS. FISCHER: Yeah, okay. Pam. Thank you, Jim.

8 MS. BRODIE: I'm Pam Brodie, I am the environmental  
9 representative on the Public Advisory Group, and I will amaze my  
10 colleagues by not saying anything else right now.

11 MS. FISCHER: Thank you, Pam. Rupert.

12 MR. ANDREWS: My name is Rupe Andrews, and I represent  
13 the sport hunting and sport fishing. A little bit about my  
14 background, I've worked for twenty-three years in the Department of  
15 Fish and Game. The last thirteen years I was Director of the Sport  
16 Fish Division. I'm also a member of the State Board of Forestry,  
17 and I sit on the Governor's Commission for Outdoor Recreation and  
18 Trails. Also, I worked for eight years as field representative for  
19 the National Rifle Association. I've spent my whole professional  
20 career well involved in outdoor recreation, hunting and shooting  
21 sports. I guess my main concern is that I think that there was a  
22 great amount of opportunities for recreation, particularly sport  
23 fishing and hunting that was lost in the Exxon Valdez spill, and  
24 I'd like to see those restored, if you will, to pre-spill levels.  
25 In the last year and a half, or almost two years now, I should say,  
26 I've seen this committee, and I'm very proud to work on this

1 committee, there's some very distinguished people here, and I see  
2 it mature, and I think the appointment of a Executive Director  
3 there's new synergy that's developed. I think we're reaching a  
4 maturation. I hope that we can continue to work together and serve  
5 together for the next two years. I think we've really got this  
6 thing working. Thank you.

7 MS. FISCHER: Thank you, Rupert. My name is Donna  
8 Fischer, and I'm a member -- I represent local government. I'm a  
9 member of the City Council in Valdez and a local business person in  
10 Valdez. I was born and raised in Palmer, my mother and my family,  
11 as Chuck probably too, we go back a few generations of family from  
12 Alaska. So, it really has -- this group has changed a lot since we  
13 started. I think we started with a lot of frustrations, not  
14 knowing what our role was, and I think now we're starting to take  
15 on an new role, and with the new director that we have, Jim Ayers,  
16 is giving us a little more direction. We voice our opinion and he  
17 really goes with it and works with it. We're integrating into  
18 different aspects of the work sessions that they're having now  
19 which is very important for the PAG members to be a part of what's  
20 going on so that we can have our input since we do represent the  
21 public. We are an advisory role and we recognize that, but we also  
22 have a responsibility that we feel has been mentioned today, to  
23 make sure that there's enough money for future generations on down  
24 the road that it's well taken care, that the Sound is always going  
25 to have something that can be done to it, and that there is a  
26 future, you know, for scientific work, or what have you. We've got

1 an excellent group of knowledgeable, respectable, distinguished  
2 people in this group, that I think all of us are proud to be a part  
3 of, and all of us are proud that it's a little bit of history, even  
4 though we are an advisory group, but we take that very serious, and  
5 we're very dedicated to what we do. And, thank you for coming, and  
6 I'm looking forward to ...

7 MR. PIPKIN: Would it be appropriate to ask a couple of  
8 questions of this group?

9 MS. FISCHER: Sure, you bet, go right ahead.

10 MR. PIPKIN: We're particularly interested in talking  
11 to this group and delighted to have the chance to be here because  
12 the whole problem of public participation in decision-making is  
13 very much at the heart of ecosystem management and what that means.  
14 And, we're -- we have seen in other sections of the country a real  
15 frustration with some of the legal impediments to doing that, and  
16 some of the institutional problems with doing that. And, I  
17 understand this group was -- is actually -- went through the  
18 chartering process under the Federal Advisory Committee Act, and --  
19 you know, that's difficult in a situation like -- difficult both  
20 because of -- of the procedures it requires you to go through and  
21 the difficulties of agreeing on what a balanced committee is. But,  
22 also difficult because the sort of essence of that is advice to  
23 federal decision-makers, and this is a different kind of situation  
24 where you have a Council that's set up that's half state  
25 representatives, half federal representatives, and you're only in  
26 part advising the federal people, you're really advising the

1 broader group, and this is a true state-federal collaboration  
2 that's really different from most of the other situations that  
3 we've been involved with. But, we've had situations, like in  
4 Washington and Oregon with work going on the federal forests  
5 located there, where last fall we set up a regional committee that  
6 included the federal regional representatives, advisors from the  
7 states of Oregon, Washington, California and tribal  
8 representatives, and then were told that that violated the Federal  
9 Advisory Committee Act. They're now going through the -- the FACA  
10 Charter. But, I guess the questions -- the one question I'd love  
11 anyone to address, is sort of the benefits of -- you mentioned the  
12 frustrations involved in not knowing exactly what the mission was  
13 and the fact that there is such a diversity of views as  
14 representative in this group, but I'd love somebody to talk about  
15 the benefits of doing it this way, as opposed to the normal way,  
16 which in the past has been public hearings and that kind of thing,  
17 and written submissions, but this kind of group where you all sit  
18 down and hear each other out and try to come to some resolution of  
19 differences, as a part of the advisory process of the -- to the  
20 decision-makers. Would anyone be willing to sort of expand on  
21 that, or address that issue?

22 MS. FISCHER: Well, one of things, I think we still do,  
23 we still do the public hearings, and we do take written, you know,  
24 information as well. Does anyone else have any input outside,  
25 Vern?

26 MR. McCORKLE: Gerry.

1 MS. FISCHER: Okay, Gerry.

2 MR. McCUNE: Thank you, Vern. I'm not sure what  
3 everybody else does, but I -- I'm in contact with Kodiak fishermen,  
4 Cook Inlet fishermen, and all the organizations over there, since  
5 I'm president of UFA also, which encompasses all the groups in the  
6 state, and I take the direct information back to Cordova and talk  
7 to anybody that wants to talk about this, which is now starting to  
8 come on line, and, you know, people are starting to get more  
9 interested since we got out -- when we first started here everyone  
10 was confused, and really didn't understand what was going on, but  
11 there's a lot of public members in my area, and in Kodiak, and Cook  
12 Inlet, that are really taking an interest, especially fishing  
13 leaders. So, we're seeing -- I think, we're seeing a lot more  
14 input now. And, the PAG was lagging behind because, if my memory  
15 serves me right, the Trustees were already in one cycle and we  
16 didn't get started, we got started late, I think it was six months  
17 or so. So, we didn't even get to say anything about the first  
18 cycle of projects and stuff, so it took quite a while to get off  
19 the ground, but I think we're off the ground now, and I think as a  
20 PAG member that the responsibility of everybody is to carry that  
21 message a little bit further, and as we see a recommendations from  
22 our committee, from Vern and Mary here was to try to have some  
23 meetings, public meetings in different areas, if possible. So, I  
24 think that would be well attended, myself, if we would get out  
25 beyond Anchorage because, you know, summertime is very busy. But,  
26 anyway, that's where I think we're -- I think we came a long ways,

1 and I think it's getting better.

2 MS. HUKE: May I ask a question about -- you said  
3 that you're starting -- fishermen are starting to take more  
4 interest. How are they, in particular cities, how are they showing  
5 that interest and how are they participating.

6 MR. McCUNE: Well, they pay attention to what the PAG  
7 says on projects, and then also key in -- you know, send the same  
8 information to the Trustees, so we've seen a lot more information,  
9 I think from fishermen, especially in projects in their areas, and  
10 what their interested in. And, also other categories too, so ...

11 MS. FISCHER: Vern. Oh, go ahead, Pam.

12 MS. BRODIE: I'd like to -- I think, clarify some  
13 things that we -- that have been said. The Trustee Council holds  
14 public hearings and has many forms for public comments. This body  
15 had not been holding hearings. We -- we are one form of public  
16 comments to the Trustee Council. They have direct communication  
17 from the public too. And, this group is not necessarily -- the  
18 advice of this group gets is often different from the comments that  
19 they get in public hearings and written testimony, and so then they  
20 balance those two factors.

21 MR. McCORKLE: May I.

22 MS. FISCHER: Yes, Vern.

23 MR. McCORKLE: Whether or not they are balanced, I think  
24 is a matter of Pam's opinion. She can (indiscernible) up several  
25 thousand people, whenever she needs to do that, but one of the  
26 things we have discovered, is that if you are treated cardiac

1 arrest, this is probably not the way to do it. But, what we have  
2 discovered is that by -- when we first came, we all had our  
3 individual constituencies and we were arguing from that point of  
4 view. It was sort of like species-specific kind of situation that  
5 we've been moving from, and now to a more ecological, systemic  
6 approach, and the result has been that we have also come much more  
7 appreciative of each others special points of view, and have tended  
8 to be a lot more kind and gentle, if that's a -- not over-used  
9 phrase, but we do see great progress coming as a result of -- of  
10 cooperation and appreciation for the special viewpoints of each of  
11 the members of the Public Advisory Group. So, I think that is  
12 something you might take back, is if you have time for the process,  
13 and really are interested in what diverging points of point say,  
14 and then how they can converge toward a project or a goal, this has  
15 been a good way to do it in my opinion. Thank you.

16 MS. FISCHER: James, do you want to reintroduce yourself  
17 to the -- our visitors that are here and tell a little bit, real,  
18 real short of what you do and who you represent.

19 MR. DIEHL: My name is Jim Diehl, I represent  
20 recreational users in Prince William Sound. I'm a member of the  
21 Board of -- the Board of Knik Canoers and Kayakers, which is a  
22 paddling club that exists throughout Alaska.

23 MS. FISCHER: Thank you. John.

24 DR. FRENCH: Yeah, well over the last year or so, I've  
25 been pretty much the only representative from the Kodiak area, and  
26 I think as Vern and Gerry said, the system is working mostly



1 because of the impetus that people have taken like Gerry and myself  
2 and some of the others, have taken in terms of trying to coordinate  
3 local interests, and their -- also their specific interests such as  
4 fishing for Gerry, some of the fishing people come to me too, but  
5 they probably come to Gerry also, the academic people. But, also  
6 in the Kodiak area, there's been kind of a coalescence of at least  
7 trying to feed information to me and get information about the  
8 process back from me to others. So, environmental community people  
9 come to me about favorite parcels of land they want to see  
10 acquired, academic people come to me at looking for advice as to  
11 what to put into projects and that kind of stuff. But, most of  
12 that's not in our Charter, it's working because -- mostly because  
13 the people in our communities are interested enough they're making  
14 it work. And, initially we tried to hold regional meetings, and we  
15 told by the Trustee Council we couldn't. I think that's why, part  
16 of why Pam was emphasizing the fact that we're not the ones holding  
17 public hearings. Our hands -- at least I felt our hands are  
18 somewhat tied in terms of our ability to integrate opinion for the  
19 Trustees. I guess that's a weakness in my perception, not a  
20 strength.

21 MS. FISCHER: Okay, Kim.

22 MS. BENTON: One of the greatest benefits -- you'd ask  
23 for a benefit, I think is that this group allows us to broaden our  
24 tunnel vision, if you will, lessens the us versus them. When this  
25 process started and we were trying to identify what interests  
26 groups should be represented on this Public Advisory Group, I have

1 a real clear memory in my mind of a meeting that was held at the  
2 library when one of the principal interests groups that's  
3 represented -- that tends to not be aligned with my principal  
4 interest group, stood and said I don't know what she's doing here  
5 and here principal interest does not belong. It's come a long way  
6 since then, and we've been able to work together, and I feel really  
7 positive about being able to bring back to my membership in the  
8 public interest group that I represent views from those sides and  
9 all sides. And, I think that's a great benefit of this Public  
10 Advisory Group and that way that it's worked. We don't always  
11 agree, we don't always reach consensus, but we always do have the  
12 ability to let the other people know what our interest groups are  
13 feeling and how the positions that we're coming from, and I think  
14 that's a great benefit.

15 MS. FISCHER: It's been an educational process that's  
16 for certain. James.

17 MR. KING: One of the things I noticed is the Trustee  
18 Council and the staff, all agency people, and agency administrators  
19 and professionals, and as you no doubt are aware, there's  
20 considerable -- I wouldn't say distrust, but concern about  
21 bureaucracy, and one of the things that we are seeing, and I think  
22 addressing, somewhat, is the tendency of the bureaucracy to bog  
23 down in its own rules. And, I feel like this group has the  
24 opportunity to say, hey, let's straighten these things out and get  
25 to where we want to be, and not eliminate part of the possibilities  
26 for -- because of bureaucratic procedures. So, I would see that as

1 a positive thing that this group can do, bring that little  
2 different point of view into the process.

3 MS. FISCHER: Thank you, James. Yes, Jim.

4 MR. CLOUD: I think we've talked about a lot of the  
5 same strengths of working together as sort of a micro-community  
6 here and trying to resolve problems and comment on the issues.  
7 And, one of the strengths that Molly pointed out yesterday, was  
8 that on the state side, we only have one council, one attorney  
9 representing the state, isn't that right Molly? Where on the  
10 federal side we had dozens, or close to that.

11 MS. FISCHER: Thank you, James.

12 MR. PIPKIN: Can I ask a follow-up question.  
13 Obviously, the situation that you're dealing with is extremely  
14 important, and a lot of public interest, a lot of money involved.  
15 Do you see this kind of process that's being used here, in the form  
16 of this advisory council, as applicable to other smaller  
17 situations. I mean, there are lots of ecosystems around the state  
18 of Alaska that involve a combination of interests that are --  
19 include federal, state, local and interests of a lot of private  
20 citizens. Do you see this kind of group, this kind of process as  
21 being useful in a variety of situations?

22 MS. FISCHER: Pam.

23 MR. CLOUD: Yes, I'd say -- I'm sorry.

24 MS. FISCHER: Go ahead.

25 MR. CLOUD: Yes, I'd say so, and there's a good  
26 example of it. Last fall the -- the Corps of Engineers and the EPA

1 held -- put together what's called the wetlands -- Alaska wet lands  
2 initiative, and it used a very similar process of -- they called  
3 them stakeholders, basically. People -- individuals representing  
4 certain interests that had a very -- much invested interested in  
5 how wetland regulations is applied to Alaska. And, that process of  
6 I think August through the end of the year, and into March, and for  
7 the most part it worked very well, and it worked sort of like the  
8 PAG worked, with a lot of fireworks initially, and then as they  
9 held more meetings in different parts of the state, all these  
10 people kept interacting with each other, and came to some very good  
11 advice for the federal regulators, which was later ignored in part,  
12 but, the process worked as far as the initiative participants.

