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PUBLIC ADVISORY GROUP
TRANSCRIPTS
October 12-13, 1994
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**EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL**

RESTORATION OFFICE
Simpson Building
645 G Street
Anchorage, Alaska

PUBLIC ADVISORY GROUP

October 12-13, 1994
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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

PUBLIC ADVISORY GROUP MEMBERS in attendance:

DOUGLAS MUTTER
Designated Federal Officer

Department of the Interior

DONNA FISCHER
RUPERT ANDREWS
PAMELA BRODIE
JAMES CLOUD

(present 10/12/94 only; individually, and as
alternate for VERN McCORKLE and RICHARD
ELIASON on 10/12/94)

JAMES DIEHL
DR. JOHN FRENCH
JAMES KING
VERN McCORKLE

(present on 10/13/94 only; individually, and
as alternate for JAMES CLOUD and RICHARD
ELIASON on 10/13/94)

CHARLES TOTEMOFF
LEWELLYN WILLIAMS
MARY MCBURNEY

(present on 10/12/94 only)

KIM BENTON

(alternate for GERALD McCUNE and JOHN
McMULLEN)
(alternate for JOHN STURGEON)

REP. CLIFF DAVIDSON Ex officio, present intermittently on 10/12/94
only)

JIM AYERS

MOLLY McCAMMON

P R O C E E D I N G S

(On Record 8:47 a.m.)

MS. FISCHER: Everyone, I'd like to call the meeting to order. We now have a quorum. (Pause) Okay, I'm -- we have -- purpose of the meeting this -- this meeting, to prepare a PAG issue paper as the final report for this term of the PAG, and I believe there's one that's been handed out. Now, has that been handed out, Molly?

MS. McCAMMON: Yes.

MS. FISCHER: Okay. And two, obtain a status report on restoration activities, and three make recommendations on proposed activities and projects for the '95 work plan. I'm going to ask Doug to do a roll call.

MR. MUTTER: Rupert Andrews?.

(Aside comments - He's here).

MR. MUTTER: Pamela Brodie?

MS. BRODIE: Here.

MR. MUTTER: James Cloud?

MR. CLOUD: Here.

MR. MUTTER: James Diehl?

MR. DIEHL: Here.

MR. MUTTER: Richard Eliason?

MR. CLOUD: I am -- have Richard and Vern's proxy.

MR. MUTTER: Donna Fischer?

MS. FISCHER: Here.

MR. MUTTER: John French?

1 DR. FRENCH: Here.
2 MR. MUTTER: James King?
3 MR. KING: Here.
4 MR. MUTTER: Rick Knecht? (No response) Gerald
5 McCune?
6 MS. McBURNEY: Mary McBurney for Gerald McCune.
7 MR. MUTTER: John McMullen?
8 MS. McBURNEY: McBurney for PWSAC.
9 MR. MUTTER: Brad Phillips. (No response) John
10 Sturgeon.
11 MS. BENTON: Kim Benton for John Sturgeon.
12 MR. MUTTER: Charles Totemoff?
13 MR. TOTEMOFF: Here.
14 MR. MUTTER: Lew Williams? (No response)
15 MS. FISCHER: Okay, we'll have approval of the agenda.
16 Any adjustments or additions? At this point, is there anything?
17 MR. CLOUD: I move for approval.
18 DR. FRENCH: Second.
19 MS. FISCHER: Jim moved and Jim second -- was it Jim or
20 John?
21 MR. MUTTER: John.
22 MS. FISCHER: It was John, okay. Approval of summary of
23 August 2 and 3, '94 meeting, which is in your packet that were sent
24 out. Everybody has a copy of it, I take it.
25 MR. ANDREWS: Move for approval.
26 MR. CLOUD: Second.

1 MR. FISCHER: A report on August 23 and October 5, '94
2 Trustee Council meeting by Molly.

3 MS. McCAMMON: Madam Chair, first of all I want to extend
4 the regrets of the Executive Director for not being able to attend
5 this weeks meeting. He was called back to Washington, D.C. to meet
6 with the Secretaries of Commerce, Interior and Agriculture, and he
7 will be calling in sometime, either late this afternoon or tomorrow
8 to give the Executive Director's report, but I did want to extend
9 his apologies. He made every effort to reschedule -- to have this
10 meeting scheduled so it would not conflict with the PAG meeting,
11 but there was just no way to do that with the Secretaries
12 schedules. So, I did want to extend that. Since, the PAG met on
13 August 2nd and 3rd, the Trustee Council has held two additional
14 meetings. I believe you got -- you received in one of your packets
15 copies of the meeting actions for the August 23rd meeting, but I
16 can go over those really briefly. Basically, the Trustees at that
17 meeting adopted a motion to move forward with the final EIS and
18 drafting of final Restoration Plan, choosing alternative five in
19 the draft EIS as the proposed action. And, I'll be reporting on
20 that a little bit later, following this. The Trustees also took
21 action and adopted the Public Advisory Group's recommendations with
22 a few minor changes from staff on the issues of less than fee and
23 public access policies on habitat acquisition. And, I could extend
24 to you also that the Trustee Council greatly appreciated the
25 Advisory Group's assistance on these two issues, and felt it was
26 very worthwhile, and really appreciated that. The Trustees also

1 adopted inter -- administrative budgets for the entire FY '95 and
2 interim budgets for report writing, data analysis and some small
3 fall data collection efforts for ongoing projects, and those were
4 approved -- were recommended by the Executive Director and were
5 adopted by the Trustee Council. And, finally, the Trustees
6 authorized the hiring of the replace of June Sinclair as Director
7 of Administration for the Trustee Council's operations. Ms.
8 Sinclair resigned to take a position in New York, and she's been
9 replaced by Tracy Cramer, who was previously a budget analyst with
10 the Office of Management and Budget for the State of Alaska, and
11 Tracy is on the position in Juneau, and she will be at the --
12 she'll be up for the November 2nd Trustee meeting. So, those were
13 the actions the Trustees took on August 23rd. Following that
14 meeting, they met in Juneau last week on October 5th. This meeting
15 was primarily -- the morning was devoted entirely to a briefing on
16 the project, the Institute of Marine Science infrastructure
17 improvements project. They received a three hour, very detailed,
18 extensive briefing on that project. They then went into executive
19 session for the rest of the day on the issue of habitat acquisition
20 and protection, to discuss strategies, and also to discuss the
21 Chief Scientist's contract which had gone out for RFP, for
22 competitive bid. When they came out of executive session, they
23 took two actions. They authorized the Executive Director to
24 negotiate a contract with the -- Applied Marine Sciences to provide
25 scientific support services based on a cost of \$382,296. Following
26 the scope of work and information provided by Dr. Robert Spies.

1 They also authorized the Executive Director to develop an associate
2 position for a science coordinator that would be located in the
3 Anchorage restoration office, and that would be funded through the
4 administration budget. The second action they took was to
5 authorize and direct the Executive Director to work with Forest
6 Service to conduct a review and develop a report on the appraisal
7 process, including all associated expenditures and time lines and
8 to have that available to the Trustees before November 2nd. So,
9 those were the only two actions they took at that meeting. Is
10 there any questions, Madam Chair?

11 MS. FISCHER: Any questions? Pam.

12 MS. BRODIE: Your report on -- that the Forest Service
13 did, will that be (indiscernible)

14 MS. McCAMMON: It's my understanding it will be. Yeah.

15 (Lew Williams arrives 8:55 a.m.)

16 MS. FISCHER: Lew Williams is now in attendance, too.
17 Are there any other questions? Okay, at the time that Jim Ayers
18 will call in, we'll stop whatever we're doing and take the call,
19 and if you have any questions about any of the projects, or any --
20 anything at that time, you can ask him and talk to him. Is that
21 right Molly?

22 MS. McCAMMON: Yes.

23 MS. FISCHER: We'll break him right in. With the four
24 hour difference, I think we need to do that. Okay. Anything else
25 to discuss about Molly's report? Any other discussion?
26 Restoration Plan update, final EIS and final Restoration Plan.

1 Molly.

2 MS. McCAMMON: Madam Chair, just one more note. The
3 Trustees' next meeting is on November 2nd and 3rd. It had
4 originally been scheduled for October 31st, but due to conflicting
5 schedules -- I just wanted to make sure that you were aware it has
6 been changed. They will be meeting those two days. It will be
7 teleconferenced throughout the spill area to the LIO sites, so if
8 you want to be either hooked up by teleconference or be present for
9 that meeting, it will be on November 2nd and 3rd. As most of you
10 know, this past year has been devoted to the writing of an
11 Environmental Impact Statement for a Restoration Plan for the
12 Trustee Council. The EIS process is nearly complete. The final
13 EIS has been published, it has been made available to the public,
14 its availability has been noticed in the public -- in the Federal
15 Register. Following that notice, there is a thirty day waiting
16 period in which no action can be taken until the thirty day period
17 is accomplished. That is complete on October 28th. At that time,
18 following that date the Record of Decision on the EIS will be
19 signed by the three federal Trustees, and they're still working out
20 exactly who will do the signing, but it will be at the Secretary
21 level in Washington. Once the Record of Decision on the EIS is
22 complete, then the Trustee Council itself, the six Trustees can
23 take action on the final Restoration Plan. The draft plan also
24 went out to public review at the same time the EIS went out. The
25 Public Advisory Group submitted comments on that, those have been
26 incorporated into -- into the final draft and responded to, and the

1 Trustees will have a final Restoration Plan on their table
2 basically available for them to adopt on November 2nd, if all goes
3 as planned. Once that final plan is adopted, that provides the
4 long-term guidance for Trustee Council actions. They will be
5 available at that time to take action on -- the FY '95 work plan on
6 any habitat acquisitions, on any other kinds of actions that are
7 before them. So, this has been an extensive process. It's pretty
8 amazing that it's on time, a lot of these things don't end up
9 being on time, they tend to slip, but this has stayed on target,
10 and it will be a major achievement, I think, to have under
11 everyone's belt. One thing that -- an issue that is has raised is
12 whether this, because an EIS is in place and a final plan is in
13 place, whether this means that for individual projects, no one has
14 to do EIS's or environmental analysis, or whatever. This does not
15 mean that. This EIS is strictly a programmatic EIS. Each
16 individual project will still have to go through NEPA compliance,
17 will still have to be, in some cases, maybe subject to an
18 environmental analysis or an Environmental Impact Statement.
19 However, what we're hoping is that by referring back to the larger
20 programmatic EIS that it will reduce the scope and the need for the
21 real extensive documents, in most cases, but individual projects
22 will still have to go through that on an individual basis.

23 MS. FISCHER: Are there any questions to Molly? Okay
24 ...

25 MR. CLOUD: Molly, can you give me those dates again,
26 that EIS -- final EIS and the final Restoration Plan dates.

1 MS. McCAMMON: The final EIS will be available -- the
2 Record of Decision on the final EIS will be -- actually available
3 to be signed on October 31st. Any date after October 28th, and
4 there's a weekend in there. So, it will actually be signed on
5 October 31st. Following that date, the Trustees will be able to
6 take action on the final Restoration Plan. That will take place on
7 November 2nd when the Trustee Council meets. Because the EIS is
8 being signed at the secretarial level, there is no appeal --
9 administrative appeal process. The only appeal on the EIS is
10 through the court system.

11 MS. FISCHER: Are there any other questions? Okay.
12 Moving on, we'll go to the Oil Spill Public Information Center
13 usage, Carrie Holba.

14 MS. HOLBA: Good morning, I'm Carrie Holba. I'm
15 Carrie Holba, the Director of the Office of the Public Information
16 Center on the other side of the first floor of this building. And,
17 I've prepared a brief report for you about the usage of the OSPIC
18 and the types of reference service that we provide, and hopefully,
19 you've had a chance to look through that. At the time I prepared
20 the report, we only had statistics for the fiscal year through the
21 end of August, so I've included this morning a hand out that
22 updates the entire fiscal year. It also gives you a brief summary
23 of some of our other activities, you know, a number of materials
24 that we've acquired and added to the collection, a number of items
25 that we've cataloged and made available through the Western Library
26 Network, and the number of documents that have been placed in the

1 administrative record during this fiscal year. I should note that
2 in the administrative record there are well over two thousand
3 documents, the three hundred are just the ones that have been added
4 this fiscal year. In addition to those statistics, I just wanted
5 to just briefly touch on some of the other things that we've been
6 doing in the OSPIC. We're involved in preparing final procedures
7 with the Exxon Valdez Restoration Office for the publication of
8 final reports for the natural resource damage assessment studies
9 and the restoration process, and the OSPIC will take an active role
10 in collecting those reports, cataloging them and making them
11 available to libraries, commercial copy centers and the National
12 Technical Information Service, so that people will have access to
13 them in a number of ways. We're exploring our options for
14 providing reference service via the Internet, and we have as a
15 publicly funded library, free access at this time to the Internet.
16 So, we've established an E-mail address for the OSPIC so that
17 people can access us that way and ask questions on -- from anywhere
18 in the world via the Internet. We're also preparing to make use of
19 some additional facilities on the Internet, called Usenet and List
20 Serves, which will allow us to announce availability of materials
21 and Trustee Council publications in the future, and again those
22 List Serves reach all over the world. We did a test announcement
23 during the summer, but the software that was in place at that time
24 wasn't the best, and it's since been upgraded, and there's some
25 additional upgrades that will be put into place in the state here,
26 and hopefully, that will allow us to -- to do data in the near

1 future. To give you a current example of the interest in some of
2 the documents that the Trustee Council puts out, we recently were
3 part of an announcement in a publication called the Vertical File
4 Index. This is a periodical for libraries and library
5 professionals, and in June they had a small announcement about the
6 OSPIC and the availability of the draft Restoration Plan, and the
7 '93 final work plan. They're a little behind our schedule. In
8 response to that announcement, we've received requests from over
9 two hundred public, academic and school libraries around the United
10 States and Canada for the publications. They've been real happy to
11 receive these materials and to know that these things are out there
12 and available. We're also currently involved in an ongoing
13 project. We try to keep a real good current collection of
14 newspaper clippings that address everything pertaining to the spill
15 and keep that current, whether it's trials or restoration
16 activities, anything that pertains to that. And, we're also
17 involved in local resource sharing with the natural resources
18 libraries here in town, and we do cooperative collection
19 development. In other words, we keep track of what subscriptions
20 the other libraries are purchasing so that we can make our dollar
21 stretch as far as possible, and we collect both materials that
22 pertain to our focus, and that allows the other libraries to
23 concentrate in other areas, so that we all have local access to as
24 many materials as possible for as little money as possible. At
25 this time, are there any questions? Pam.

26 MS. BRODIE: I was a little confused when she said the

1 library will take an active role in something about the damage
2 assessment report. Does this mean that the damage assessment
3 report for tomorrow (indiscernible) quite awhile ago, actually,
4 aren't they in the library?

5 MS. HOLBA: Yes, they are. These are final reports
6 that will be published in a formal manner. What we have that's
7 been available all this time are photocopies, and they're currently
8 available in the OSPIC and in the nineteen libraries they've been
9 distributed to along. But ...

10 MS. BRODIE: What about policy reports that are funded
11 by the Trustee Council, are they -- do we also (indiscernible)

12 MS. HOLBA: Yes, that will also be part of that as
13 well.

14 MS. BRODIE: But, as these reports come out
15 (indiscernible - out of range of microphone).

16 MS. HOLBA: These procedures are going to be for final
17 reports. We have some final reports, but we also have interim
18 reports and study plans.

19 MS. BRODIE: Yeah, I just wondered what your annual
20 budget is and the number of requests that you get for information?

21 MS. HOLBA: Okay. In the hand out ...

22 MS. BRODIE: Hand me your handout thing (indiscernible)

23 MS. HOLBA: ... during this -- this past fiscal year,
24 we've received three thousand ninety-nine requests for information,
25 that includes on-site and off-site. We've had one thousand six
26 hundred forty-one visitors. Not all visitors require our

1 assistance. There are about a third to a half of the people who
2 come into the library that do their own research, so that's --
3 that's separate. Reference requests are those where people have
4 specifically asked for -- for our assistance, and the budget is
5 about, just a little bit under three hundred thousand.

6 MR. CLOUD: About a hundred dollars per request. One
7 hundred dollars per request.

8 MS. FISCHER: Jim, do you have a question?

9 MR. CLOUD: I was going to ask the same question.
10 Perhaps we should think about turning over OSPIC to the university,
11 we might be able to get that request down -- that cost per request
12 down to a lower level.

13 MS. HOLBA: One of the things about that is that the
14 OSPIC serves a very wide patronage. We serve students, teachers,
15 I think, you know, well it's pretty clear in my report about who we
16 serve. Libraries have specific patronages, and so library -- the
17 university library serves primary faculty and students. That's
18 their primary focus, and that's as it should be. Reference
19 requests that come from outside are not a priority. So, that would
20 be a consideration. Whose -- whose going to serve these -- these
21 people. Anytime that you look at libraries, just because libraries
22 are available to the public doesn't mean that everyone is going to
23 get the same type of service.

24 MR. DIEHL: What happened during the "Brea" oil spill?

25 MS. HOLBA: I'm sorry, what was the question?

26 MR. DIEHL: That oil spill that took place off of

1 Scotland, you know, last year.

2 MS. HOLBA: Oh, the Brea.

3 MR. DIEHL: Yeah, the Brea.

4 MS. HOLBA: We got a great deal of reference activity
5 from that, that was probably our busiest period. We got a lot of
6 calls from the media wanting to know what had happened since -- to
7 the Exxon Valdez. Any time that there's a spill that makes the
8 news, people always come back to the Exxon Valdez for what's
9 happening on it now. So, we provided updated information about it.

10 MS. FISCHER: Kim.

11 MS. BENTON: Can I ask a question on that three hundred
12 dollars -- three hundred thousand dollar figure, is that budget for
13 staff only, or does it include things like the overhead, and I saw
14 it in the recent newsletter that L.J. Evans had, obviously gone to
15 Chenega to take some photographs for the newsletter. Does it
16 include travel and overhead, or is that just staff?

17 MR. HOLBA: That's are -- that's the entire OSPIC
18 budget, that includes the rent, the staff, the books, everything.

19 MS. BENTON: Okay, great.

20 MS. FISCHER: (Indiscernible) John.

21 DR. FRENCH: What -- how does the demand for services
22 compare over the last, say for two to three years?

23 MS. HOLBA: It's been pretty steady.

24 DR. FRENCH: Pretty steady.

25 MS. HOLBA: Yeah. Throughout the course of the year
26 we'll have rises and falls, especially like with the academic year,

1 but, you know, during the summer then the tourism will boast up ...

2 DR. FRENCH: But, it's not been, say, dropping off
3 consistently after the settlement, for example.

4 MS. HOLBA: No, it's been -- held, you know -- right,
5 it's held pretty consistent at about sixty requests -- average
6 sixty requests a week.

7 DR. FRENCH: Yeah, just one other quick question.
8 What's your Internet address.

9 MS. HOLBA: It's lower case, all lower case, "ospic at
10 muskox, dot, Alaska, dot, edu.

11 MR. CLOUD: Alaska spelled out?

12 DR. FRENCH: Yes, spelled out.

13 MS. HOLBA: And all lower case letters and no spaces.

14 MS. McCAMMON: Madam Chair.

15 MS. FISCHER: Yes, Molly.

16 MS. McCAMMON: If I could add just a couple of things to
17 this discussion, also. One of the things that Jim found when he
18 came on board last November was that, you could not walk into that
19 library and find out any of the information that the Trustees had
20 been funding for the last three to four to five years. We did not
21 even have a single data base that had a listing of all of the
22 projects that the Trustees have funded over -- since their
23 existence, and one of our major efforts in this last year is, first
24 of all, has been to put all of the projects on a data base and to
25 do a status report on where they are in terms of -- of funding,
26 whether they've been closed out for funding, whether a draft report

1 has been prepared, whether that's been peer reviewed, whether it's
2 been accepted by the Chief Scientist, whether it's available in the
3 library, whether it's been catalogued. This has been a major
4 effort. There are only, I think twelve reports throughout the
5 Trustee process that have actually been finalized, approved by the
6 Chief Scientist and are available in the library. We have made a
7 major effort, in particular with the '92 projects, to see that they
8 are approaching final status. We now have approximately forty-five
9 reports that have been finalized and approved by the Chief
10 Scientist, but we went through a major effort on revising the --
11 the final report procedures. Those are nearing completion, we
12 should have those out to the agencies by November 1st, which means
13 that those other forty-five reports can be put into final status
14 and can be made available. This has been something that we -- we
15 actually have been preparing quarterly reports for the Trustee
16 Council, and I can make those available to the Public Advisory
17 Group, also, if you would be interested in receiving those, because
18 it -- they actually are very interesting to look through them and
19 see what the Trustees have funded, what some of the results were,
20 and where they are in terms of final status. When we started doing
21 this for the Trustee Council, the Trustees said, well, this is all
22 very well and good, but tell us what this really means. You know,
23 give us a little cheat sheet on the front, and what are the major
24 problems here. How come we don't have final reports on '92
25 projects and things of that nature. So, at the last October 5th
26 meeting, we also included an analysis of the '92 projects, and just

1 doing this on a quarterly basis has stimulated the agencies and
2 others to try to bring some closure to these projects so that we
3 can get the information out and make it available to the public.
4 Right now, it's available if you know where to go and ask for it,
5 but they're all in draft and are in various stages of review, and
6 this has been dragging on for a long time. So, we are trying to
7 bring that to closure.

8 MS. FISCHER: I remember when Jim brought that up, that
9 there wasn't enough in the library, and that was one of his main
10 focuses was to get that rearranged and to where everything would be
11 at everybody's fingertips. Yes, Pam.

12 MS. BRODIE: Don't want to be rude and I'm not ...

13 MS. McCAMMON: Feel free to be.

14 MS. BRODIE: ... how to formulate this questions, but
15 all of this science could cost many, many millions of dollars.
16 What good is it doing the world? Who's using this information?

17 MS. McCAMMON: Many (indiscernible) -- the main people
18 that are using -- that is a problem, the main people were using the
19 information are the principal investigators or the researchers who
20 actually generated the information, and also, I'm sure, colleagues
21 who know of its -- of its existence through, you know, some other
22 networking system, and are able to access that person. So, the
23 research has been used, if -- if folks are continuing to be
24 involved in the process, but if you have a researchers who's done
25 a project and then is not involved, and they still have that
26 information with them, it's -- it's potentially a serious problem,

1 and we've made every effort this year to correct that. We've been
2 working on procedures where there has been a dispute between the
3 peer review process and the principal investigator, we've been
4 trying to bring closure to that, and find a way of resolving the
5 dispute. What's happened in a lot of cases, is these are three and
6 four year old projects. The person who did the research is either
7 in Africa, or, you know, taken a new job, or whatever, and yet the
8 report was not finalized to the satisfaction of the Chief
9 Scientist. We're making efforts to resolve that, either have
10 someone finish the report, or do something. A lot of the reports,
11 especially from '92 that are not complete are -- have a significant
12 amount of hydrocarbon data analysis associated with them. The
13 majority of the hydrocarbon data analysis is done in the NOAA Auke
14 Bay lab in Juneau. They are short staffed, and they are back
15 logged, and they made a decision somewhere mid-stream that things
16 were going on to the point where they were going to prioritized
17 their analysis of current data samples, and just kind of work on
18 the backlog as time went on, and they're doing that now, but it's
19 taking several years to get to that backlog, and a number of the
20 projects in '92 and '93 involved a lot of hydrocarbon analysis, so
21 that has been a particular problem.

22 MS. FISCHER: Okay, John -- or Jim, sorry.

23 MR. CLOUD: Is it on? Do we withhold payment on these
24 incomplete contracts or projects, and do we -- let me just finish
25 and then you can answer all the questions. I think it's good
26 you're finally putting all these things in -- in some order and

1 follow up so that the public, if not the Trustees, can figure out
2 how best to utilize that information, and get to it, but the -- are
3 we following -- are we following the cost of each project compared
4 -- actual costs compared to what they said it was going to cost,
5 and is there any incentive for them to save money when they realize
6 half way through a project that it's not going to cost as much, or
7 is there any penalty on the -- the project, or the sponsors, or the
8 contractors when they run over budget, and -- or don't complete the
9 project?

10 MS. McCAMMON: Madam Chair, that's -- a collection of
11 questions there, so I'll try -- if I miss one, please catch it.
12 First of all, if you do a contractual arrangement for someone to
13 provide a service, usually the final deliverable is the final
14 report, and you withhold, at least a portion of the payment until
15 you get that final deliverable. With the agencies, the agencies
16 are -- are -- operate differently. They get, basically all of the
17 money up front, and it goes into their account, and there's no
18 withholding of any of the money until a deliverable is -- is
19 provided. So, there's no penalty to the agencies on an annual
20 basis. There is a penalty though in getting and seeking and
21 obtaining further Trustee Counsel funding, and in fact, last year
22 there were two principal investigators who were so far behind on
23 the reports that they did not receive funding for FY '94 projects
24 as a penalty for not accomplishing their report-writing objective.
25 We take report writing and making -- in having these peer reviewed
26 and having the information available to the scientific community

1 and to the public, we take that very seriously, and two researchers
2 were penalized last year because they had failed so significantly
3 to address that problem. So that -- that is the only penalty that
4 we can actually give to the agencies. In terms of -- we do -- in
5 terms of tracking the cost -- the estimated costs of projects and
6 how much has been spent, we do have, not only the project status
7 report in terms of the results and analysis and report writing, we
8 also have the status report of what was actually expended. So, we
9 have what was budgeted, what was expended, what was left. We do
10 have that accounted. I should also note here that we are sending,
11 I'm not sure how many years of efforts here, but we are having an
12 audit of all of the Trustee Council expenditures on both the state
13 and federal sides conducted this winter, and that will be -- we'll
14 be submitting an RFP to conduct that audit, probably in January or
15 February, and part of this effort has been getting all of our books
16 in order and our tracking procedures in order in preparation for
17 that audit.

18 DR. SPIES: I just want to add a couple of things to
19 that, one is that it's been suggested here that -- our continuing
20 to publish their results in the open literature aside from this
21 reporting process, so a lot of the information is coming out on a
22 schedule that you'd normally expect for a scientific study, and
23 that usually takes a couple of years -- slice -- it's kind of a
24 slow process by the time they write that up. So, there those --
25 there is a growing list of publications coming out, as a result of
26 all the Trustee sponsored studies. The second thing is, kind of

1 once I make a decision and recommend to the Executive Director that
2 a study not go forward because they are so far behind on their
3 reports that we ought to consider withholding funds for the
4 following year, and in some cases there has been a lot of public
5 pressure on the process to fund things. One example, would be the
6 harlequin duck study, it's quite a bit behind in its reporting. I
7 recommended that the Director would not be carried for it, and
8 there was lot of cries from the various quarters saying we really
9 need to do harlequin duck studies, so we have to kind of balance of
10 those -- those competing interest.

11 MS. FISCHER: Jim Ayers on the telephone, Dr. Spies, I
12 didn't mean to interrupt you.

13 MR. CLOUD: Thank you, Bob.

14 MS. McCAMMON: He's on the line, but I'm not sure if he's
15 going to be available yet. I'm going to try finding out, right
16 now.

17 MS. FISCHER: Okay, I'm sorry, I didn't mean to
18 interrupt you, do you want to go ahead?

19 DR. SPIES: No, I'm (indiscernible)

20 MS. FISCHER: Pam.

21 MS. BRODIE: Yes, Dr. Spies, I'm glad to hear that
22 those project results are gradually being published, but the point
23 was really that they would be used for restoration, and that was
24 what I was trying to get at with my rather blunt question is, what
25 is the mechanism by which then these findings are translated into
26 actions which make any difference towards restoration.

1 DR. SPIES: Well, I think those -- those reports are -
2 - are generally circulated in draft form, and, I think the
3 appropriate people get the information before the report is
4 actually completely finalized and approved. So, I think -- I think
5 there is no case in which the information that has been collected
6 and available had not been made available informally before the --
7 the whole process has been completed, and it could be a rather
8 lengthy process having people revise the reports, usually at least
9 once, and sometimes two and three times, so, it's acceptable. So,
10 that -- that explains a lot of the delays. We have a pretty --
11 pretty high standard of review we bring to the scientific process.