13 MS. FISCHER: Pam.

14 MS. BRODIE: I think it can work, but there are a  
15 couple of things to bear in mind, and one is that is expensive.  
16 Especially, if you're in a place like this where travel is  
17 expensive and people are coming from all over the state. And,  
18 another thing is for good group process, the group shouldn't be too  
19 big. If everyone shows up at this meeting, it's seventeen people,  
20 which is, I think, unwieldy. It's rare that everyone does show up,  
21 which for the sake of group processes, this is a benefit. Probably  
22 eight to ten people, I think, would make a good work group.

23 MS. FISCHER: Okay, are there any -- yes.

24 MR. FURNACE: I have a question to ask of you. There's  
25 been a lot of money invested in conducting research and gathering  
26 data. Are you able to have access to some of that information,

1 other than just plain reports, are you -- do you have ways -- are  
2 people sharing -- those federal and state agencies sharing  
3 information with you in a way that you can use it in a timely  
4 manner.

5 MS. FISCHER: Okay, let's start with Kim.

6 MS. BENTON: I have a concern about this issue, and I'm  
7 glad that somebody raised that question. For -- as far as some of  
8 the scientific information, this is not just so much my problem as  
9 it is John Sturgeon's, so I'll speak for him on this. The  
10 president of -- the company that Sturgeon is president of is a  
11 private timber operator. They're not interested in selling or  
12 protecting through acquisitions any of their land, however, they  
13 have asked repeatedly for information sharing, as far as scientific  
14 information, habitat information, someone to come down on their  
15 operations and suggest ways that their methods could be altered, to  
16 protect species that have been injured by the spill. That's never  
17 been done. There hasn't been a whole lot of interest shown in it,  
18 and I think that that's a problem and that's an area that could  
19 definitely be improved.

20 MS. FISCHER: Vern.

21 MR. McCORKLE: Thank you, Madam Chairman. That's an  
22 excellent question. I, too, am glad that it came up. I think the  
23 report writers and the information creators are doing a wonderful  
24 job. I mean, I'm assuming they are by the volume of stuff I get  
25 just as a Public Advisory Group member. It's probably three or  
26 four times a year, it's maybe a stack of papers six or eight inches

1 high. Well, I image that happens every week for the Trustees and  
2 for other members of the staff. The problem I see is -- it goes to  
3 the heart of the question, I believe, how do we use this. I'm not  
4 sure we've found a way to do that yet. We have lots of  
5 information, and I'm in favor of creation of baseline data, in  
6 which we can't really do with this money. But, I wish we could  
7 find a way to devote a little bit of time to how that information  
8 is summarized and then given back to the public in a way it can  
9 use. There are probably various different kinds of the public, and  
10 they need different levels of sophistication. But, I know that if  
11 you go to the second floor, I think, of this building, it's about  
12 ready to fall through with literature and data and reports  
13 generated. And, I'd like to find someway for us to use that. I  
14 don't really have an answer.

15 MS. FISCHER: Before we go any further, I'd like to  
16 introduce our Chair of the PAG group, Mr. Phillips. He'll give a  
17 short identification of yourself, what you do Brad.

18 MR. PHILLIPS: I guess it depends on whether you talk to  
19 my wife or if you talk to me. She says I don't do very much.  
20 We're in commercial tourism, and we have been operating in Prince  
21 William Sound since 1958 with day cruise vessels, and I apologize  
22 for not having been here yesterday, but I had a conflict. I had to  
23 be in Seattle on a board meeting there, so I hope you'll accept the  
24 apologize. And, that's about all I do. I have more fun than  
25 anybody.

26 MS. FISCHER: Okay. These are the survey team, of the

1 task force that is appointed by Vice-President Gore that's here  
2 visiting with us. I don't know if you were aware that the team was  
3 coming up, or not.

4 MR. PHILLIPS: No.

5 MS. FISCHER: We just learned about this last week.  
6 They're going to be touring Prince William Sound.

7 MR. PHILLIPS: If they want to go first class, I know how  
8 they can do it. I'll talk with you afterwards.

9 MS. FISCHER: Are there any more questions. John.

10 DR. FRENCH: Well, this is a comment about -- about --  
11 especially about access to the scientific information. As Bob  
12 said, we -- we've used principal investigators from across the  
13 nation and peer reviewers from across the nation. In terms of a  
14 direct access to the people generating the information is not going  
15 to be feasible. I think Jim Ayers made the comment shortly after  
16 he started here, that he felt that you should be able to walk over  
17 into the information library, and if you're a member of the public  
18 and find out what the status of that resource is and he couldn't do  
19 it. But, I think he's made that one of his priorities is improving  
20 the information system in this -- the whole Trustee process and to  
21 make it more accessible to the public and user friendly. So, yeah,  
22 that is a current problem, I think everybody recognizes it. There  
23 is a volume of data there, as Vern said, it's there, if you work  
24 hard you can find it. But, hopefully we're going to make it  
25 better.

26 MR. PIPKIN: Let me ask one follow-up question that

1 relates to that and also to Bob Spies' initial comment about the  
2 legacy of the group. As Vern said, you're developing masses of  
3 information, and I guess my question has to do with, as you -- as  
4 you put it, the use of that information, and particularly guidance  
5 for decision-makers, whether they be state or federal, who have  
6 some jurisdictional responsibilities for resources. What do you  
7 see long term coming out of this in the sense of better informed  
8 decision-making, but decision-making that more takes into effect --  
9 into account the -- the characteristics of the ecosystem, as you've  
10 been exploring them?

11 DR. SPIES: Well, I think one of the challenges that  
12 we've had is that the -- we have six separate agencies involved  
13 here, and they all have their own methods of gathering data, their  
14 own methods of dealing with internal reports and report review, and  
15 so forth. And, when we first started into the oil spill  
16 investigations, it wasn't apparent that these systems are  
17 necessarily all be compatible with one another. And, this is an  
18 area that we -- we -- starting to deal with on a more responsible  
19 basis now. It's a tremendous challenge. We've got a study group  
20 now that's assigned this whole task of trying to look at how this  
21 information can be integrated on the most -- on the most technical  
22 and complex basis of just the raw information, and how it's  
23 processed, and where's it's stored and what kind of computers and  
24 systems can be -- can be used, and whether it makes sense to link  
25 it or not, all the way to the concept that John French was talking  
26 about where someone from the public can walk into that room next



1 door, sit down at a video screen and find out about -- information  
2 we have on harbor seals or harlequin ducks or pink salmon. And,  
3 there's every sort of stage between those two extremes as far as  
4 information management is concerned, and it's something we need to  
5 pay more attention to. We are starting to deal with it in a real  
6 way, but it's a very challenging problem with a lot of different  
7 aspects to it.

8 MR. McCORKLE: Madam Chairman.

9 MS. FISCHER: Yes.

10 MR. McCORKLE: A thought has come up in direct response  
11 to that question. Maybe the old idea of the lead agency is  
12 something that should be superimposed as a -- as a review for this  
13 -- what we have six lead agencies, and everything is done is  
14 sextuplicate times two or three. Maybe there needs to be above  
15 those six agencies another agency that is the lead agency, that is  
16 not in anyway invested with interests in the six departments. And,  
17 just sort of make sure that everything ends up at the same place,  
18 and requires coordination because the automatic veto situation is  
19 something that the Trustees have had to work through for a long  
20 time, and now we have some new Trustees and I suppose we're looking  
21 at some time to get that relationship established again, but the  
22 old established idea of the lead agency might be something that you  
23 might want to put in your report to reinventing government.

24 MS. FISCHER: I'm going to answer that a little bit, but  
25 I think that John and I found out at -- pretty much at this last  
26 meeting, basically that's kind of the direction that they're going

1 with the outside scientists, you know, saying to the lead agencies,  
2 no, this doesn't fit in that category. You know, and things like  
3 that. So, I think we do have a better balance than what we've had  
4 in previous years.

5 DR. SPIES: One of my primary responsibilities is to  
6 coordinate peer review and to bring outside experts in to the  
7 process, to give an independent view of -- of the technical merits  
8 of -- of proposals, to review reports. And, generally now with  
9 this new kind of ecosystem management ideas that are being brought  
10 to bear in this process to force more independent opinions about  
11 the total scope of the activities and whether their appropriate or  
12 not. I think that it adds something to the -- to the process in  
13 terms of complication, but I think it brings a tremendous amount in  
14 terms of credibility.

15 MS. FISCHER: I think so too, and I think we're going to  
16 see a lot of changes, and I think Dr. Spies and his group have just  
17 been excellent, and now that we have a new director with Jim Ayers  
18 taking it in the right direction, then it's going to go forward,  
19 and it's going to go forward and probably the process will work a  
20 lot better. Okay, are there anymore -- John.

21 DR. FRENCH: Speaking of lead agencies, this is a  
22 specific recommendation. One of the problems we've had is the  
23 federal procurement regulations not allowing agencies to compete on  
24 federal RFP's. If we change the statute to allow equal competition  
25 between private and other, you know, university scientists and so  
26 forth, in addition to the state and federal agencies, in other

1 words level the playing ground, that would really help a lot.

2 MS. FISCHER: Kim.

3 MR. BENTON: I think in terms of ideal world situation,  
4 which may never occur, but would be awfully nice to see, there is  
5 a high amount of money and time and expertise being developed and  
6 spent on identifying how to restore habitat, how to restore injured  
7 resources. If somehow, in my ideal world, that information could  
8 be shared or be made available to be applied to not just state and  
9 federal lands, but also to the private lands, whether it's Native  
10 landowners or just private landowners who are interested and have  
11 land in the spill-affected area. I think that for a very minimal  
12 cost, if that information could be shared, there could be  
13 restoration benefit. In my ideal world that's what I would like to  
14 see happen with all the research that is occurring, is that so  
15 somehow it could be shared and applied all across the lands, not  
16 just on state and federal.

17 MS. FISCHER: And, I think that's some of the direction  
18 that Jim Ayers is trying to get to too. Need to bring it back up.  
19 Okay, James.

20 MR. DIEHL: I've got something to add about what Mr.  
21 French said. I don't really see the problem as being the federal  
22 agencies competing with private people or the non-profits. I see  
23 it as a certain people in the federal agency are trying to garnish  
24 all the credit for what the non-profits have done, and, you know,  
25 I see the role of the federal agencies as being one of garnishing  
26 the information and then giving it out, and keeping track of it.

1 And, -- and certain people in these agencies have just used the  
2 process to, in my opinion, to just further their own reputation.

3 MS. FISCHER: Okay, thank you James. If there's no more  
4 questions than that, I'm going to suggest that we take a ten minute  
5 break. Okay.

6 MR. PIPKIN: We're very grateful. Thank you for  
7 letting us come.

8 (Off Record 9:46 a.m.)

9 (On Record 10:00 a.m.)

10 MS. FISCHER: Okay, I'm going to ask everyone to please  
11 take their seats. We want to get this meeting started. Please  
12 everyone take your seats, let's get going. We got a long meeting.  
13 We want to get out of here by noon. 11:30 I'm told.

14 (Aside comments)

15 MS. FISCHER: Okay, we're on the continued  
16 recommendations on the 1995 work plan, and Mr. Phillips, Brad  
17 Phillips has asked me just to continue on. On their any  
18 objections? Where did Doug go? Okay. We're on number -- we're on  
19 9:30 work plan. Where's a schedule from yesterday. Yes, number  
20 eight. I've got to find my deal here. Bob Spies will pick up  
21 where he left of yesterday then.

22 DR. SPIES: Molly and I would like to kind of share  
23 the duties this morning so we don't each get hoarse, but I'll talk  
24 about the monitoring program, and then Molly will then talk about  
25 the programs -- proposals in the area of general restoration  
26 projects. For the monitoring projects, the category one projects,

1 we've got fifteen projects in there totally -- that are proposed  
2 totally four point six million dollars. It's difficult to talk  
3 about these in any comprehensive sense except that we do have  
4 injured species out there that are not recovering, and it -- it's  
5 been our philosophy generally that we need to go out and monitor  
6 those to document recovery, and to see how the system is doing.  
7 One thing that we're trying to let go -- we're trying to get to in  
8 this process is to -- is to bring some sort of a -- a systematic  
9 statistical analysis of how often one has to go out there and  
10 monitor a population. Do you need to monitor every injured species  
11 every year, and this issue has been discussed, as you probably  
12 know, in the Trustee Council and in many places, quite often -- and  
13 we're in the process of now of requesting investigators and -- to  
14 -- to bring a kind of rigorous statistical approach to this thing.  
15 Well, here's to doing that, and our -- our statisticians have  
16 analyzed and told us you have to do a minimum of once every three  
17 years, or once every two years, or once every five years. Given --  
18 given the certainties in measuring the populations and how fast  
19 things might recover and so forth. Lot -- lot goes into it. It's  
20 unsure that that exercise is going to be complete in any sense for  
21 the '95 work plan. There's so much other goings -- so many other  
22 things going on, but we're -- I've got it -- we're underway in it,  
23 in initiating that process, anyhow. And, I think that's an  
24 important thing because often the public asks, you know, do we have  
25 to measure every injured resource every year. And, in a -- with a  
26 finite amount of resources available for scientific studies, and

1 this new emphasis on ecosystems studies, it seems to make sense.  
2 If you're going to put so much money into monitoring it, it takes  
3 away from the ecosystem studies that one has to reach some kind of  
4 a balance with these two aspects. Those are general comments I  
5 could make about monitoring. Let's just go right down the list of  
6 projects here. There in that table three in monitoring projects,  
7 and I'll just talk as we have before, just talk about category ones  
8 very briefly. 95007A is archeological site restoration - index  
9 site monitoring. 95013 is killer whale monitoring in Prince  
10 William Sound, this is proposed by Matkin. We had a very, very  
11 similar project 95092 submitted by NOAA, essentially very identical  
12 except Matkins is proposing to do a little bit more, to look at a  
13 few other pods including the transient AT pod, and so we're trying  
14 to resolve whether one or the other of these groups, or both of  
15 them should combine to do this sort of work, if it in fact needs to  
16 be done this year. 95026 is hydrocarbon monitoring. This is a  
17 proposal from the University of Alaska, Joan Braddock has done a  
18 lot their microbial work and she proposes to integrate the data on  
19 microbial and chemical sediment data that we've gathered under  
20 different projects and to put that together and integrate it and  
21 synthesize it and publish the information, fairly favorably review  
22 it as well. 95030 is productivity survey of bald eagles in Prince  
23 William Sound. This is one of two bald eagle proposals put in.  
24 This was considered to have a little bit more merit in terms of the  
25 overall restoration needs of the two proposals. 95030 is a common  
26 murre productivity. I'm on page -- yeah, there a number of

1 different tables, table three.

2 (Aside comments)

3 MR. PHILLIPS: How much clear cutting did we have to do  
4 to get these?

5 DR. SPIES: Your not the first one to ask. Sorry I  
6 had to buy all these trees -- use so much paper.

7 MS. FISCHER: Now, what number are you on again, I just  
8 found mine too.

9 DR. SPIES: Well, I just finished with 95030, so the  
10 last one on page one is 95039, is common murre productivity  
11 monitoring. 95048 is historical analysis of sockeye salmon growth,  
12 this is a new proposal by a private concern, Natural Resources  
13 Consultants, and their -- want to look at the scales that have been  
14 collected in the past from sockeye salmon program, Alaska  
15 Department of Fish and Game have, and look at the -- kind of the  
16 cycles of growth, and so forth, and get quick and more of a  
17 historical record of sockeye salmon runs in these injured systems  
18 on the Kenai. 95086 is the coastal habitat intertidal monitoring  
19 experiment design verification. Rated pretty high by the reviewers  
20 on the first pass. However, we felt some -- it had to be focused  
21 -- some of the objectives dropped and the -- the budget  
22 correspondingly reduced. A related project is 95086C is a Herring  
23 Bay monitoring and restoration studies. This program has been  
24 going on since the spill. It's an important work, but I think  
25 we're at the stage where we started to think about winding this  
26 down. It's important to complete what's going on, but there's some

1 question of whether we need to take undertake additional kinds of  
2 experiments. Most of the questions have been proposed, at least  
3 partially answered, although we haven't done a final synthesized  
4 report on Herring Bay monitoring restoration studies.

5 MS. FISCHER: Bob, I'm going to ask that anybody has any  
6 questions, that they just jump in him, just interrupt him ...

7 DR. SPIES: Sure, just interrupt me, please, yeah, I  
8 should have said that.

9 MS. FISCHER: ... so we can keep moving on, okay?

10 DR. SPIES: 95090 is mussel bed restoration and  
11 monitoring in Prince William Sound. This is dealing with the whole  
12 issue of the residual oil in the mussel beds and how we can clean  
13 the mussel beds and -- and how they're cleaning up themselves and  
14 how we can kind of help the process by cleaning up mussel beds.

15 MR. ANDREWS: Can I just ask a quick question?

16 MS. FISCHER: Sure.

17 MR. ANDREWS: Are these mussel beds still showing high  
18 levels of hydrocarbons?

19 DR. SPIES: Yes, some of them, yes, correct. I think  
20 there's probably thirty or forty of them now that have been  
21 identified with pretty high levels of oil underneath.

22 MR. ANDREWS: We're looking a really long period of  
23 time before they get rid of ...

24 DR. SPIES: It's hard to predict, I mean, it was a  
25 little bit surprising and to persisting to the way -- to the degree  
26 that they are. And, it's -- it's very difficult to measure how --



1 how much area is -- how much is shrinking within each area due to  
2 natural clean up. You get oil under a mussel bed, the natural  
3 cleansing process will eventually reduce that, but it's been  
4 surprisingly slow. And, it's particularly -- because it's so  
5 patchy in these areas, it's really difficult to get a sense of the  
6 overall area effect.

7 DR. FRENCH: Is the general restoration condition  
8 monitored?

9 DR. SPIES: Yes, it's a combination. So, it was put  
10 in here not necessarily arbitrarily, it could have gone in either  
11 one of those. 95092 is -- I mentioned the first killer whale  
12 proposal. This is a very similar one from NOAA. Also be important  
13 to try to do one or the other or combine them some how. 95106 is

14 MR. McCUNE: May I (indiscernible)

15 DR. SPIES: Sure.

16 MS. FISCHER: Go ahead, Gerry.

17 MR. McCUNE: I thought that -- that we had a ongoing  
18 program earlier on the returns of the -- the killer whales. I see  
19 this says new, but I thought that we had -- we already started some  
20 studies on what the -- especially in Prince William Sound.

21 DR. SPIES: Yeah, these are really extensions of  
22 what's gone on in the past, a little bit of -- I guess the  
23 ecological aspects of the killer whales are included in more than  
24 -- some other proposals, but, you're right, it's basically an  
25 extension of ongoing programs to monitor the (indiscernible -  
26 simultaneous talking.

1 MR. McCUNE: So, we'll be looking at probably  
2 condensing -- I see there's four or five proposals or something  
3 like that, if I remember right in here. (Indiscernible -  
4 simultaneous talking) studying the killer whale, so we'll be  
5 looking at maybe putting those two together or putting a lot of  
6 (indiscernible - simultaneous talking)

7 DR. SPIES: Possibly, right. We probably wouldn't  
8 fund them as proposed, yeah -- be some integration.

9 MR. McCUNE: Thank you.

10 DR. SPIES: 95106 is subtidal monitoring of eelgrass  
11 communities. If you recall, from some of the past presentations  
12 and some of the information that was in this overview of the spill  
13 in '94 that the eelgrass communities did suffer from -- apparently  
14 from the effects of the oil, and so this is follow-up on that -- on  
15 the recovery of those communities. 95166 is the herring natal  
16 habitats. This represents the work that's gone on since '89, but  
17 hasn't gone on for the last year or two. So, this is a re-  
18 initiation of some of the herring work. It provides basic  
19 information about the strengths of the run and the spawn  
20 deposition, surveys and so forth are done under this particular  
21 project.

22 MS. FISCHER: Bob, on this it says, need to clarify  
23 project cost and participation of project personnel. What is that  
24 relation to, I mean, why ...

25 DR. SPIES: That is a basic concern about the budget.  
26 Right now the budgets are not necessarily all that detailed. Do

1 you remember specifically anything more than than that Molly?

2 DR. FRENCH: Project needs a large amount of Mark  
3 Whillet (ph) time that seems to be committing about thirty months  
4 in the total projects.

5 DR. SPIES: I don't think Mark Whillet is in on this  
6 one.

7 MS. McCAMMON: No, but I think it's Evelyn Brown who also  
8 -- has a similarity in a lot of projects, and there was concern  
9 about the ability to actually go forward with that number of  
10 projects.

11 DR. SPIES: This is John Wilcox the PR, proposed PR.  
12 And, 95258 is sockeye salmon over escapement. Work has been going  
13 on.

14 MR. ANDREWS: I agree with the comments on this, but I  
15 look at nine hundred and eighty-three thousand, that's almost a  
16 million dollars. How are they going to expend that to restore  
17 sockeye under this project.

18 DR. SPIES: We hope to find out when our review  
19 session in early October.

20 MS. FISCHER: Since Rupert asked that, how can these be  
21 a one then if there's quite a bit of question on it.

22 DR. SPIES: That's based on a technical merit. Mainly  
23 we had three areas that we scored, then there's technical merit  
24 that went mostly into the -- into the category one, and -- and the  
25 response in this to the restoration program. Those two things had  
26 to be in there. The budget was a separate category, and we

1 haven't really dealt with the budget, per se, in the ranking  
2 process.

3 MS. FISCHER: Okay.

4 DR. SPIES: 95290 -- Oh, excuse me, Pam.

5 MS. BRODIE: The question came up yesterday about how  
6 these relate to future years budgets and you said, well, it's hard  
7 to tell without getting the information where to go next. But, I  
8 remain concern that why these projects are very expensive, and yet  
9 it doesn't say here what we can expect. A lot of these are follow-  
10 up on past experiments, and -- or studies. Is there anyway you can  
11 get us and the Trustees more of an impression of what they are  
12 committing to when they support a certain study in terms of future  
13 years?

14 DR. SPIES: Yeah, it kind of relates to my comments  
15 about the need to do these every year. We have to take the long  
16 view -- something like the murre, some of our experts think  
17 twenty, thirty, forty years to -- for the recovery of murre. To  
18 me, I don't think we need to go out there every year, I think we  
19 can probably do it every five years, and get a pretty good handle  
20 on how things are going to go over that long stretch. So, those  
21 kinds of questions and the -- particularly in the monitoring area,  
22 we'll dealing with right now -- important ones to answer in terms  
23 of the, you know the economy of the -- what's being done.

24 MS. FISCHER: Jerome, go ahead, please.

25 DR. MONTAGUE: Dr. Spies, Pam, I'd like to -- am I coming  
26 through several microphones here?

1           MR. CLOUD:       I think your tie is drowning out your  
2 microphone.

3           (Laughter)

4           DR. MONTAGUE:   I didn't expect one so quick, Jim.

5           MR. CLOUD:       Who am I to refer to a tie.

6           (Laughter)

7           MS. FISCHER:    Even the women like it.

8           DR. MONTAGUE:   Relative to your question about what is  
9 the project going to bring about. Again, I think it's important to  
10 relate back -- you know, the injury here, and we are, even if it's  
11 only have as bad as we thought it was, be a ninety percent  
12 reduction of the sockeye salmon returns in '95 and '96.

13          MS. BRODIE:     That was Rupe's question.

14          DR. MONTAGUE:   Well, but your question was, I assume,  
15 what's going to come out of it and why is it particularly  
16 important?

17          MS. BRODIE:     I wasn't actually focusing on that, but on  
18 all of it.

19          DR. MONTAGUE:   Oh, all of it.

20          MS. BRODIE:     But then -- anyway, appreciate the  
21 information.

22          MS. McCAMMON:   Madam Chair, just as a quick follow-up to  
23 that. When we come forward in October with the final  
24 recommendation, and when you get the final tables to look at, what  
25 we'll have is column that indicates whether this is a -- proposed  
26 to continue for three years, or five years, or once for the next,

1 you know, every five years for the next twenty to thirty years.  
2 We'll have a column that shows you. So, you'll have an idea of  
3 what kind of a tentative commitment you're making or recommending.

4 MS. BRODIE: Thank you, that's exactly what I was  
5 getting at, thank you.

6 MS. FISCHER: Want to continue on.

7 DR. SPIES: 95290 is hydrocarbon data analysis,  
8 interpretation, and database maintenance. This has been an  
9 extremely valuable in ongoing -- completing past studies and -- and  
10 providing information for ongoing studies that -- these hydrocarbon  
11 databases are -- they're very tricky to interpret and a lot of  
12 investigators have (indiscernible) areas, so that NOAA provides us  
13 this very excellent service for us, and it's got a very high rating  
14 for that reason. And the last of the category one projects in the  
15 monitoring areas is the harlequin duck recovery monitoring.  
16 Obviously, an injured species and we're -- we're looking at the  
17 reproduction of this species being inhibited in the western part of  
18 Prince William Sound, and still haven't got to the bottom of this  
19 one, but I think it's important to track the resource here. That  
20 completes the monitoring projects.

21 DR. FRENCH: Bob, can I ask you about one other  
22 category two project, namely the one at 95027 on the shorelines.  
23 I know that this one is important to a fair number of the village  
24 people in the Kodiak archipelago, I don't know for certain about  
25 other areas, but could you briefly address the reasons for a two on  
26 that?

1 DR. SPIES: This -- there is a real concern in these  
2 areas about the remaining oil, and this is a legitimate concern,  
3 this is a concern that the Trustee Council should be addressing.  
4 The problems we had with this -- this particular proposal that it  
5 didn't give a lot of technical information on how it was going to  
6 do it. It had a very expensive -- extensive vessel charter with a  
7 lot of personnel costs, and I think the thought was, by at least  
8 some reviewers that if you just chartered a float plane and went  
9 out to the communities and talked to them about what their concerns  
10 are and chartered a float plane and flew to these areas that were  
11 of some concern, areas where we had past data, we could do  
12 comparisons on ...

13 DR. FRENCH: So, the concern was more the specific  
14 (indiscernible - simultaneous talking).

15 DR. SPIES: It's the scope for the project -- yeah,  
16 there's a strong recognition that we need to address the concerns  
17 in the -- in the Kodiak and Alaska Peninsula area about the  
18 remaining oil.

19 MR. CLOUD: Sounds like a pretty good cruise  
20 (indiscernible).

21 (Aside comments)

22 DR. SPIES: Madam Chairman, do you want to move on to  
23 general restoration?

24 MS. FISCHER: Yes, let's move on. Now, what section on  
25 you in, Molly?

26 MS. McCAMMON: Table two, general restoration projects.

1 MS. FISCHER: Where's that at, back further?

2 MS. McCAMMON: It's right before monitoring, between  
3 research and monitoring, we're going a little out of order here.

4 MS. FISCHER: All the way down at the bottom.

5 MS. McCAMMON: Just to, again, kind of give you an  
6 overview. General restoration projects are those intended to aid  
7 in recovery or jump start recovery or in some way provide  
8 alternatives, resources, wild injured species are recovering. And,  
9 these in all honesty, are the ones that have caused us the most  
10 difficulty in terms of trying to have them accomplished. The  
11 majority of the projects from the public that have been submitted  
12 tend to be in this category of general restoration, and perhaps  
13 because the public doesn't have -- often have the benefit of the  
14 technical expertise that the agencies do, or whatever, a lot of the  
15 project proposals did suffer from a lack of technical merit.  
16 However, when we went through the review, we paid special attention  
17 that we didn't hold it against a project necessarily that lacked  
18 technical merit. We tried to focus on the concept and the idea,  
19 and often a project for technical merit might have received a  
20 category three, but we bumped it up because we believed that the  
21 concept deserved further attention, and we directed specific  
22 agencies often to follow through and try to work with the proposer  
23 and see if it could be made into a better project proposal. These  
24 were also the projects that caused the attorneys the most  
25 difficulty, and there seems to be this spectrum in terms of what  
26 qualifies under the terms of the settlement. There are those



1 projects that obviously qualify, there are those that obviously  
2 don't, and then there's this gray middle area that's very squishy.  
3 And, a lot of the general restoration projects tend to fall into  
4 that gray area that's very squishy. And, these were the projects  
5 that we had the attorneys focus their most -- most of their  
6 attention on early on so we could identify some of their potential  
7 legal concerns and see if now within the next two months we can try  
8 to address some of those. So, the ones that -- so, you notice that  
9 under general restoration these have by far the largest group of  
10 category four than any other -- any of the other tables or any of  
11 the other areas. Category one projects, I believe there are ten  
12 projects that received category one. The archeological site  
13 restoration, 007B, which was a continuation project from last year.  
14 The large-scale coded wire tagging of Prince William Sound herring,  
15 which is a new project, but received strong technical merit  
16 ratings. However, this will be reviewed in conjunction with all of  
17 the herring projects sometime in the next two months to see how it  
18 fits in and coordinates with all of the herring projects.

19 MS. FISCHER: Molly, I want to ask a question on when  
20 you do the coded tagging and things like, do you work with the  
21 different hatcheries in the area to do that, or does Fish and Game?  
22 Is that where you work with, or do you do your own?