12 MS. FISCHER: Go ahead Pam.

13 DR. SPIES: Sounds like she's got another question.

14 MS. BRODIE: Well, it's really more of the same thing,
15 I -- I -- maybe you could give us some examples, so -- some
16 particular studies were done, killer whales or harlequin ducks, or
17 whatever, then what comes from that in terms of what we do
18 differently because -- to restore the oil spill damage because
19 we've gotten this information.

20 DR. FRENCH: Well pink salmons (indiscernible -- off
21 mike)

22 DR. SPIES: Yeah, well we just got through with the
23 sockeye review last week, I might use that example, where the --
24 the information that was gathered last year, in terms of
25 identifying genetic stocks contributing to the mixed stock fishery
26 in Upper Cook Inlet, there's been a tremendous effort put forth by

1 Seeb's at Fish & Game to -- to identify some genetic markers for the
2 Kenai River component of that mixed stock fishery, and that
3 information is now available, and -- and the managers are feeling
4 very comfortable about using that sort of information next year in
5 the -- in the regulation of that -- that fishery, and I think that
6 there's an example the Trustees have decided to -- to fund some
7 basic research that contribute to management of a harvested
8 resource and we've improved the tools for harvesting a resource,
9 and that can now be applied in a way that's -- will conserve the
10 Kenai River stocks. I think that's one pretty good example.

11 MR. ANDREWS: You give a full report on that later?

12 DR. SPIES: Yes.

13 MR. ANDREWS: All right.

14 MS. FISCHER: Are there any other questions of Carrie or
15 Dr. Spies? Kim.

16 MS. BENTON: I guess I -- how we can get to it when we
17 go through the '95 project proposals, but there is a project that -
18 - project 89, that's the information management system, that's
19 funded -- the cost is estimated at \$590,000, and primarily, the way
20 I'm reading the project description, is to coordinate the data
21 basis that we don't have, so -- for OSPIC, so if you added it to
22 the three hundred thousand, that's a little under a million dollars
23 that OSPIC will be funded at to respond to, you know, three
24 thousand people for '95.

25 MS. HOLBA: If I might clarify, that includes the
26 three hundred thousand for OSPIC.

1 MS. BENTON: Okay, this -- okay, so it would just be
2 another three hundred thousand to try to figure out the data bases
3 that we don't have.

4 MS. HOLBA: No, that's the total amount, the amount
5 that you see before you ...

6 MS. BENTON: Five ninety ...

7 MS. HOLBA: That's the total amount for OSPIC and the
8 data bases that they're working on.

9 MS. BENTON: Okay, so it'd be like three hundred
10 thousand for the normal management and then another two hundred
11 ninety thousand to figure out the data bases?

12 MS. HOLBA: Right.

13 MS. MCBURNEY: So, excuse me, I'd just like to follow up
14 on some questions. Does the information management system also
15 include hardware, as well? (Indiscernible)

16 MS. HOLBA: All right. I'm not involved with that
17 project, and I believe it's Carol Frees (sp) who heads, and maybe
18 Molly can shed some more light on that. So, I really don't know
19 what's included in the data base portion of that. We've not been
20 very involved in (indiscernible)

21 MS. MCBURNEY: Well, one other question. I -- this is
22 just for my own curiosity, but as far as the mission of OSPIC, do
23 you -- is it more of an archives lab -- function, or is it more of
24 a research function (indiscernible)

25 MS. HOLBA: I'd say more research. It's not archival,
26 it's an active growing collection that is used in a variety of

1 ways, and research from the point of view of our patrons can be
2 from the perspective of a grade school student all the way through,
3 to graduate student, to scientists. It can be people conducting
4 background research for articles, documentary films, you know, we
5 loan slides and videotapes, and things like that. So, there's a
6 wide variety of this type of research being done. It's not -- it's
7 definitely not set up like an archive.

8 MS. FISCHER: Let me just -- going to make comment that
9 one of the things advertized, or one of the reasons why Valdez
10 wanted the library -- hoped eventually to get the library, mainly
11 because it is called Valdez Exxon oil spill, and secondly they
12 aren't going to call anywhere else, usually, they call Valdez, and
13 we have received a lot of calls to where you can get information,
14 and we refer them to Anchorage, which I know you've received them.
15 Yeah, we called Valdez and they told us we had to call here. I
16 know that if the Valdez library is integrated with the library
17 system throughout the state and throughout the U.S. that the
18 library could perform a great function in Valdez, as well as
19 cutting down the costs of what it would be to have it, not that I
20 want to take your job, but we certainly could use it Valdez, and I
21 think it would be beneficial on down the road in future references,
22 because that's where people are going to call to find out where
23 it's at.

24 MS. HOLBA: Just as -- as a matter of clarification,
25 we are part of the Western Library Network.

26 MS. FISCHER: Right.

1 MS. HOLBA: ... which is a network of five hundred and
2 fifty libraries on the West Coast and Pacific Northwest, and the
3 CD-ROM products that are generated by that library network are
4 purchased nationwide, and our -- essentially our card catalogue,
5 our CD ROM is held by the library Congress -- libraries throughout
6 the United States, and we're listed in the usual library
7 directories, things like that, so we -- we have established
8 ourselves in the library community throughout the United States,
9 and we have a growing number of international contacts as well.
10 So, we really make an effort to let people know that we're here and
11 we're available.

12 MS. FISCHER: I know the cost would come down if it was
13 moved to Valdez. Go ahead, Kim.

14 MS. BENTON: I guess with all the bad news, I -- I feel
15 that somebody that needs to say something positive about the
16 (indiscernible). I use it for information calls often, as you
17 know, and it's always been very helpful in getting the information,
18 and I think that's fine. It's serving in a very important purpose,
19 and I think we need to take some closer look at the budget, but
20 Carrie do you know if the budgets, over the last couple of years --
21 spent -- were right around that three hundred thousand dollars
22 (indiscernible)

23 MS. HOLBA: It's come down -- it's come down with the
24 elimination of the CACI contract we were able to cut the budget by
25 twenty percent, and yet expand the services and the material, that
26 we were able to provide (indiscernible).

1 MS. FISCHER: Okay, are there any other questions for
2 Carrie? Okay, thank you, Carrier, appreciate it. Okay, moving on.
3 Molly isn't back, is Eric here? Eric's not here. Okay, Nancy.
4 Well, we have an orientation and projecting, fund-raising costs per
5 capita. The Institute of Marine Science infrastructure
6 improvements, and so, oh, that's your -- your old schedule, this is
7 the new schedule, sorry about that. Okay, we had Molly first. Why
8 don't we take a five minute break and give Molly a chance to get
9 back so she can start this, or can you do it, Dr. Spies, the
10 orientation there. I'm sorry, wait a minute, let's take a five
11 minute break.

12 (Off Record 9:37 a.m.)

13 (On Record 9:42 a.m.)

14 MS. FISCHER: Okay, there's bagels over there on the
15 chest if anybody wants any.

16 (Aside comments)

17 MS. FISCHER: Molly is going to do the introduction.

18 (Pause)

19 MS. MCCAMMON: Madam Chair, at -- on January 31st of this
20 year, the Trustee Council conceptually approved funding for a
21 project in Seward for infrastructure improvements at the Institute
22 of Marine Science. That approval was conditional and the Trustee
23 Council directed the Executive Director to take some further steps
24 before final approval was given. Those included taking the needed
25 steps to secure NEPA compliance, to consult with appropriate
26 entities, including the University of Alaska, the City of Seward,

1 the Seward Association for the Advancement of Marine Science and
2 Trustee agencies to review the assumptions relating to the proposed
3 improvements and capital operating budgets, to develop an
4 integrative funding approach which assures that the use of Trust
5 funds are appropriate and legally permissible under the terms of
6 the Memorandum of the Agreement and Consent Decree, and to prepare
7 a recommendation of the appropriate level of funding for
8 consideration by the Trustee Council that would be legally
9 permissible under terms of the MOA and the Consent Decree. At the
10 October 5th meeting, the Executive Director gave to the Trustee
11 Council a draft report on the status of all of those directives
12 that he was given last January. In addition to the Executive
13 Director's briefing, there was almost a three hour briefing by the
14 project team on the status of the report. We don't intend to give
15 you a three hour briefing unless you really want a three hour
16 briefing, but a portion of the project team are hear to basically
17 update you on where we are, on achieving those directives that the
18 Executive Director was given last January. You have received in
19 your packet last week, this binder, which is a project description
20 and supplemental materials on that project. This goes through, and
21 I think captures all of the work that's been done since last
22 January on this project. If you don't want to read the big
23 document, this small -- smaller update, actually goes through, and
24 I think hits the highlights in terms of the major questions and
25 issues that have been identified regarding this project. It is our
26 understanding that the information included in -- in here and in

1 here addresses all of the issues that have been brought forth.
2 Now, whether these have addressed them to the satisfaction of the
3 six Trustees, I don't know that for sure, but they have all been
4 addressed, at least in some fashion, at this point. At this point,
5 the Executive Director is completing development of a final
6 recommendation on this project. He will have that prepared for the
7 Trustee Council at their November 2nd meeting. It is expected that
8 the Trustee Council will have that proposal before them at that
9 meeting. So, what we'd like to do today is, we have a portion of
10 the project team, Eric Myers, who is on the Trustee Council staff,
11 will lead off this presentation, and just speak to the purpose and
12 need section, which -- of the project description which has been
13 developed and expanded significantly since the project was first --
14 came before the Trustees in January. Dr. Robert Spies will also
15 speak to the purpose and need, and how it fits in with oil spill
16 Trustee Council funded research. We have Tom Livingston, from
17 Livingston and Slone, who is the chief architect for the project,
18 who will show you where the designs are, and also some of the
19 information about the capital and operating budgets. And, we have
20 Nancy Swanton, who is the project leader for the Environmental
21 Impact Statement, which has been completed and is awaiting the
22 Record of Decision on that. So, with that, I'm going to turn it
23 over to Eric, and if you'd like to either ask questions of each
24 individual or hold them to the end, it's up to you.

25 MS. FISCHER: John.

26 DR. FRENCH: Donna, could I ask a real quick question?

1 We've gone over this repeatedly before, but Provost continually has
2 requested that this project bear -- entitled -- that it's
3 consistent with the management structure of the University. Since
4 1988, the Institute of Marine Science not managed facilities, the
5 School of Fisheries and Ocean Science has.

6 MS. McCAMMON: Madam Chair.

7 MS. FISCHER: Yes.

8 MS. McCAMMON: I -- John, its' a -- I think anticipated
9 that once the EIS is complete that the project title will be
10 changed to reflect something different. But, the EIS is not
11 complete yet, a Record of Decision has not been signed on it, and
12 I would anticipate that following November 2nd there would be a
13 title change, but it was felt that through this process, in order
14 not to confuse the public, since it went from the Sea Life Center
15 to infrastructure improvements at the Institute of Marine Science,
16 that the last thing we wanted to do is to further confuse the
17 public by adding a third title. So, Eric.

18 MR. MYERS: Can you hear me, Sherry, on the ...

19 STAFF: Well, I will, keep talking. Your there.

20 MR. MYERS: Okay. Mr. French, I'm not sure if it's
21 entirely responsive to your concern about the title, but this
22 document is -- is at least, I think, a little bit closer in mark in
23 the sense that it speaks to proposed improvements affiliated with
24 the Institute of Marine Science, although exactly what title would
25 be appropriate certainly would be helpful, if you could provide
26 some guidance. As Molly McCammon noted there there were several

1 specific tasks -- tasks that the Trustee Council assigned to the
2 Executive Director, including extensive consultation with
3 appropriate entities as it related to purposes and need of the
4 proposed project. As you know, the proposed research facility
5 improvements referenced and described in the project description
6 have evolved and fundamentally changed from the original Sea Life
7 Center project proposed by the Seward Association for the
8 Advancement of Marine Science, SAAMS, to the Trustee Council in
9 June, 1992. The -- as a result of the consultations with a host of
10 entities, the proposal has been redesigned and restructured to
11 serve the research and monitoring needs consistent with the Trustee
12 Council mission. The -- there has been extensive consultation on
13 the design and development of the project with the Department of
14 the Interior, the National Oceanic and Atmospheric Administration,
15 the Forest Service, Department of Fish & Game, DEC, Department of
16 Law, University of Alaska researchers, various design consultants,
17 representatives of the City of Seward, SAAMS, as well as various
18 legal counsel, including representatives of the Department of
19 Justice, and others along the way. The purpose of the proposed
20 facility improvements is to provide needed infrastructure for
21 conducting long-term research and monitoring programs required to
22 restore and enhance resources injured by the Exxon Valdez oil
23 spill. The -- the unique and specialized capabilities that the
24 proposed facility would provide for studies on marine mammals,
25 marine birds, and fish genetics, fundamentally -- are fundamentally
26 important to the long-term restoration effort. The Trustee Council

1 specifically recognizes nineteen individual biological resources as
2 injured by the spill, while also recognizing that other resources
3 maybe identified and added to the list over time, or perhaps taken
4 off the list, if you will, as they are deemed recovered, through an
5 adaptive management process. So, there are -- are potentially
6 other species that would be added over time. These include marine
7 mammals, sea birds, complexes in intertidal and subtidal organisms
8 and several fishery resources, the facility improvements can play
9 an unique role in addressing. With the assistance of the various
10 agency representatives and technical experts, the research
11 infrastructure needs have been identified and designed explicitly
12 into the project. More specifically, the project would provide
13 laboratory capabilities, wet and dry labs, and other research
14 capacities, that would -- that would make it possible to conduct
15 life studies of -- of animals, including biogenic disease,
16 reproduction and neurobiology, among others. I won't expand any
17 further on that, but note that if you -- if you look at attachment
18 B in your handout, you'll find a letter from Dr. Spies and other
19 core reviewers commenting on the -- the facility. In terms of the
20 benefits to non-recovering injured resources, Trustee Council
21 policy number four in the draft Restoration Plan, specifically
22 emphasizes non-recovering resources as a focus and emphasis for
23 restoration activities. It is these same non-recovering resources
24 that are the focus of the research facility improvements that have
25 been proposed by the -- to be developed at the -- in affiliation
26 with the Institute of Marine Science in Seward. The -- these --

1 the research and monitoring programs to be carried out the facility
2 would contribute to the restoration of those injured but not
3 recovering resources, including harbor seals, sea otter, common
4 murre, harlequin duck, marbled murrelet, pigeon guillemot, Pacific
5 herring, pink salmon, intertidal and subtidal resources. In terms
6 of the more specific anticipated restoration, research and
7 monitoring needs, starting on page four, you'll find a very short
8 summary that is more elaborately described elsewhere, and also you
9 may wish to ask questions of Dr. Spies about the more -- about the
10 details. These -- the description here is essentially taken
11 verbatim from the detailed project description, and I should also
12 note that this summary should be read together with the detailed
13 project description, and they're essentially interwoven and
14 interlinked. The focus of the research capacity to the marine
15 mammal research and bird research and fish invertebrate research,
16 there is also consideration of the possibility of including a
17 dedicated research vessel and more submersible is part of the
18 project. That issue is one that still needs further consideration.
19 While recognizing that research and monitoring needs will evolve as
20 part of the adaptive management process, on the basis -- on the
21 basis of the available information, it can be reasonably
22 anticipated that the additional research capability provided by the
23 proposed facilities will be needed over the long-term. One of the
24 critical issues was assessing whether there are existing facilities
25 to address the identified needs. The capabilities of other coastal
26 research facilities in Alaska have been examined and a

1 determination made that no existing facilities in Alaska can
2 address the needs identified. The important factors taken into
3 account in looking at the -- at the possibility of locating the
4 facility improvements that are proposed, are expanding other
5 facilities to address the identified research infrastructure needs.
6 The important factors included availability of -- of high quality
7 fresh and sea water, accessibility, potential opportunity for the -
8 - for the project to be self-supporting, the availability of land
9 for the development and its physical location within the spill
10 area. On page seven you'll see a discussion of those issues, and
11 the essential point is that -- that while some of the other
12 facility locations around the state that were examined, as well as
13 the facility in Seattle, while one or more of those attributes was
14 associated with -- with some of those locations, Seward -- the
15 Seward location offered a singular combination of each of these
16 important attributes. The -- the facility could play an important
17 -- make an important contribution to the Trustee Council's
18 ecosystem approach. As you know, in policy number one of the
19 Trustee Council Restoration Plan, or draft Restoration Plan, I
20 should say, the Trustee Council expressly recognizes that the
21 restoration program will take an ecosystem approach. The -- and it
22 states recovery from the oil spill involves restoring the ecosystem
23 as well as restoring individual resources. In addition to the
24 specific marine mammals, marine birds, fishery and invertebrate
25 restoration research needs noted above, there are -- are many
26 restoration research issues that the facility would play a vital

1 role in addressing. As you will recall, the invitation for FY '95
2 project proposals identified a number of critical research areas
3 that were solicited for project proposals in FY '95. In
4 particular, food web relationships and oceanographic research were
5 two of the key research areas that were identified, and the
6 proposed facility could play a critical role in addressing these
7 critical long-term research needs. In terms of playing a -- making
8 a contribution to the comprehensive inter-disciplinary restoration
9 effort that the Trustee Council has identified as critical to the
10 success of the Trustee Council's mission, the facility would not
11 only provide the -- the physical research capabilities and
12 capacities that are needed for long-term restoration research, but
13 it would also provide a specific location where principal
14 investigators, agency resource managers, and others, could
15 undertake collaborative, inter-disciplinary research and monitoring
16 projects that have been widely recognized as critical to the
17 success of the restoration effort. The scientific peer review
18 process of the -- of the project resulted in a very favorable
19 review, and I won't elaborate on that, except again draw your
20 attention to attachment B. In terms of the facility ownership and
21 operation, it's expected that the facility would be owned by the
22 City of Seward and operated by the -- by SAAMS. The -- and, let's
23 see -- the -- in terms of the capital costs and funding requests,
24 as Tom Livingston will discuss in greater detail, consistent with
25 the -- with the eligible uses of the settlement fund, a very
26 deliberate and concerted effort was -- was made and in great detail

1 to explicitly identify the research components of the project, as
2 distinguished from the education components of the project. The
3 total capital cost of the facility are estimated to be \$47.4
4 million and the capital budget for the projects research only
5 component is \$36.9 million. A funding request in the amount of
6 \$24.9 million is being advanced by the project proponents to the --
7 to the Trustee Council. The annual facility operating expenses are
8 projected to be \$3.8 million. The facility is projected to
9 generate approximately \$3.9 million in revenue and, thus, support
10 its operations through the educational visitor portion of the
11 project. You're aware of the integrated funding approach that has
12 been proposed to support the project, including the use of the
13 already appropriated twelve and a half million dollar appropriation
14 from the Alaska State Legislature, which is another unique
15 attribute of the -- of the facility development proposal at Seward,
16 inasmuch as that is the -- the place where the -- where the
17 legislature has -- has already made a commitment, and, in fact,
18 those monies were, in large part, used to support -- were used to
19 support the design development of the project. I don't think I'll
20 -- I need to go on beyond that, I just wanted to highlight the --
21 in -- the highlights of this outline -- of this update, you will
22 note that as attachment A there is an organizational chart, which
23 describes the -- the relationships between the various parties
24 involved in the project, and with that I turn it over to Dr. Spies
25 to speak, if he would, to his review and the -- and the core peer
26 reviewers' evaluation of the long-term research needs that would be

1 made possible by the facility.

2 DR. SPIES: Thank you, Eric. In your packet is a memo
3 from myself and the core reviewers, Dr. Pete Peterson, or Charles
4 Peterson from the University of North Carolina, and Dr. Philip
5 Mundy. We've reviewed the need for the facility and made some
6 general comments about it -- the desirability of this facility. We
7 think that the -- that this is a wise use of -- of settlement funds
8 in the process that builds the marine research infrastructure in
9 the State of Alaska. There's really no appropriate facility in the
10 northern Gulf of Alaska to do this sorts of research that -- that
11 needs to be done on a restoration effort, and, I think, looking
12 back on what was done, I think we've made a very good effort back
13 through '89, the damage assessment and restoration studies, but we
14 probably could have done a much better job if this facility was in
15 place. Looking forward to the sorts of things, the kinds of
16 questions that need to be answered in the future in our restoration
17 research, identifying the needs for restoration, many times, as
18 we'll get into these studies and look at why a particular resources
19 are not recovering and what's constraining of recovery that --
20 often comes down to having to do some sort of laboratory studies,
21 holding captive animals, and also some ecosystem studies, as well
22 as asking specific questions about the interactions of animals
23 under controlled conditions, and this is a -- this sort of thing is
24 generally a supplement to the sort -- answering those questions,
25 and the large studies that we've all been -- myself and the peer
26 reviewers have been involved in -- in the past, almost always come

1 down to some sort of complimentation of the field research effort
2 with the laboratory effort, and this facility provides that sort of
3 complimentation. I think, also, that the -- there's more than
4 enough projects that are currently being undertaken by Trustee
5 sponsored research that would the facility, and I think that just
6 the existence of the facility itself will -- will allow new kinds -
7 - new kinds of thinking to come into the design of research studies
8 and allow new possibilities, and I think that there -- in terms of
9 the full utilization of this facility, I think there will be no
10 problem in the future, and both currently funded studies and what
11 people -- now that this facility would be available, what -- it
12 would broaden their horizons, somewhat, to be able to do a variety
13 of other types of studies. I think that will -- that covers
14 generally the scope of our comments and the review. I could answer
15 any specific questions about the sorts of detailed needs or the
16 sorts of projects that might be carried out in that facility.

17 MS. FISCHER: Are there any questions for Eric or Dr.
18 Spies? Mary.

19 MS. MCBURNEY: I have one, just at the -- toward the end
20 of your report -- oh, I'm sorry -- at the end of the report which
21 you submitted, you state that with this model some potential
22 financial backing would be necessary to ensure the viability of the
23 institution and total independent, and yet it is addressed in the
24 draft that this thing would be generating \$3.8 million per year,
25 which is about one -- well, tenth of million dollars less than the
26 projected revenues. Are you -- what are you referring to there?

1 DR. SPIES: We -- what are our concern was that if
2 there -- if there is a shortfall, we want to -- come sort of an
3 administrative structure that would be in place to -- to handle
4 that sort of thing. We'd -- we hadn't reviewed the budget in
5 detail for the project, but we felt that -- there had to be some
6 assurances that there was a good administrative structure in place,
7 and suggested it -- perhaps either a corporation along the lines of
8 the Woods Hole model, or else some -- and some assurance that the
9 University of Alaska participation and the administration would --
10 would provide such assurance.

11 MS. MCBURNEY: Has the university indicated that their
12 interested in doing that, and I'm kind of looking at John at the
13 moment.

14 DR. FRENCH: I'll defer to Lew Williams down there in
15 the corner.

16 MS. MCBURNEY: Lew?

17 MR. WILLIAMS: What.

18 (Laughter)

19 MS. MCBURNEY: Has the university expressed interest in
20 perhaps supporting some sort of an administrative safety net for
21 first year operations.

22 MR. WILLIAMS: The problem the university has -- it
23 hasn't any money. The Board of Regents are supportive of the
24 project, but we have advised the administration that there is no
25 money to spend, so that's our situation. We'll go along with -- as
26 far as we can with the assets we have. In other words, you got our

1 blessing, but just don't obligate us to spend any money. Does that
2 answer?

3 MS. FISCHER: A good answer.

4 DR. SPIES: I think maybe Molly McCammon could provide
5 further light on it.

6 MS. McCAMMON: I -- I believe that's also -- Tom
7 Livingston can address that when it comes to the operating and
8 capital costs because it's called what -- "ramp-up costs" or
9 something for that first year of getting under operations. But, we
10 do have letters in the binders that you received from Dr. Vera
11 Alexander from the School of Fisheries and Ocean Sciences, from Dr.
12 Komisar, from the university, and from others indicating their
13 participation, and they would take an active role in it. In terms
14 of financial support, the -- the first year start-up costs are
15 addressed in the financial plan that Tom Livingston can address.

16 MS. FISCHER: John.

17 DR. FRENCH: Yeah, I'll add a little bit to that. The
18 School of Fisheries and Ocean Sciences has an external advisory,
19 the council which met after the letters from Vera and Jerry Komisar
20 that are in the packet, and they reiterated the support for the
21 project. There's no question about that. They did also express
22 very serious concern about the integration with the management
23 structure, which Bob Spies also does in his last sentence there,
24 and that will have to be further negotiated between the university
25 and the project, but that shouldn't be viewed as a road block at
26 this point.

1 DR. SPIES: Yeah, we meant it more along the lines of
2 -- to ensure that this sort of issue was considered.

3 MS. FISCHER: Pam.

4 MS. BRODIE: Please excuse me if this question has been
5 answered at other times in the other materials, I'm kind of
6 overwhelmed with all the information, but there is, as I
7 understand, a research institute in Kodiak and one in Cordova. Why
8 are we building -- or why are people proposing that the Trustees
9 build an entirely new one in Seward rather than expanding either or
10 both of the existing ones?

11 MS. FISCHER: Good question. Who wants to answer that.

12 MR. MYERS: I could -- I think that -- an attempt to
13 summarize that the answer to that question is reflected in this
14 document on page seven, starting on page seven. There is more
15 detailed information in the project description regarding the
16 capabilities that of existing research facilities within -- within
17 the spill-affected region, and also an examination was -- was made
18 of the facilities at Auke Bay, in Southeast, and even some
19 consideration given to facility capabilities in -- in Seattle, but
20 there was a direct considered examination of the capabilities of
21 existing research facilities, and the opportunity to expand those
22 facilities, and the combination of the limitations on the one hand
23 with each of those locations and existing facilities, together with
24 the unique attributes of Seward, resulted in an affirmation of the
25 Seward site as the appropriate place to do this. Perhaps the
26 single most critical, but not the only factor, and, Tom, you should

1 jump in here if you think I'm missing something, concerns the
2 availability of a -- of a -- well, it's the availability of the sea
3 water for the life support system which is the heart of what's
4 being proposed to be developed here, and Seward has twenty-one year
5 history of known high quality sea water, and the sea water
6 resources in other locations are either uncertain, or in some cases
7 known to be inadequate, either turbid or of some other deficient
8 quality. But, that -- and that -- another important consideration,
9 and that -- that discussion relates, on page seven, relates to
10 these, in a very summary manner, the factors that were considered,
11 and another was the availability of land in a particular site for
12 expansion of an existing facility, and in a number of cases there
13 simply wasn't an opportunity to do any expansion. And, I think --
14 I forget exactly what tab it is, but there is a -- a summary of the
15 research -- sort of research profile of the various facilities that
16 were examined. Kim Sundberg is the best person to go into the kind
17 of exhaustive detail that you might want and unfortunately he's in
18 Finland, but that -- that question was very deliberately addressed
19 in this process, and Seward was identified as the appropriate place
20 on the basis of a number of criteria.

21 MS. FISCHER: John.

22 DR. FRENCH: I differ with that, but anyway -- as other
23 people said, there are projects both in Kodiak and in Auke Bay,
24 especially, which have already gone through requirement study
25 phases. They both have a longer history actually than the Seward
26 project does, and both of them look like they're going forward

1 with, at least in terms of developing new NOAA facilities, and I'd
2 asked this question directly to Bob, did you take into
3 consideration the fact that these facilities will probably come
4 into existence on essentially the same time line as the Seward
5 facility, maybe a year or two later, in terms of the likelihood of
6 full utilization of the Seward facility as you projected in your
7 letter?

8 DR. SPIES: We didn't specifically review those, but
9 we see enough work that's being done in this -- the central gulf
10 area by researchers in this area that the accessibility of Kodiak
11 and Auke Bay become issues. We don't see a problem with this
12 facility being fully utilized.