23 MS. McCAMMON: Well, in the case of pink salmon, yes, the  
24 hatcheries tag the fish, and then the tags are recovered. In the  
25 cases of herring, those are wild stocks, they're not hatchery  
26 produced.

1 MS. FISCHER: Right, but, I mean, do you utilize the  
2 hatchery to help you with that, or does Fish and Game do it on  
3 their own, or get the fishermen?

4 MS. McCAMMON: For the herring project, I believe, I'm  
5 not sure. Are you familiar with this project? I believe it's a  
6 contractor that would net the herring and then do the tagging.

7 DR. MONTAGUE: Correct, I -- I mean it's not immediately  
8 apparent why the hatcheries would have any, you know, advantage or  
9 -- or particular assistance there except perhaps if the same tags  
10 are used, and I don't think it's the same kind of tags that are  
11 used on pink salmon. But, if it was then you could use the tagging  
12 machines from the hatcheries.

13 MS. FISCHER: Gerry.

14 MR. McCUNE: The hatcheries and the fishermen cooperate  
15 in the tagging programs. If the fishermen sees a tag fish, they  
16 try to get it to Fish and Game, and the hatcheries also, in their  
17 process of cost recovery, look for tags also.

18 MS. FISCHER: I guess the main question I'm trying to  
19 get at is are the people in Prince William Sound doing this? I  
20 mean, it's not contractors coming in from outside the Sound, or  
21 what, because it should be, I would think, the people in the Sound  
22 that are familiar with where to go and what to do there.

23 MR. McCUNE: Well, Fish and Game, Sam Shar (ph) runs  
24 the coded wire tagging program in Prince William Sound underneath  
25 Fish and Game so they can analyze the information and cipher  
26 through the information, so it's under the agency of Fish and Game

1 that runs it, the coded wire tag program.

2 MS. FISCHER: Thank you, Gerry.

3 MS. McCAMMON: I think that's a good point, Donna,  
4 though, and I'll make note of that, that when we review this  
5 project further, we should see about the opportunity of local hire.

6 MS. FISCHER: Yeah, because I think from Chenega all the  
7 way up into the Sound, these people, the ones that live there and  
8 know the Sound, they should be the ones first contracted.

9 DR. FRENCH: I've talked to several people about this  
10 herring coded wire tag, several processors, about the herring coded  
11 wire tag project, and although I think the objectives of it are  
12 important, there seems to me to be a very serious logistic problem  
13 in recovering the tags. Ninety-nine percent of the processors are  
14 sending out their fish whole, and that's their market, and their  
15 aren't going to be (indiscernible), and we're also going to lose  
16 that market. And, in that sense, the project is either going to  
17 have to set up readers in the processing plants, and allow for that  
18 in the budget, or it's not going to be able to recover those tags  
19 which are going to market, which are going to be a large percentage  
20 of the tags that are caught.

21 MS. McCAMMON: I think in the -- the notes for this  
22 project, you'll noticed it says the recovery of data needs further  
23 consideration. And, if you have some suggestions, John, on who we  
24 might contact to, or how we might go about doing that, I'd  
25 appreciate that.

26 DR. FRENCH: Well, Fish and Game can address the

1 question of whether they want to have a separate fishery for tag  
2 recovery. I mean, that's one possibility. The other possibility  
3 is going to have to be reading them at that point of processing,  
4 and again the department is going to have to address the budget for  
5 that. I'm not saying it's a bad project, I'm just saying, if  
6 that's what's done, it's going to be more expensive.

7 MS. FISCHER: Gerry.

8 MR. McCUNE: So, last time we did this through the --  
9 that's correct, we need to get the fish that goes through the  
10 processing plant, also. How we addressed that last time was we  
11 didn't have enough money to hire people to do it, so we got the  
12 processors to voluntarily put one person on to look for those tag  
13 fish as they come across the line. But, realistically, when you  
14 get into big volumes of fish, a million a day, especially pink  
15 salmon, when that does occur, you're going to provide in there to  
16 hire some people to go to all these different plants at some kind  
17 of random check, or least one at each plant that can look for those  
18 tags. Because that's where the bulk of fish are going to be this  
19 processor plants. As you miss them -- as you delivery -- they get  
20 on tenders and things like that.

21 MS. FISCHER: Thank you, Jerry. Jerome did you have  
22 anything to add to that?

23 DR. MONTAGUE: Well, I just wanted to say, yes, John,  
24 you're right. Future budgets will have to have people at the  
25 processing plants.

26 MR. CLOUD: At the risk of delaying too long, can you

1 just explain the process for a banker, and how you -- is this the  
2 same thing -- the same way that you do it with the salmon smolt?

3 DR. MONTAGUE: No, I think they're proposing a body, a  
4 tag that goes into the body, so it's not -- it's not placed near  
5 the brain, so it should have, you know, in some ways might be safer  
6 than the coded wire tags that are used for salmon.

7 MS. FISCHER: Okay.

8 MS. McCAMMON: Okay, moving on to 95052, community  
9 involvement and use of traditional knowledge. This project  
10 actually came about as a result of the workshop in April with all  
11 of the researchers. And, with the idea that the kind of  
12 information that we're gathering, you have a researcher goes into  
13 an area and is there for a couple of weeks, or, you know, a month  
14 or whatever, and then leaves. But the folks who live out in the  
15 region have a lot of knowledge that is -- they have that year round  
16 every year kind of knowledge that's also very important to the kind  
17 of work that's being done. And, this project intends to try to  
18 access the knowledge that local people have and bring it back to  
19 the researchers, so they can incorporate it into their data base  
20 and into their research. And, also, have the research information  
21 go back to the communities, and one of the things that we found  
22 through this process, is that the researchers go out and do their  
23 research, but that's it. The community never sees them again, they  
24 never hear from them, they have no idea what they found. Any kind  
25 of interesting information they might have gathered never goes back  
26 to them. So, the idea of this project -- project is to have a two-

1 way interaction.

2 DR. FRENCH: I'd just like to add this project and 279  
3 are very important projects to the villagers I've talked to in  
4 Kodiak. 279 and subsistence foods.

5 MS. McCAMMON: Okay.

6 MR. CLOUD: Isn't this also the same thing that Kim  
7 was talking about, as it might apply to private landowners and  
8 users?

9 MS. McCAMMON: It's a similar kind of thing of sharing  
10 knowledge back to people and assisting them and getting knowledge  
11 back. The assistance to private landholders is trying to do an  
12 effort to work with landholders on -- on things that they can do on  
13 private land to assist in restoration. Whether it's a different  
14 kind of timber harvesting technique, whether it's nesting boxes for  
15 marbled murrelets, whatever kind of activity. 115 sound waste  
16 management was a project proposal from the Prince William Sound  
17 Economic Development Council. This tentatively received high  
18 rankings from the review group, however it has not yet been  
19 reviewed by the attorneys and there have been some concerns  
20 expressed about whether it goes beyond the scope of the settlement.  
21 There are certain aspects of it that may be directly applied to the  
22 terms of settlement, but -- but it may go beyond, so that's being  
23 -- will be reviewed over the next two months. On the next page,  
24 131, clam restoration. This was proposed by Nanwalck and Port  
25 Graham Village Councils. This project was -- has potential if its  
26 successful in developing the culture techniques that is critical to

1 its success. And, based on the technical review of this project,  
2 it was the -- the tentative recommendation is to first try to work  
3 with the culture technique on a pilot project bases, and then  
4 before any long term commitment is made. In addition, it was felt  
5 that the benefits would be greatest if the project could restore  
6 injured clam beds as opposed to seeding and trying to start new  
7 clam areas or kind of artificial clam industry.

8 DR. FRENCH: Which clam species is this concentrating  
9 on?

10 DR. SPIES: Little neck.

11 MS. McCAMMON: I believe it's little neck.

12 MS. FISCHER: Rupert, go ahead.

13 MR. ANDREW: This also include -- going into say oyster  
14 culture, which is a new species, a new activity. A profitable one  
15 I'd like to have.

16 MS. McCAMMON: This particular project is clam  
17 restoration, but I believe that it depends -- I can't remember for  
18 sure, but I believe it depends on the potential use of the oyster  
19 hatcheries, I think that are -- as ...

20 DR. SPIES: There using some of the facilities in  
21 Seward.

22 MS. McCAMMON: ... some of the facilities in Seward.

23 DR. SPIES: ... to getting going on the (indiscernible  
24 - out of range of microphone).

25 MS. McCAMMON: 137, Prince William Sound salmon stock  
26 identification and monitoring studies. This is a continuation

1 project that's ongoing this year. 138, the elders/youth  
2 conference. The attorneys basically indicated that a conference  
3 like this may be possible under the terms of the settlement, if it  
4 was fairly narrowly restricted to focusing on the transfer of  
5 knowledge that would contribute to the recovery of injured natural  
6 resources, and, possibly facilitating the exchange of traditional  
7 knowledge between the community residents and agencies, scientific  
8 researcher. So, the Division of Subsistence is reworking that  
9 project.

10 MS. FISCHER: I want to ask a question here, couldn't  
11 that possibly go under community involvement -- use -- traditional  
12 knowledge then, I mean, couldn't that be tied in with that.

13 MS. McCAMMON: It could. The proposers asked that it be  
14 viewed separately and wanted it to be issued. The idea was to  
15 issue it as a contract to some private entity to actually bring  
16 about the conference and the proposers asked that it be done  
17 separately. But, it's very closely tied in with 452.

18 MS. FISCHER: I hope the peer group ...

19 MS. McCAMMON: And, I think it be critical that they be  
20 done in conjunction, if not (indiscernible - simultaneous talking).

21 MS. FISCHER: They should be and I hope the peer group  
22 really takes a good look at that, you know, and maybe tie them  
23 together.

24 McCAMMON: 244, seal and sea otter cooperative  
25 subsistence harvest assistance. This is a continuation project.  
26 It's received a lot of support from the communities, and it



1 received a very high ranking. 255, Kenai River sockeye  
2 restoration, again, is a continuation project. The ideas with all  
3 the other sockeye projects is to take all of them and do a focus in  
4 -- I think we're looking at the second week in October, looking at  
5 the entire sockeye program for monitoring, restoration and  
6 research. Look at them all together and -- and look at the budgets  
7 in detail and see if this was the direction that we wanted to ...

8 MS. FISCHER: Molly, I remember, John, do you remember  
9 -- I don't know, maybe you guys can answer it, I thought there was  
10 some question on the Kenai River sockeye that some of this had  
11 happened prior to the oil spill, like in the Glacier Bay or  
12 something, in '87. I know there was a lot of (indiscernible -  
13 simultaneous talking).

14 MS. McCAMMON: That's correct. The result of the injury  
15 of due to over escapement which started in '87 with the Glacier Bay  
16 oil spill, and then there was continued over escapement in '88, and  
17 then an additional over escapement in '89.

18 MS. FISCHER: So, it's not really related to spill.

19 MS. McCAMMON: I don't think -- the question this -- that  
20 issue of whether this is permissible under the terms of the  
21 settlement has already been reviewed and gone over and accepted.  
22 I think the question, in particular, the peer reviewers wanted to  
23 look at was the fact that this is a major commitment on the part of  
24 the Trustee Council, and we wanted to get some of the best sockeye  
25 people around, many of which are from British Columbia, from other  
26 areas outside of the state, just to look at the latest and best

1 information and data available on sockeye work, and to review the  
2 effort. There were a number of projects that received a category  
3 two ranking, and I think -- a special note are 024 and 069. These  
4 were projects that were proposed by -- by people within Prince  
5 William Sound to do a major effort on trying to enhance and  
6 rehabilitate wild stocks in Prince William Sound. The projects  
7 themselves had some problems and concerns on the part of technical  
8 merit. What was being proposed basically were egg boxes along  
9 streams within Prince William Sound. In the past, the past history  
10 with these has not always been successful because they are fairly  
11 high maintenance. You have to ensure that they don't freeze, and  
12 it's -- it generated some concern on the part of the peer  
13 reviewers. However, the concept of a major focus on trying to  
14 restore wild stock received a lot of support, and, we urged Fish  
15 and Game and others to work with these folks and other folks. I  
16 know the Prince William Sound Aquaculture Corporation has a major  
17 element of this included in their revised proposal, and that will  
18 be looked at real closely in the next two months.

19 MR. ANDREWS: I need to go back to the PWSAC proposal,  
20 which I think -- I didn't get a chance to read it, it looks very  
21 good to me.

22 MS. McCAMMON: It incorporates a lot of the concepts that  
23 were put forward in this.

24 MR. McCUNE: Yeah, this is the first time I've seen  
25 this here, so -- yeah, going back to the PWSAC proposal, I really  
26 -- I'm going to have to look at this here, but I don't want it to

1 be a bunch of little egg box projects everywhere else. The full  
2 blown prospect of PWSAC proposals is to enhance those wild stocks  
3 and then leave them alone. You get into egg boxes, like you just  
4 pointed out, you really have to have somebody maintain those all  
5 the way around -- to do them, and so -- yeah, I mean, we might have  
6 to roll some of this all together now that we have a better  
7 proposal on the table, if it's possible.

8 MR. ANDREWS: Well, the PWSAC proposal incorporates the  
9 study of more discrete management harvest which I think is the key  
10 to this thing. That's what I'd favor that one.

11 DR. FRENCH: But, we were supposed to discuss the PWSAC  
12 proposal yesterday, along with the -- the research projects, and we  
13 didn't do ...

14 MS. McCAMMON: We'll come to the PWSAC proposal in this  
15 stack here.

16 DR. FRENCH: Because I was just hoping we'd get an idea  
17 from Bob when some science review might be available.

18 MR. McCUNE: Can you just answer one quick question, I  
19 don't want hold you any longer, but is this just a proposal to put  
20 egg boxes in certain area in the Prince William Sound  
21 (indiscernible - simultaneous talking).

22 MS. McCAMMON: Well, the proposal itself is actually  
23 fairly vague, but that was one of the elements, and then to have  
24 local the people hired to go out and check on the egg boxes. But,  
25 there may be better ways of enhancing the wild stocks and working  
26 to rehabilitate the injured wild stocks so that the review group

1 strongly supported the concept of doing whatever it took to  
2 rehabilitate wild stocks. They weren't quite sure from the  
3 technical review that this was the best way of doing it. And, for  
4 that reason it got a category two rating. However, all of the  
5 reviewers and the staff here have agreed that that's something  
6 we're going to focus on in looking at what would be the best way of  
7 doing this . . .

8 MR. MCCUNE: I appreciate . . .

9 MS. MCCAMMON: . . . and come back in October with a --  
10 kind of a unified position on that.

11 MR. McCUNE: Great, thanks Molly.

12 MS. FISCHER: Yes, Jerome.

13 DR. MONTAGUE: Just a technical edition to your statement  
14 there, as well as the egg boxes it had net pens to, you know, feed  
15 the fry prior to release, so they were larger and possibly have  
16 greater survival than they would be under purely wild conditions.

17 MR. TOTEMOFF: I have a couple of questions.

18 MS. FISCHER: Yeah, Chuck.

19 MR. TOTEMOFF: The archaeological project levels funded  
20 in 194, what's the status on that? It was the one where they were  
21 supposed to go out and identify some more sites, potential sites  
22 for artifact depositories, planning and design project, I believe  
23 it was called.

24 MS. McCAMMON: Right, that proposal is -- or that project  
25 is still underway, and I believe the final report and the final  
26 recommendations will be coming probably in November or December, is

1 when that's anticipated. And, at that time we would take a look at  
2 the recommendations from that proposal and then act accordingly.

3 MR. TOTEMOFF: Do they anticipate talking to local  
4 communities about this project? Because I haven't heard anything  
5 on it so far.

6 MS. McCAMMON: You haven't been contacted by DNR by that  
7 at all? I'll check on that Chuck. I don't believe we have anybody  
8 from DNR here right now. We do have someone in the building. I  
9 can find out about that and get back to you right away.

10 MR. TOTEMOFF: Second question was, under general  
11 restoration here, I don't see anything for '95. It may be in  
12 category two, but do we anticipate doing any further general  
13 restoration as far as beach clean up, mussel beds and the other  
14 beach types? I know you got it in the monitoring.

15 MS. McCAMMON: Well -- right, actually Mark Broderon is  
16 here from DEC, so he could maybe speak to that directly.

17 MR. BRODERSON: We have a project that we're numbering 266  
18 at this point, it's a continuation of that beach clean up that was  
19 done in Prince William Sound this summer. That's an amalgamation  
20 of several projects. We're quickly putting together a brief  
21 project description for it to go out in the work plan. That is  
22 intended to look at various methods of cleaning some of the beaches  
23 that have not been responding to natural recovery. The ones that  
24 don't are actually the ones that are the hardest to clean, and  
25 we're looking for the possibility of cleaning three or four of  
26 them, or trying to clean three or four of them with innovative

1 technology or whatever, and trying to prove up on some of these  
2 methods, and then if they work and are cost effective, then  
3 expanding it out the year after. But, the first thing you have to  
4 do is figure out what works and what doesn't work. And, we're  
5 concerned that using the methods in '90 of going out with an  
6 excavator and just stirring the beach, although effective, is also  
7 somewhat harmful, and we'd like to see if there aren't some other  
8 alternatives to that before proposing to go ahead with something  
9 like that in the future. I guess that's kind of where that lies.  
10 It's being done here pretty rapidly, and it's sufficiently down the  
11 road that it wasn't even in your list in here, but it will be  
12 number 266. And, I anticipate it being in the work plan. We're --  
13 we're madly -- I'm going in and out of this meeting today because  
14 we're madly writing it upstairs as we speak. So, that's kind of  
15 the status of it. We're trying to get something in for next year  
16 in the work plan for public consideration, and the Trustee Council  
17 consideration.

18 MS. McCAMMON: What the proposal that Mark is talking  
19 about is in response to Project 95116 on page four, the restoration  
20 of intertidal oiled mussel beds by nondestructive  
21 manipulation/flushing with PES-51. The proposal -- this proposal  
22 actually is going to be re-ranked as a category four because of a  
23 legal and policy issue of using public funds to support a private  
24 product testing. But, there -- it's being rewritten into more of  
25 generic proposal, that Mark referred to, which would go out to RFP  
26 to try to test what is -- or at least make it on a competitive

1 basis as to what would be the best way of doing some of this clean  
2 up.

3 DR. FRENCH: While Marks is up, is anything being done  
4 on 027 on this shoreline assessment in trying to refocus that and  
5 get it more cost effective?

6 MR. BRODERSON: Yeah, we --we've -- we're in the process  
7 of rewriting that one also. I've switched from computer to  
8 computer trying to do that. We're going to cut down the number of  
9 sites we're looking at and try and do a representative sampling  
10 rather than a total comprehensive survey, and then if that shows us  
11 that we should still do the comprehensive survey, we will. If that  
12 shows us that we're in pretty good shape, we won't. Another couple  
13 of words on that one, that basically the boat charter is what's  
14 terribly expensive. We've been contacting Fish and Game, Fish and  
15 Wildlife Service, etcetera, trying to glome onto government vessels  
16 that are not necessarily in use to lower that cost of the charter.  
17 For next year, most of their boats are already in operation, so  
18 we're just trying to basically cut the size of the project, but at  
19 the same time make it worth doing. You cut it too much and it  
20 becomes not worth doing.

21 DR. FRENCH: Are you using an effort to try to utilize  
22 local knowledge in site selection?

23 MR. BRODERSON: Absolutely. And, the other thing that  
24 I've pressed my personnel people really, really hard. Initially,  
25 they told me we couldn't go out and hire people from the  
26 communities for like a week at time. What we really wanted to do

1 was on the assessment crew, was to have one person from DEC and  
2 then two people from the nearby local community to actually help us  
3 with the assessment, and we were initially told we couldn't do  
4 that, but I have a good personnel officer and she moved heaven and  
5 earth, and she's now figured out a way to do that, that we can  
6 actually go in and hire the folks from the communities to part --  
7 actually be a part of the crew for doing the actual assessments  
8 around each of the communities. So, that's the intent on that one.

9 MS. FISCHER: Vern.

10 MR. McCORKLE: That's very revealing information. We've  
11 been arguing about that for about two years, and I wonder if, now  
12 that you have found that way, if you could maybe give us a little  
13 report on that so we all know how that's possible, because we've  
14 been trying to find a way to involve local people where possible,  
15 and have run to that same kind of roadblock, and if there is a way  
16 to make it legal now, we'd certainly appreciate getting a heads-up  
17 on that one.

18 MR. BRODERSON: Well, it requires the cooperation of the  
19 governor's office, because you have to create exempt positions, and  
20 then that says the governor's office is hiring all kinds of people  
21 to then go out and do this work, and the governor gets the bad name  
22 and such for having such a huge staff, so we're having to try and  
23 work around that one, but that is the way to do it. And, we  
24 somehow have to give the governor's office cover to not make it  
25 look like they've tripled the size of their staff, when in  
26 actuality you're hiring people for a week to be able to help with



1 these local projects. But that's ...

2 MR. McCORKLE: Then we ought to be able to achieve that,  
3 you know, just through local press and cooperation back through  
4 local legislators.

5 MR. BRODERSON: We've got our fingers crossed.

6 MR. McCORKLE: Okay, well, I guess, what's the answer,  
7 yes or no, with respect to getting a report on it?

8 MR. BRODERSON: I just gave you the report on it.

9 (Laughter)

10 MR. McCORKLE: You can leave now, okay, all right, thank  
11 you.

12 MR. BRODERSON: That's efficiency in government.

13 (Aside comments)

14 MS. FISCHER: Pam.

15 MR. BRODERSON: Yeah, we want to advertise our  
16 (indiscernible)

17 MR. BRODERSON: And then, the --the other aspect to add to  
18 that is that if this anomaly then fails, we can then go into  
19 emergency procurement procedures with a straight face, and say,  
20 well, we planned to do it and it didn't work, so now we need  
21 emergency rules, and then we do it.

22 MS. FISCHER: Pam.

23 MS. BRODIE: Mr. Broderon, could you tell us about how  
24 many beaches still require clean up and how many mussel beds?

25 MR. BRODERSON: You're talking Prince William Sound or  
26 spill-wide?

1 MS. BRODIE: Spill-wide.

2 MR. BRODERSON: Well, spill-wide we don't know, that's why  
3 we want to go do the project now in Kodiak. The last look in  
4 Kodiak was in 1990. The Park Service has done some work on the  
5 shorelines along the national parks and refuges in the Kodiak area  
6 and Alaska Peninsula, and what they're finding there is the oil is  
7 much different in characteristics when it came ashore than it was  
8 in Prince William Sound. It's much more in the form of a mousse,  
9 which appears to be much more resistant to natural degradation than  
10 the oil that's in Prince William Sound. In Prince William Sound,  
11 we know of four particularly bad sites that just are not responding  
12 at all, and then it's -- there's a gradation out from there to  
13 beaches that are clean. In the '93 survey, we looked at fifty-  
14 eight sites that we figured would have oil on them, and low and  
15 behold all fifty-eight of them did, which tends to indicate that  
16 there's more out there. A lot of them are the kind of beach where  
17 there's ...

18 MS. BRODIE: Fifty-eight in Prince William Sound?

19 MR. BRODERSON: ... in Prince William Sound, yeah. But,  
20 there's better tracking in Prince William Sound than there's been  
21 in Kodiak, just pure and simple. A lot of these sites are with  
22 what we refer to as a bathtub ring, it's just a black stripe on the  
23 rocks, which you really can't deal with. But there are sites where  
24 you have a large cobble beach, or actually large boulders, well-  
25 armored, etcetera, where there's mousse-like oil underneath these  
26 boulders that if hot days, comes up, makes a big mess. It has not

1 been responding. What we did see on a lot of the beaches with  
2 subsurface oil is that the subsurface oil is disappearing fairly  
3 rapidly, but there -- as I say, there are a number, and four in  
4 particular that we're very concerned about that we think additional  
5 work needs to be done on, but we don't know how to do it without  
6 totally trashing the beaches, and we need to find out. We need  
7 some help with this, and that's what we hope to do with that  
8 project 266.

9 MS. BRODIE: What about mussel beds? How many of those  
10 are ...

11 MR. BRODERSON: We're cleaning a series of mussel beds  
12 this summer, and -- with the help of Chenega, and I'd like to say  
13 that project is going extremely well. We really appreciate  
14 Chenega's help on it. They've supplied us with some awfully good  
15 people to help with that. There's about twenty beds that we're  
16 working on this summer that if -- proved amenable to the technique  
17 that we developed for doing that. We know of sixteen more that the  
18 technique will not work on, the cobbles are too big and the mussels  
19 are too diffuse, they're not a heavy enough concentration, I guess.  
20 And, so we're concerned about destroying the mussel beds if we were  
21 to use the technique we were proposing, and if the methods -- if we  
22 could develop some methods on these three or four beaches that  
23 we're talking about, next year, then if they're cost effective, if  
24 they're environmentally beneficial, etcetera, we'd like to then try  
25 and apply that to these other mussel beds that we don't know how to  
26 deal with at this point.

1           MR. PHILLIPS: Could you briefly tell us the technique  
2 you're talking about, without taking up the whole ...?

3           MR. BRODERSON: Oh, the one we're doing this summer is  
4 where the mussels have created their own strata that they attach  
5 to, it's in fine grain sediments or pea gravel, or however you want  
6 to look at, and you just treat them like sod. You can just take  
7 them and peel them off like you can a lawn, put them off to the  
8 side, clean the sediments underneath -- yeah, clean the sediments  
9 with absorbent pads and throw them off to the side so you don't  
10 have a massive disposal cost, but clean sediments underneath, daub  
11 the mussels to get the oil off the mussels, put them back within a  
12 tide cycle, they're reestablished. It's working quite well.

13           MS. FISCHER: Okay, Rupert.

14           MS. BRODIE: I'm still ...

15           MS. FISCHER: Oh, I'm sorry, you're still going on.

16           MS. BRODIE: Twenty of them in Prince William Sound are  
17 being cleaned this summer, what is that costing?

18           MR. BRODERSON: This being joined up with another project,  
19 that is looking at removing the stable surface oil, wherever you  
20 have surface oil, it's stable, doesn't go away, so we're also  
21 dealing with that problem. And, I think between the two projects,  
22 we're looking at -- about three hundred thousand. Somewhere in the  
23 neighborhood. I don't have an exact figure on it.

24           MS. BRODIE: And how big is a mussel bed?

25           MR. BRODERSON: Some of the mussel beds are the size of  
26 this room, some of the mussel beds are the size of these tables.

1 They vary in size tremendously. We're trying to not muck with the  
2 mussel beds anymore than we absolutely have to, so sometimes you'll  
3 clean part of a mussel bed. Where the fringes of it are fairly  
4 clean you leave the fringes alone, and just clean the middle, that  
5 kind of routine. Initially, this project intended to clean more  
6 mussel beds, but then we actually went back out this spring, much  
7 to our surprise, several of them that have been just absolutely  
8 awful up through last fall were miraculously clean over the winter.  
9 And, then some of these other ones that we thought we weren't going  
10 to have to clean, suddenly had oil in them. So, it's a -- it was  
11 kind of an interesting -- interesting in that respect that --  
12 there's a certain overhead that's associated with the project that  
13 you -- you just can't do much about in terms of personnel and such  
14 to run them. So, the cost per bed is a little higher than we  
15 initially anticipated, but just because there are actually fewer  
16 beds to clean this time around.

17 MS. BRODIE: (Indiscernible - out of range of  
18 microphone) Fifteen thousand dollars per bed.

19 MR. BRODERSON: Roughly, yeah.

20 MS. FISCHER: Okay, Molly do you want to continue on?

21 MS. McCAMMON: Let's see, I think the rest of the  
22 category two projects, the Port Graham and Nanwalek subsistence  
23 baseline project, this is actually very similar to the old food  
24 safety subsistence -- food safety testing project. However, it's  
25 a much more intensive effort for those two communities. There were  
26 questions about the scope of the service because it was restricted

1 to two communities, and the price, a half a million dollars for a  
2 very small area. And, in that light we recommended it -- that the  
3 budget needs examinations, the scope of the service area needs to  
4 be examined and it's relationship to 279 needs to be examined.  
5 Let's see, 95133, the English Bay River sockeye salmon subsistence  
6 project. There were technical questions regarding the  
7 effectiveness of the proposed methods, the potential impact of  
8 competition and genetic impacts. There was also some question  
9 about -- because this project is currently underway, and being  
10 funded, there was a question about the -- there was a question  
11 about that funding source, and whether Trustee funding was actually  
12 needed, or whether the current funding situation was adequate.  
13 139B is the spawning channel for Port Dick Creek. The funding for  
14 this project was actually included in FY '94. There was an initial  
15 analysis of this project that -- as part of it's approval though,  
16 last year, the Trustees asked that the cost benefit ratio be  
17 analyzed before it actually go forward. It was decided at that  
18 time that it didn't have a very high cost benefit ratio and for  
19 that reason it was not acted upon this year. Funds were also  
20 reallocated to address the emergency herring situation in Prince  
21 William Sound. Since that time, we've had some discussion with  
22 Kenai, lower Cook Inlet commercial fishermen, and they believe  
23 that, since there are very few projects, restoration projects, that  
24 can be done for their reach and for the outer post area that was  
25 impacted, they asked that this project be reconsidered, that even  
26 though it may have a low cost benefit ratio, that if it's the only

1 project in -- and the only restoration activity that's possible,  
2 then maybe it should be reexamined in that light, and for that  
3 reason it's on here, and it's being looked at once again. And,  
4 then 279, the subsistence food safety testing. Last year, the  
5 Trustee Council had decided that last year -- last year of testing  
6 for safety of subsistence foods, which have basically through that  
7 testing project have deemed safe to eat. This project is strictly  
8 public outreach, communication, meetings in the communities,  
9 continuation of the subsistence newsletter. One of the things that  
10 we're looking at in the next two months is all of the public  
11 outreach community involvement efforts, we had our first meeting of  
12 all of the people kind of involved in these efforts. We're mostly  
13 concerned that we don't have a number of projects going out,  
14 meeting with the communities, and nobody talking together, no  
15 interaction, no coordination. And, possibly just duplication of  
16 services also when maybe a more coordinated effort would be more  
17 effective.