13 DR. FRENCH: Someone could argue -- with eleven flights
14 a day and the largest port in the Northern Gulf -- why, I shouldn't
15 say that, the largest commercial port in the Pacific coast,
16 including your great State of California, being in Kodiak, that
17 it's pretty accessible.

18 DR. SPIES: Thank you, John.

19 MS. FISCHER: Okay, are there (indiscernible)

20 MR. KING: I may not have read the fine print
21 carefully enough or listened well enough, but had two questions.
22 We used to have a research lab in Point Barrow that operated under
23 -- similar to this same concept. Investigators from all over the
24 country would fly to work in that laboratory, and bring their grant
25 money or whatever, and their students, and an important element of
26 the Barrow lab was a place for people to stay. And, obviously you

1 can't expect people to stay in hotels and motels if they're coming
2 to work for a few weeks or a few months in the coastal towns of
3 Alaska, so is there an item in there for a place -- for housing for
4 investigators?

5 DR. FRENCH: If I could quickly answer that, Seward has
6 -- currently has housing at the Seward Marine Science Center. We
7 do not at the other locations. Seward clearly has the advantage in
8 that particular issue.

9 MS. FISCHER: Are there any other questions?

10 MR. KING: Is -- I'd like to know if that was part of
11 this plan to -- if you're going to attract people, are you going to
12 take care of them, or are they going to be tenting, along with the
13 cannery workers, somewhere? And, the other question that I had
14 was, people keep bringing up Woods Hole, and Woods Hole has, in
15 recent years -- now that's a successful outfit, and it's worked
16 itself out of space on the waterfront, and they now have another
17 place back in the woods somewhere, and I just wonder if there's
18 enough space, if this thing really works, it looks like to me
19 they're going to need more than the facilities there, so is there
20 an expansion component in the vision for this thing?

21 MS. McCAMMON: Madam Chair, I believe Tom Livingston can
22 address those questions.

23 MS. FISCHER: Okay, Tom, go ahead.

24 MR. LIVINGSTON: Am I picked up (referring to
25 microphone)? Yes, there is an expansion component to the project.
26 I can show you that on the plans in a moment, that's sort of

1 getting a head of ourselves, but yes there are -- there are plans
2 for that, both within the IMS campus area and on the site proper
3 that the City of Seward owns

4 MS. FISCHER: (Indiscernible) Tom, go ahead.

5 MR. LIVINGSTON: An earlier question that was asked
6 about location of -- of this project versus other places in the
7 state and on the gulf. Section three, tab three in your project
8 description, purpose and need has a rather extensive inventory and
9 answers that question. At the back of that section there's
10 illustrations of the various research facilities on the north --
11 North Gulf Coast, and their capacities. At the front page of that
12 section addresses, I think the salient points, and certainly
13 proximity to injured -- the injured resources, the resources that
14 were injured by the Exxon Valdez oil spill is a factor. The
15 availability of sea water, as Eric mentioned earlier, the twenty-
16 one year history of very high quality sea water in Seward. The
17 opportunity to be -- to provide an infrastructure which is lacking
18 in a statewide research complex, the opportunity to become
19 operationally self-supporting with revenue derived from public
20 visitation or education, and that -- that one point is -- is driven
21 home by the fact that Seward is on the road system, and has many
22 visitors that come by vehicle. They also come by -- by cruise ship
23 and by the railroad, and we're anticipating in the first year over
24 240,000 visitors, very conservatively, anticipating that, and
25 that's something that none of the other communities can speak to,
26 and so, once you -- you assume a valid premise, that that's a

1 desirable premise to have revenue generated by visitation, and to
2 have visitors understand the marine ecology and the marine issues
3 around this project, clearly Seward has a leg-up on the other
4 communities. As Eric mentioned, of course, there's the twelve and
5 a half million dollars that has been granted by the state
6 legislature for the project, which again enhances its viability
7 considerably, and, of course, there is association with the -- the
8 IMS in Seward, which has facilities -- ongoing facilities now, and
9 in fact, I read in the paper the other day that -- that the
10 Department of Fish & Game is planning that their mariculture
11 facility will be located in Seward also. So, it -- it sort of
12 increases the critical mass of those kinds of institutes and
13 facilities, so they located it adjacent to the site. I'd like to
14 go ahead and present the design.

15 MS. FISCHER: Okay.

16 MR. LIVINGSTON: Are there other questions before I
17 start that?

18 MR. KING: Nobody answered my question about where
19 people are going to stay except at the facility.

20 MR. LIVINGSTON: Yeah, I think Dr. French mentioned
21 that -- that there is housing at the IMS, plus the City --
22 community of Seward has, you know, has housing available,
23 apartments, condominiums, hotels, things like that. So, there's --
24 it will depend a lot upon the research that's being done and the
25 duration of the research, the particular projects that are -- that
26 are started there, and for instance if you compare it to the Naval

1 Arctic Research Laboratory, which you were mentioning in Barrow, in
2 the '50s and '60s, course there was no housing, there wasn't even
3 a hotel in Barrow at that time ...

4 MR. KING: Oh, yes there was.

5 MR. LIVINGSTON: And that was why they had to provide
6 that housing, is because housing was so short, in such short supply
7 in Barrow, as compared to, say the community of Seward.

8 MR. KING: There was a hotel there then, and it cost
9 you a hundred dollars a day, or something, so, and people didn't
10 want to take that out of their research budgets, so I -- one of the
11 really important things the Navy did was make it cost effective for
12 somebody with a little research grant to work in that expensive
13 area, and I can see the same thing as being an important
14 consideration, and whether this thing does, in fact, attract a lot
15 of people or not is whether it is easy and cheap for people to get
16 space there to live while their doing some kind of a project, or
17 are they going to have to go look for a really high -- you know,
18 stay in the local bread and breakfast, or something, for eighty
19 dollars a day. Now, that's going to make a lot of difference to
20 students and to university people. So, I would hope there would be
21 something, I don't know whether this would be something that the
22 Trustee Council would want to address with Exxon money, but it
23 certainly is a consideration, as you look into all these different
24 aspects of how this thing is developing.

25 MS. McCAMMON: Madam Chair, one of the things that the
26 Trustees are addressing, at least the staff are addressing to

1 present to the Trustees are some of the conditions that might be
2 attached to any decision to approve the expenditure of these funds,
3 and one of the things we're trying to figure out is, what cost of
4 Trustee Council research would pay a facility like this. The
5 Trustee Council is being asked to pay a significant portion of the
6 capital costs of a facility, what kind of rent would a Trustee
7 Council researcher be charged, and we're operating under the
8 assumption that, basically, they would be charged no rent.
9 However, they might be considered -- be asked to contribute to
10 certain operating costs, such as utilities, and some of the
11 administrative overhead costs, and some of these things. The
12 reason that there is this visitor component added to the research
13 facility is that if it does work as projected, the operating costs
14 are basically paid for by the visitation, and so it's a free and
15 clear facility, in terms of operating costs, if it works based on
16 the assumptions. And, through the project teams has hired a number
17 of consultants and done a number of analyses to determine if those
18 projections are accurate, and they are projections, they have been
19 reviewed several times by outside, independent groups, and they are
20 using conservative figures, but you do have to make a certain leap
21 of faith that those projections are going to be somewhat accurate.
22 But, the advantage, if it does work as projected, is that those
23 operating costs are basically covered by the visitation component,
24 and one of the things that the project team did do last spring, was
25 to visit all the similar facilities up and down the west coast to
26 see what worked and what didn't work, and what they basically came

1 away from concluded as a result of that visit, is that those
2 facilities that were relied strictly on government dollars were
3 going under because the amount of money available for research is
4 decreasing, it's every more competitive and it's decreasing. The
5 city aquarium in Seattle is having a serious problem. Any kind of
6 facility depends on state's or municipal funding was having serious
7 problems. The ones that were most successful were those that had
8 a non-profit organization running them and that had some kind of
9 visitor component to help subsidize the operating costs, and that
10 is one of the reasons that this project is being proposed in this
11 fashion.

12 MS. FISCHER: Kim.

13 MS. BENTON: I may be lost, and I'm sure that somewhere
14 along the line in some of these documents it's in there, but I'm
15 hearing the shift that back to a visitor focus. The funding is
16 dependent on the visitors, and I'm just curious to know whether or
17 not, and probably have, if this project is finalized so far as the
18 legal review and how it all fits under the Trustee Council
19 settlement terms, and if it's a visitor component -- I'm a little
20 confused.

21 MS. McCAMMON: Madam Chair, I believe that information is
22 all in those -- the projects need and description and in this
23 document, and this has been extensively reviewed by the federal
24 attorneys. As to the portion of -- that the Trustees are being
25 asked to fund, which is strictly the research portion of the
26 facility, there is additional funding from the state criminal

1 settlement funds, and also from private fund-raising that will be
2 used to actually build the visitation portion of it. But, the
3 federal attorneys have gone through this with a fine tooth comb,
4 and feel very comfortable that the research portion of it can be
5 justified, in terms of that it is legally permissible to use
6 Trustee funds for the research portion. And there -- Tom actually
7 has some charts that has that kind of funding broken out, that I
8 think can visually show you how that would work.

9 MS. FISCHER: John

10 DR. FRENCH: I don't really want to belabor the point
11 (indiscernible) but since you -- and this is not intended -- these
12 comments are not intended to detract from the value of this
13 project, but since you brought up figure 3.1 as an example of the
14 research facility in other parts of the state, I do have to say
15 that what is given here in terms of the university facilities on
16 the first page there, is a significant understatement of the
17 capabilities in both Juneau and Kodiak, and in terms of accuracy,
18 in terms of mission emphasis, personnel are all inaccurate, both in
19 terms of present use and near-term expansion. And, finally though,
20 the only really critical point is the ownership of all three of
21 those facilities is identical, it's all the School of Fisheries and
22 Ocean Sciences. The Institute of Marine Science does not man --
23 does not own that facility any longer, any more than Fisheries
24 Industrial Technology Center own this -- built the one in Kodiak,
25 or UAJ owns the one in -- in Juneau. Hard news for Seward, but
26 that's the official university position.

1 MS. FISCHER: Are there any other questions?

2 MR. LIVINGSTON: If you think information anywhere in

3 here that's in error. I'd like you to address it, please, you

4 know, provide us, you know, written -- written mark-up because we

5 have ...

6 DR. FRENCH: Your arguments are sound, so I don't want

7 to belabor it too much.

8 MR. LIVINGSTON: We have gotten this information from

9 the sources of each of those research facilities.

10 DR. FRENCH: Interesting that I am a director of one of

11 those, and nobody approached me, but -- I never received a formal

12 request from Kim, A.J. or anybody else before the information to

13 send it back.

14 MS. McCAMMON: Madam Chair, I'll find out where the

15 information came from and make sure they meet with you to make sure

16 it's accurate.

17 MR. WILLIAMS: You mean you're finally going to meet with

18 him.

19 DR. FRENCH: It would be nice, wouldn't it, Lew.

20 MS. FISCHER: Pam, one more question.

21 MS. McCAMMON: You have been at some of the meetings.

22 MS. BRODIE: My question is about the visitation and

23 the projected income. Is this the appropriate time to ask this or

24 are you going to be making more of a presentation about that and I

25 should ask this question later.

26 MS. FISCHER: (Indiscernible) see what he presents.

1 MS. BRODIE: Okay.

2 MS. FISCHER: And, I'm going to ask (indiscernible)

3 about fifteen minutes, so we can open for questions and get on with

4 the rest of the program.

5 MS. SWANTON: I'm going to jump in here.

6 MS. FISCHER: Sure.

7 MS. SWANTON: I'm Nancy Swanton; I work with the

8 Department of Interior. I've been detailed to this project full

9 time since March from my usual job at Mineral Management Service to

10 head up the National Environmental Policy Act compliance effort for

11 this project. Section four of your project description summarizes

12 the NEPA compliance process for the project. Figure 4-1 shows the

13 major milestones for the NEPA process. The NEPA process has

14 proceeded on schedule since it was initiated on the 9th of March

15 with the Federal Register notice of intent to prepare an EIS.

16 Draft and final environmental impact statements have been

17 completed. You should all have had the opportunity to wrestle this

18 out of your mailbox. This is the final EIS, it came out in mid-

19 September. The remaining major task is the Record of Decision,

20 which is being written now. We anticipate issuing, what we call

21 the ROD, on the 28th of this month. Two action alternatives and a

22 no-action alternative were examined in the EISs. Both action

23 alternatives would provide infrastructure for the long-term

24 research and monitoring of resources injured by the Exxon Valdez

25 spill. The two alternatives differ, of course, in the type of

26 facility intended for the site, alternative one, which we have

1 called the proposed action includes both the visitation, education
2 component and the research component. Alternative two eliminates
3 the visitor-related functions. Impacts from both action
4 alternatives are similar in magnitude and nature for nearly all
5 categories analyzed. They are negligible to low, with the
6 exception of recreation where they are moderate for both
7 alternatives, and for quality of life and traffic and
8 transportation for alternative one, the proposed action where they
9 are moderate during the summer months. Thus, the main difference
10 between alternatives one and two, in terms of environmental impacts
11 is the magnitude of impacts for quality of life and traffic and
12 transportation, which are moderate during the summer months for
13 alternative one, as opposed to low to negligible for alternative
14 two. Benefits that could be realized with either action
15 alternatives include benefits to marine mammals and birds, as a
16 result of research, habitat enhancement, slight amount of habitat
17 enhancement with the creation of -- the eventual creation of a
18 tidal pool, site esthetics, which I understand is a -- is a
19 difficult one to get at, local economy, public revenues,
20 educational opportunities, quality of life during off peak months,
21 with respect to educational opportunities, enhanced visitor
22 facilities in the Seward area. Alternative one could benefit water
23 quality in some degree greater than would alternative two. There's
24 a greater run-off associated with alternative one because of a
25 parking facility that would be adjacent to the visitor and
26 education component that would be eliminated with alternative two.

1 In alternative one there would be an oil/water separator that would
2 be tied into the Seward municipal system, and that wouldn't be
3 there with alternative two, so you'd have some benefit with
4 alternative one with regards to water quality. Just to touch a
5 little bit on the coordination that occurred, as a result of this
6 NEPA process, we -- consider that it was a pretty extensive from
7 March through September. We worked with agencies, university, and
8 interested individuals and groups through our scoping process, and
9 later on through our public review comment process, and then all
10 along informally, as -- as much as we could, and as we were
11 requested. Two required consultations have occurred. One, for
12 endangered and threatened species, and another for archeological
13 and historic resources. The Endangered Species Act consultation is
14 complete at present, though consultation would be re-initiated if
15 needed. Thus, continued communication between the project team and
16 the National Marine Fisheries Service and Fish & Wildlife Service
17 is important to occur. The National Historic Preservation Act
18 consultation is almost complete. This consultation between the
19 Department of the Interior, as the lead federal agency on behalf of
20 the Trustee Council, and the Historic State Preservation Officer --
21 Officer -- culminated in the preparation of a Memorandum of
22 Agreement signed by both the SHPO's office and the Department of
23 the Interior, along with concurring parties being the City of
24 Seward and the Seward Association for the Advancement of Marine
25 Science, SAAMS, the leading component for this project, and the --
26 the entity that is envisioned to operate the facility. The purpose

1 of the MOA is to ensure that any impacts on historic and cultural
2 resources are minimized or eliminated, and to ensure proper
3 consultation with the State Historic Preservation Officer continues
4 to occur as the design phases of this project become more and more
5 complete. So, it's a protection and we were happy to be able to
6 complete that. We forwarded the Memorandum of Agreement to the
7 Advisory Council on Historic Preservation in Denver, their western
8 office. They have reviewed that MOA and concur with it and they've
9 forwarded it to their Washington office, executive director, for
10 the final signature, so we're well on our way with that one. In
11 summary, I -- I believe the EIS process did what it was supposed to
12 do, and that was to involve interested parties to encourage
13 additional planning and coordination, and I believe that the EIS
14 process has helped to provide better focus and definition to the
15 project. Does anyone have questions about the NEPA process for
16 this project.

17 MS. FISCHER: Rupert.

18 MR. ANDREWS: (Indiscernible) just a brief question just
19 to clarify, I thought you said, see if I'm correct that you also
20 looked at traffic patterns ...

21 MS. SWANTON: We did.

22 MR. ANDREWS: ... this type of thing?

23 MS. SWANTON: Right.

24 MR. ANDREWS: What was your conclusion on that?

25 MS. SWANTON: For alternative one, the alternative that
26 includes both the research component and the visitor and education

1 component, the conclusion was that during the summer months, that
2 traffic impacts would be moderate. There would be congestion in
3 certain locations coming into Seward. There would be more traffic,
4 of course, into the downtown area that doesn't exist at this time.

5 MS. FISCHER: Any other questions? Okay, Tom.

6 MR. LIVINGSTON: Thank you.

7 MS. FISCHER: Thanks Nancy.

8 MR. LIVINGSTON: The design of this project is driven
9 by the needs of the long-term research and enhancement monitoring
10 programs that are required to restore the resources injured by the
11 Exxon Valdez oil spill, and that's our primary driver for the
12 entire design. A secondary element, and one that is important, is
13 the visitorship element, which brings in revenues, and also
14 provides education to the public for the activities that are taking
15 place at the -- at the facility. During -- during the process, we
16 established two work groups that worked with us closely and
17 provided much of our information. One was called the Scientific
18 Work Group, and that was composed of representatives from the
19 University of Alaska, from NOAA, from the National Biological
20 Survey, from Alaska Fish & Game, and also some out-of-state private
21 consultants, along with the Exxon Valdez Oil Spill Trustee Council
22 scientific team: Dr. Spies, and other peer review scientists. We -
23 - the second work group was called an Education Work Group, and it
24 was composed of educators from all the major school districts in
25 Southcentral Alaska, the University of Alaska, the National Park
26 Service, the Alaska Department of Fish & Game, State Tourism

1 Office, the Alaska Visitors Bureau, the Kenai Peninsula Visitors
2 Bureau, the local Chamber of Commerce and others provided
3 information and input into the educational side of this project.
4 We prepared a project workbook, which became basically the Bible,
5 I think you've probably seen copies of that, it's a hundred and
6 fifty pages of data, basically, that form the basis for the design.
7 How long my tether is here, not very (rearrangement of microphone)
8 I'll speak loudly. This is a copy of the workbook that was
9 prepared, and there's been a couple of drafts generated, shared
10 with the Scientific Work Group, and the Education Work Group. We -
11 - we generated some floor plans with -- with the expressed intent
12 of reviewing the project with the Trustee's legal counsel, so we
13 could be assured that the portions of the facility that were
14 related to research would, indeed, be funded, and for funding by
15 the Exxon Valdez funds. The drawings included -- thank you --
16 these drawings, as are all of the drawings I'm going to show you,
17 and more, are included, of course, in the project description. The
18 project is located on the south shore of downtown Seward, along the
19 waterfront. It's located immediately adjacent to the Institute of
20 Marine Science, which is to the west. The site is owned by the
21 City of Seward. The -- the improvements will be located at the
22 west end of that site, immediately adjacent to the Institute of
23 Marine Science. (Cough) There is a fresh water source that's
24 beyond that, that we using, that will provide up to a hundred and
25 fifty gallons per minute of fresh water that is untreated, it's
26 unchlorinated. The -- to the west of -- to the east of the site is

1 parking for visitors and along this edge, along Railway Avenue, is
2 an existing park which will remain as is, and it's a city park.
3 There will be bus drop off provided along Railway Avenue. Visitors
4 will be entering the facility at the northeast corner. The
5 northwest corner is where we have service entrance and staff
6 entrance. At the south edge of the facility, we have -- we'll be
7 providing, and beginning construction actually this winter of -- of
8 a wave barrier structure to protect the facility from storm surge.
9 We'll also be having a -- two intake lines with a hundred percent
10 redundancy, in other words, we only need one, but we're providing
11 two, and they will go to a depth of about two hundred and fifty
12 feet, and provide fresh sea water to the facility. There will be
13 an out-fall line, that discharges at about a depth of fifty feet.
14 Everything that is discharged into the bay will be either treated
15 or will be in compliance with all regulations for discharge back
16 into the bay, so if there are any -- any waters that have been --
17 that have been, say contaminated with hydrocarbons, or something,
18 through experiments that might be conducted there, or any kind of
19 bacteria, or any other contamination. Those waters will be treated
20 before they're discharged into the bay. We have -- this is the
21 existing ferry dock and the ferry dock will be relocated to another
22 site in Seward, and the City of Seward is in the process of doing
23 that now, of relocating the ferry dock. The facility is basically
24 a two story building, one level is at street level, and then up one
25 floor is -- is another story. There's also a partial basement
26 under part of the facility which houses the life support system,

1 and -- and some mechanical functions. This is the main street
2 level, and again these drawings are color coded for purposes of
3 identifying different activities that were used in a rather
4 extensive process of identifying which were research -- which
5 components were research -- research-based, and that was a document
6 that we prepared in July and reviewed with the Trustee Council
7 lawyers. The yellow that you see over here is the visitor
8 component. It's primarily a lobby area, auditorium, book store,
9 and then there is a circulation path at the street level in this
10 area that allows visitors to view these naturalistic habitats,
11 these four naturalistic habitats, in an underwater fashion. There
12 are -- there are windows placed in these tanks so people can view -
13 - look into them. We're providing a tank for marine birds, for
14 stellar sea lions, for seals, and for sea otters. This side of the
15 facility, from here to the west is all research, and we have basic
16 employee sort of support areas up in here, diving equipment
17 storage, receiving, restrooms, employee support areas. Working our
18 way down, then we have sort of medical -- miniature medical
19 facility for animals. We have food preparation areas, we have
20 animal quarantine and isolation treatment areas here, so if an
21 animal comes in and needs to be quarantined, they will be placed in
22 that area, in fact, animals that are -- that are residing in other
23 parts of the facility, if they need to be quarantined, they can be
24 placed back in there, and, of course, there -- the appropriate
25 mechanical systems and whatnot, and finishes required to maintain
26 that level of quarantine. All of the -- all of the animal

1 requirements will meet Department of Agriculture standards, or
2 exceed them. We have a large wet laboratory in the middle of the
3 facility; a large central dry lab, which includes smaller dry lab
4 facilities around it, and this will be staffed by the facility, so
5 that researchers that are there will have this dry lab and a staff
6 that is -- that is operating full time to perform different
7 procedures. We have another wet lab at the south end of the
8 facility. We have a string of dry labs along this edge which will
9 support wet lab activities which are occurring down this central
10 core. This area out here is a large deck that has located on it
11 large tanks for long-term -- for short-term research of -- of
12 mammals and birds, and for long-term research of fish. And, all
13 these elements that you see on these drawings are either tanks or
14 pens, different depths. Many of them have visibility panels in
15 them so the scientists can do motion studies and whatnot,
16 videotaping, and things like that. Moving onto the second floor,
17 we have the library, which is located up in this area. It's
18 approximately the size of the EVOS library that's here in Anchorage
19 now. We have some education components, classrooms, and meeting
20 areas. We have central administration, which administers
21 everything in the facility, located in this area. We then have
22 visitor opportunities along this east edge, which will look out
23 onto the surface level of -- of these naturalistic tanks. We have
24 on this west edge offices for researchers, both for scientists and
25 assistants located all along this edge. One of the things that was
26 a wonderful challenge about this project from a design standpoint,

1 in terms of architecture, is to integrate these two seemingly
2 disparate and conflicting missions, the one being research and the
3 other being education and visitation, and one of the things we
4 learned on the tour that Molly mentioned, we did -- a number of us
5 in the project team started with Scripps down in San Diego and
6 worked our way up the coast all the way to Vancouver and visited
7 eight different facilities. Some were aquariums, and some were
8 research facilities, and some were trying to be both. But none had
9 -- had tried to be both from the get-go. None had tried to be both
10 research and provide a visitorship from the very beginning. They
11 always had something that was grafted on, later on, and it didn't
12 work well, and one of the lessons we learned in talking to the
13 administrators and the researchers at those facilities, was that
14 you need to do that, and you need to do it initially, that it's
15 necessary to let the public know exactly what you're doing in a
16 clear way, and to receive their support because that's how these
17 projects are funded, ultimately, is by public dollars, and that
18 you need to do it carefully, and you need to do it in a thoughtful
19 way in the beginning, and you need to do it in a way that doesn't
20 interfere with the research, and yet, gives the visitor a
21 meaningful experience. And so, as an architect, it was a great
22 challenge for me, and the way we've done that is partially by
23 separating from floor to floor, but also in this upper floor you'll
24 see these white boxes here, those are actually holes in the floor,
25 and there's glazing around those, they're windows around those, and
26 so the public is able to look down into the wet labs.

1 Additionally, along this edge you see these little balconies that
2 stick out, those are viewing areas that look out over the tanks and
3 pools, this whole deck. So, the visitors are out here in these
4 areas looking out at the scientists and researchers, and the animal
5 care folks, and there will be interpretive materials provided at
6 each of those areas, either through interactive video, through
7 written materials, possibly through real time communication between
8 scientists and visitors, on occasion, and, of course, in all
9 instances the researchers have the opportunity to screen that off
10 if necessary, if there's an activity that they don't feel
11 comfortable sharing with the public. And, we have to develop, of
12 course, sort of rules of engagement, rules on how to do that, and
13 that's one of things that will be done over the next few years is
14 exactly procedures and rules and whatnot for doing that. But, we
15 have these opportunities along here, plus over on this side the
16 public will be able to come out onto these walking decks.
17 (Rearrangement of microphone) My tether isn't long enough. This
18 is a cross-section through one of the naturalistic habitats, over
19 here is a public area, and the public is up on the surface, able to
20 look down on the surface near the animals, view the scientists and
21 the researchers out here doing research, long-term research, there
22 are interpretive materials to tell them what they're doing. This,
23 of course is an underwater opportunity for the public to look into
24 that. The tank that is lined with artificial rock work which give
25 it -- gives it a naturalistic character for long-term research
26 needs and there are a number of scientific needs that I won't try

1 to explain that are listed in the project description as to the
2 benefits of doing this. And, of course, we've carefully tried to
3 analyze what kind of slopes we have and the ratio of dry haul and
4 wet haul out, and surface water, and whatnot, but the scientists
5 then are accessing back in this area, the animals, and that takes
6 place back, really, around this arc, within this rock work, and
7 they -- you can see a little bit of it -- oops, too many drawings -
8 - you can see some of that in this area, and it's actually a ramp
9 which meets disability access standards. Animals will also be
10 brought -- carried from this area -- from these tanks back to this
11 area around through this loop, so it's large enough that an animal
12 in a cage can be brought around because there will be treatment
13 facilities here, and, of course, they're short term research
14 opportunities, here on the outside of the facility that need to be
15 accessed by these animals that are in long-term holding. The lower
16 floor -- the basement level contains our life support system and
17 the mechanical areas, and I won't get into that in too much detail,
18 but just suffice it to say, this is a diagram, and there are a
19 couple of these in your -- in your project description, if you want
20 to look at that in detail, but basically, we're providing a system
21 which brings in between four hundred -- four thousand five hundred
22 to five thousand gallons per minute of fresh sea water. And, the
23 total volume of all the tanks, the naturalistic and the short-term
24 science tanks is around a million gallons, and each of those tanks
25 has the ability to be completely isolated, both in terms of
26 quantity of water and quality of water, and also its discharge

1 water can be isolated and treated if necessary before it's
2 discharged, so there's a -- there's a great deal of flexibility.
3 This is nearly five million dollars worth of life support system,
4 and there's a certain cost effectiveness for doing this in one
5 site. Because of the cost of the intake system, of the wet well,
6 the large wet well which is located at the south edge of the
7 building, and the basic infrastructure for pumping water around,
8 it's much more cost effective to do that on one site and have these
9 various opportunities for the different -- different species at one
10 site. Also, the operational costs are much more cost effective
11 because as you can imagine, to operate a system like this you're
12 talking about an engineer, resident engineer full time with staff,
13 and to do that in multi-sites is extremely expensive. I wanted to
14 cover briefly some of the operating issues. We -- in our tour we
15 did discover that a non-profit structure is -- is very desirable in
16 terms of flexibility for procurement, for policies, for its ability
17 to change and to -- to make changes and to modify its structure to
18 respond to long-term research needs and -- and visitorship needs.
19 In fact, SAAMS has done a lot of changing and modifying over the
20 last year to -- to respond to these -- to many of the issues that
21 have been brought up in the last nine months. The -- there will be
22 a board of directors that will be a non-profit board. There will
23 be two representatives from the university on that board. There
24 will also be a board of governors, which is basically for fund-
25 raising. The EVOS Trustee Council will have a direct link into the
26 facility. They won't be represented on the board, per se, but they

1 will be -- they will have a direct link to the operation of the
2 facility.