18 DR. FRENCH: I think some of the people I've talked to  
19 see this as kind of the opposite side of the use of traditional  
20 knowledge question. This is getting the scientific knowledge down  
21 to the point that the communities can use it more effectively, and  
22 obviously, they feel they have information that needs to be  
23 synthesized in such way the science -- the scientists can use it  
24 more effectively. So, yeah, it definitely needs to be coordinated,  
25 but I -- I think that at least the communities I deal with see them  
26 as kind of opposite side of the same coin.

1 MS. FISCHER: Okay, we need to keep moving. Oh, go ahead  
2 James.

3 MR. KING: You zinged over thirty-eight.

4 MS. McCAMMON: I beg your pardon.

5 MR. KING: ... the seabird symposium.

6 MS. McCAMMON: Oh, I'm sorry. The symposium on the prior  
7 page, page four, symposium on seabird restoration. This -- this  
8 project actually had a lot of support from the peer reviewers,  
9 although they were concerned that the proposal didn't call for any  
10 kind of publication of results or a proceeding brochure, or  
11 whatever, and there was some concern that perhaps this could be  
12 done as part of the regular seabird group annual meeting, that they  
13 could do it in conjunction with that, and either reduce costs or  
14 have them be the sponsor of it. But, as far as it's potential of  
15 value to restoration, it was actually ranked pretty high.

16 MR. KING: The seabird meeting this year is in San  
17 Diego, and going to deal with Sea of Cortez and, you know, it's  
18 cooperative with the Mexican people, and they do set these agendas  
19 several years ahead, so it might be several years before PSG could  
20 set up a meeting, say in Anchorage. But, the idea was to have this  
21 symposium in Anchorage because there are so many people in Alaska,  
22 as everywhere, that are involved with birds that are not agency  
23 scientists or people that have a way to attend national meetings.  
24 And, there are people in all the oil spill communities monitoring  
25 birds, these are amateur, self-trained people. Some of them have  
26 produced pretty good publications, and there's a lot of information



1 out there, and there's a lot of concern. I think, you know,  
2 everybody agreed that birds got it in the oil, but there hasn't  
3 been much agreement about how you compensate for that. Some of  
4 things I'm hearing is that -- kittlets murrelets, for instance, were  
5 not identified in the -- in the body check, and yet perhaps they  
6 were more involved than any other of the seabirds because their  
7 entire breeding range is essentially within the oil spill area.  
8 So, a few dozen -- or a few hundred birds, kittlets murrelets, might  
9 have been a -- you know, vastly higher proportion of that  
10 population than the hundred thousands of murres that were killed,  
11 and there's a guy in Juneau that's got a lot of information on  
12 kittlets murrelets and has been looking into this. Another area is,  
13 there was -- that I'm hearing people concerned about, this -- I  
14 think thirty-two species of shorebirds identified in Peterlieb's  
15 (ph) book on the birds of Prince William Sound. Peterlieb (ph) is  
16 a good example of what I'm talking about, he was a Prince William  
17 Sound commercial fisherman who wrote a book about the birds there,  
18 which is the -- standard work for that area -- was killed last  
19 year, so he wouldn't be able to attend. Thirty-two species  
20 identified as users in the area. Nine, I believe, that nest there,  
21 and five species that spend the winter there, the habitat they use  
22 is the intertidal habitat where a major portion of the oil wound  
23 up, and never really -- haven't talked to anybody about these  
24 shorebirds. We hear a little bit about black oystercatchers, but  
25 the other thirty-one species are -- haven't really got much  
26 consideration, so I'd like to speak in favor of this, and say that

1 -- if it's going to be done fairly soon, it should be done as a  
2 special meeting, I think, to append it as a symposium on a national  
3 meeting somewhere else, would defeat this thing somewhat, for the  
4 purpose of it as proposed. And, I suppose not mentioning  
5 publication possibilities was a deficiency in the proposal, but PSG  
6 she does have a record of publishing symposiums through the Cooper  
7 Ornithological Society, and they are developing an endowment to  
8 fund themselves to fund publication of symposium, so I'm sure that  
9 could be arranged.

10 MS. FISCHER: Okay, Molly.

11 MS. McCAMMON: Madam Chair, I can guaranty you that this  
12 probably would not receive much support from the Trustees if these  
13 symposium were to be held in Hawaii or San Diego. So, if it was to  
14 receive support it would have to be in Anchorage, or within the  
15 state. I think that covers the category two -- category three --  
16 I'm sorry, Jim.

17 MR. CLOUD: A general comment on the general  
18 restoration projects, I can't help but note that any projects for  
19 recreation or tourism enhancement are conspicuously missing from  
20 the category one. I haven't gone through the rest of them. I  
21 notice there are some scattered about in other categories.

22 MS. McCAMMON: They are almost uniformly within category  
23 four here, and the main concern that was raised by -- and we have  
24 these specifically looked at by the attorneys because we know that  
25 they have raised concerns in the past. The main concern that was  
26 identified that even though the settlement includes restoration of

1 services that depend upon the natural resources injured by the  
2 spill, it's a question of whether the project is proposing to  
3 restore the service by restoring those resources, and how strong  
4 that connection is between the project proposal and the resources,  
5 and then the projects proposed, the one that was -- believed to  
6 have the most merit or seemed to fit that legal analysis the most  
7 was 95080, Fleming Spit recreation area enhancements. Because  
8 Fleming Spit was injured by the spill directly, by use by clean up  
9 workers, it was specifically mentioned as a specific example of  
10 damage to recreation with the Draft Restoration Plan. But in terms  
11 of passing legal review and getting six votes in the final  
12 analysis, that probably is the only one of these particular  
13 proposals that has a possibility of funding through this source.  
14 All of these proposals have been turned over to the recreation  
15 planning project that the state has currently underway through its  
16 criminal funding, and these project proposals are all being  
17 considered through that process. A number of the subsistence  
18 proposals are also within category four. Some of the legal  
19 questions that were raised probably are fatal in terms of getting  
20 funding through the civil settlement, some of them are not, and  
21 possibly can be addressed by providing more information and perhaps  
22 restructuring a project. These proposals also have been turned  
23 over to the subsistence planning project for looking at, for  
24 possible funding through the criminal settlement. But all of  
25 these, in terms of the issues that have been raised, are ones that  
26 the lead agency will be working with proposers to see if they are

1 possible to address those issues in the next two months. So, I  
2 would anticipate that a number of these category fours may end up  
3 being in the final recommendations from the Executive Director, and  
4 actually be before the Trustee Council for possible action in  
5 October. And, I don't know, in the interest of time, I don't know  
6 if you want to go through each one, or just ask questions about  
7 specific ones.

8 MR. WILLIAMS: I just have a general observation on some  
9 of these. It appears there are more economic development related,  
10 and I think that's fine because, you know, you want to rebuild the  
11 economy from the damage, that's part of the restoration. But, it  
12 seems to me that, instead of just having -- now, I don't know what  
13 your procedure is, instead of just handing these to the lawyers and  
14 have them review them and say this doesn't fit, and this does fit,  
15 I think, in dealing with lawyers, you have to tell them, how do we  
16 do it, and maybe it's going to mean a revision of, say, policy to  
17 create an economic development fund, or a loan-type deal through  
18 this thing, where the settlement funds could go into a loan program  
19 administered by a bank or Small Business Administration, and then  
20 the money would come back, because you don't want to lose the money  
21 because your assuming some day the place is going to be restored,  
22 that means the economy is restored, and then the people get the  
23 money back. It's the same way with this buying limited entry fish  
24 permits. I don't -- that means a lot more work, but one idea on it  
25 is, the idea is to reduce the impact on the fish runs, to give them  
26 a chance to come back. If that's the case, then the Trustee

1 Council should have possession of those permits, so when the fish  
2 runs are back, they can turn around and auction them off again,  
3 sell them back to the fishermen. And, maybe you want to have some  
4 lawyers look at the idea of looking at these economic factors.  
5 It's the same way with our reserve account. Instead of giving them  
6 why we want to have a reserve account, and they come back and say  
7 no, tell them this is what we want to do, this is our eventual  
8 goal, how do we accomplish it. And, then they'll tell you whether  
9 or not we need to amend something, maybe go back to court with  
10 Exxon and the state and amend the court order. But, I think the  
11 goals should be, if these are things we want to do, let's find out  
12 how we can do them legally. And, on the other thing, I have no  
13 objection to economic development or the other programs as long as  
14 they're open to everybody and we have a plan, and that's it. It  
15 isn't just handing out money.

16 MS. McCAMMON: Well, I think probably the attorneys might  
17 be the better ones to answer some of these questions, but as a  
18 general rule, the way the state addresses issues, is that if it's  
19 not prohibited in statute, basically it's deemed permissible. The  
20 federal agencies, or the federal attorneys operate from a different  
21 perspective. If it's not specifically indicated in statute or  
22 regulations that you can do something, then you can't. And, I  
23 think that's why you have these massive volumes of federal laws and  
24 regulations that fill up rooms, and rooms, and rooms. But, it's a  
25 very different attitude towards laws and regulations. And, the way  
26 we're dealing that, basically we have to follow both federal and

1 state laws. It means the Trustee Council and everything it wants  
2 to do is subject to the most specific, the most, if you want to  
3 call it, consider it onerous, or whatever, interpretation of these  
4 things. The other thing that I think we also have to keep  
5 constantly being reminded of is that this settlement was based on  
6 the injuries to the natural resources owned by the public. It was  
7 not a settlement of the case of private individuals who suffered  
8 damages from the spill. And, unfortunately, or fortunately, this  
9 one was settled a lot earlier, and the other one is just in the  
10 process of the court case now, and who knows how long the final  
11 settlement of that one will be. But, even the state attorneys keep  
12 coming back to the fact that this is not an economic development  
13 settlement, this is a settlement of damage to the resources.

14 MR. WILLIAMS: That answers -- that answers the  
15 (indiscernible) then just throw all those economic developments  
16 out.

17 MS. McCAMMON: Unless you can -- I mean, when we've  
18 looked at a number of these projects, it seems like the primary  
19 purpose of some of these, especially some of the mariculture  
20 projects and some of the enhancement efforts is to provide an  
21 economic benefit, and for that purpose, that project is not  
22 permissible. It may be a side benefit, if the primary purpose, for  
23 example, the Chenega remote release, the concept there is to take  
24 the pressure off of damaged resources to allow them to recover by  
25 having an alternative fishery. But, the primary purpose is to let  
26 the injured resource recover, not to allow fishermen to have a

1 fishery and make more money, you know whatever. Some of the clam  
2 restoration and the oyster projects have a similar kind of problem  
3 when the primary focus is an economic development project, and  
4 maybe a side benefit is some benefit or use, and what we're trying  
5 to focus on is, is there a way of looking at some of those projects  
6 -- is there -- can there primary focus be restoration of an injured  
7 resource. Can you actually focus on that part of it, and then as  
8 a side benefit, perhaps have a economic development. But that's  
9 what we're trying to look at with these projects.

10 MS. FISCHER: Chuck.

11 MR. TOTEMOFF: The second part of the definition of the  
12 settlement agreement involves lost or diminished services, does  
13 that -- or the imposition of the programs of less or diminished  
14 services.

15 MS. McCAMMON: That's correct, and the addition of  
16 service is where the attorneys really get into the battle, and, you  
17 know, to be real honest about it there's a difference in opinions  
18 between the state and the federal on that, and even amongst -- I  
19 think amongst some of the federal attorneys, there's a difference  
20 of opinion.

21 MR. TOTEMOFF: It's the same argument that habitat  
22 acquisition has, you know, it's the acquisition of a public  
23 resources or services, and that's what a lot of these projects that  
24 you're grouping in category four -- that's what they mean to me, is  
25 they're either alternate ways or replacement of these services or  
26 resources. It's the same meaning to me.

1 MS. McCAMMON: When we look through these projects, we  
2 tried to, especially the fisheries one, look really carefully at  
3 what were they replacing, what were they, or proposing to be an  
4 alternative for, was this a long term alternative, was it to allow  
5 some other area to recover, and those kinds of things were included  
6 in the review. A lot of these projects are -- they're still open.  
7 This was just a very preliminary identification of the potential  
8 legal problems.

9 MR. FISCHER: Okay, Gerry, we need to, you know, try to  
10 keep moving so we can try and get finished, but go ahead and ask.  
11 Keep it short.

12 MR. McCUNE: Yeah, this is very preliminary like on  
13 project 95259 Coghill Lake sockeye. It says restoration of sockeye  
14 is considered a replacement resource for commercial fishing in  
15 Prince William Sound. It's one of the biggest -- was one of the  
16 biggest sport fishing areas around in Prince William Sound. It's  
17 the biggest lake system -- sockeye system in the whole thing. We  
18 can probably go through that when we get to that sockeye program.

19 MS. McCAMMON: Coghill Lake was not injured by the spill,  
20 so it is considered a replacement project. The reason this project  
21 got categorized as a three, and there was a lot of debate, and  
22 still is on this particular project getting a category three, and  
23 I can tell you that a lot of the agencies don't agree with this,  
24 but the concern was -- and Bob Spies might want to address this  
25 directly -- was the questions about the technical feasibility of  
26 the current procedure in attempting to rehabilitate the lake. This



1 is an effort that the peer reviewers have some major concerns that  
2 it really is the right technique, and the idea by giving it a  
3 category three was to highlight that concern. This will be part of  
4 the sockeye review session, and the idea is to have some of these  
5 sockeye experts work with Fish and Game and with Bob Spies and the  
6 peer reviewers on this, and see if this -- if it's wise to continue  
7 on this path, or whether now is the time to step back, regroup and  
8 think if there may be a better approach.