3 MS. FISCHER: Are there any questions of Tom? Chuck.

4 MR. TOTEMOFF: Just one question on your board of
5 directors. What does local representation mean? Does that mean
6 local at Seward or local in the spill area?

7 MR. LIVINGSTON: Both, as just stated, there would be
8 both. Many of the details of this and -- and really of this whole
9 chart have to be worked out, obviously, and that's some of the
10 things that's going to be done over the next two years, basically
11 two and a half years, while we're constructing the facility. It's
12 anticipated that the facility will begin operation in the summer of
13 '97, so it's, well nearly three years away. And in that period,
14 there are a number of things that have to be worked out, and the
15 Trustees last week had some questions around these issues, and I
16 think, probably the agreement that accompanies the funding will
17 spell out the need to resolve some concerns about operations. One
18 of the four conditions that was -- that was asked of SAAMS back in
19 January by the Trustees was to develop an integrated funding
20 approach. Eric mentioned the state criminal settlement money of
21 twelve and a half million dollars, the joint funds of approximately
22 twenty-five million dollars, which are the EVOS funds, and then
23 private fund-raising of ten million dollars, and an additional six
24 million dollars for three chairs, and with regards to this, SAAMS
25 has retained a fund-raising counsel, J. Donovan Associates from
26 Boston, and that firm has done quite a bit of work in Alaska.

1 They're Providence Hospital's funding counsel, and they have --
2 they've done other -- had other clients. They have completed an
3 initial feasibility study, they haven't raised any money yet, but
4 they have done a feasibility study to see -- is it feasible to
5 raise ten million dollars, and they have come to SAAMS and said and
6 said yes, it is. And, it's feasible essentially in -- in two
7 increments. One increment being, this is a private fund-raising
8 area and one increment being for research of five million dollars
9 and one increment being for the visitation/education at five
10 million dollars. They've also reported to SAAMS that it is
11 feasible to raise the six million dollars for the endowed chairs,
12 and those would begin -- that process would begin after
13 construction. They anticipate that this first five million dollars
14 will take about fifteen months to raise. They'll begin that
15 process in November of this year. So, by February of '96, they
16 anticipate having this money in hand. They will then begin raising
17 education money and in the interim this -- this will be covered by
18 what we call bridge financing, or a loan. So, we have an entire
19 forty-seven million dollars with which to proceed with the project.
20 The capital budget has been prepared by Heery (ph) International,
21 which is a project management firm, and they have -- pieces of this
22 have been prepared by other consultants, some of mine, some
23 directly to Heery, and others completely independent of either
24 myself or Heery, and basically, the construction cost is in this
25 column, the design budget is in this area, and the project
26 administration/project management contingency, which is needed for

1 any project, and then the EIS and planning function which is in
2 this column -- gives us our totals then for -- for total capital
3 costs over here, and it's broken down then by research and
4 education components. This is, again, a document that was reviewed
5 with the lawyers as part of the exercise for determining the
6 eligibility of funding.

7 MR. WILLIAMS: Donna, I have a question.

8 MR. FISCHER: Yes, Lew.

9 MR. WILLIAMS: I wanted to get it before you put up that
10 last chart, but on the endowed chairs, are those going through the
11 University of Alaska or through this entity here for the -- where
12 are they going to be considered?

13 MR. LIVINGSTON: I think -- I think that's not
14 completely (indiscernible) Molly may have a better answer than
15 that.

16 MS. McCAMMON: Madam Chair, it's my understanding that
17 those chairs will be tenured faculty, on the faculty, tenured track
18 through the university. At least that's what Dr. Alexander has
19 indicated.

20 MR. WILLIAMS: But, that money will be raised from other
21 sources other than the EVOS settlement.

22 MS. McCAMMON: That's correct. We have had a fund-
23 raising.

24 MR. WILLIAMS: Because I was (indiscernible) -- I
25 suggested they go in there as part of a project for one year, ask
26 for two million dollars for an endowed chair. I gather your

1 lawyers wouldn't agree to that.

2 MS. McCAMMON: Well there's -- lots of controversy and
3 disagreement, I think, over the whole issue of endowed chairs, and
4 its -- the idea for these particular chairs is to go through
5 private fund-raising.

6 MR. LIVINGSTON: There's actually a schedule for that
7 in -- in section eight of the project description.

8 MS. FISCHER: John had a good question, too.

9 DR. FRENCH: It would relate back to the time -- what
10 do you anticipate the peak visitation to be per day?

11 MR. LIVINGSTON: The peak visitation in the summer
12 time on -- on a busy day will be approximately eight hundred and
13 fifty people in an hour.

14 DR. FRENCH: In an hour, an hour, okay.

15 MR. LIVINGSTON: And we're anticipating an hour's
16 experience.

17 DR. FRENCH: But, the question I'm getting back to,
18 more or less, is in your -- your public portion of the building,
19 the educational portion of the building, it looks to me like you
20 have a pair of ten by twenty lavatories. Is that going to be
21 adequate for that level of visitation?

22 MR. LIVINGSTON: I -- I can assure you that the
23 lavatories will be -- yeah, they'll be (indiscernible -
24 simultaneous talking)

25 DR. FRENCH: ... a lot of projects, and that's
26 frequently an area they get undersized.

1 MR. LIVINGSTON: Right.

2 DR. FRENCH: And it looks like it's happened, it's been
3 undersized on this project.

4 MR. LIVINGSTON: It's one of the things we learned.
5 There are two -- two of the most important things about museums
6 are, where are the bathrooms and how big are they, and where's the
7 gift shop and how big is it. And, this, in a sense is a museum-
8 type of ...

9 DR. FRENCH: My other question on design, and I should
10 have checked on this myself, I didn't bring the figures -- that's
11 got the mechanics, you do have chillers in there somewhere. You're
12 not just banking on the ability to get being cold sea water.

13 MR. LIVINGSTON: We have the ability to chill water,
14 uh-mm. We don't anticipate many experience -- experiments with
15 requiring that, but if it's needed, it's there.

16 DR. FRENCH: (Indiscernible)

17 MR. LIVINGSTON: And there's a pretty detailed
18 description in section 8 on the life support system, at the back of
19 section 8.

20 DR. FRENCH: This book or ...

21 MR. LIVINGSTON: Yes, in the project description.

22 MS. FISHER: Are there any other questions? Okay, we
23 have two more minutes.

24 MR. LIVINGSTON: Okay, yes ma'am.

25 MS. FISCHER: Pam.

26 MS. BRODIE: You -- you said this but I didn't quite

1 follow. If the Trustees fund this to the tune of twenty-five
2 million and that's added to the Exxon criminal money of twelve and
3 a half million, then you have to raise another ten million. But,
4 at what point do you actually go ahead? How much of that extra ten
5 million do you figure you need to raise before you go ahead and how
6 do you get this loan to cover the rest of it until -- or whether
7 you can raise it, and if you can't raise it then what happens?

8 MR. LIVINGSTON: I'll do my best to answer that. I'm
9 -- I'm an architect, and didn't prepare that -- that part of the
10 work. As I understand it, the five million dollars for -- for
11 research would -- would be initiated in November, and the fund-
12 raising counsel has indicated that takes fifteen months to raise
13 that, based on interviews that he's had around the state with
14 potential donors and corporations and foundations, both in the
15 state and nationwide. The -- at that point, they would initiate
16 the second increment of private fund-raising, the five million
17 dollars for the education/visitation component, and whether that
18 money is needed at that point or not, it's for proceeding with the
19 project. It may be needed, but if it -- and if it is needed, there
20 would be bridge financing, it would be a loan that would secure
21 that five million dollars, so the project could proceed. We're
22 anticipating a cash flow -- we'll not need it, but if it is needed
23 for other reasons for conditions on other monies, either EVOS money
24 or state settlement money, then that bridge financing can be
25 secured to meet that requirement.

26 MS. BRODIE: Who decides?

1 MR. LIVINGSTON: Who decides? I -- I don't know.

2 MS. BRODIE: The Trustees?

3 MS. McCAMMON: Madam Chair, if I could. In getting to

4 the point of being able to present his recommendation to the

5 Trustee Council, the Executive Director has identified what we --

6 what we're calling the four leaps of faith, and what it comes down

7 to, in a way, is the Trustees are not business people. They are

8 public servants, dealing with public money, and a lot of what we're

9 looking at here is to what degree of comfort you feel about these

10 assumptions that have been put into the project, and maybe, if you

11 were a business person, you might be a little more amenable to more

12 risk. But, I think the Trustees themselves want a very -- a large

13 degree of comfort, that if they go ahead with this project, that it

14 -- it is going to follow as it's envisioned. And, we believe that

15 there are actually four items that have a -- a degree of faith

16 related to them, and between now and when the Trustees meet on

17 November 2nd and when the Executive Director prepares his

18 recommendation, we're looking at various ways of ensuring that

19 there is a large degree of comfort, that it revolves around those

20 four elements. The first one is that private fund-raising will

21 work, that the assumptions that have been used by the consultant,

22 that -- that they're accurate, that people feel comfortable about

23 that, and in that regard, what happens if it doesn't work. Is

24 there the ability to save this? What does phasing mean to the

25 project? And, those kinds of things are going to be addressed in

26 the Executive Director's recommendation. In order to give the

1 greatest degree of comfort to the Trustees when they actual make a
2 final decision. The second, kind of leap of faith is that, if they
3 build, they will come, that researchers will actually use the
4 facility if it's available. I mean certainly no one wants to spend
5 nearly fifty million dollars on a white elephant in Seward that
6 sits empty, or that at some point it becomes obsolete, and so
7 getting the necessary assurances from the state agencies, from the
8 university and from others, that if this facility is built, that it
9 serves a need, that it serves a niche that is not fulfilled now in
10 terms of marine mammal, marine bird and fish genetics research,
11 that it will actually be used, and to what degree of assurances
12 will make the Trustees feel comfortable. That's the second item
13 that we're addressing. The third item is that a major component of
14 the subsidizing the operating costs is through the visitation
15 component. So, the third assumption is that tourists will come.
16 At this point, there is no contracts with any tour companies with
17 any of the tour ships, with Princess Cruise Lines or others, that
18 yes, they are going to guaranty they're going to bring six hundred
19 visitors per hour through this facility. There are indications of
20 a high degree of interest. All of the assumptions that have been
21 gone through seem legitimate. It still requires a degree of faith
22 if those assumptions will be fulfilled. We're looking at trying to
23 nail down some greater assurances on that aspect. The fourth
24 element is that a board will be in place that has the management
25 ability, the academic credibility to oversee a project of this
26 nature, and this is one of the items that was actually brought up

1 by the fund-raising consultant, that in order to actually raise the
2 amount of funds that they are looking at here, that the board
3 itself was going to have to be restructured. It was going to have
4 to take on more of a statewide prospective, that it could not be
5 made up primarily of local Seward residents, that it needed more
6 statewide, that they needed a banking person on it, that they
7 needed more -- the needed additional scientific credibility, in
8 terms of assuring quality control, ensuring that this was going to
9 be a top-notch facility, that the kinds of research that would be
10 produced from there would be -- would have a high amount of
11 credibility, and the SAAMS board is in the process of restructuring
12 itself. So, that's -- we consider that the fourth leap of faith,
13 if this will actually occur. An, in our discussions with the
14 Trustees, you know there are various levels as to what kind of
15 assurances they would like to see, but I think you can tell from
16 this presentation that since January, there's -- there has been an
17 incredible amount of work that has gone into this project. The
18 reason for all of this extensive amounts of briefings to yourselves
19 and to the Trustees is because of the high ticket items. I mean,
20 this is the twenty-five million dollar request for funding that's
21 coming before the Trustees. There have been an extensive amount of
22 work done to achieve the directives that were given the Executive
23 Director in January. There's still some outstanding issues that
24 need to be resolved, we're trying to figure out ways of minimizing
25 the amount of revenue to the Trustees, if they go forward with this
26 project. So, I wanted to bring those to your attention, and I

1 don't want to belittle them, they're serious, they're -- they're
2 major issues. Certainly the opportunities in a facility like this
3 are also potentially incredible. I think the Trustees appreciate
4 that fact, but they also accept their responsibilities as public
5 servants very seriously when it comes to public funds, and want to
6 make sure that these issues are nailed down as tight as possible to
7 the greatest degree possible.

8 MS. BRODIE: Thank you, Molly, that's very clear. I
9 really appreciate that.

10 MS. FISCHER: When you mentioned the seats, you know
11 that you'd have a banker and maybe other business people around the
12 state or whatever, so you're going to have designated seats on that
13 then, that would be filled pretty much like the PAG group, or ...

14 MS. McCAMMON: Madam Chair, that's still being worked
15 out, but I think certainly there kind of areas of expertise that
16 would be sought in terms of making a more well-rounded board of
17 directors.

18 MS. FISCHER: Kim, and then Mary.

19 MS. BENTON: (Indiscernible - out of range of
20 microphone) The question I was -- if this will be funded, could
21 you give an idea on timing, is today the last day that the Public
22 Advisory Group will have to give comments on their degree of
23 comfort before the Trustee Council makes a final decision, or is
24 there a time line such as -- estimated for when the Trustee Council
25 will take up the funding of the project, final funding, or ...

26 MS. McCAMMON: Madam Chair, the time line we're operating

1 under now is for the Trustees to have this before them at their
2 November 2nd meeting.

3 MR. CLOUD: In answer to concern, Kim, we already, I
4 believe our comments on this last year.

5 MS. FISCHER: But I -- I think though that they are
6 looking for more comments today as the final comments, one last
7 time from the PAG group.

8 MS. McCAMMON: At the very least, Madam Chair, I'd like
9 to know if there are any outstanding issues or questions that you
10 have that you don't believe are being addressed that we could add
11 to the list to make sure are being addressed.

12 MS. FISCHER: Okay, Cliff. I'm sorry, Mary -- Mary,
13 first.

14 MS. McBURNEY: Thank you, Representative (Davisdons). My
15 concern relates to the leap of faith number two, that if you build
16 it they will come, and my big concern is that -- not -- is that
17 once we have this state-of-the-art facility in place, that, at
18 least in early stages that there is not the level of interest or
19 usage on the part of the research community, is the Trustee Council
20 going to be looked at the source of research dollars to support
21 this facility, and if so, is there -- my primary concern is that
22 there's going to be a de facto policy that will evolve that's going
23 to be the research projects that are going to utilize this facility
24 will be preferred, that they will receive perhaps a higher category
25 level, for example, for funding, which might take away from other
26 research institutes that such as in Kodiak or in Cordova, and

1 that's one thing that does concern me that research dollars are
2 going to be funneled into this facility to support it -- to help it
3 through those ramp-up stages.

4 MS. McCAMMON: Madam Chair, the estimates that are used
5 for the actual operating costs, and I believe it's on this, only
6 include overhead costs from research of two hundred and fifty
7 thousand dollars. This is very minimal amount -- amount of money
8 that would be generated from research. So, the operating costs,
9 and how it's being looked at now, they're using very conservative
10 figures in terms of what kind of overhead you would get from
11 research dollars. I think in setting the priorities, what we have
12 discussed, is that in a facility like this, certainly EVOS research
13 should get priority over other research, so if there is a need for
14 EVOS research to be done in a facility like this, that research
15 should get priority over research that was non-EVOS related. And,
16 we're looking at that as one of the conditions to be added to the
17 facility's funding. But, in terms of whether -- because of these
18 operating costs, whether the Trustees would feel obligated to fund
19 twenty million dollars worth of lab research as opposed to twenty
20 million dollars worth of field research, I don't think that would
21 necessarily -- I don't believe that would happen. First of all, I
22 think the operating cost estimates would have to be way off, than
23 what they are now. And, I think under a conservative operating
24 level, I don't think you would get to that point. In addition, I
25 think Dr. Spies could -- could speak to the fact that since the
26 spill there has been a need for the kind of lab research to be

1 done, that has not been able to be done because of the field --
2 because of the lack of facility, and they see the two complimenting
3 each other. They don't see lab research replacing field research
4 but actually complimenting it.

5 DR. SPIES: Like you say, I think the Trustee Council
6 is very, very clearly committed to the ecosystem approach-type
7 studies that are mainly laboratory-type studies -- I mean, excuse
8 me, field-type studies that the laboratory studies will play an
9 important -- compliment that ongoing effort, but I don't think that
10 there's -- I think that's a concern that needs to be kept in mind,
11 but I -- I don't see the direction of the Trustees research program
12 changing significantly to favor only laboratory studies that would
13 be conducted in such a facility.

14 REP. DAVIDSON: Thank you, very much, Tom, leaps of faith
15 and expenditure of public dollars always makes me kind of nervous.
16 And I was wondering, what kinds of funds have been spent on this
17 project to date, and where have those funds come from?

18 MS. FISCHER: Molly.

19 MS. MCCAMMON: Madam Chair, so far the Trustee Council
20 itself has spent about a hundred and fifty thousand dollars on the
21 support staff for the Environmental Impact Statement and for the
22 project coordination through Kim Sundberg at the Department of Fish
23 & Game. The cost of the Environmental Impact Statement, all of the
24 design work, all of the work that Livingston Slone has done and the
25 other consultants, has been paid for through a fund of twelve and
26 a half million dollars state criminal funds, and Tom may have a

1 total on where they are in that. There were conditions on that
2 funding, only a certain portion could be funded -- could be used
3 until funding for full project was obtained.

4 MR. LIVINGSTON: That's right. My memory doesn't
5 serve me well on the exact amount of money that's been spent, but
6 I recall from last week, I think, it was \$1.7 million total.

7 MS. SWANTON: (indiscernible) said 1.6.

8 MR. LIVINGSTON: And, the largest share has been for
9 the Environmental Impact Statement, largest single piece, and the
10 rest of that has been in design, engineering, management. The --
11 there is a requirement on that funding, stipulated by the
12 legislature that no more than four million dollars can be spent
13 until other funds are in hand, so we're within those guidelines.

14 MS. FISCHER: Tom, how much more do you plan to go over?

15 MR. LIVINGSTON: Not much, yeah, that pretty much sums
16 it up. I just wanted to draw your attention to the appendices, and
17 there are answers to a lot of your questions specifically about the
18 market demand analysis. There's the third market demand analysis
19 that's been done for the project that's in this appendices, the
20 first one was done by Fox Practical Marketing. This last one was
21 also by Fox Practical Marketing and Management in Anchorage. The
22 middle analysis was done by a firm out of Portland, Oregon, which
23 was hired by AIDEA to check the demand analysis and to confirm the
24 dollars, and make sure that it was really -- that they were really
25 accurate. Some of the thins that have been done in this last one,
26 is Dale Fox has had the opportunity to go and interview many of the

1 cruise ship companies in person, and he's also spoken -- spoken
2 directly with other users, both -- both large and small, everything
3 from Mom and Pop to Princess Lines. He has also -- new data has
4 become available from the state, new tourism numbers and values
5 that he has incorporated into this material and so -- so it's --
6 it's just a fresher, finer look at the visitation prospectus, and
7 it's -- it's, again, it's a conservative analysis. There haven't -
8 - haven't been any, you know, any leaps of faith in preparing this
9 material. One of the interesting things that, you know, came
10 across was that approximately five hundred thousand visitors
11 visited Seward last year, and that's an extraordinary number for a
12 community of its size, and we're anticipating a fraction of those
13 that would visit this facility, so, we're not -- you know, we're
14 not over extending ourselves in terms of prediction of visitors.

15 MS. FISHER: Okay, John had a question first and then
16 Jim.

17 DR. FRENCH: With respect to the facility that I've
18 been -- developing the architectural for over in Kodiak, Bakers and
19 Alpha have recommended that we budget at least two percent for
20 annual maintenance on the building, and three percent for long-
21 term, per annually -- per year. That amounts to, if I'm -- my
22 rough calculates are right, something like two and a half million
23 dollars a year. I don't see that anywhere in these budget
24 projections.

25 MR. LIVINGSTON: Madam Chair, I can't -- I can -- I
26 can show you what we got, I can't vouch for how it compares to the

1 guidelines you've been given. I'm not sure if those guidelines --
2 those percentages were applied to construction dollars, or to total
3 project dollars, but there's a big difference, of course. Yeah,
4 okay. This is our operating budget and, again, this is under tab
5 nine in the project description, you'll find this chart among
6 others, and we've actually gone through -- we have a staff, a
7 complete staff listing in there, also of anticipated staff, I
8 believe I had forty-five staff that are non-scientific staff, that
9 are operating the facility, and they have science background
10 certainly, but they're not researchers. We're not anticipating
11 researchers in that operating budget in that staff budget. And, so
12 we have our expenses at the top and we have some backup here, and
13 in our operations we show utilities, certain supplies outside
14 services. Now, many of the operations costs are really staff-
15 related and so they would fall -- they would fall under this
16 category of the two million dollars which is composed of
17 essentially all staff.

18 DR. FRENCH: The recommendations we were given and
19 what's gotten the university in trouble on deferred maintenance in
20 the past, is not budgeting the dollars, and they're specifically
21 from maintenance, they're not for annual operating costs. I think
22 you've done a good job with the annual operating cost. I don't
23 have any questions for with your figures, but if -- what I keep
24 being repeatedly told by both my facilities people and hired
25 contractors is you need to budget for the annual maintenance of
26 this facility, of over and above the normal operating costs of the

1 facility.

2 MS. McCAMMON: (Indiscernible)

3 MR. LIVINGSTON: Right, yeah it is. I -- I need to
4 find it.

5 MS. McCAMMON: It's in there, but I'm not sure where.

6 DR. FRENCH: I hope it's in there, I couldn't find it.

7 DR. SPIES: I remember -- I remember a discussion of
8 that with the Trustees, I can ...

9 MS. FISCHER: Where are we?

10 MS. McCAMMON: Operating budget and expenses.

11 MS. FISCHER: Operating revenue.

12 MR. LIVINGSTON: There's a replacement value of fifty
13 thousand dollars annually, there's a supplies value of fifty
14 thousand dollars, ongoing equipment, outside services, I can't
15 speak specifically ...

16 DR. FRENCH: (Indiscernible - simultaneous talking)

17 DR. SPIES: In the presentation to the Trustee Council
18 last week, Mr. Sel Gregg answered that question, that they were
19 budget, I can't recall the figures, or how they were -- but what
20 item in the budget they were under.

21 MS. McCAMMON: We'll look into that and get back to you
22 Dr. French.

23 DR. FRENCH: Yeah, I was astounded when the project got
24 the percentage they got from Bakers and Alpha, but that's what they
25 gave me, and I don't know why they'd be different here than they
26 would be there.

1 MS. FISCHER: Kim.

2 MS. BENTON: I don't know how the rest of the group
3 feels, but maybe a way to wrap this up is for us to take a look at
4 what we said a year ago about the project, taking into
5 consideration the information that we have, and take a look at how
6 we feel now so that when the Trustee Counsel has a meeting on
7 November 2nd they'll have our comments as a body to consider.

8 MS. FISCHER: Jim.

9 MR. KING: I'm still wondering about exploring about
10 -- about if this thing is really successful and needs to be
11 expanded, you were going to go into a little bit, and also, I too
12 would like to hear a little bit more about this (indiscernible)
13 where people are going to stay. I think that government per diem
14 in Seward is a hundred and some dollars a day, so maybe
15 (indiscernible), but if you're bringing in basically field people,
16 as Dr. Spies mentioned that funding competition would be service
17 people that take care of five hundred thousand tourist in the
18 summer. I think, there's a possibility of a bottleneck there that
19 needs to be addressed, you know, researchers can't (indiscernible)
20 immediately, they won't, they'll go somewhere else, or maybe they
21 won't come at all. So, could you address those two items on the
22 table.

23 MR. LIVINGSTON: I can address your first one, the
24 second one I still don't have an answer for.

25 MR. KING: Well, I mean would there be a plan to
26 adjust this thing.

1 MR. LIVINGSTON: Yes, yes. Your first question. This
2 -- the parking area that's shown over here is anticipated that it
3 could be used for future expansion facilities and it is zoned by
4 the City of Seward to do that, and it is available to do that.
5 It's been dedicated to the project, it can be used for that in the
6 future. We don't want to get ahead of ourselves, but we do know
7 that these facilities do tend to grow, as you've pointed out, and
8 the demand is certainly there. Parking then would have to be
9 provided elsewhere in the community over a long period of time --
10 when -- when you -- if you built facilities here, you'd have to
11 then find additional parking elsewhere in community. There is --
12 there are a number of vacant and available areas that have been
13 identified as potential sites for parking. We haven't, you know
14 gone to -- we haven't gone to the lengths of specifically of trying
15 to mark those, but there's a plan for doing that.

16 MS. FISCHER: What is the wishes of the PAG group, do
17 you want them to go with their explanation or do you want to wrap
18 this up and give a summary, pretty much of -- can I say some more
19 besides a few heads shaking?

20 MR. CLOUD: Let's wrap it up. (Laughter) Let's see
21 if we can get back on schedule. That would mean we'd wrap this up
22 at ten o'clock this morning, move the clock back like the
23 legislature does every year. (Laughter)

24 MS. FISCHER: Okay, Tom, I think we're going to -- who
25 wants to start? Kim.

26 MS. BENTON: Before you tell me, because there's been

1 awhile, what did we do a year ago?

2 MS. FISCHER: I don't remember either. Rupert.

3 MR. ANDREWS: Well, I remember an experience but it
4 isn't -- the project a year ago, I think was entirely a different
5 project in many aspects. I mean, there was certainly a research
6 function there, but I think it was mostly tourism oriented. In
7 fact, I heard a nickname for it called the "whale jail" at that
8 time, and they look at it like "Sea World of the North", a very
9 economic stimulus to Seward. So, I think we've apples and oranges,
10 whether we compare a year ago what we heard and what we hear now.
11 This is entirely different approach the way I see it.

12 MS. BENTON: I guess I'm ready to pass a resolution or
13 if we could just -- what -- what we've done, what we forward to the
14 Trustee Council.

15 MR. MUTTER: I think you took action on -- on the
16 project.

17 MS. BENTON: Okay.

18 MR. MUTTER: I think there's another project here,
19 you're going to take action on ...

20 DR. FRENCH: Actually, (indiscernible) 199, Pam moved
21 that we defer it because at that point we had just received the
22 information from the Trustees to reorganize the project
23 (indiscernible). The only information before us was the old Sea
24 Life proposal.

25 (Aside comments)

26 MS. FISCHER: Are there any other comments? Mary, you

1 look like you want to say something, do you?

2 MS. McBURNEY: Oh, I was hoping that lunch was going to
3 arrive soon. (Laughter)

4 MS. FISCHER: Sherry, is lunch here? Okay, you want to
5 take a lunch break then, get your lunch and then we'll come back
6 and maybe discuss this a little bit more. Would that be all right?

7 MS. BRODIE: Let's finish it up right now.

8 MS. FISCHER: Pardon me? It's here, she just said it
9 was here. Okay, we will move on to the next agenda item during
10 lunch, what should be the PAG member issues and final report. Pam.

11 MS. BRODIE: I would suggest that we -- we finish this
12 item before we move on.

13 MS. McBURNEY: The Trustees are looking to us for
14 something (Indiscernible)

15 MS. FISCHER: For some sort of -- we should have some
16 work product to present to them.

17 MS. BRODIE We should have some work on it to present
18 to them.

19 MS. FISCHER: Right.

20 MR. CLOUD: Well, in that case I'll move for approval
21 of this project, whatever number it is.

22 MR. ANDREWS: I'll second that motion.

23 MS. FISCHER: All in favor of recommending the project
24 to the Trustees?

25 MR. FRENCH: (Indiscernible - out of range of
26 microphone). I was saying on -- on a project of this magnitude, we

1 might want us to have more than just an affirmative approval.
2 Maybe not, I don't know. I was just asking for clarification on
3 that.