9 MR. McCUNE: I -- I just want to make a point though,  
10 that sports fishing was closed there this year too.

11 MS. McCAMMON: Yes, it's a disaster.

12 DR. FRENCH: Yeah, I guess we're into category five.  
13 I notice the only reference to the Seward project is on the close-  
14 out on the EIS. I assume after the final EIS is published, we will  
15 see development of an additional project and an incremental request  
16 for funding?

17 MS. McCAMMON: That's correct, Madam Chair, it's  
18 anticipated that at the September meeting there will be a report to  
19 the Trustees at that time, the project was approved pending  
20 completion of NEPA and an analysis of what portions of it might be  
21 legally permissible under the terms of the settlement, and I  
22 believe we're looking at the end of September for a report back on  
23 all of this aspect.

24 DR. FRENCH: So, at least tentatively we're still  
25 looking at funding this -- this cycle, or at least incremental  
26 funding?

1 MS. McCAMMON: Yes.

2 MS. FISCHER: Okay, where are we at now?

3 MR. ANDREWS: I think Molly is going to discuss the  
4 PWSAC projects at some point.

5 MS. McCAMMON: Maybe just a brief comment about this.  
6 The PWSAC, that's on page ten, it's 95093. PWSAC came in with a  
7 proposal for two point two million, and basically asked for Trustee  
8 support to supplement the operating cost for the hatchery. Last  
9 year, the Trustees did fund -- did purchase fry from the hatchery  
10 in order to conduct research within Prince William Sound. That is  
11 not proposed for this year. This is a project that proposes  
12 basically subsidizing PWSAC operations. That project raised a  
13 number of legal issues. Basically, the attorneys have said that  
14 they can't really determine if it's legally permissible because  
15 they don't know if hatchery operations are actually environmentally  
16 beneficial or not, and what kind of impacts they have on the wild  
17 stocks. And, what they have said is that the only way they can  
18 really determine if it is legally permissible is if it goes through  
19 a full blown EIS process. There is an EIS process already underway  
20 for the Main Bay hatchery expansion, which is a PWSAC hatchery.  
21 That process is, I believe, in its third year, and the EIS is  
22 currently under appeal. So, it's definitely a long term process.  
23 If you were to go under it through an EIS for this proposal, you're  
24 looking at funding way down the road, possibly it would not provide  
25 any short-term relief. As a result of that kind of preliminary  
26 analysis, PWSAC has gone back and intends to withdraw this proposal

1 and replace it with the one that was submitted to you yesterday,  
2 with the intent of addressing some of the initial concerns that  
3 were raised.

4 MR. ANDREWS: Just a quick comment.

5 MS. FISCHER: Sure.

6 MR. ANDREWS: You know, in the permitting process for  
7 hatcheries, it goes through an extensive review of stock separation  
8 in the harvest area, and I don't know if the attorneys are aware of  
9 that, but it's -- it's kind of a state EIS, if I can use that term  
10 loosely, but that's one of the major considerations of the --  
11 permitting process is stock separation for harvesting.

12 MS. McCAMMON: That's correct, Mr. Andrews, and as a  
13 matter of fact for the hatchery project this past year, they used  
14 most of the materials that was generated through that permitting  
15 process as the basis for writing an environmental analysis, and  
16 they were granted an environmental analysis on that basis.  
17 However, all of that material is used in the Main Bay EIS, and it's  
18 basically under appeal, and it's a long process.

19 MS. FISCHER: Okay.

20 MR. McCUNE: I just have one more to say ...

21 MS. FISCHER: One more, Gerry, real quick.

22 MR. McCUNE: What -- we're also under a strict genetic  
23 code also now, that's came into place. So, one thing I've notices  
24 so -- it's very frustrating that everything that says hatchery down  
25 here has legal review. So, hopefully this new proposal which was  
26 two years I've worked on getting it in the making, just because it

1 has PWSAC on it, I hope they just don't put a rubber stamp on this  
2 that says legal review, and they go further in the proposal aimed  
3 at wild stocks, just because the hatchery instituted the project.  
4 I just don't want -- you know, I notice everyone of these, any  
5 hatchery mentioned gets the little stamp on it. So, I just want  
6 (indiscernible - simultaneous talking).

7 MS. FISCHER: Good point.

8 DR. FRENCH: I'd like to request that we get any legal  
9 and scientific opinions as soon as they're available.

10 MR. CLOUD: In writing.

11 MS. McCAMMON: Well, I have yet to see a legal review in  
12 writing that says for public release.

13 DR. FRENCH: Could you -- could you at least inform us  
14 of a summary thereof, and Bob of the peer review's recommendation.

15 DR. SPIES: On the PWSAC proposal?

16 DR. FRENCH: On -- on the one that Dan Hull presented  
17 to us yesterday, yes, the replacement proposal.

18 DR. SPIES: It's definitely going to be peer reviewed.

19 DR. FRENCH: Oh, yeah, I knew it would be -- Molly, I  
20 guess get them to -- or whoever, get them to us as -- when their  
21 available.

22 MS. McCAMMON: Yeah,

23 MS. FISCHER: Okay, let's move on. And we don't want to  
24 lose Jim, so we've got to hurry.

25 MS. McCAMMON: Okay, any other questions on general  
26 restoration projects in particular. Now, these, you know, all of

1 these projects are still -- there's still alive, I think, and I  
2 think they will all be referred to in the Draft Work Plan. They  
3 will all go out in some fashion in the Draft Work Plan, so they're  
4 still under review and will be coming back before you. Okay, if  
5 there aren't any questions on that, we could go to table four which  
6 is habitat protection and acquisition projects, and we can go  
7 through these real quickly. Category one, 95126 is habitat  
8 protection and acquisition support. This is a continuation of the  
9 current project. Basically, this supports all of the -- the  
10 appraisals, the legal reviews, the title searches, all of the kind  
11 of technical support that's actually needed to -- to have an  
12 acquisition actually come about. A significant amount of this  
13 money will not be needed if the current schedule of proposed  
14 acquisition is met, where a number of the acquisitions actually  
15 come for some kind of action in October.

16 MS. FISCHER: Kim.

17 MS. BENTON: I just have a question on this -- does any  
18 of this money go toward general administration activities that ...

19 MS. McCAMMON: Such as?

20 MS. BENTON: I'm just trying to, I'm skipping ahead a  
21 little bit on the administrative budget part, but there's three  
22 point five million scheduled for an administrative budget, and then  
23 there's another million and a half here for administering the  
24 habitat protection and acquisition. So, there's not a duplication?

25 MS. McCAMMON: No, there's not. Most of the money here  
26 goes -- I'd say over half of it goes out to contractors who do the

1 appraisals and timber cruises, and those things, and this is for  
2 the actual support that lies within the agencies that are involved  
3 in actual acquisition. It doesn't really fund support here in this  
4 office.

5 MS. BENTON: Thank you.

6 MS. McCAMMON: 95505B, data analysis for steam habitat,  
7 it completes the data analysis for existing stream habitat data  
8 base. It's a very cheap project. Category two, I think the --  
9 probably a major interest to folks here would be 9505A. This  
10 project was actually developed as a result of discussions between  
11 the Executive Director and some of the private landholders and John  
12 Sturgeon at Koncor. The reason it received a category two instead  
13 of a category one was that there was some concern about the cost of  
14 the project for a first effort, and the Executive Director wanted  
15 to have some more discussions with private landowners, and  
16 determine if this was really the approach, and -- that they wanted  
17 to be taking and would be most -- of most assistance to them, and  
18 whether it could be more modestly scaled to start with, and then  
19 determine it's effectiveness, and then perhaps increase later.

20 MS. BENTON: Have there been any discussions with the  
21 proposers about reducing that budget or modifying that budget. I  
22 know the discussions that I've had with the private landowners  
23 about that figure, and I knew that that was a concern. The  
24 response that I got was that they have no idea how much it would  
25 cost, that seemed like an awfully high budget to them. They were  
26 just looking at some information sharing, and then if there were

1 any specific projects to be funded, they would be funded at a later  
2 date, after some, just general stuff was done, maybe visiting and  
3 information sharing, that wouldn't be very expensive, and I'd hate  
4 to see the project go down, or have some problems because of the  
5 high budget that I'm sure the landowners didn't ask for.

6 MS. McCAMMON: I think we'd be very interested in meeting  
7 with people in trying to resolve that in the next month. On the  
8 next page, page two, I think the only one here of major interest  
9 would be 95110, closeout, which is in category five. This actually  
10 closes out the existing habitat protection and acquisition project,  
11 which is the planning effort. This completes -- would complete the  
12 small parcel acquisition effort. This summer the staff here went  
13 out for a major advertising effort for small parcels which are  
14 under one thousand acres, and received back somewhere in the  
15 neighborhood of two to three hundred submissions as possible  
16 acquisitions. Those are being, going through threshold review now,  
17 and then will be looked at in more detail and will possibly come --  
18 and will be released to the public for their comment, and then  
19 possibly come before the Trustee Counsel for some possible  
20 acquisitions. Okay, under table five, administration and public  
21 information, 95100 is the administrative budget. If you recall,  
22 the budget that was approved last year was approximately five point  
23 two million. When the Executive Director came on, through some  
24 reorganization and efforts, that was reduced to four point two  
25 million. We're proposing, this year, three point five million.  
26 We're trying to reach that goal, which would reflect five percent

1 of the annual payment. This pays for the Executive Director's  
2 office and staff in Juneau; it pays for the Chief Scientist's  
3 contract and the peer review contract, which is nearly half a  
4 million dollars; it pays for all of the -- the agency liaison  
5 support and these are the folks within the various agencies that  
6 report directly to their Trustee, and are the contacts between the  
7 Trustee and the planning office here; and, this pays for all of the  
8 operations within this building. It includes the Public Advisory  
9 Group budget. We've also added the additional funds for public  
10 outreach, for workshops, for those kind of -- for public meetings  
11 within the communities. This budget will be acted on, actually by  
12 the Trustees at their August 23rd meeting, and the reason for this  
13 is that the federal fiscal year ends on September 30th, and the  
14 Trustees will be acting on the administrative budget and on interim  
15 funding for some of the projects that need work done in the fall.  
16 Because of the whole schedule with the Draft Restoration Plan and  
17 the EIS, we could not take action on this work plan until the end  
18 of October, which is into the fiscal year, and by the time you  
19 actually get the funding transferred, you're over two months into  
20 the federal fiscal year. So, the administrative budget and some  
21 interim funding will come before the Trustees at their August 23rd  
22 meeting. But, the actual projects will not come before them until  
23 the end of October. Next year, if all goes as planned, we will  
24 have the entire budget acted upon before the end of the fiscal  
25 year, so you will not see action within two different meeting,  
26 you'll see it all on one meeting. The other project of interest is



1 95089, which is information management system. This actually is --  
2 what we did last year was pull out the Oil Spill Public Information  
3 Center out of the administration budget and created this as a  
4 separate item. This includes three hundred and seventy -- three  
5 hundred and eighty thousand dollars for OSPIC to continue the  
6 functions of the library. It also is the beginning of what we see  
7 as a transition from this -- the OSPIC into a comprehensive system  
8 for managing, synthesizing, integrating, and getting out all the  
9 various databases and information that's gathered through the  
10 Trustee Council projects, and -- it was interesting to note some of  
11 the things the ecosystem management group was talking about are  
12 some of the same things that we're very interested in working on  
13 this year. How do you make sure that everyone talks to each other,  
14 that the information is useable by everyone? Part of this project  
15 is to create an electronic database of all of the information, or  
16 an electronic bibliography of all of the projects that have been  
17 funded by the Trustee Council that will be accessible on Internet.  
18 Another portion of this project is to develop what we call the  
19 point and click, which will be a very user-friendly, nice graphics,  
20 something that you put in libraries or it's used by schools, where  
21 you can go in and you can click onto a picture of a harbor seal and  
22 it will show you exactly what the status of harbor seals is and  
23 what the projects that are being done for harbor seals, and kind of  
24 take you through a life history, and -- so, that's the purpose of  
25 this project here, and why we're kind of expanding from the concept  
26 of the public information center. Over the long haul, I don't know

1    how much the demand for the types of services OSPIC provides will  
2    be needed, as the spill gets further and further away. The public  
3    demand for information may decrease, but certainly the public  
4    demand for the information from the research is going to increase,  
5    and so we're kind of switching a little bit of our focus from --  
6    here's what happened during the spill to here's what we know about  
7    the injured resources and what we're doing about it.

8               MS. FISCHER:    I'm sorry, go ahead Kim.

9               MS. BENTON:     Address just a little bit an issue that  
10   was raised earlier, if here's what we're doing -- to follow-up on  
11   your last statement, here's what we're doing -- here's the problem  
12   and here's what we're doing to -- here's a problem, and here's  
13   maybe what you can do, and here's the information that would help  
14   you do it, non-state, non-federal agency. Do you see that fitting  
15   into this project?

16              MS. McCAMMON:   I think this one could definitely be tied  
17   in with that, yes. And, one of the things that, in developing  
18   these kind of products that we're looking at, is to have some kind  
19   of a small public working group to work with the folks as they  
20   develop it to make sure those kinds of things are addressed. I'd  
21   be happy, Kim, to mention, maybe you'd be interested in serving on  
22   something like that, and we'll be bringing that back to the Public  
23   Advisory Group as it gets more in draft form, and getting comment  
24   and feedback from a wide variety of groups. I think that pretty  
25   much closes out the highlights of all of the projects and where we  
26   are in terms of our review.

1 MS. FISCHER: Okay, are there any general comments or  
2 any questions on any other part of the projects?

3 MR. WILLIAMS: Can I ask ...

4 MS. FISCHER: Yes, Lew.

5 MR. WILLIAMS: Is somebody keeping a track of how many  
6 requests you get to look at some of this information?

7 MS. McCAMMON: Yes, OSPIC actually keeps very detailed  
8 records of how many requests for information and what kinds those  
9 requests are.

10 MR. WILLIAMS: Can we get a report, saying, once a year  
11 to see which way it's going.

12 MS. McCAMMON: Yes, I'd be happy to provide that at your  
13 next meeting.

14 MS. FISCHER: James.

15 MR. KING: On this same subject, I've been kind of  
16 wondering how much of this work that's costing an awful lot of  
17 money is winding up in the peer reviewed records here of the  
18 scientific world.