4 MS. FISCHER: Yeah, we've opened it up for approval, and
5 then discussion will come, okay, then we'll open it up for
6 discussion. Is that all right? Okay. We have approval of the
7 project. (Aside comments) Yeah, open for discussion. Jim.

8 MR. CLOUD: Well, I speak in favor of this project.
9 I think it's been well thought out. It's -- it certainly has been
10 recommended by the Chief Scientist and the peer review people. The
11 Trustee Council has embarked on a schedule to -- to examine some of
12 the loose ends, or some of the -- certainly, some of the areas of
13 risk, and intend to follow through with that. The people of Seward
14 have dedicated their -- their resources to get the job done. It --
15 the Trustees -- there certainly are ways for the Trustees to feel
16 like they're going to get a return on this. Molly mentioned that
17 they intended to get the use of the facility virtually rent free,
18 and I suppose you could even develop a system of credits to make
19 sure that that happens, and if -- and if they ran out of projects
20 that were in need of this facility, they could always sell the
21 credits to other universities, or whatever, but certainly there's
22 been a heck of a lot of work done on this thing, and I -- I do have
23 to point out that it is a big dollar amount, and I'm glad that
24 we're having all of this attention, but we don't get any attention
25 on the big dollar amounts for when they go to spend it on buying
26 land. We're never asked what our opinion is on any particular

1 parcel of land. And, they're looking at spending a lot more money
2 on land than on this facility.

3 MS. FISCHER: Any -- Jim.

4 MR. KING: As a conservationist on the committee, I
5 would like to point out that this project does meet the criteria
6 that I feel compelled to bring up, periodically that this is the
7 kind of sustained project, and that it's a good use of the money to
8 benefit not only the restoration, but perhaps a new start of
9 leading to other things in the future, so I think it's a good
10 useful way to spend some of that money.

11 MS. FISCHER: Okay, Mary.

12 MS. MCBURNEY: Well, my support for this project, at this
13 point, is rather lukewarm. I would like to be sure that there are
14 perhaps some caveats that also go forward with our final
15 recommendation, which I believe would probably be on the favorable
16 side, and making that assumption, I would like to, perhaps, make a
17 recommendation from the PAG regarding the overhead issue for
18 Trustee-funded research, and in particular that would address many
19 of my concerns regarding overhead from Trustee-funded research
20 being used to fund operating expenses for the -- the center, and
21 that there perhaps become some sort of a de facto preference for
22 Trustee research for these institutes.

23 MS. FISCHER: Any other -- Chuck.

24 MR. TOTEMOFF: I think there should be some way -- if we
25 want you to approve this motion, there should be some consideration
26 as to how this information gets down to affected villages and

1 towns, since this is primarily what the benefit is supposed to be
2 for, is for those injured services and resources that we depend on.
3 You know, how does the information that's generated out of this
4 multi-million dollar facility, get back to the communities, which
5 it's intended for?

6 MS. FISCHER: Okay, anyone else, John

7 DR. FRENCH: Yeah, I intend to vote for it as -- as a
8 project, but I would like to see us recommend that a very close
9 look be given at that management structure for the project with two
10 intents in mind. The first being that it better integrate the
11 University of Alaska's concerns about the management structure, and
12 two, that it provide a broader statewide base in term of the
13 management of the facility, as related to, I guess it was Molly's
14 comments, about the fund-raising. I think that's -- those are both
15 important directions to go, that it get away to, at least some
16 extent from just being a Seward and SAAMS facility. I applaud the
17 -- the activities of SAAMS in this effort, and I think there's been
18 a tremendous effort, and I don't -- I'm a little reluctant to
19 recommend taking it out of people's hands in that sense, but I do
20 think that the board of directors needs a broader representation.

21 MS. FISCHER: Okay, Lew.

22 MR. WILLIAMS: Donna, as a public member I support this
23 project completely, and I agree with Jim Cloud that, you know, some
24 of the land thing -- this is better to me than some of the land
25 acquisitions because we have plenty of reserved land in Alaska now.
26 But, also as most of you know, I'm a member of the Board of

1 Regents, and I -- I think some of these minutes and what some of
2 comments we make go to the Trustees, and I'd like to caution them,
3 that as Mr. French brought up, we have a one hundred and fifty-
4 three million dollar deferred maintenance problem with the
5 university now, we have three buildings we've completed and can't
6 open, so we're not in a position to -- if this thing doesn't work,
7 to have it dumped on the university, unless they're going to dump
8 us the money to run it. And, the other thing, you know, I'm -- I
9 like the idea of endowed chairs, you know, that brings us some more
10 educational facilities for the university, but we have to be
11 careful that, as I say again, that we don't get dumped on with this
12 because, you know, we asked for \$199,000,000 from the legislature
13 for operation of the university last year, and we got \$169,000,000.
14 Now, we had to make some changes. We're also going through program
15 assessment and review, and there may be some changes within the
16 university's structure that -- well, we'll know in December, but I
17 would just want to warn people that, the university you see now,
18 may not be the university you see when this thing gets going.
19 Other than that, we think it's a find project.

20 MS. FISCHER: Any other -- okay, Pam.

21 MS. BRODIE: I agree that it's -- a lot of work has --
22 a lot good work has been done on this, and it's very much improved.
23 I have been to the Monterey Bay facility in California, and it is
24 extremely popular and impressive. My recollection is that it was
25 built entirely with private foundation money, not with public
26 money. I am concerned about the four leaps of faith, which I think

1 -- I appreciate how clear Molly was in explaining them. I think
2 Alaska has a truly amazing record of building things that we cannot
3 maintain and operate, and despite the fact that everybody expects
4 the amount of public money available to go down, we keep doing it,
5 and I'm very worried that if these leaps of faith, that if even one
6 of them doesn't work out the way it's hoped, that we've got then
7 another facility which might be -- I mean it will probably be a
8 great facility, but then it will be another thing which needs
9 money, and the people who make the decisions, like Representative
10 Davidson, are going to have to make tough decisions about, well,
11 does the money go to this, does the money go to the university,
12 does it go to schools, and so, I'm going to oppose this, although
13 I think it would be a great facility, but I just consider it to be
14 too risky with public funds.

15 MS. FISCHER: Any other comments?

16 MR. MUTTER: Madam Chair.

17 MS. FISCHER: Yes.

18 MR. MUTTER: The number of the project we're talking
19 about on the memo is 95199, is that correct?

20 MS. McCAMMON: Madam Chairman, that's -- that's correct,
21 although what you see in the work plan is only the close-out on the
22 EIS project. There is no actual project that has a twenty-five
23 million dollar attached to it, but I think it would be just for the
24 overall project, you'd have to refer to that.

25 MR. MUTTER: So, the -- the project the Trustee Council
26 is going to decide on is the twenty-five million dollar project in

1 November ...

2 MS. McCAMMON: They've already ...

3 MR. MUTTER: ... but it's not in the work plan?

4 MS. McCAMMON: It's -- it's in the work plan, it's
5 referenced on a -- on a separate page. It's not in that summary
6 sheet that you're looking at, right there.

7 MR. MUTTER: So, if we take a vote, we're not voting on
8 95199, we're voting on the notebook project.

9 MS. McCAMMON: Yeah.

10 MR. MUTTER: I've got to make sure I get it right.

11 MS. FISCHER: Are there any other questions?

12 MR. TOTEMOFF: Madam Chair.

13 MS. FISCHER: Chuck -- or comments?

14 MR. TOTEMOFF: What -- what are we going to do about our
15 comments on the motion? Are we going to include them?

16 MS. FISCHER: Yeah, I would like to entertain an
17 amendment to include the comments, or the comments to be included
18 in with the motion. Would somebody care to -- okay. Were you able
19 to get all the comments?

20 MS. McBURNEY: Madam Chair, what we could do is -- I
21 think we have staff here, I've been taking notes and we have staff
22 who are taking notes, we could just go and actually prepare it in
23 the form of a resolution and bring it back to you at some point
24 during the next two days, if you wanted to actually have it in
25 front of you.

26 MS. FISCHER: I think that would be a good idea. I

1 think that would be -- could we possibly get it in the morning?

2 MS. McCAMMON: Yes.

3 MS. FISCHER: Okay. Jim.

4 MR. KING: If we're going to include comments with
5 this, I would like to have it -- my comment that it needs to
6 provide for low cost housing for our investigators.

7 MS. FISCHER: I think the housing down there is going
8 to be quite a question, you know, because money is not always going
9 to be available for a lot of this research.

10 MR. CLOUD: I think -- Madam Chair.

11 MR. FISCHER: Yes.

12 MR. CLOUD: You know, so we can bring closure on this
13 thing, couldn't we just vote on it and include the transcript, an
14 excerpt of the transcript of the discussion we just had, rather
15 than try to redraft a resolution and then we all have to have more
16 comments on the redraft resolution. Let's just move on, we're
17 already two and a half hours ...

18 MS. FISCHER: I know we are, but it couldn't be helped
19 too much. So ...

20 MS. McCAMMON: We could do it either way.

21 MR. CLOUD: Well, anyhow is that fine with everybody?

22 DR. FRENCH: I move we table the motion to allow Molly
23 until tomorrow morning to prepare a resolution.

24 MR. DIEHL: I second it.

25 MS. FISCHER: We have a motion to table, and second, no
26 discussion then, until tomorrow.

1 DR. FRENCH: Was there a second?
2 MR. DIEHL: I seconded the motion.
3 MS. FISCHER: Yes ...
4 DR. FRENCH: Until tomorrow morning?
5 MS. FISCHER: So, time specific would be tomorrow
6 morning.
7 DR. FRENCH: Yeah, I'll say nine tomorrow morning.
8 MS. FISCHER: 9:00 a.m. It'll have to go
9 (indiscernible) We're expecting Jim to call in at nine. How about
10 8:30?
11 DR. FRENCH: 8:30 is fine.
12 MS. McCAMMON: You can see why the Trustees spent three
13 hours on this.
14 MS. FISCHER: Yeah, let's take a lunch break, get our
15 food and get back, and we're going to have a working lunch, and
16 we'll start with PAG member issues/final report.
17 DR FRENCH: Don't we get to vote on the motion to
18 table this?
19 MS. FISCHER: I guess -- do we?
20 MS. McCAMMON: Yes.
21 MS. FISCHER: Okay, all in favor of -- all in favor of
22 table -- I thought it went through the table that it --
23 DR. FRENCH: It's non-debatable.
24 MS. FISCHER: It's non-debatable, yeah. Okay, all in
25 favor of the table? Raise your hands. All opposed (Ms. Brodie and
26 Mr. Cloud opposed motion on the table.) Okay, the ayes have it.

1 (Off Record 11:45 a.m.)

2 (On Record 12:07 p.m.)

3 MS. FISCHER: ... this meeting back to order. All right
4 PAG group, let's go. Okay, the next item on the agenda is the PAG
5 members issues/final report, and you had Molly -- Director of
6 Operations Molly McCammon -- the PAG final report in front of you,
7 and in it is attached six letters. We all were supposed to submit
8 something from the last PAG meeting. It was all agreed -- or
9 everyone agreed upon that they would submit something -- only six
10 members did. So, it's in here. There's some comments by the
11 Director of Operations, by Molly, and anybody have any questions or
12 any comments on some of the things that are there? Molly, do you
13 want to ...

14 MS. McCAMMON: Madam Chair, at the August 6th meeting,
15 the Public Advisory Group asked that members put together a list of
16 what each individual perceived to be kind of outstanding issues
17 that should be addressed in the future, and that those be compiled
18 into some fashion of a final report. Since this is the last
19 official meeting of this particular Advisory Group, and as of --I
20 believe even as recently as Monday, we'd received a total of six
21 letters. We did pull from those what we thought were the major
22 issues that were identified. We didn't necessarily -- we may have
23 missed something that you -- you as individuals thought were
24 particularly important. So, if this -- if the issues as we've
25 identified them are reflective of what -- we'd like to hear back
26 whether this actually reflects what you think it did. But,

1 basically, there were one, two, three, four, five, six, seven,
2 about eight major issues that were identified from these letters.

3 MS. BENTON: Madam Chair.

4 MS. FISCHER: Yes, Kim, go ahead.

5 MS. BENTON: Can we still bring up some issues that --
6 I know we were supposed to write letters, but I have an issue
7 that's kind of been forwarded after the due on the letters, can we
8 still -- (indiscernible)

9 MS. FRENCH: I -- I -- certainly, I think we could
10 bring them up. I don't know if they'd make it into -- I guess they
11 would to some degree, but since it was asked to be provided, you
12 know, and six members did, that it probably wouldn't weigh a whole
13 lot now, due to the fact that, you know.

14 MS. BENTON: One of the concerns, and the timing was
15 poor, because it wasn't a concern that had risen to surface because
16 of the timing of the appraisal process, but for the interest group
17 that I represent and also Chuck's interest group, those that are
18 involved in the habitat acquisition process, the appraisal process
19 changed from what the way it used to work to the way that it works
20 now, and one of the biggest changes that's in that acquisition
21 appraisal process is that they can't purchase lands for more than
22 fair market value, and then there are rules on how they reach fair
23 market value, and some of those rules, because land and timber are
24 different in Alaska than the comparables that they're using, are
25 causing the land and timber owners concern, now that the appraisal
26 process is moving down the pike, and that's just something that I

1 would like to bring to the Trustee Council's attention from our two
2 interest groups. I talked to Chuck, and his appraisal and some of
3 the other groups are going to appraisals that -- how you reach fair
4 market value and that little box that we're able to fit in is a
5 little bit ...

6 MS. FISCHER: Okay, Lew.

7 MR. WILLIAMS: I just have one questions, we assembled
8 all of this, is it going someplace? Is it going to the Trustees
9 Council? Anybody going to act on it, or are we going to say we
10 just feel good because we wrote this all down?

11 MS. FISCHER: Molly, can you answer that please.

12 MS. McCAMMON: Madam Chair, the intent would be to
13 present it to the Trustee Council. They would have it in their
14 packet for the November 2nd meeting.

15 MS. FISCHER: Okay, Jim.

16 MR. KING: When I brought this up at the last
17 meeting, I was thinking about Jim Ayers' statement that he'd liked
18 to get a consensus from the PAG, and there was a possibility that
19 there are a number of things that we do agree on and that we all
20 know that there are areas that we do not agree on, and what I was
21 hoping to do was define that. What do we agree on and what do we
22 not, and somehow it got twisted around -- I probably didn't state
23 it clearly that we were going to -- at the same time look for
24 solutions. But, my thought was just to -- if we all submitted our
25 -- what we thought were the questions, and they might be as mundane
26 as was it worthwhile to have a PAG, or, you know, specific things.

1 I didn't feel like I was in a position to design all the questions
2 for the group, so I was hoping people would get their questions up
3 and then we could see what happens.

4 MS. FISCHER: Okay, any other comments?

5 MR. KING: Well, I would think new questions would be
6 pertinent now, if anybody wants to ...

7 MS. FISCHER: I think Kim brought up a good point about
8 the property that -- the habitat that's been looked at, so -- Mr.
9 Cloud.

10 MR. CLOUD: Yes, on one issue that I think was going
11 from my hastily put together paper, late, put together paper too,
12 on the conflicts -- conflicting opinions on habitat protection, I
13 think it is a very important -- that specific parcels outlined for
14 some form of habitat protection get public input from this group,
15 and we don't have that. I mean, it's just been sort of a here's
16 our public habitat policy, give us your comments, maybe, but, you
17 know, we never get down to what habitat protection tool is being
18 used on a specific parcel, why, how it's related to injured
19 species, and how it is expected to help the recovery of that
20 particular injured specie, how it -- it might be expected to
21 replace some lost service, is absolutely missing from this whole
22 process and that's why, you know, your comment was kind of timely
23 this morning, and set off a spark in me because it's -- it's a lot
24 of money, and it is getting virtually no public review on a parcel-
25 by-parcel basis. So, somehow add that to this little paragraph on
26 the ...

1 MS. FISCHER: Any other comments? John.

2 DR. FRENCH: Yeah, I tended to hear a lot of discussion
3 about the role of the PAG and whether or not we should have a PAG.
4 I think part of this is related in the last issue here in terms of
5 need to ensure continued involvement of public parties and the
6 general public. Hopefully, integrate that in with the PAG a little
7 more effectively. The other question that keeps coming back to us
8 in one form or another is, you know, exactly what is our
9 relationship to the rest of the process, specifically the Trustee
10 Council? Is there a way that we could be providing input that
11 would be of more use to them, and therefore, more relevant to our -
12 - the utilization of our time. We did -- we've gotten comments at
13 various times from various trustees about, oh, you know, why do we
14 do this, or why did we do that, or why didn't we do that, and, you
15 know, I think in reviewing the first two years of the PAG, it would
16 be important to address some of our frustration, and the various
17 feedback we've gotten from the Trustee Council, and I guess, hoping
18 we could get more even unified feedback in the future.

19 MR. CLOUD: Molly, on the issue that you've identified
20 of accountability in expenditure of trust funds, you -- you
21 mentioned this morning that you folks were going out for an RFP for
22 an audit for all expenditures to date, and I think you'd inferred
23 that through that process you'd compare what was planned to be
24 spent on projects and what was actually spent on projects.

25 MS. McCAMMON: That's correct.

26 MR. CLOUD: Okay, and then -- did -- so that will go

1 out to an independent accounting firm.

2 MS. McCAMMON: Yes, it went.

3 MR. CLOUD: So, okay, it won't be agency's audit,
4 internal audit.

5 MS. McCAMMON: No, (indiscernible - simultaneous talking)
6 independent auditing firm.

7 MR. CLOUD: I think that's a very good move.

8 MS. McCAMMON: And, we would hope that this kind of an
9 audit would generate the kind of recommendations that you have
10 here, in term of what better things do we need to do in order to --
11 to have financial control, and greater accountability.

12 MR. CLOUD: And, just a follow up to that. The --
13 when you were talking about the process and we discussed a little
14 bit about the project control, and how private contractors have a
15 performance hold back, basically, but they agencies don't, and I
16 would think that the Trustees would want to treat all contractors,
17 agencies or not, the same to -- to assure good spending of funds
18 and timely completion of the projects, kind of hold their feet to
19 the fire, instead of sort of -- as Dr. Spies indicated -- sort of
20 after the cat gets out of the bag, and they don't fulfill their
21 project responsibilities, the only thing that Dr. Spies and the
22 Trustees can do is withhold them from participating in another
23 project until they do, but like he said, there may be real reasons
24 that -- that the public wants to see additional studies, it's just
25 that you've got the wrong people doing the studies. So, the
26 studies and the information suffer for the consequences of some

1 poor project management.

2 MS. McCAMMON: Madam Chair, I -- I think I should mention
3 in all fairness, that for the most part those researchers that have
4 been rather negligent in their report writing responsibilities I
5 don't believe they've been spending their winters in Hawaii being
6 dilettante. For the most part, they are researches who have a
7 tendency to over-commit, who are -- who take their responsibilities
8 really seriously and want to do more. And, to (indiscernible) a
9 number have ongoing responsibilities within their agency, and also
10 doing oil spill research on top of that. So, part of it is -- is
11 a time management, a personnel management within the existing
12 agencies, part of it is the result of a researcher who, really
13 bites off more than they can chew, but who wants to because they're
14 really serious about the kind of work that they're performing. So,
15 we're trying to respond to that also.

16 MR. CLOUD: It's still a double standard. The private
17 research contractor has the same problem. If he bites off more
18 than he's -- he chews, he get penalized by his delay, for his
19 delay, in completing the project, but an agency researcher might
20 not -- well, doesn't really get penalized. His agency may get
21 penalized, but more -- moreover who gets penalized is the Trustees
22 for not being able to follow up on needed projects.

23 MS. McCAMMON: I think it's a process that we've
24 initiated this year, in terms of follow up and tracking projects
25 and giving them more oversight, doesn't obtain the goal that we're
26 looking for, which is timely release of information, then I think

1 it may be -- we may be able to look at other kinds of ways of
2 dealing with the money issue.

3 MS. FISCHER: John.

4 MS. McCAMMON: If I could respond to that briefly,
5 because I disagree with Jim Cloud's solution. Most research
6 budgets, in part at our encouragement, that they're kept fairly
7 tight, so that the money that's in there from the budget is indeed
8 intended to -- needed to be spent to complete the project. If you
9 hold part of it back, with a non-profit organization such as an
10 agency or the university, you're basically ensuring that some of
11 those tasks that needed to be done to complete the project, can't
12 be done, then you're asking to have a completed project report in
13 before those monies can be obtained. It's a chicken and the egg
14 type thing, where you are not -- if we are going to be very tight
15 with our budget dollars in terms of writing budgets in the first
16 place, you cannot expect the agency to turn around, and I'm
17 including the university in this case, you can't expect them to
18 turn around and deliver the product before the full amount of
19 dollars have been made available to them. So, I don't think Molly
20 and the Trustees have a whole lot of recourse other than the one
21 that they're using right now. A researcher that's not being
22 productive, shouldn't be continued to be funded, but to withhold
23 funds prior to the completion of a project is almost ensuring an
24 unsatisfactory completion of the project.

25 MS. FISCHER: Kim.

26 MS. BENTON: (Indiscernible)

1 MR. CLOUD: Well that, excuse me, that infers then
2 that private contractors who do similar work are -- what does that
3 say to them. I mean, they're -- they're doing the work and they're
4 doing it, and completing it on time and they have an incentive to
5 do it on time, or maybe even a little ahead of schedule. But,
6 you're not treating the agencies the same way, and I guess I
7 disagree. I think, that if the agencies know that they're going to
8 get the money in October, if they get the report done on September
9 30th, then they'll find the money to complete the project and
10 collect -- and get reimbursed.

11 DR. FRENCH: These are pretty tight budget days, I
12 disagree with you, but I agree with you, you should have everybody
13 treated equal.

14 MR. CLOUD: Yeah, okay.

15 MS. FISCHER: Kim.

16 MS. BENTON: Can I just -- a question for
17 clarification, Molly. On the front page, and I know it came from
18 one of the letters in behind, but I couldn't catch it, whether it
19 is appropriate to use settlement funds to mediate the conflicts
20 between ANCSA and ANILCA. Do you know whose concern that was?
21 Could you maybe, explain that a little bit more to me. It's on the
22 front page of your PAG final report, memorandum, the very bottom
23 line

24 MS. McCAMMON: This issue was brought up by Jim King.

25 MS. BENTON: With an -- I guess I was just asking a
26 little bit -- for a little more information on maybe your thoughts

1 behind -- using Exxon funds to mediate the differences between
2 ANCSA and ANILCA.

3 MR. KING: Well, I see this peculiar thing where --
4 let's see, one of those actually -- I'm not sure which is which,
5 without thinking a little bit more about -- one of these set up all
6 these beautiful refuges and parks and national forests, and then
7 the other one came and gave some of the premier parts, upon which
8 the value of these places depended, away, and I see that as a --
9 you know, I think that was put in -- designed that way by lawyers,
10 because they knew it was going to create a lot of work for them.
11 But, you know, it's something that's going to be continuously
12 festering in Alaska, as I see it, and maybe some of the Exxon funds
13 will help, I hope they will, but I don't think they're going to
14 resolve this thing, and it's -- you know, it's an enormous conflict
15 that was kind of designed by Congress, not by anything else that
16 happened.

17 MS. FISCHER: Yes, Lew.

18 MR. WILLIAMS: I have one other question for Molly, on
19 this audit that you're going out for, is this just a dollar and
20 cents audit, or is somebody going to review it to make sure that
21 the money was spent according to the settlement agreement? Or, are
22 there guidelines for the auditors saying that they have to
23 consider, you know, more of a management -- or partial management,
24 as well as a money audit.

25 MS. McCAMMON: Madam Chair, the intent of the audit would
26 be to see that the money is being spent as was indicated in the

1 project description, and is how the Trustee Council actually felt
2 they were allocating it for that purpose. In terms of whether it
3 meets the terms of the settlement, that decision -- those are
4 reviewed before the Trustees make their final decisions, and on
5 projects -- on a project-by-project basis. They have the advise of
6 each agencies legal advisors, as well as Department of Justice.
7 Once they go ahead and make a decision, then it's assumed that it
8 is legal and appropriate, I suppose until someone challenges that
9 in court.

10 MR. WILLIAMS: That's what I wanted to be sure that
11 somebody was going to look at the project, and not just say, well
12 this money was spent and say nobody ran off with it, but that it
13 actually met some guidelines.

14 MS. McCAMMON: That is done before they make a final
15 decision.

16 MR. WILLIAMS: That's fine.

17 MS. FISCHER: Any other comments or questions? Jim

18 MR. CLOUD: Well, I just had this conversation with
19 John Sandor the other day, and basically if you don't think the
20 Trustees are authorizing the money to be spent in accordance with
21 the settlement, and the MOA you have to sue, and we're at a loss to
22 find who has a bunch of money around to go ahead and sue.

23 MS. McCAMMON: Madam Chair, the thing that I've
24 discovered and actually this is an interesting issue, is that, it
25 seems you can make some clear definitions of what's legal and
26 what's illegal, but there's that wide area in the middle that's

1 grey, that, basically, the Trustees are forging new ground on
2 because there isn't a book that you can go to here and say, oh
3 yeah, look up this project, that's legal, that's illegal, and they
4 basically are forging ground on this whole issue. So, the issue of
5 what is legal and what isn't legal is, I think will continue to be
6 around for quite awhile until all of the possible projects have
7 gone through the mill and been reviewed.

8 MS. FISCHER: And they've changed somewhat too.

9 MS. MCCAMMON: Even then the projects change, yeah, it is
10 a grey area.

11 MS. FISCHER: John.

12 DR. FRENCH: I'd like Jim to clarify a little bit what
13 he means by mediating the conflicts between the ANCSA and ANILCA
14 lands. I mean, in a way we're doing that, because the holdings
15 that are -- some of lands that are being looked at in terms of
16 habitat protection are ones that are ANCSA lands, the Kenai Fiords
17 National Park and the Kodiak Wildlife Refuge, particularly, with
18 respect to purchasing them because of -- of the importance of their
19 habitat and putting them back under protected status. Now, this
20 isn't a mediation effort, but it is a corrective measure. Now,
21 it's not specifically addressing the ANCSA and ANILCA aspect of it,
22 but in essence that's what it's correcting. It's taking them back
23 from the ANCSA status and putting them under the protective status
24 they were intended to be under -- ANILCA.

25 MR. CLOUD: Depends, it's a matter of opinion whether
26 it's correcting or not.

1 MS. FISCHER: He meant the other Jim.

2 MR. KING: Well, I detect there is some people that
3 feel the problems created between those two Acts can be resolved
4 with Exxon money, and I'm not sure that there's enough money to do
5 that. I think that this is enough money to take care of some key
6 problems, all right, but as far as laying all the issues to rest,
7 I don't think the Trustee Council is going to be able to do that.

8 MS. FISCHER: Pam.

9 MS. BRODIE: I'd like to try to give some
10 clarification, and also ask for some. Regarding giving it, ANCSA,
11 the Native Claims Settlement Act came first; ANILCA was later. The
12 Natives were recognized to have claims to the land, and then later
13 some areas were switched into protective conservation designations,
14 but that -- they couldn't take away, and nobody wanted, as far as
15 I know, to take away from the Natives their right to select lands.
16 So, they went ahead and selected the lands.