19 MS. McCAMMON: I'm going to let Bob speak to that.

20 DR. SPIES; A lot of the damage assessment work was  
21 reported in a symposium held last year, and that is going to be  
22 coming out as a bound volume reviewed, published under the auspices  
23 of the American Fisheries Society. So, that -- I think will  
24 qualify as peer review, and additionally there's -- there's also --  
25 there's always a delay once people have finished their results and  
26 it often takes a year or two or three to get in into the scientific

1 literature, but a lot of it is headed that way, definitely because  
2 the -- the impressionables that are involved in this work have --  
3 most of them have personal goals of publishing this information in  
4 the peer group scientific literature, and it's definitely headed  
5 that way. I -- I couldn't give you an exact count, but I've a  
6 pretty good stack of things that are kind of headed -- headed in  
7 that direction, some of them have already been published. So, yeah,  
8 that's a good point, something we're aware of, and we tell our  
9 reviewers when they review the final reports that look at these in  
10 a context not necessarily the form of these scientific paper, but  
11 the content and the quality should be enough to muster review and  
12 the open scientific literature.

13 MR. KING: So, there isn't any general requirement,  
14 however, to -- when you fund a project to produce a publish --  
15 publishable report, the peer review report.

16 DR. SPIES: There isn't -- it might be something to  
17 consider though. We're -- we have to make some revisions on how we  
18 deal with final reports, and that may be an aspect of it. We may  
19 want to consider it, it's a good suggestion, I think.

20 DR. FRENCH: There is one thing we can keep in mind, at  
21 least under NRDA requirements, we weren't able to -- at least at  
22 that time before the settlement took place, to publish much of  
23 this. So, there has been a delay, and this is a change, and I  
24 think it's going that way of peer review publications.

25 DR. SPIES: I think so.

26 DR. FRENCH: Pam, go ahead.

1 MS. BRODIE: Are the Trustees still paying for peer  
2 review, or is that happening?

3 DR. SPIES: Yes, that's part of the contractor -- the  
4 existing contract is peer review, but we're making an effort where  
5 -- where possible to -- to get people that will donate their  
6 services to the process.

7 MS. BRODIE: Isn't it normal the peer reviewer is not  
8 paid for?

9 DR. SPIES: That depends on how its done. One of the  
10 problems that we have is, we have some very thick reports and a lot  
11 of data in them. The normal practice in science -- in the  
12 scientific -- amongst scientific colleagues and among journal  
13 editors -- and, I've edited journal for about five years -- would  
14 -- would -- to have the review -- review is uncompensated, but in  
15 that case your dealing generally with a ten or twenty page article,  
16 and, you know, you have a month or two to look at it. We're asking  
17 people to look at stacks of reports, to be familiar with the whole  
18 entire Trustee process, to come up to meetings and spend time with  
19 investigators. It's a different kind of a horse in a way. I  
20 maintain that if we were to try to go strictly to volunteer review,  
21 it would take even longer, and we'd have more difficulty getting  
22 people to kind of volunteer their services, but I think we're in a  
23 transition. We're trying to move in -- we're kind of caging when  
24 we phone people up and ask to review things. And, we do get quite  
25 a lot -- lot of Canadian sockeye biologist, for instance, or  
26 government employees, and are unable to be compensated, but have

1 -- but -- have really -- because of their professional interest  
2 donated their time, that's just one example, and that's occurred in  
3 a number of different areas.

4 MS. FISCHER: Any other questions? Any other comments?  
5 Okay, I guess we reschedule our next meeting today for October  
6 11th.

7 MR. MUTTER: At the last meeting we set October 11th  
8 and 12th as the final meeting of this term of the PAG, and right  
9 now we have three major issues, I think, would -- that would be on  
10 the agenda. One is the issues report Jim King suggested that all  
11 PAG members submit. We'll send something out on that. The other  
12 one would be some details on the habitat acquisition activities,  
13 and then, of course, decisions on the '95 work plan.

14 MS. FISCHER: I have a question. I know some of us have  
15 resubmitted a desire to stay on this committee. Is it going to  
16 take eight months again to appoint 'em, or do we stay on until it  
17 is reappointed, or what? Because it took about eight months  
18 before, you know, I mean, you're not just going to abandon it after  
19 October 12th, if you don't have somebody to step in and take over,  
20 do you?

21 MS. McCAMMON: Well, it's our goal, in working with Doug  
22 Mutter, I believe, your terms actually expire October 22nd, and  
23 when we were looking at, kind of the annual cycle for next year and  
24 where the PAG would fit, there probably, since the major action in  
25 the fall is acting on the work plan, which you would still follow  
26 through on, probably the next meeting would be around January. So,

1 we would be hoping that we could have this process either completed  
2 by that time, or that this group stayed on through that time, or  
3 whatever, but since the deadline for nominations just concluded, we  
4 haven't even had a chance to look through and see how many people  
5 submitted names and what it looks like, or review any of that.  
6 But, we'll be looking at that in the next few weeks.

7 MS. FISCHER: Okay.

8 MS. McCAMMON: But, it's not our intent to abandon it.

9 MR. TOTEMOFF: What's the date again, the 10th of what?

10 MS. FISCHER: The 11th and 12th of October.

11 MS. McCAMMON: Madam Chair, if I could just -- on the '95  
12 work plan, what we will have, and I just want to make sure it's  
13 okay with you, and -- I'll go with you a little bit over the  
14 schedule. We intend to have out for public review the draft work  
15 plan by September 1st, and we'd have a thirty day public comment  
16 period, and during that time probably that last week, we'd have a  
17 teleconferenced public hearing, on the draft work plan. Once we  
18 get that -- things get postmarked September 30th if we have to have  
19 a week to ten days to compile all the comments. We will not have  
20 those compiled probably until you actually meet.

21 MS. FISCHER: January?

22 MS. McCAMMON: October 11th.

23 MS. FISCHER: Oh, October.

24 MS. McCAMMON: What we would have -- I'm -- I'm trying to  
25 figure out what we would have for you in advance of that meeting so  
26 you could review it. We won't have the Executive Director's

1 recommendation either because we'd be waiting for your input and  
2 the public input, and the completion of this scientific review  
3 process. What we probably could have for you at that time is a  
4 status report on where some of these projects are in terms of  
5 resolving some of these issues. And, some of the additional peer  
6 review and discussion that will be completed by that time. But, we  
7 won't have everything -- the review of the Prince William Sound  
8 system investigation, project 320, is taking place the first week  
9 of October. Bob would be able to give you a summary of that.  
10 We're having the sockeye review the second week, which would be  
11 right about the same time you'd be meeting. We'll try to arrange  
12 it so -- we'll try to have that before, it's a question of timing.  
13 So, we're trying to get you as much information as possible for --  
14 to make your recommendations and review meaningful, and I just ...

15 DR. SPIES: Our sockeye meeting is scheduled for the  
16 10th and 11th -- possibly the 12th.

17 MS. FISCHER: Of October?

18 DR. SPIES: But I think we can do (indiscernible)

19 MS. FISCHER: Okay.

20 DR. FRENCH: Probably -- who to ask, is there any  
21 chance we could move it back to -- move our meeting back to the  
22 12th and 13th?

23 MS. FISCHER: Doug, is there any reason why we can't?  
24 What dates are those (indiscernible)?

25 MR. MUTTER: Well, the schedule is driven by the  
26 Trustee Council administration office, so ...



1 MS. McCAMMON: The way the process continues is that we  
2 take your recommendations, and we have to get them into some form  
3 of a database, that then the Executive Director meets with all of  
4 the agencies' liaisons and develops his recommendation, that we  
5 have enough time to put into some kind of spreadsheet format that  
6 we can get to the Trustees ten days before October 31st. So, this  
7 means ...

8 DR. FRENCH: I'm just (indiscernible)

9 MS. McCAMMON: It is tight. You could ...

10 DR. FRENCH: I'm just saying it would ease a conflict  
11 if we went back one day. I recognize we may not be able to do so.

12 MS. BENTON: Isn't Monday a holiday?

13 MS. McCAMMON: Monday, I believe is ...

14 MR. MUTTER: Columbus Day. Columbus Day is the 12th.

15 (Aside comments)

16 MS. McCAMMON: I think it's observed on Monday.

17 MR. FISCHER: Okay, so ...

18 MS. McCAMMON: The 12th and 13th, I think -- it's going  
19 to be tight no matter what.

20 MS. FISCHER: But it would help you?

21 DR. FRENCH: Both of my meetings are in Anchorage, so I  
22 can live with the 11th and 13th.

23 MS. McCAMMON: We will have summaries of information to  
24 you on the status of all of these, and -- especially the category  
25 four projects, whether they've been resolved or not, and  
26 information from the 320, Project 320 review, and information from

1 the sockeye review. And, we should also have the herring review  
2 completed by that time. So, those are some major aspects.

3 MS. FISCHER: Is there any way -- Bob, you're going to  
4 be meeting like two days. I don't know, I know it would be a lot  
5 of mailing, but as soon as you finish one, get that out to us right  
6 away so that we can be reviewing it, and then as you finish another  
7 day of meetings -- I don't know if that would do any good or not.

8 DR. SPIES: Let's see, you're going to meet  
9 (indiscernible) 11th and 12th.

10 MS. FISCHER: 11th and 12th, or 12th and 13th.

11 DR. SPIES: Well, since the review is likely to be  
12 here in Anchorage, I could come to report to you at the end of  
13 those meetings. Hopefully, that could be -- we could -- I think we  
14 could arrange it, possible.

15 MS. FISCHER: Your meeting though the 12th.

16 DR. SPIES: Let me -- let me finish something, but I  
17 think two days is about what we took last time.

18 MS. FISCHER: Can we change a date, would that be better  
19 for you to up it one day.

20 DR. SPIES: We're meeting the 10th and the 11th, and  
21 you meet the 11th and 12th. I could come in on the 12th and kind  
22 of brief you on that, sort of aspect among the other things.

23 MS. FISCHER: Okay.

24 MS. McCAMMON: I think the sockeye is four projects, so  
25 we could do that, just take up the sockeye on the 12th.

26 MR. CLOUD: Maybe we should move it to the 12th and

1 13th.

2 MS. FISCHER: Would that be better for you guys, Molly,  
3 yes or no?

4 MS. McCAMMON: The sooner the better, I think, would be  
5 preferable for us. It's one of those -- it's the later it's maybe  
6 easier to get material to you, but the later it is the harder it is  
7 to incorporate your comments into a fashion that we can all review  
8 and incorporate it into the Executive Director's report.

9 MR. CLOUD: I've been thinking that is that we just  
10 voted on a new procedure for our meetings of having workshop  
11 session the first day, getting all the information, and taking the  
12 actions we need to take on the second day. So, it doesn't do us  
13 much good if we're taking actions on the second day, and at the end  
14 of the second day Dr. Spies comes with us -- to us with the  
15 information.

16 MS. FISCHER: So, we could do that the first day that  
17 could be more beneficial.

18 MS. McCAMMON: On the 12th and 13th, on the 12th do the  
19 actual briefings and reports and things like that, and then the  
20 actual action items would be on the 13th.

21 MS. FISCHER: Uh-huh.

22 MR. DIEHL: Have you figured out a method -- is there  
23 a method for -- use the same rating system, or you know, some kind  
24 of rating system. It seems like ...

25 MS. McCAMMON: I believe the last time it was the high,  
26 medium, low by the Public Advisory Group, and when we had our

1 spreadsheet that we prepared for the Trustee Council, we summarized  
2 public comments in one section, we gave the rating from the PAG,  
3 whether it was high, medium, low or totally split, and then did the  
4 Chief Scientist's recommendation, then the Executive Director's  
5 recommendation.

6 DR. FRENCH: Basically, that's what your categories  
7 one, two and three are. I don't see why we couldn't category it --  
8 use the same categories.

9 MS. FISCHER: That's what we should do and try to get to  
10 where we could uniform ...

11 MS. McCAMMON: Your recommendation on whether you thought  
12 it should be one, two or three.

13 MS. FISCHER: Okay, we can do that when we come to it.

14 MR. CLOUD: I make a motion that we set the date for  
15 the 12th and the 13th.

16 MS. FISCHER: Is there a second?

17 DR. FRENCH: Second.

18 MS. BENTON: Second.

19 MS. FISCHER: A motion made by Jim Cloud and seconded by  
20 John French and Kim to move the meeting to the 12th and 13th.

21 MS. McCAMMON: Madam Chair, is that starting at 8:30?

22 MS. FISCHER: Yes.

23 MR. CLOUD: Have lunch on the first day, but not the  
24 second?

25 MS. FISCHER: That will be fine, yes, Jim. Lunch on the  
26 first day. Will you please make sure we have lunch so Jim won't

1 miss any appointments or anything.

2 MR. CLOUD: Have we voted?

3 MR. MUTTER: No.

4 MS. FISCHER: All in favor of the dates, the 12th and  
5 13th, please ...

6 PUBLIC ADVISORY GROUP: Aye.

7 MS. FISCHER: Okay, any opposition, opposing? Opposing,  
8 why, Gerry?

9 MR. McCUNE: Just a bad day for me. Didn't make much  
10 difference either way.

11 MS. FISCHER: Okay.

12 MR. McCUNE: I just thought I'd be one opposing person.

13 (Aside comments)

14 MS. FISCHER: I have a motion for adjournment.

15 MR. McCUNE: There would be no objection.

16 MS. FISCHER: Right, let's go.

17 (Off Record 11:50 a.m. August 3, 1994)

18 END OF PROCEEDINGS

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CERTIFICATE

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

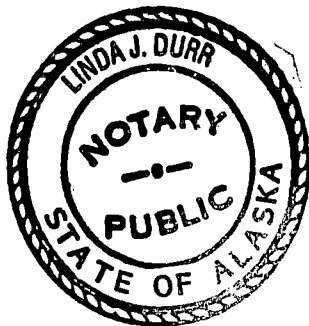
I, Linda J. Durr, a notary public in and for the State of Alaska and a Certified Professional Legal Secretary, do hereby certify:

That the foregoing pages numbered 03 through 304 contain a full, true, and correct transcript of the Exxon Valdez Oil Spill Settlement Trustees Council Public Advisory Group meeting taken electronically by Ladonna Lindley on August 2 and 3, 1994, commencing at the hour of 9:30 a.m. at the Restoration Office, 645 G Street, Anchorage, Alaska;

That the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me, Ladonna Lindley, and Sandra Yates to the best of our knowledge and ability from that electronic recording.

That I am not an employee, attorney or party interested in any way in the proceedings.

DATED at Anchorage, Alaska, this 12th day of August, 1994.



*Linda J. Durr*

Linda J. Durr, Certified PLS  
Notary Public for Alaska  
My commission expires: 10/19/97