17 DR. FRENCH: (Indiscernible -- out of range of
18 microphone)

19 MS. BRODIE: Right. So, in response to what Jim King
20 is asking, this is true for ANILCA lands all over the state of
21 Alaska. Certainly, the Exxon settlement money can't solve this
22 whole problem, that we see as a problem, which Jim Cloud doesn't,
23 but I do, it can't solve that problem. It can solve part of it, it
24 can solve for Kenai Fiords National Park, for Kodiak National
25 Wildlife Refuge, as it did solve it for Kachemak Bay State Park.
26 So, the question is not a yes/no for the whole state, it's -- doing

1 with some of this money to make some of these conservation units
2 whole, and how much money we do. The clarification that I would
3 like is where we are in this discussion. I'm sorry I was late
4 getting back from lunch, but are -- are we going through proposal
5 by proposal on this?

6 MS. FISCHER: Well, we're commenting, getting comments
7 in general.

8 MS. BRODIE: So, you're not going through item by item?

9 MS. FISCHER: If you want to you can, but I, you know,
10 you should have been back in time, Pam.

11 MS. BRODIE: I know, I know I'm bad. Thank you.

12 MS. FISCHER: Kim.

13 MS. BENTON: I'll just make a follow up comment to what
14 Pam was saying, and maybe it's to tie the two together, whether --
15 having an in-holding, having selected an in-holding, is a problem
16 or not a problem, really has to be determined by the landowner, and
17 in the case of Kachemak Bay, I think Sedovia Native Association
18 really felt that that was a problem. In other cases, maybe the
19 landowners don't feel that's a problem, and if they don't want to
20 have their lands considered to be bought, and solve that problem,
21 then they shouldn't, and if they see it as a problem, and they want
22 to come forward and look at a possible acquisition, then they
23 should be able to do that, but it certainly shouldn't be the
24 position -- or shouldn't be the Trustee Council or the Public
25 Advisory Group that makes those decisions. I think that it has to
26 be up to the individual landowners to solve themselves out as they

1 come about and as the landowners make a decision whether they want
2 to consider having those purchased or whether the in-holdings are -
3 - that a lot of them are not.

4 MS. FISCHER: Any other comments? Okay, are there any
5 comments on the issue proposals -- has everybody read them? I know
6 this was handed this morning to you, but ... John.

7 DR. FRENCH: Yes, I'm not in opposition to the issue
8 proposal with respect to loss of birds at the top of page three,
9 but I am uncomfortable approving a report from the PAG that only
10 represents -- that basically only represents the loss of birds and
11 them with respect to the oil spill and whether restoration is being
12 achieved. I recognize that the problem here is mostly due to the
13 fact that some of us were negligent in getting responses back, but
14 I think the same arguments could be held and the same request could
15 be made for fish and marine mammals, also. And, if the PAG is
16 willing, I would suggest simply, basically add an issue item for
17 each of those with respect to those general groupings of critters.

18 MS. FISCHER: So is that pretty much the thought of the
19 rest of the PAG members? Jim.

20 MR. KING: I put that in there specifically regarding
21 birds because the assessment of the damage of resources in Prince
22 William Sound included the commercial fish, of which there was
23 pretty darn good information about what they were, and what they
24 were producing, and the same criteria in a sense was used to
25 determine what birds were impacted by this thing, where there was
26 no information previously at all, and so a number of bird species

1 that very likely were impacted have not been considered, and I'm
2 hearing people bring that up. One of the species is the Titilut
3 (ph) murrelet, which its entire range is -- is within --
4 essentially within the oil spill area. The fact that there weren't
5 many picked up in the recovery process may mean there wasn't very
6 many to start with, and that is a species that really needs some
7 investigation, whether it's done under Exxon or somebody else, and
8 the -- the other group that I hear some comments about are shore
9 birds, which there's something like thirty-two species that come
10 through the Prince William Sound area, they are absolutely
11 committed to feeding and the environment that where mostly oil
12 wound up, and a good deal of oil is still there, apparently, under
13 the surface where the shore birds feed. I think nine of those
14 species nest within Prince William Sound, and five of them spend
15 the winter there, something like that, and yet we're only
16 addressing one species of shore birds that happen to show up, a
17 resident bird, the oystercatcher, which happen to show up in the
18 recovery stuff. The reason more shore birds, at least part of the
19 reason more shore birds didn't show up, one reason is they're so
20 small, they just weren't easy to find, no doubt, but the other
21 would be that they weren't there at the time of the initial oil
22 spill. The damage to those species occurred from feeding within
23 the oil spill area and periods much later, maybe to and including
24 this year. So, I guess that's why I put that in there. I felt
25 like the criteria used to evaluate loss of fish or sea mammals
26 where the numbers were really quite well known, are not adequate to

1 addressing the potential loss for shore -- or for most birds.

2 MS. FISCHER: John.

3 DR. FRENCH: Yeah, I'll remove my suggestion for marine
4 mammals for the reason that Jim just pointed out. However, with
5 respect to the fish, we know most about pink salmon and herring,
6 and for those reasons we do indeed have better documentation of the
7 damage to pink salmon and herring, although we've been -- once
8 again we had a very weak even-year run for pink salmon in the
9 Kodiak for the second even year in a row. Don't ask me what that
10 means. But, there's a lot of fish both in Prince William Sound and
11 in the waters immediately outside the -- the Prince William Sound
12 in the Gulf of Alaska that -- that were under potential stress from
13 -- especially what we know about the stress to the pink salmon at
14 this point, under stress from the Exxon Valdez oil spill, and we
15 have no idea what those levels were before or even now in the case
16 of many species. We're beginning to address some of those
17 questions with some of the forage fish studies that are in this
18 year's work plan, and for that reason I hardly applaud the forage
19 fish studies in the -- this year's work plan. But, I think we need
20 this sort of a statement on fish in general, because I think
21 there's a lot of lack of knowledge about the -- the background data
22 of fish, and whether we are restoring things, or whether, indeed,
23 we have had a major impact on some forage fish populations that are
24 having secondary impacts on shore birds and on marine mammals. I
25 think that's one of the hypotheses that being put forward for this
26 year's work plan.

1 MS. FISCHER: Lew.

2 MR. WILLIAMS: Yeah, I have a suggestion. Am I on the
3 air? Yeah. Five or six of us wrote our recommendations and are
4 recorded, but we still meet again tomorrow, so maybe the rest of
5 the group would like to write them tonight and submit them in the
6 morning, and then we'll have a more complete report from all to
7 give to the Trustees because that's apparently what this is --
8 where this is going.

9 MS. FISCHER: I thing that's a good idea. If they
10 handwritten them out -- hand wrote them out, the staff here could
11 retype them, couldn't they?

12 MS. McCAMMON: Yes, and Madam Chair, maybe we could
13 clarify because maybe it wasn't clear, we have it listed as issue
14 and proposal, and maybe as Jim King has suggested earlier, what
15 you're trying to do is identify the issues. So, maybe we should --
16 with your direction, possibly eliminate the proposal portion of it
17 and you should focus on the issues.

18 MS. FISCHER: That could be a good idea. Does anybody
19 have any objection to that? Pam.

20 MS. BRODIE: I'm a little concerned about the process
21 here. I think that what Mr. Williams has suggested is good, that
22 we all submit something, but I think we need to make the choice
23 about whether we're going to try to come to a consensus about
24 everybody's proposal, or whether we're just going to submit them
25 separately. I would propose that we submit them separately, as
26 individuals, to the Trustees because I think coming to consensus on

1 these and everybody else's is going to take the rest of our time,
2 and we still might not finish with it.

3 MR. FISCHER: Jim.

4 MR. CLOUD: I agree with Pam on the consensus issue,
5 and a propose a solution. I think -- I think, Molly, you should
6 leave the proposals here because they're part of solutions that
7 each of us was asked to offer when we offered an issue, but I think
8 I would -- I would make a motion that we instruct staff to take
9 these issues and proposals and use them, just as -- they propose to
10 assist them in preparing a final report, noting that these are
11 issues that PAG members have come up with that are still
12 unresolved, and not -- and do not necessarily represent a consensus
13 of the entire PAG group -- Public Advisory Group, and that you also
14 use in your preparation of the final report the minutes of the past
15 meetings and what actions we've -- and accomplishments we've done.

16 MR. WILLIAMS: And, take what anybody wants to add
17 tonight.

18 MR. CLOUD: Well, right. And, what should be done
19 tonight is just adding your issues on to this list of unfinished
20 business, basically.

21 MS. FISCHER: Yeah, because that makes -- if you glance
22 over some of those statements or the letters that was written, they
23 all pretty much have a common theme, or common, you know, goal
24 here, and it rings throughout all six comments that are there, so -
25 - Jim.

26 MR. CLOUD: I -- just add to that. It's also -- our

1 discussion that we had probably would helpful in helping you flush
2 out some of this stuff. So that is my motion I've made.

3 MR. FISCHER: Do I hear a second on his motion?

4 MS. BRODIE: Second.

5 MS. FISCHER: Pam.

6 MR. WILLIAMS: With Pam.

7 MS. FISCHER: Okay, does that help.

8 MR. CLOUD: That ought to be noted in the final
9 report. (Laughter)

10 MS. McCAMMON: Madam -- Madam Chair, just to clarify then
11 would be to, kind of go ahead with this project, but to make clear
12 that we're not presenting a collection of consensus issues
13 developed by the PAG, that rather it's a collection of individual
14 issues that were identified, but they don't reflect any -- any form
15 of consensus.

16 MS. FISHER: But, I think like I said though that you
17 could read all what has been submitted and there's pretty much a
18 consensus through most letters, you know, that were submitted that
19 similar things are being repeated, you know, in almost everything
20 said.

21 MR. CLOUD: I assume the final report that you're
22 trying to -- to make will -- is -- this will just be a part of it.
23 That you -- you're intending to draft a report that -- that covers
24 the things that we've done over the last two years, and then this
25 would be a final part of it. Doug, is that what you're going to
26 write?

1 MR. MUTTER: No. (Laughter) If I may, the idea for a
2 final PAG report was your idea. I don't think any of the staff had
3 intended to write a report saying here's what two years worth of
4 PAG has done. I mean, that would take a substantial research
5 effort, and a lot of the recommendations and things you do are
6 timely in nature.

7 MS. FISCHER: Jim Ayers has a report.

8 MR. MUTTER: Yes, but you write a PAG report?

9 MR. CLOUD: We'll we're not going to write it.
10 (Laughter)

11 MS. FISCHER: If each individual would give a statement.

12 MR. MUTTER: Right, and each individual will have -- a
13 quorum has chosen not to give a statement, maybe that's your
14 report, I don't know.

15 MS. FISCHER: Well, we could say that by tomorrow, as
16 Lew suggested that, you know, maybe tonight other people could make
17 their statements too, and hand it in, and say here you go. Jim.

18 MR. DIEHL: Deadline passed.

19 MS. FISCHER: I will extend it.

20 MR. KING: Increasingly complex. What I was hoping
21 was we could develop some questions that were suitable for a yes or
22 no answer, and vote on them, and if we agreed that would be the
23 positive thing we had done for staff and the Council. Things that
24 we didn't agree on we could throw them out the window. What they
25 are wondering is, you know, what do we feel as a group, and that
26 would be a way to present them with something that we do agree on,

1 but I don't -- I'm not sure that we can piece -- well, I was
2 looking for a simple way to do, maybe it's not appropriate.

3 MS. FISCHER: Well, what we could do is go over each
4 proposal then, would that help, Molly, and we could get a consensus
5 on whether we agree with the proposal or not.

6 MS. BRODIE: We have a motion on the table we did not
7 ...

8 MS. FISCHER: We did not do it, that's right. That's
9 right, I'm sorry.

10 MS. BENTON: Madam Chair, another point that -- I'll go
11 back to the analogy that Charlie Cole used to use for our function,
12 which is to serve as funnel of information from our broader user
13 groups that there's no way the Trustee Council could possibly
14 contact everyone, and to get it down to the twelve issue groups and
15 the public-at-large chairs. There's just really no way that we
16 were formed as a body, in my opinion, to reach consensus, except on
17 maybe specific issues. We all represent very broad, very distinct
18 groups, and I think that that's more what they're looking for is --
19 from each of us as our interest group. Now, having participated on
20 the PAG for two years and seen the process, what are some -- what
21 are things that you have concerns about, specifically related to
22 your interest group. But, I would think that that would be of
23 value to them, and maybe there are some broad issues that we can
24 agree on about our role and how we fit into the process, but beyond
25 that, I don't think that -- that we were set up to reach consensus
26 on every issue.

1 MS. FISCHER: That's a good point. We'll we have a
2 motion on the floor, and then to go forward, and there's a second.
3 All in favor of the motion, say aye.

4 ALL PAG MEMBERS: Aye.

5 MS. FISCHER: Any opposition to the motion? (No
6 opposition) The ayes have it.

7 MS. McCAMMON: Madam Chair, just one -- just one
8 clarification, so I know that we're following your direction. It
9 is my understanding that what you would like is -- and -- it's a --
10 would the intent of those who have not yet turned these in to turn
11 them in by tomorrow, that for individual PAG members to identify
12 issues that they believe are outstanding and need to be address
13 within the --the near -- the future, whatever that may be. But,
14 when we compiled these, we did not attribute them to a particular
15 author, but what I am hearing from you is that they should be
16 attributed to a particular author, that you want them identified as
17 from particular people.

18 MS. FISCHER: Pam.

19 MS. BRODIE: To simplify your task, maybe you could
20 just give the Trustees our comments, and we hope that they will
21 read each of our comments.

22 MS. McCAMMON: We'll we may do a summary.

23 MS. BRODIE: Great.

24 MS. FISCHER: I think there needs to be a summary.

25 MS. McCAMMON: In case we could say, four people
26 identifies this issue as an issue, you know, only one identifies

1 this one.

2 MS. FISCHER: Yeah, I think you need to have a summary
3 with that, to clarify it. Okay.

4 MR. CLOUD: Jim, you can vote on your ... (Laughter)

5 MS. FISCHER: Jim, please -- okay. The next one is
6 introduction to FY '95 work plan. Molly.

7 MS. McCAMMON: Okay, Madam Chair. Last time you met in
8 August, you saw a very preliminary draft of this, and basically
9 following that meeting, we finalized the draft work plan. Every
10 single project proposal that we received is included in this draft
11 summary. There were about a hundred and seventy-five -- hundred
12 and sixty-five proposals totally about seventy-two million dollars
13 worth of requests. Since -- since you met, we've put it and
14 organized it in a fashion that we hope would kind of make sense to
15 people, so they could kind of comprehend all of this. And, we sent
16 it out for public review. The public review period went from about
17 August 25th to October 3rd, and we have compiled all of the
18 comments that were received, and Bob Loeffler from our staff here
19 prepared a report for you, which describes -- summarizes the public
20 comments, and with your permission, Madam Chair, I'd like to ask
21 him just to come and go over the results of that public comment
22 period.

23 MS. FISCHER: Sure.

24 MR. LOEFFLER: Thank you, Madam Chair, members of the
25 PAG. What I'd like to do is take about six minutes just to tell
26 you what -- the highlights -- what some of the comments were, and

1 then I'll let you peruse the written version at your leisure. So
2 with that -- let me begin by a small introduction -- as Molly
3 already said, the comment period went from about mid-August, late
4 August to October 3rd. In fact, what we have in there is -- there
5 were a few comments that were late, and so we have everything that
6 came in up to yesterday. There are some comments that are not
7 included. We get a lot of letters, and things that came in on the
8 Seward EIS, the EIS and the final Restoration Plan, or habitat
9 protection, are not in your packet. So, what's in here is what --
10 is just the letters that we got on work plan projects. So, with
11 that as the introduction, let me tell you some of the highlights,
12 and what I'm going to do is, we received about -- approximately 70
13 comments, which is to say 55 people wrote letters and about 15
14 people testified at the public meeting. And, those comments tended
15 to focus on six projects. So, let me quickly go over those six
16 projects, and one additional issue, and then I'll be gone. Half
17 the letters focused on one pair of projects, that is 95013 and
18 95014. Those projects are killer whale monitoring and killer whale
19 predation on harbor seals that were proposed by the North Gulf
20 Oceanic Society. All the comments that the 27 letters would --
21 just to say half the written comments, were all similar in that
22 they recommended both projects, most attested to the competence of
23 the person proposing them, Craig Matkin, and many of them compared
24 them to two similar projects that were proposed by NOAA. So, that
25 we have two proposed by the North Gulf and two proposed by NOAA.
26 Those that compared the two recommended the North Gulf Oceanic

1 Society implement the projects. That was actually the major -- the
2 major -- as I say, half the letters focused on that. The next most
3 frequently mentioned topic was -- was another pair of projects.
4 Pink salmon restoration, specifically projects 95093 and 95024.
5 Those were projects prepared by the Prince William Sound
6 Aquaculture Association -- Corporation rather, and the Native
7 Village of Eyak to restore pink salmon -- wild pink salmon runs in
8 Prince William Sound. They were mostly endorsements. Eleven
9 letters and seven people testifying at the public meeting.
10 Organizations endorsing them include PWSAC and the Village of Eyak
11 and CDFU. They were particularly -- seemed particularly important
12 to residents of Cordova and fishermen in Prince William Sound.
13 Many of those people also spoke in favor of a group of projects,
14 the SEA plan, or Prince William Sound system investigations, and
15 many of those people also endorsed that as well. The next most
16 frequently mentioned was clam restoration, project -- project
17 95131, which was submitted by Nanwalek and the Port Graham Village
18 Council. That was endorsed by the Native groups of Seward and the
19 mariculture groups. I'm going to -- the shell fish hatchery out of
20 Seward and that Native community, which I know I'm going to
21 mispronounce, it's Qutekcak, I think. Finally, they -- what we --
22 called a Sound waste management proposal, which is a comprehensive
23 proposal to look at waste stream affecting the marine environment
24 of Prince William Sound was, I guess the last -- the last of the
25 frequently mentioned proposals, and that was endorsed by a
26 resolution from the City Council of Whittier, City Council of

1 Valdez and Cordova, also, Chugach Alaska Corporation and
2 Chugachmuit. So, those were the proposals mentioned by more than -
3 - say a few people. The other proposals of note are on the third
4 page of your packet, and they are the Kodiak shoreline assessment,
5 endorsed by the President of Ouzinkie Tribal Council and the Mayor
6 of Kodiak Borough, Tatitlek and Chenega mariculture development and
7 salmon stream restoration in -- in Kodiak, forage fish
8 investigations and NOAA hydrocarbon data analysis. These were
9 projects endorsed by one or two people. And, that -- that's sort
10 of the list of things that people talked about. The other thing
11 you'll see is there were some PI's wrote in to dispute the
12 critiques of their projects that were published in here, and I'm
13 not going to summarize that, you can read it if you like. And, the
14 last issue was one of the private consulting firms in Anchorage,
15 wrote in claiming that -- how difficult it was for a private firm
16 to compete in the work plan process. They believe that this
17 process has proposers in on the beginning, and it's very difficult
18 for them to play in that game. That is, in part because the
19 agencies, universities, people who have been playing for the last
20 five years, have a lot of the data and there's no published
21 reports, and partially, I -- I think that's sort of their major
22 claim. Also, in addition they mentioned certain projects, which
23 they feel should be contracted out. So, that's the results of what
24 we've heard, 70 letters and verbal comments -- 70 people, rather,
25 endorsing most frequently six projects and one issue about
26 competition. You can peruse the report at your leisure, and I'd be

1 happy to answer any questions. I'm happy to answer any questions,
2 apparently there are some.

3 MS. FISCHER: Okay, Pam.

4 MS. BRODIE: Just two simple things. Were there any
5 comments opposing anything, or were they only in favor of things.

6 MR. LOEFFLER: The only comments that -- there is one
7 letter which commented on most projects. They supported some,
8 opposed others, and I believe that is letter 47, and the only other
9 thing that I would call opposition at all, was to the extent that
10 people endorsed the North Gulf Oceanic Society over the NOAA
11 proposals. Otherwise, there's ...

12 MS. BRODIE: Maybe I missed it in one of your six, but
13 was the Seward Marine Institute, or are you handling having that
14 separately.

15 MR. LOEFFLER: The Seward Marine Institute, most of those
16 letters came in on the Seward EIS, and so they're not included
17 here.

18 MS. BRODIE: Thank you.

19 MS. FISCHER: Okay, Kim.

20 MS. BENTON: I had a question on -- one of the concerns
21 that we have expressed over the years is that private companies get
22 more involved in the process, and this critique, although it's only
23 one, I'm just curious about how you're feeling and the project
24 team's feeling about -- about broadening out and trying to reach
25 out to non-agencies.

26 MR. LOEFFLER: There's -- I think there's a substantial

1 effort to do that. I think every year there's been more and more.
2 I suspect there will be significantly more this year. In addition,
3 we try to -- innovative ways of doing it, or semi-innovative. One
4 is the broad agency announcement for an RFP process, sort of
5 generating proposals for the work plan. I don't think anybody in
6 the staff is satisfied that we -- that we've reached a "nirvana of
7 competition" -- nirvana of competition, and I suspect that we'll be
8 moving further in the, so it's, I guess that's partially the
9 checks-in-the-mail kind of answer.

10 MS. FISCHER: Any other questions? Thank you. Oh,
11 Mary.

12 MS. MCBURNEY: Just one follow up, on the issue was
13 independent contractors. In the summary on page four of where you
14 were discussing the federal broad agency announcement, the last
15 paragraph, states that the results of these effort increasing in
16 competition will be assessed for their use and possible expansion
17 in 1996. And, I would suggest that we have a report, perhaps,
18 toward the beginning of the next cycle of the PAG group on how that
19 seems to be working out, since '96 -- well, we'll be kicking into
20 that very soon, as far as the next cycle of research proposals.

21 MS. McCAMMON: We'll be happy to provide that.

22 MS. MCBURNEY: Okay.

23 MS. McCAMMON: One thing on the whole issue of private
24 versus public entities and contracting and getting -- getting
25 Trustee funding, there's a -- a real distinction between Trustee
26 agencies and non-Trustee agencies. For example, from our

1 perspective, we view the university as a -- as a private
2 competitor, but those in the business world such as LGL and others
3 don't view the university systems as private. They also view it as
4 public. So, there's a real difference in looking when we're trying
5 to analyze how much has actually gone out to -- through the
6 competitive process, and out to -- we view that as anything that's
7 non-Trustee agency has gone out to the private sector, but LGL
8 definitely has a narrower view of what the private sector consists
9 of.

10 MR. CLOUD: Madam Chairman, well just to follow up on
11 our earlier discussion then, does that mean that you have a hold
12 performance -- a hold-back requirements on the university.

13 MS. McCAMMON: We do, if it's contracted out. If it's
14 done through an RSA, it varies on how the RSA is written.

15 MS. FISCHER: Molly, I want to mention a correction that
16 needs to be put in here. You have Ben Butler, City of Valdez --
17 Valdez, Alaska, number 44 on the letter, that's incorrect. That's
18 the Mayor of Whittier.

19 MS. McCAMMON: Oh, okay.

20 (Aside comments)

21 MS. FISCHER: It does say Whittier in there -- I saw it,
22 gosh I know everybody in town, I didn't know this guy.

23 MS. McCAMMON: Thank you for that correction, Madam
24 Chair.

25 (Aside comments)

26 MS. FISCHER: Is there any other comments or questions?

1 Okay, thank you. Okay, Molly.

2 MS. McCAMMON: Okay, Madam Chair. Following the public
3 comment, what we've also done since August 2nd, we identified from
4 comments from the Trustees and from others that there were a number
5 of areas that the Trustees were putting a significant amount of
6 their funding resources into, that we felt deserve a real
7 concentrated review session, prior to the Trustees taking final
8 action. And so, in the last month in particular, Dr. Spies and a
9 number of the peer reviewers have conducted these little mini
10 review sessions. One of them was in Cordova last week on the
11 Prince William Sound system investigation, project 320. One of
12 them just concluded yesterday on sockeye salmon. One was held the
13 week before on pink salmon. We had one on herring, and we had one
14 on fish genetics for sockeye and pink and -- herring. The -- in
15 order to have these review sessions and to get the researchers
16 involved and get the necessary reviewers there, to a large degree
17 that meant we couldn't have them until the fishing season was over
18 and the field season was over. Most of them, as I said, the
19 sockeye one just concluded yesterday, we don't have the results
20 back completely of those review sessions. Although Dr. Spies was
21 here to report on -- to report on them, some of the projects that
22 went through those review sessions are still out for further peer
23 review work. They're coming in this week. What we've tried to do
24 for you is to organize the projects as they came in as to how we're
25 looking at them. What we've put together for you is -- is what's
26 entitled up here the draft '95 work plan summary. And, what we

1 tried to do -- it helped us in our minds to look at 176 proposals
2 if we look at them in terms of clusters, and we started doing that
3 for your August 2nd meeting. We started it in its initial summary,
4 and since that time we've refined it a little more, than what you
5 saw in here. So, it's actually broken out a little bit differently
6 than in this document. What we went through was, first of all the
7 Prince William Sound system investigation. We list the project,
8 what initial ranking it received back during our July review. The
9 asterisks indicate what are considered the core three twenty
10 projects, the title, the costs, what was funded at the August 23rd
11 meeting for interim funding and the balance of the requests that's
12 remaining, and then where we have it, is the Chief Scientist's
13 recommendation. And, actually what you have is on top of this
14 little green sheet, that gives you the way to find individual
15 projects and how we clustered each individual project, then if you
16 go, like page three, past that, you'll see this table here. But,
17 we looked at the three twenty projects or the Prince William Sound
18 system investigation first, then other pink projects. It turns out
19 we didn't look at just research and just monitoring and just
20 general restoration, we looked at comprehensively, what else are we
21 doing for pink salmon as an injured resource? What else are we
22 doing for herring projects, other than the ecosystem research in
23 Prince William Sound. We looked comprehensively at the sockeye
24 program because that is a major financial investment that the
25 Trustees have made in the last several years. We looked at other
26 fish and shell fish projects. We looked at, what is now called

1 marine bird/forage fish interaction which is the forage fish
2 project, that whole cluster. Then other marine bird projects.
3 Near shore ecosystem studies which is a proposed ecosystem package,
4 and then other subtidal/inner tidal projects. We had a proposal
5 for marine mammal ecosystem package, and then other marine mammal
6 projects, and then we clustered all of the oil toxicity projects in
7 one section so you could look at what we're doing in terms of
8 continuing to deal with continuation of oiling. After that,
9 clustering became a little more difficult in dealing with the
10 general restoration projects; but we broke them up into archeology,
11 habitat protection acquisition, recreation, subsistence, reducing
12 marine pollution, and then there was some miscellaneous ones --
13 several miscellaneous ones, and then the final administration
14 science management public information, the Institute of Marine
15 Science and the restoration reserve. And, what we'd like to do for
16 you today is to go through the work plan. This is how we've been
17 reviewing all of these projects. And, what we'd like to do is to
18 go cluster by cluster through these projects, have Dr. Spies give
19 you an overview of what the peer reviewers have said, what the
20 results of the review sessions have been, to the extent we know
21 them. What his tentative recommendations are, from his
22 perspective. What we'd like to do is to get a feeling from the PAG
23 as to how important you think that each particular cluster is,
24 whether you think we're on target in terms of its importance,
25 whether you think its critical to this year's restoration effort,
26 whether it's important, whether it's less a priority, whether you

1 think it actually should not be done this year, whether you don't
2 know, whether you don't have a feeling about it. Also, if there
3 are individual projects within each cluster, that either as a
4 group, or individually, you feel should be addressed, that you
5 don't think our so far in the overall tentative recommendations,
6 and get a general sense of the group, by going through in this
7 fashion. It's -- it's been real difficult to deal with this number
8 of proposals. A lot of people have referred to this as, by gosh,
9 how are you going to make all these cuts. And, I think we have to
10 look at it from the exact opposite way. We're not looking at cuts
11 from seventy-one million dollars in proposals, we're looking at
12 what funding opportunities do we have here and where do we want our
13 funding to go, and what makes the best overall package, in terms of
14 restoration. The recommendations of the Chief Scientist, he's been
15 doing individually, as we go along, he has not had a chance to sit
16 back at the very end and say, okay, overall comprehensively it's a
17 package -- does it -- does it fit yet, and that's why his
18 recommendation should be considered preliminary also at this stage.
19 Just to let you know what the time line is, following your meeting
20 today and tomorrow, we're going to take your recommendations, the
21 work force, and the executive director meet on Tuesday and
22 Wednesday of next week to develop the Executive Director's
23 recommendations. Those then will be incorporated into a
24 spreadsheet that the Trustees will see, public comment, PAG
25 comments, Chief Scientists, Executive Director, and that
26 recommendation will go out the Trustees ten days before their next

1 meeting. So, that's -- that's the time line we're on. We've also
2 heard a lot from people -- well, just give us a target figure, just
3 tell us how much money we can spend, and, you know, well -- that
4 makes our job a lot easier. The Trustees are not able to set a
5 target figure until a Record of Decision is completed on the final
6 EIS and until a final Restoration Plan is adopted. So, they aren't
7 looking at a target figure. But, I can tell you that the Executive
8 Director is looking at a target figure, in the sense of trying to
9 put forward a recommendation that he believes can be sustained over
10 the long-term. We don't want a lot of these projects in here are
11 new efforts, and we don't want to get started on a lot of new
12 efforts, and then end them after one year. It doesn't make sense
13 to do that, and so for that reason, the kind of effort that he's
14 looking at in terms of overall funding levels are going to be very
15 similar to what we had last year, which was in the twenty-five to
16 twenty-six million dollar range of total funding for research,
17 monitoring, general restoration and administration.

18 MS. FISCHER: Does anyone have any comments? Okay,
19 Mary.

20 MS. MCBURNEY: This is a question for clarification. If
21 the IMS improvements are approved, where's that money going to come
22 from?

23 MS. McCAMMON: Madam Chair, that money would still come
24 from the funds, but it's not considered part of this overall work
25 plan. It would be in addition to, and the twelve million dollars
26 for the reserve is considered in addition to this.

1 MS. FISCHER: Okay, John.

2 DR. FRENCH: Yeah, Molly, would it be possible to send
3 out notifications to us -- just fax them out -- of when these
4 review sessions are taking place. I think we -- won't asking for
5 support to get to them, but like yesterday's sockeye one, if I'd
6 known it was happening, I could have stopped over, I happened to
7 have been free.

8 MR. McCAMMON: Dr. French, I believe in your -- in your
9 packet in early September, I included a listing of those review
10 sessions, and dates.

11 DR. FRENCH: If you did, I apologize.

12 MS. McCAMMON: I'll look back, but I think I did include
13 that, but certainly members of the Public Advisory Group would be
14 welcomed to attend these -- they were very -- I wasn't able to even
15 sit in on as many as I'd have liked to, but they were very
16 interesting.

17 DR. FRENCH: I do recall (indiscernible - simultaneous
18 talking)

19 DR. SPIES: We even had Al Macky to (indiscernible)
20 excellent show for the hearing.

21 MS. FISCHER: Okay, Pam.

22 MS. BRODIE: Molly, did you say that the director's,
23 the Executive Director's target is twenty-six million?

24 MS. McCAMMON: I could say what he's thinking about for
25 a target is around in that neighborhood, yes.

26 MS. BRODIE: Is that in addition to the really -- ten

1 million interim funding dollars approved or including that.

2 MS. McCAMMON: That includes that, the ten million of
3 interim funding.

4 MS. BRODIE: Thank you.

5 MS. FISCHER: Rupert.

6 MR. ANDREWS: Are there minutes kept of these review
7 sessions?

8 DR. SPIES: Not minutes, but there are -- I make a --
9 a summary of these review sessions in detail, which I take in
10 account -- all of the reviewers' comments send them out to the
11 Executive Director. That's a matter of public record I'm sure.

12 MS. McCAMMON: Right, and there are two of them attached
13 in your packet. I think following this you'll see the herring
14 summary, the summary from the herring review session and the one
15 from the pink salmon session. And, Dr. Spies, when we get to each
16 cluster is going to report on those and go through what's in those
17 summaries.

18 MS. FISCHER: Okay, and if there's any project that you
19 want pulled from the cluster, otherwise, you know, we'll go for a
20 full consensus of each cluster. Jim.

21 MR. CLOUD: Well, are we going to get a report from
22 Dr. Spies first, is that what the plan is, you know?

23 MS. McCAMMON: He would go through cluster by cluster.

24 MR. CLOUD: We're going to go through cluster by
25 cluster, you'll report and then we'll vote on the cluster, and if
26 we -- if we don't want to -- if we want to talk about it -- if

1 there's a project we don't like, we'll just ask to remove it from
2 the cluster, and talk about that and vote on it separately, is that
3 what you want to do?

4 MS. McCAMMON: You could do it that way.

5 (Aside comments - simultaneously)

6 MS. FISCHER: What we could do is -- yeah, after Dr.
7 Spies makes his comments, you know, on the cluster, and if you see
8 a project that you wish to have more information on, let's pull it,
9 get the question, and then we can either put it back or we can
10 throw it out or whatever you decide to do, you know, as a PAG
11 member. If we decide, as a group, not to put one project in there,
12 it would be our recommendation then that we're going to pull one,
13 but vote on the rest of it. Mary.

14 MS. MCBURNEY: I just wanted to add that under "other
15 pink salmon projects," one project that I'd like to highlight is
16 95093, and we do have a representative of the Prince William Sound
17 Aquaculture Corporation present who would be able to fill us in on
18 a newly revised version of this particular project, which I don't
19 believe the other members of the PAG have probably received any
20 updated information on it. And, as long as we have a good resource
21 here, I would encourage that we clearly use him.

22 MS. FISCHER: Then after that, when we get down to that
23 project, and we'll

24 MS. MCBURNEY: Thank you.

25 MS. FISCHER: Okay, Jim.

26 MR. KING: I have a little problem doing it this way

1 because as I was looking at the whole package from a different
2 point of view. You have them clustered as research, restoration,
3 monitoring, and my feeling in looking over the material you have
4 given us was that, the staff has also gone through the process of
5 trying to cluster projects in relation to an ecosystem approach,
6 and I thought that was fine, and that we ought to give that a
7 chance, and go ahead with most of the research, and as indicated,
8 the highly endorsed -- one and two categories -- projects, and
9 perhaps cool it on restoration and -- and monitoring until we see
10 a little bit more about what the ecosystem approach to research
11 produces for us. And, the other problem I have with, you know,
12 voting on these things is, I feel like we haven't -- perhaps --
13 making some decisions here, but we haven't got the whole package.
14 We really haven't been -- at this juncture, shown very much about
15 the potential for habitat purchases, and what's that going to cost.
16 So, we're going to be voting on less than a full package. We don't
17 know what the top limit is, and what we're eliminating -- what
18 possibilities we might be eliminating by supporting some of these.
19 So, I don't know. I really don't feel like I'm prepared to vote
20 very intelligently on these packages, the way they are reposed --
21 presented here.

22 MS. McCAMMON: Madam Chair, just in response to Mr.
23 King's comments. We did keep the major ecosystem research clusters
24 that you saw originally, those are still in here. What's different
25 is that with "other pink salmon projects" are primarily the
26 monitoring and general restoration, and the non-ecosystem research.

1 I mean we -- at one point we had it labeled non-ecosystem research,
2 pink salmon projects, and it ended up being "other" pink salmon
3 projects. But, we did keep the major ecosystem research component
4 clusters together, so those -- those are still there.

5 MS. FISCHER: Are there any other questions and/or
6 comments? So, maybe, perhaps we can get started with this. Okay.
7 Dr. Spies.

8 DR. SPIES. Well, thank you very much, Madam Chair.
9 First of all, I'd like to stress that this is an evolving process,
10 in terms of review, and a helpful way to look at this might be to
11 look at the first column to the left that indicates the preliminary
12 review and this is a fairly quick review given by the core
13 reviewers back in June, soon after we received the packages. It's
14 just a look -- an indication that it had a lot of promise, and then
15 we had to focus in by way of some of these reviews, and we
16 certainly didn't do as many reviews as we would have liked to have
17 done, but -- limitation of resources, particularly time, precluded
18 some reviews like some of the nearshore packages and intertidal
19 packages, I think, probably will have to be dealt with as a group,
20 but we did accomplish quite a bit in terms of -- of a review
21 process, having major reviews, as Molly said, on pink salmon,
22 herring, sea projects, sockeye and fish genetics. And, then the --
23 my preliminary recommendations are given in the far right column,
24 faced with a lot of input from the reviewers, and we still have not
25 kind of gotten to this final stage that -- we're going to try to
26 hit some sort of a reasonable amount of sustainable research in the

1 following year, that might be a further refinement, so please don't
2 consider what we have down here in the far right column as
3 necessary -- necessarily the -- the bottom line on this. There --
4 there's some very good things that -- that may be recommended by
5 the review board and preliminary indications that are going to have
6 to eventually go in order to have some kind of sustainable long-
7 term research program. So, with those preliminary comments, let's
8 talk first about the SEA plan package or the Prince William Sound
9 System Investigation. There's a larger group of projects than
10 actually exists under the 95320 package, and those -- those are
11 indicated -- the primary core projects are indicated with
12 asterisks. And, we had a review session in Cordova last week, a
13 three day review session, very intensive, looking -- looking at
14 what's been accomplished in about six or seven months by the SEA
15 plan reviewers. We had a number of very good biological
16 oceanographers there, looking at this, interacting with the
17 principal investigators. First of all, I think everybody, all the
18 reviewers and myself as well, were extremely impressed with the
19 amount of hard work that's gone on in Prince William Sound since
20 the -- the package was approved in April, I believe it was, by the
21 Trustees. They got into the water very quickly and got a lot of --
22 a lot of research accomplished, and there's a tremendous amount of
23 enthusiasm, and the group has drawn together very, very well. So,
24 we can certainly hold that group of projects for -- as an example
25 the kind of ecosystem research the Trustees want to see. The
26 second thing to note, generally, is that the investigators are

1 still in the process of sampling -- or analyzing a lot of their
2 samples. They've collected most of the samples that they need for
3 '94, but certainly in some cases only twenty-thirty percent of the
4 data is really in, and (indiscernible) -- all the data we have to
5 get in, we have to analyze it all, and have time to think about it.
6 So, let me -- the review was not premature, but is certainly -- we
7 had to have some kind of determination whether we're hitting the
8 milestone in terms of -- of getting where we need to be by that
9 stage, but there's certainly more to come on what's -- what's
10 happening with this -- this project of '94. There are -- find some
11 very interesting things in terms of ecological relationships
12 between larval fish and other parts of the ecosystem, which is the
13 main focus of this project, and -- and I think we're making overall
14 -- overall progress is quite good. We are essentially recommending
15 that the parts of those projects that are -- that were the core
16 projects under the package as proposed by the SEA investigators,
17 which are not much different than the '94 projects, go forward
18 under the budget. So, we don't see much changes in terms of the
19 recommendations of the reviewers at this stage. There are specific
20 recommendations as to various -- that could be focused on and given
21 more attention as the -- as this group of projects evolved -- as
22 this disciplinary group of investigators evolved. I won't go over
23 those in detail, but (indiscernible) formerly in those. I just
24 comments in this morning from the second reviewer, so we're very
25 much in the process of trying to formulate overall recommendations.
26 But, our -- the general recommendations of myself and the reviewers

1 are that the package go forward, pretty much as indicated.

2 MR. WILLIAMS: What did you say the asterisk indicated?
3 Core projects?

4 DR. SPIES: Those are the core projects.

5 MS. FISCHER: Are there any questions of Dr. Spies in
6 this cluster? Mary.

7 MS. MCBURNEY: Well, under core projects, there's one
8 that -- that's indicated that it has a legal question, and I'm just
9 wondering what the status of that is, that would be 320K. Is that
10 many of the hatchery-related projects throughout the '95 work plan
11 have been designated category 4 (indiscernible - simultaneous
12 talking)

13 DR. SPIES: Yeah, we got kind of a -- we got kind of
14 a blanket response, in a way, I don't know if that's fair or not,
15 for the legal response, but if -- if it was -- it looked like it
16 was hatchery-related, I think it kind of sent up a little flag for
17 the lawyers. So, there's -- it doesn't mean that there's a legal
18 problem, but it needs to be looked at from the lawyer's point of
19 view. My view on that is that the -- the -- that component is
20 absolutely necessary for the rest of the SEA plan to go forward.
21 Those -- those fish have to be grown up and released and for the
22 rest of the program is to -- to study them, and so I hope that view
23 prevails in the legal review of the process.

24 MS. FISCHER: Jim.

25 MR. CLOUD: Why did you recommend amounts for 95018
26 and 95065?

1 DR. SPIES: 95018 was a project that was put in here
2 as a convenience for a matter of grouping. I think that the
3 project has some merit, but is not a first priority. It looks --
4 gets -- gets at this questions, of what is the most productive part
5 of the marine habitat is the -- is it the benthic communities of
6 which -- benthic nearshore communities of which Prince William
7 Sound doesn't have that much. If you look at a map of the
8 contours, the Prince William Sound is pretty steep in most places.
9 So, it's a relatively small part of the habitat, relative to the
10 pelagic, but this project was proposing to go in and make those
11 types of comparisons. I think it was fairly carefully reviewed,
12 but perhaps it wasn't a first priority because it didn't fit into
13 the rest of the questions and hypothesis that are being asked, and
14 are part of program. And, the second one you asked about.

15 MR. CLOUD: Yeah.

16 DR. SPIES: Which was what?

17 MR. CLOUD: The next one, 95065, the pink salmon fry
18 mortality.

19 DR. SPIES: Yeah, that was a PWSAC proposal too.
20 They've had problems in Cannery Creek and another one with -- in
21 the last couple of years with -- with problems with their fry, and
22 having a pinhead condition, and so forth, and the reviewers looked
23 at that very seriously, and we looked at that last week as well, in
24 the pink salmon review, and PWSAC made their case for that, and I
25 think the reviewers felt more or less that, at this time it was
26 difficult to -- to attribute that to an oil spill problem. Perhaps

1 it is a problem from another origin.

2 MS. FISCHER: Okay, Pam.

3 MS. BRODIE: When you have no recommendation, some of
4 these you have zero, but sometimes it's a blank, what does the
5 blank mean?

6 DR. SPIES: It means we haven't finalized it -- for
7 the stable isotope ones, for instance, the 95320I parts one and
8 two, I proposed to the Executive Director that we take all -- all
9 the proposals that are -- that are taking an ecosystem approach
10 using stable isotopes and combine them into one -- one project, and
11 that hasn't been acted on.

12 MS. FISCHER: Okay, Jim.

13 MR. DIEHL: That was my question.

14 MS. FISCHER: Any other comments or questions? Jim.

15 MR. CLOUD: I'd -- I don't know if -- can we
16 recommend removal of some of these projects and then make a move to
17 vote on the rest, as a group?

18 MS. FISCHER: Yes.

19 MR. CLOUD: I'd recommend that we remove 95018, 95065,
20 95320(1), whatever that is ...

21 MS. FISCHER: A, or E, or what?

22 MR. CLOUD: 95320I, (1), (2) and (3), all three of
23 them.

24 MS. FISCHER: Okay.

25 MR. CLOUD: And, 95320Y.

26 UNKNOWN: What was the last one, Jim?

1 MR. CLOUD: 95320Y, the bottom one.

2 DR. SPIES: That -- that blank on that side doesn't

3 mean that I don't consider those stable isotopes important.

4 MR. CLOUD: Right, I'm just removing them, and then we

5 can discuss them as individual projects later.

6 MS. FISCHER: Okay.

7 MR. CLOUD: And then I would move that we approve the

8 rest of them, the rest of the group.

9 MS. FISCHER: Is there a second?

10 MR. ANDREWS: Second.

11 MS. FISCHER: Discussion? Pam.

12 MS. BRODIE: Could we break that into two separate

13 pieces when we remove the ones that were recommended by the Chief

14 Scientist.

15 MR. CLOUD: So, you want to remove some more?

16 MS. BRODIE: I don't know, but people might.

17 MR. CLOUD: Yes, that's a good idea. I withdraw my

18 motion until we're done removing -- or moving, whatever.

19 MS. FISCHER: Is that okay with the second?

20 MR. CLOUD: Again moving whenever.

21 MS. FISCHER: Is it okay with the second?

22 MR. ANDREWS: It's okay with me.

23 MS. FISCHER: Okay, Jim, you had a question too?

24 DR. FRENCH: Well -- I -- we're voting on removing now?

25 MS. FISCHER: No, we're not voting, right now.

26 MR. MUTTER: The motion that's on the floor has been

1 removed.

2 MS. FISCHER: It's been withdrawn. The motion has been
3 withdrawn, and we're going to go forward to see if somebody else
4 wants to withdraw an item in this agenda, from this section of the
5 cluster.

6 MR. CLOUD: We're just electing to withdraw.

7 DR. FRENCH: We're just discussing withdrawal, okay.

8 MR. CLOUD: ... and then -- then we vote to move on
9 the balance.

10 DR. FRENCH: I would like to speak against removal of
11 320I, (1), (2), so -- the reasons that I believe -- well, I believe
12 that they are important projects, I think the Chief Scientist
13 believes they are important projects. I would like to see us
14 recommend that they be combined into on larger stable isotope
15 project, but I do not want to see us on record as against those two
16 projects.

17 MS. FISCHER: Jim.

18 MR. CLOUD: I'm not speaking against any -- I guess
19 I'm just trying to form a format of which we can move forward on
20 all these things, and so I was hoping to take out ones where there
21 could be some later discussion and action, out of the population,
22 vote on the rest, and then come back and address these.

23 DR. FRENCH: I don't think we have -- I don't think we
24 have a consolidated stable isotope project before us on this list.
25 I'm worried we'll lose it between the cracks.

26 MR. CLOUD: Well, I guess what I'd suggest is that if

1 after we remove the ones we want to discuss, then we vote on the
2 balance, and then right away pick up your motion to vote on
3 recommendations on the this project. Can we do that?

4 DR. FRENCH: This is kind of a consent agenda, approve
5 all of this and pull off anything you don't want to be on the
6 consented projects.

7 MR. CLOUD: Well, it might speed -- might speed up
8 things, maybe it won't. Might backfire.

9 MS. FISCHER: Okay, is there anything else -- anyone
10 wants to -- Pam.

11 MS. BRODIE: I'm not comfortable with voting to support
12 something that might be illegal, like 95320K, and I understand, I
13 think, what Dr. Spies is saying is that it's important that this
14 happen for the rest things to happen. I'd like to hear from Mary
15 McBurney about if the Trustees don't fund this, what will happen?
16 Will the Aquaculture Association do this, or not do it, will this
17 happen? It's part of their program anyway.

18 MS. MCBURNEY: Actually, I'd like to defer the answer to
19 that question Howard Ferrin, who is in the audience who can better
20 answer that question.

21 MS. McCAMMON: Madam Chair, we also have the Department
22 of Fish & Game here.

23 MS. FISCHER: Okay, Jerome and -- would you like to make
24 a comment, too?

25 MS. McCAMMON: And I could also address the legal
26 question, somewhat.

1 MS. FISCHER: Okay.

2 MS. McCAMMON: The -- the federal attorneys and the state
3 attorneys were given all of the project descriptions. The ones
4 that received a rating of four were ones that were flagged as an
5 initial concern. The question, at this point, isn't so much
6 whether they're legal or illegal, but whether -- what's the long-
7 term cumulative impacts are of hatchery-type projects, and the
8 questions that I think that attorneys are posing to us is whether
9 these projects will require NEPA compliance before the Trustees can
10 take final action on them. Often what happens is the Trustees will
11 act, say, subject to NEPA compliance. And, you pretty much assume
12 that it -- it will be complied with, and that -- either through an
13 environmental assessment or through a categorical exclusion. We've
14 been getting some indications from the attorneys that they require
15 some form an EA or EIS before the Trustees can take final approval
16 on the actual project itself. But, that's going to be -- we should
17 get a final answer on that in the next week.

18 MS. FISCHER: Okay. That answer your question, Pam?
19 Okay. Yes, Jerome.

20 DR. MONTAGUE: Madam Chair. Just wanted to say in the
21 case of 320(K) an environmental assessment was done last year and
22 it's still applicable. I think that's probably an error that its
23 category 4.

24 MS. FISCHER: I don't think it's really an error, I
25 think it's being reviewed. It was flagged as a concern and an
26 issue that's being reviewed. It may pass total muster by the time

1 we get through next week. Okay, Mary, would your -- Howard would
2 you care to make a comment?

3 MR. HOWARD FERRIN (ph): Am I on? Thank you, thank you,
4 Madam Chair. Yes, I'm Howard Ferrin, I'm special projects manager
5 and planner for the Prince William Sound Aquaculture Corporation.
6 I wasn't prepared to address this particular question today. But,
7 I can speak to the SEA project and the validity of having the fry
8 release project, the component of the SEA program. In the natural
9 system, there's tremendous variability as to when and where natural
10 spawning stock fry-out migrate, and, therefore, the SEA researchers
11 have a difficult time with their vessels performing their
12 hydroacoustic work and net sampling to determine fry out-migration,
13 migration routes and interaction with other species. We can
14 control some of that variability in the hatchery facilities, by
15 rearing the fry to a certain size and releasing them at a certain
16 time and location, so that those vessels can be on site to track
17 these fry as they migrate through the water column. So, it is
18 integral to the SEA project, and Prince William Sound Aquaculture
19 Corporation would certainly value contributing to the SEA program
20 through this particular effort. To do so, of course, does require
21 additional, not just staff support, but rearing time, commodities
22 for the fish, fish food, if you will, to see that that project goes
23 forward.

24 MS. FISCHER: I'm going to ask a question. Howard, are
25 you releasing the fry a little bit larger than what had been
26 released in the past?

1 MR. FERRIN: Yes, the SEA program requested the fry be
2 released at a certain size. I don't have the specifics with me,
3 however, we should be submitting our final report on this
4 particular project within a week. It's on my desk currently, and
5 it describes the size of the fry that were released. They are
6 reared for a longer period than we typically release fry, and they
7 are larger.

8 MS. FISCHER: I know that Prince William Sound has
9 probably one of the largest returns of pink salmon ever in its
10 history, and my understanding is because the fry has been released
11 at a little bit larger, which made its survival rate higher.

12 MR. FERRIN: Well, gosh, that question could broaden
13 into a very large answer. There was a very large return of pink
14 salmon this year to Prince William Sound. A good portion of those
15 fish returned to the Valdez, the Port of Valdez area, both to the
16 hatchery and to the wild stock system. We also had a large return
17 to the Cannery Creek facility and Qutekchak Inlet. However, down
18 in the southwest district at the AFK facility where we're
19 experiencing high fry mortality in the net pens, we had a much
20 weaker return of adults. So, there are unanswered questions as to
21 -- is there something going on in ecosystem that's related to the
22 oil spill, or is there natural variability. To get back to your
23 specific question, I believe, Prince William Sound Aquaculture does
24 rear fry for a period of time, and we have experimental release
25 groups. We particularly try to target releases when the natural
26 marine conditions are most favorable, i.e. when the plankton bloom

1 nears its most optimal growth, so that when the fry are released
2 they have a preferred feeding environment to -- to go into.

3 MS. FISCHER: Thank you, Jim.

4 MR. CLOUD: Can I put my motion back on the table for
5 approval of this group that Prince William Sound system
6 investigation group, with the exception of -- a temporary exception
7 of 95018, 95065, 95320I, (1), (2) and (3), and 95320Y.

8 MS. FISCHER: Do I hear a second?

9 DR. FRENCH: I'll second it.

10 MS. FISCHER: Okay, John French seconds. Okay,
11 discussion. Pam.

12 MS. BRODIE: I'm sure that all of these projects will
13 add to human knowledge and their good projects, and I'm also sure
14 that if we go through with this kind of a process we're going to --
15 we're going to approve a lot of expenditure and projects, and I'd
16 like to hear from Dr. Spies, not about particular projects, but in
17 general, if you could explain to us how is the information that
18 will be accumulated from these projects, will help restore oil
19 spill injuries, which is probably pretty clear with this one and
20 maybe not as clear with some of the other clusters. This is --
21 something in general about the cluster, I'd like you to do. And
22 also, what happens if -- if we don't fund them all, are they going
23 to get funded somewhere else? Is, you know, what -- to what degree
24 do agencies fund these out of their normal agency budget.

25 DR. SPIES: If nobody else, I'll answer this question.
26 First of all, I think that the general philosophy that's being

1 adopted here is that if we -- if we want to achieve restoration,
2 that if there are resources that are injured and are subject to
3 management, that are harvested for instance, in this case we have
4 pink salmon and herring that are being harvested, that if we know
5 more about the -- what controls those resources, we can better
6 manage them, and also make better predictions about the -- the
7 return on those things. One example that came up, in particular on
8 -- in the herring workshop, was that the reviewers came in and
9 looked at what was being done and what was being proposed, and they
10 said, well, one of the best predictors of herring survival, and the
11 strength of a particular year class is related to the abundance of
12 the 0+ age class, which is the youngest ones -- that the youngest
13 herring as they come out of the spawning beds and start to swim
14 around. And, if you have a program in place to look at the
15 strength of that age class, that's the best predictor there is, and
16 Fish & Game hasn't been doing that, and they believe that a program
17 could be developed and as part our recommendations that they do
18 that under -- partially under 320T and also under the natal
19 habitat, which is 166, that they do that sort of thing to get those
20 answers, and that will give a much better predictor capability, on
21 down the road so that, you get better prediction of resource
22 strength, and that's very useful for everybody involved, from the
23 managers to the fishermen, and so forth. So, that's kind of the
24 basic philosophy with one example of -- of how those -- how this
25 knowledge kind of feeds into, particularly for harvestable
26 resources into the restoration program. The coded wire tags from

1 this year, the coded wire tag information that was gathered this
2 year in season and real time for pink salmon in the Prince William
3 Sound was extremely helpful for the managers, and protecting wild
4 stocks of pink salmon, which we have good indications, were injured
5 by the spill. That was another application of better -- better
6 management through the information that's been gained through
7 Trustee-sponsored studies.

8 MS. BRODIE: Would any of these things be funded
9 through normal agency budget if not through the Trustee?

10 DR. SPIES: Well, under the 320 -- 320 package, no
11 these are mostly outside the agency, these are mostly, although
12 there's grey agency -- I mean there is agency participation.
13 There's a lot more university participation than any of these, and
14 I don't think that many of these things would be -- very few, if
15 any of the ecosystem package would be funded under normal agency
16 management.

17 MS. BRODIE: Thank you.

18 DR. SPIES: You may get a different answer on
19 different packages.

20 MS. BRODIE: Right.

21 MS. FISCHER: Okay, all in favor of consensus on the
22 projects that Jim made a motion for, in favor, please say aye.

23 ALL PAG MEMBERS: Aye.

24 MS. FISCHER: Raise your hands, please. Any opposition?
25 (No response) Then the ayes have it. Okay, we'll go to other pink
26 -- shall we take a five minute break first and then ...

1 UNKNOWN: I want to hear these excluded projects ...

2 MS. FISCHER: Oh, okay, you want to go through the
3 excluded ...

4 DR. FRENCH: I don't (indiscernible) go through them
5 one by one, but I'd like to move that we move 320I(1) and (2) into
6 a category where we recommend that they are combined with other
7 stable isotope projects into a larger stable isotope project.

8 MS. FISCHER: Do you have an area they can move into?

9 DR. FRENCH: No, I just wanted to -- I'll concur with
10 the Chief Scientist's recommendation.

11 MR. CLOUD: I'll second that.

12 MS. FISCHER: Do you have an area that you'd move them
13 into, add to that?

14 DR. FRENCH: Well, no there's not, it's at least my
15 understanding that it's not current a stable isotope -- large
16 stable isotope project. The Chief Scientist has made the
17 recommendation that there be on, and I think that it's a good
18 recommendation.

19 MS. FISCHER: Okay, Jim second. Any discussion? 95320I
20 (1) and (2) -- all in favor. Okay, the motion is to add 95320I (1)
21 and (2) -- no just (1) and (2) to be sure to be added, if not in
22 this section another section where it might fit into?

23 DR. FRENCH: We recommend that it be combined with
24 other stable isotope projects, which we'll identify as we go
25 through the rest of this list. I mean to a large single project or
26 group of projects.

1 MS. FISCHER: Well, John, you keep that in mind, so when
2 we come across it, you can put it in there.

3 DR. FRENCH: (Indiscernible)

4 MS. FISCHER: All in favor?

5 PAG MEMBERS: Aye.

6 MS. FISCHER: Opposed? (No response)

7 MR. ANDREWS: Madam Chair, can I ask Dr. Spies one
8 question? 320I (3), purchase of isotope radio mass spectrometer,
9 wouldn't that be a necessary piece of equipment, if we're going to
10 deal with isotopes?

11 DR. SPIES: That is, but the ...

12 MR. ANDREWS: It's got a three rating, that's why I
13 asked.

14 DR. SPIES: Right. That was asked for because they --
15 they saw an expanding interest in stable isotopes over the next
16 several years. The instruments that they had available this year
17 seemed to be sufficient to get the work done, and I think there was
18 some reluctance on the part of the reviewers to buy a piece of
19 equipment at this cost. That issue may come up again. You've got
20 to play off the need for it against the ...

21 MR. ANDREWS: Yeah, I realize that they had equipment
22 that they could (indiscernible), but if you're going to have
23 isotope swimming around Prince William Sound, you've got to find
24 some way to find out where they are. (Laughter)

25 DR. SPIES: Well, these are stable isotopes, these are
26 not very elaborate, so -- like carbon 13 and carbon 12, they have

1 a different mass, but they're stable. They don't decay and produce
2 radioactivity.

3 MS. FISCHER: Okay on that, let's see, 95320Y, is there
4 any discussion on that, or anyone that -- somebody liked to see
5 that replaced? 93201(3)? Okay. Now we can move onto the other
6 pink -- would you like to take a five minute break first? Okay,
7 let's take a five minute break and then come back.

8 (Off Record 1:45 p.m.)

9 (On Record 1:53 p.m.)

10 DR. SPIES: ... that are more directly related, or
11 more immediately related to restoration and management, although
12 certainly in the long run this SEA plan investigations will, I
13 think revise our basic understanding of those problems. But, I'd
14 like to concentrate particularly on -- on three or four of these.
15 As a result of having the review last week on pink salmon, it was
16 really apparent and has been for the last several years, a lot of
17 support for reevaluating the kinds of methods that are used to
18 distinguish wild stocks from hatchery stocks and mixed -- mixed
19 stock fisheries in Prince William Sound. And a pair of project are
20 95320B and 320C, which originally were proposed as part of the SEA
21 plan, bear on that particular question. The current method, as you
22 -- most of you are probably aware is to use coded wire tags
23 inserted in the fry as they out-migrate and enter the marine
24 system, and these are used then as there -- as the catch, as the
25 run returns and is beginning to be caught, then one can make some
26 determination in season as to -- in a mixed stock fishery as to

1 what the contribution of the wild and hatchery components are, and
2 the -- those who are trying to protect the wild stock in Prince
3 William Sound have better tools for in-season management. The
4 coded wire tags have worked pretty well, but they're not a
5 universal mark. And, if we go to another method, and that's --
6 method is otolith thermal mass marking as proposed in 95320C, we
7 get a way to mark every single fry from the hatchery, and I think
8 that the -- think the Trustees have a opportunity here, based on
9 several conditions, that could basically improve management of pink
10 salmon fishery in Prince William Sound for a long time to come by
11 using Trustee funds to leverage the conversion from the coded wire
12 tag program to an otolith thermal mass marking approach. It would
13 improve management of this injured resource. Now, last year there
14 was -- the project was eventually withdrawn for a number of
15 reasons. It kept getting more and more expensive, and the
16 commissioner decided because of, I don't know what all his
17 considerations were, but decided to withdraw it. There's been
18 continued support from the science -- the scientific staff of Fish
19 & Game, and others concerned about the pink salmon, about
20 implementing this. It's come again this year, and I think they've
21 got some very compelling reasons to do it. Now, I think a couple
22 of things have to work right here. First of all, they have to show
23 that it's going to be cost effective in the long run and it will be
24 used, it will be adopted by Fish & Game. There's no -- there's no
25 reason for the Trustees to implement this, and for the Fish & Game
26 in a couple of years to say, well, it's too expensive, but we still

1 want to do. So, I think there has to be some reasonable assurance,
2 somehow in the system, that if it is adapted -- if it is adopted
3 for use, that it be used in the long run, and the second thing is
4 that I think the transition over has to be for a reasonable amount
5 of money, and I'm kind of awaiting -- let me just finish one
6 sentence -- I'm kind of awaiting a -- documents being put together
7 by Sam Sharr at Fish & Game, with contributions from PWSAC, as to
8 how this could be done, and what the cost will be for this -- this
9 switching over, and you're going to have to overlap the coded wire
10 tag with the otolith thermal mass marking for one year to get a
11 back system.

12 MR. ANDREWS: (Indiscernible) Dr. Spies, what's driving
13 the price on this is the recovery effort, not only the recovery
14 effort, but the examination of the material, the otolith.

15 DR. SPIES: Right. We haven't -- I haven't got the
16 bottom line figures, these are just initial -- initially proposed
17 figures here, and so we haven't -- by the comment revive, I mean,
18 we're expecting a revised proposal and then we'll have to revise
19 the budget someday.

20 MS. McCAMMON: Madam Chair, in fact, for project 320B,
21 the cost of \$84.3 thousand is only to complete last year's work.
22 There actually is not even a proposal in before the fund this
23 year's. So, if we were to do it for this year, there would be an
24 additional cost, and last year, I know, it was several hundred
25 thousand dollars, so it's fairly expensive. And, one of the
26 concerns the Trustees have had is, this becomes -- gets into that

1 grey area of normal agency management. We know that if the
2 Trustees didn't fund this, the Department of Fish & Game does not
3 have the funding to do this, even though you might argue that they
4 should. They don't have the funding to do this. The Trustees may
5 be more interested in looking at something if it -- getting a new
6 tool going, as long as there is some plan for how the department
7 will take it over and will absorb the long-term cost, so that it
8 doesn't become an ongoing Trustee function.

9 MS. FISCHER: Now, you say that 95320B, that's the one
10 you're talking about, right?

11 MS. McCAMMON: That's correct.

12 MS. FISCHER: And, you haven't received any plan or
13 anything for it -- why? I mean, if it's important to that agency,
14 I would think that they would have a plan anyway.

15 DR. SPIES: I know Jerome could (indiscernible)

16 MS. McCAMMON: Jerome was here.

17 DR. SPIES: Yeah. I think that -- it only came up --
18 I mean, just talking directly to the investigators last week in
19 this meeting and to the reviewers, it kind of emerged as a
20 consensus of the group. We really do need to overlap these two --
21 these two together, and I don't know if Fish -- I can't recall if
22 Fish & Game was planning to fund this out of their normal agency
23 funds or not, next year, the coded wire tag aspect. It had been
24 jointly shared -- there have been some kind of contribution from
25 PWSAC in the past.

26 MS. McCAMMON: And they did this past year, also. They

1 did do -- I believe, a hundred thousand dollar contribution to the
2 (indiscernible)

3 MR. CLOUD: Madam Chair.

4 MS. FISCHER: Yes.

5 MR. CLOUD: Just a point of clarification, where it
6 says interim funding, has that already been funded?

7 MS. McCAMMON: That's correct. That was approved by the
8 Trustees on August 23rd.

9 MR. CLOUD: So, really, it's almost a moot discussion
10 on ...

11 MS. McCAMMON: Well, the -- the funding that they -- what
12 they did approve funding for was to the report writing and the
13 final analysis of last year's work. So, any new work for FY '95,
14 which is usually in the balance column -- interim funding is mostly
15 just to complete the '94 field work. The new -- the new stuff is
16 basically in the balance column.

17 MR. CLOUD: And that says zero.

18 MS. McCAMMON: It wasn't submitted. Now, as a result of
19 this review session, the reviewers are suggesting that it should
20 be.

21 MR. CLOUD: I see.

22 MS. McCAMMON: And, we're expecting a report from Fish &
23 Game to detail what that cost may be and to give a plan for
24 transitioning to otolith with marking with what that cost may be.
25 Part of the problem we've had with these two projects in the past
26 is the department has not been able to -- to the satisfaction of

1 the Trustees, give a plan for how they intend to deal with this
2 whole question of coded wire tagging versus otolith marking.

3 MS. FISCHER: Okay, does that answer your question, Jim?

4 DR. SPIES: The other two projects in this study I'd
5 like to draw your attention to are 95191A and B which are the --
6 providing, I think, the information -- very fascinating,
7 scientifically, this is to my knowledge and to others I've asked,
8 unprecedented greater mortality in the eggs of pink salmon from oil
9 versus non-oiled streams, is still continuing after the spill.
10 There's still about forty to fifty percent mortality in the -- on
11 average in the eggs of pink salmon in oiled streams that have been
12 surveyed, and there are about a dozen of these, compared to the --
13 eighteen to twenty percent in the unoiled streams. This is a -- we
14 need, I think, to keep monitoring the situation and to -- and to
15 provide the support for the laboratory studies -- we'll try to get
16 at some of the mechanisms that may be operating here. There's --
17 the hypothesis that the investigators have is it's genetically
18 caused damage. There's some alternative hypotheses that have to be
19 looked at, as well. This is one case where damage assessment
20 really isn't over, and we should do a little bit more.

21 MS. FISCHER: Any other questions? Okay. Do I have a
22 motion to that (indiscernible)? Yes, John.

23 DR. FRENCH: Before we do that, as Mary indicated PWSAC
24 is significantly revised their most recent proposal, and Howard is
25 here and would like the opportunity to speak to it. It is one of
26 the major projects in this cluster here. I would suggest we hear

1 him at this time.

2 MS. FISCHER: Well, should we have motion on this and
3 then discussion on it? Listen to Howard at that point?

4 MR. CLOUD: Let's hear Howard because it might affect
5 what kind of motion we make.

6 MS. FISCHER: Okay, Howard, will you -- started to come
7 up and make a comment?

8 MS. McCAMMON: Madam Chair, I should also note that there
9 is a pile of revised projects descriptions that you have in front
10 of you, and it has a rubberband around it, and the revised PWSAC
11 proposal is in that group. So, you do have a copy before you.

12 MS. FISCHER: That would be 95093 and -- was there
13 another one? There was another one on here too, wasn't there?

14 (Aside comments)

15 MS. FISCHER: 093C ...

16 MS. McCAMMON: A, B and C -- overview.

17 MS. FISCHER: A, B and C, yeah. Okay, there is no A, B,
18 C there (Aside comments) Oh, the new one, okay, under the new
19 one. (Pause) Everybody find theirs, it's in the -- towards the
20 bottom of the packet.

21 MR. FERRIN: Okay, thank you Madam Chair, PAG members.
22 Again, I'm Howard Ferrin, special project manager and planner for
23 Prince William Sound Aquaculture Corporation. I'm -- I'd like to
24 speak to proposal 95093, which you have listed in the project
25 proposal booklet for FY '95, as restoration of pink salmon
26 resources and services. The revised proposal that I'm actually

1 going to discuss, is titled "Restoration of Prince William Sound
2 Natural Spawning Resources and Services and Integrated and
3 Collaboration Approach." This proposal encompasses three
4 subprojects: 95093A, which is titled "Restoration of Salmon in
5 Three Oil Damaged Streams"; 95093B, the version of fishing effort
6 from oil damaged salmon stocks; and 95093C, "Restoration of Three
7 Salmon Stocks Important to Subsistence." Before I speak to these
8 projects, as revised, I'd like to explain at how we arrived at my
9 being here today. First, the proposal listed in your work plan,
10 restoration of resources and services, was essentially a proposal
11 that requested hatchery funding to continue hatchery operations.
12 We know that this raised various legal issues, and other concerns,
13 and several months ago, myself, the chairman of our board, Dan
14 Hall, and our interim CEO met with Bill Brighton and Craig Tillery
15 to discuss some of those concerns. In addition, with the change at
16 the helm at the corporation, there was refocus on the corporate
17 mission and the purpose of the Phase III comprehensive salmon plan,
18 which focuses on optimum sustained yield of both wild and hatchery
19 fish. The, these change in intents focus highly on health and
20 productivity of wild stocks, and we moved away from this continued
21 funding of hatchery operations, and hence the proposal that was a
22 replacement for the original. The replacement proposal that was
23 listed in this volume. Now, last week, September 29 and 30,
24 several of us attended the pink salmon workshop at this office, and
25 we discussed the restoration proposal with the peer scientists. I
26 think among those in attendance were Dr. Spies, Dr. Phil Mundy, Dr.

1 Jim Seeb, G. Price, Alex Worthhiemer (ph), and a few other
2 individuals from the Department of Fish & Game. As a result of
3 that meeting, we returned to Cordova, and once again revised our
4 proposal in order to -- to address or respond to various concerns
5 and issues raised by the peer scientists. So, during the course of
6 last week, we did revise the proposal outlined here, broke it into
7 three specific subprojects that more clearly identified some of the
8 concerns that were raised by the peer scientists, and I was able to
9 return that revised proposal and budget to the Trustee offices as
10 of Monday morning, so I'm sorry that -- that it probably has not
11 been in your hands for any length of time, but we have done this in
12 an effort to respond to the scientific issues and earlier to the
13 legal issues that continue to be raised about the proposals that
14 the corporation submitted. What I'd like to do is to briefly go
15 over the revised proposal as currently submitted to the Trustee
16 Council. It's in the package that includes four documents. The
17 first document is an overview proposal. This just simply suggests
18 the integrated and collaborative nature of the project, and it's
19 titled, "Restoration of Prince William Sound Natural Spawning
20 Resources and Services, an Overview. Attached to that document are
21 three additional -- 95093A, B and C. The first subproject that
22 I'll discuss is restoration salmon in three oil-damaged streams.
23 This proposal addresses oil damage concerns. Pink salmon have been
24 identified as injured and non-recovering in Prince William Sound.
25 What we would like to do, is take a small scale feasibility
26 approach, the supplementation at three oil-injured streams and

1 stock the pink salmon. At this point, I know that some question
2 has been raised, well, identify the streams for us. Frankly, I
3 can't do that at this point. Part of the proposal is to do a
4 literature search of work that has been funded by the Trustee
5 Council to focus on those streams, and then additional field work
6 is required as part of the proposal, to inventory the particular
7 sites to make sure that there are other features, such as can
8 rearing pens be established at those streams, is it physically
9 possible to do the work we intend to at those locations, is there
10 a large enough returning brood stock to make it viable to take some
11 of those brood fish -- to take the eggs, incubate them at the
12 facilities and return them for acclimation at the natal stream.
13 This project, along with the other two subprojects are currently
14 envisioned to take place over two life cycles of both odd year and
15 even year pink salmon. So, there will be a phase approach, first
16 to do some basic research investigation to get the project going,
17 more long-term restoration or supplementation effort at a
18 feasibility scale, with then follow-up monitoring. One of the
19 large components of this project is the genetic study proposed by
20 one of the collaborative partners, the University of Alaska School
21 of Fisheries and Ocean Sciences, that Dr. Bill Smoker and Dr. Tony
22 Garrett. That particular component addresses both gene flow
23 studies, which may get a handle on some straying issues; the second
24 component is quantitative genetic analysis, which is proposed to
25 help us better understand the phenotypic expression of lethality.
26 Earlier we spoke about -- well, I heard discussed, the egg

1 immortality in oiled streams. That mortality is not only within
2 the oiled area, but has expanded into areas of the steams beyond
3 where the oil was, and it has been replicated by taking brood
4 stocks from those creeks, incubating them in a controlled hatchery
5 setting, and the mortality is continued to be expressed. This
6 particular quantitative genetic analysis is an approach to get a
7 handle on that herd -- inherdable phenotypic expression -- in other
8 words, this -- this mortality in the eggs, and to project how long
9 -- how many life cycles it will take to evolve itself out from the
10 gene pool. The third component involves a synthesis and modeling
11 of the -- the two previous genetic components. Those being the
12 gene flow study, as well as the quantitative genetic analysis.
13 When I speak to a collaborative proposal, other partners in this
14 work include the Native Village of Eyak Tribal Council, the
15 University of Alaska, as I mentioned, and the Department of Fish &
16 Game. What we've done is pooled together the proposals from
17 earlier projects, the Native Village of Eyak Tribal Council had
18 submitted a project, 95024, I believe, and the Department of Fish
19 & Game, 950969. Those two projects are now incorporated within our
20 collaborative proposal, so the budgets that I'm presenting reflect
21 the integration of the work from those other parties, within our
22 restoration proposal. 95093B is a broader scale project, that
23 addresses several topics that I note are in Dr. Spies'
24 recommendations, and that is to divert fishing effort from oil
25 impacted or oil injured stocks. This is recognized in the
26 Environmental Impact Statement on the Restoration Plan as a

1 mechanism to help restore injured stocks. If we can isolate by
2 time or location, returning hatchery fish from injured stocks, the
3 harvest pressure on the injured stocks will be reduced. Subproject
4 B will allow us to go into Prince William Sound, inventory and
5 assess various brood stocks that might be able to be used to
6 replace current hatchery production, such as early run time stocks,
7 so that we can replace late -- later run stocks. The second
8 component examines several remote release areas that are already
9 identified by the Prince William Sound Copper River regional
10 planning team's potential locations for remote releasing hatchery
11 fish. Those sites were selected tentatively based on the best
12 information the Department of Fish & Game has in the state
13 genetist's opinion, that when releasing hatchery fish they need to
14 be placed at a location, that when they return, they'll be isolated
15 specially from returning hatchery fish, so that once again harvest
16 pressures can be reduced on the injured stocks. So, subproject B
17 is a bit more elaborate than -- than subprojects A and C, it is a
18 more expensive component, it will place more vessels and people to
19 work in the Sound, helping inventory and assess those locations and
20 stocks. And, then proceed, as proposed in this subproject, this
21 year, with the release at two locations of twenty-five million pink
22 salmon fry each at those locations. This, of course, is dependent
23 on NEPA process and other required permitting through the
24 Department of Fish & Game, the Army Corps of Engineers, the
25 Department of Natural Resources. Subproject C addressed the third
26 component which was part of the Eyak -- original Eyak proposal, and

1 that is to restore three salmon stocks important to subsistence
2 users. Basically, subproject C is identical to subproject A,
3 except that we're looking at three streams and stocks that
4 subsistence users will help identify, that are important to them,
5 as opposed to three stocks that are in oiled streams. One of the
6 benefits of taking this approach, is that by conducting this
7 supplementation or restoration work in three streams that aren't
8 oiled, we then have controls to help better understand the
9 feasibility projects that are projected for the three oiled
10 streams. There are several components that are important to all
11 three projects. One is that there is a collaboration of forces.
12 Prince William Sound Aquaculture that has a great deal of
13 experience in fish culture, of project planning, and
14 implementation. The University of Alaska which has tremendous
15 expertise and resources to conduct the genetics work. The Native
16 Village of Eyak Tribal Council, who will help provide the
17 logistical support to get the people and platforms, i.e. vessels
18 out in the Prince William Sound, which we will need to do the
19 particular subprojects. The Department of Fish & Game, we would
20 envision still as the lead agency for money to go through, as well
21 as provide the expertise in the NEPA permitting for any of the
22 projects. We fully suspect that there will be required an
23 environmental assessment for each stream that we work at, and for
24 each remote release that we envision conducting. So, I think in a
25 brief -- a brief way as possible, that's our revised proposal. The
26 costs I've identified, both independently, that if you were to fund

1 only one subproject or second or third subproject, I can give you
2 those total costs. However, if you integrate those projects, the
3 costs are measurably reduced. For instance, 95093B -- I'm sorry A,
4 which is the restoration of the three oiled steams, the feasibility
5 study, we're projecting, at this point -- excuse me, this is still
6 a bit preliminary, we've been working on the budgets to detail this
7 -- this past week, but we're looking at a cost of \$805.6 thousand.
8 That cost would be transferable to subproject C as well. However,
9 if you do both projects and eliminate the duplication of staff,
10 eliminate the duplication of the major science portion, but only
11 use some of the controlled travel commodities, etcetera, you'll
12 essentially reduce the cost of subproject B to \$251,000 -- of
13 subproject C. Subproject B, if you do either A or C and
14 incorporate C -- B within that integration, the total cost of
15 subproject B is \$1,078,000. That total for all three subprojects
16 comes up to \$2.134 million. Now, were you to do each of those
17 projects independently, the scale of the economy does not occur,
18 and you would be talking probably, and I can give you exact
19 figures, but certainly more than an additional million dollars to
20 do the work that we proposed under these.

21 MS. FISCHER: Are there any questions for Howard? Jim.

22 MR. CLOUD: Your math on your memos are different.

23 MR. FERRIN: Yes, that's correct. May I explain?

24 MS. FISCHER: Would you give the amount one more time,
25 though?

26 MR. FERRIN: Yes, the figures that I've -- I've noted

1 here and I have my detailed project budgets that I can present to
2 you, total for all three subprojects is \$2.134 million. If you
3 notice on the overview proposal that I originally submitted, the
4 \$3.9 million, that would -- that figure would be as though you took
5 three separately managed, organized, and funded projects and added
6 them. If you integrated them, it indicates \$2.4 million. We've
7 reduced that, frankly, because of an error in some of computations.
8 There's a spreadsheet problem in copying it over. There's one
9 hundred to nineteen thousand dollar copy problem translated with a
10 twenty-five percent admin cost at the university end on that
11 particular project, that -- those approximately \$140,000, plus
12 transferring that across three different subprojects. The total
13 that I've arrived at now is \$2.124.

14 MS. FISCHER: Are there any other questions for Howard?
15 Okay, thank you Howard. We'd like to move on then. Do we have a
16 motion for the other pink salmon projects?

17 MR. CLOUD: I'll move for approval of projects 95076,
18 95191A and 95191B.

19 MS. FISCHER: Now, wait a minute, Jim. What are you
20 doing?

21 MR. CLOUD: 95076, 9513 -- or excuse me -- 95191A and
22 95191B.

23 MS. FISCHER: So, you're not moving for, you know.

24 MR. CLOUD: It's the only moving I'm doing.

25 MS. BRODIE: I second the motion.

26 DR. FRENCH: Jim, why don't you (indiscernible - out of

1 range of microphone)

2 MS. FISCHER: Yeah, we'll have to pull those then, won't
3 we?

4 (Aside comments)

5 MS. BRODIE: These are the projects which are rated one
6 as the Chief Scientist's recommended.

7 MR. CLOUD: I'm leaving all the other moving up to
8 others.

9 MS. McBURNEY: Madam Chair.

10 MS. FISCHER: Yes.

11 MS. McBURNEY: I'm still rather confused as to -- okay,
12 once we have a motion, are those the only items which we may
13 consider, or how can we pull other things into discussion. I'm
14 lost.

15 MS. FISCHER: Yeah, actually, what we were suppose to do
16 is pull off what we, you know, maybe wanted to discuss, but looks
17 like he's added three.

18 MR. CLOUD: Can I explain myself here. In my case, I
19 would gone then and had to move for removal all the other ones, so
20 I decided that -- for these three projects only, I would make a
21 movement on those, and if everybody agreed, we vote on those, and
22 then anybody wants to bring up any of the other projects, they're
23 free to do so.

24 MS. FISCHER: Okay, would anyone like to add any other
25 projects.

26 MS. McBURNEY: Yes, Madam Chair, I would. I'd like to

1 propose adding the revised 95093, parts A, B and C, and I would
2 also like to add the otolith thermal mass marking project, which is
3 320B.

4 MR. ANDREWS: I'll second that.

5 MS. FISCHER: And are there any others?

6 MR. ANDREWS: Second.

7 DR. FRENCH: What about discussion? I guess there's
8 only one question, and I don't know whether Howard or Bob, or Dr.
9 Spies is the one to answer it. This overlap in the otolith marking
10 techniques between the PWSAC project and -- and what is this --
11 320C.

12 MR. FERRIN: I haven't had a chance to actually look at
13 in any detail at the last integration of the PWSAC proposal. I
14 think that they were well aware -- I don't think there was overlap
15 earlier. I don't think there's still -- I think that continues to
16 be true. Is that right, Howard?

17 MR. FERRIN: Right.

18 DR. FRENCH: Do you need otolith marking funded for
19 your's, or is it included or just what?

20 MR. FERRIN: There -- there has to be -- excuse me --
21 yes, there has to be some means of identifying various fish that we
22 use in our group. Otolith marking is with that, is the mechanism.

23 DR. FRENCH: And, that's outside of your project.

24 MR. FERRIN: The costs for that are outside of the
25 project, but it's a needed tool within the project.

26 DR. SPIES: The second revision from PWSAC is very

1 helpful and identified the other pieces of pink salmon management
2 and resource that needed to be done to -- to fit the whole package
3 together.

4 DR. FRENCH: I wanted that clarified before we vote.

5 MS. FISCHER: Yes, Jim.

6 MR. CLOUD: Would we have to Jim on the amendment to
7 the motion, right.

8 MS. FISCHER: I think it might be wiser to vote on what
9 Jim has brought up first and then go back and vote on what Mary
10 brought up, and keep it as two separate motions. That way it'll be
11 kept cleaner. (Aside comments) Yeah, two different motions, then
12 that way it keeps it a little bit cleaner. Okay, call for the
13 question on the first amendment by Jim, that would be 95076, 191 A
14 and 191 B.

15 MR. KING: I have a little bit of question before we
16 go on.

17 MS. FISCHER: Okay, Jim.

18 MR. KING: I wanted to ask Dr. Spies how these
19 projects fit in with the concept of ecosystem management or the
20 research in the Sound.

21 DR. SPIES: Well, most of these projects are -- have
22 got a more of a direct management application. They do provide
23 useful information, and tools in some cases, particularly to
24 otolith mass marking, to answer some of the questions that need to
25 be answered in a broader ecosystem projects, but they're mostly
26 more directly related to management of the resource in a short

1 term.

2 MS. FISCHER: Okay, all in favor of the first motion,
3 please signify by raising your right hand. (Hands raised) All
4 opposed? (None opposed) Okay, the motion passes. Okay, on Mary's
5 motion for 95093A, 093B, 093C, 320C, all in favor by signifying
6 raising your hand. Any opposition? (King opposes) One opposed,
7 Jim -- Mr. King is opposed. Okay, let's go on to the next project.
8 Let's try and keep this moving and try to keep the -- maybe ...

9 MS. McCAMMON: Madam Chair, if I could just make one note
10 on 093, and mainly because it is an expensive project, and I just
11 wanted to let you know what our process -- we're going to be trying
12 to be doing to deal with it. Just we just received this revised
13 proposal on Monday, I don't know if we're going to be able to have it
14 fully peer reviewed and have a complete Chief Scientist
15 recommendation by the time the Executive Director makes his
16 recommendation, and we get to the Trustee Council, I mean, we're
17 trying to do that. Whether we'll be able to, I don't know. We're
18 making an -- we'll make an effort to do that. We're also get it to
19 all the attorneys so they'll have a chance to look at it too.
20 Again, whether they are able to because it is getting late in the
21 review date. There was a lot of support for the concept of trying
22 to do these things. Whether this is responsive -- responds exactly
23 to what the peer reviewers identified last week, I don't know. It
24 hasn't been reviewed yet, but I just did want to indicate to you
25 that, as far as our looking at it, we'll try to have it reviewed in
26 time to have a recommendation. I don't know how long it's going to

1 take, but we will be doing that.

2 MR. FISCHER: Okay, thank you, Molly. Let's try and
3 keep the comments limited. I mean everybody should be able to
4 comment, but let's not elaborate, you know, a real long time so we
5 can kind of move, because we're getting behind on these projects.
6 I don't mean to try to put anybody off or anything, but we need to
7 keep it moving. Okay, the other herring projects, Dr. Spies, about
8 three minutes -- no. (Laughter)

9 DR. SPIES: I may surprise you, you know, I don't have
10 a lot to say sometimes. Okay. We did, as I said, have a herring
11 workshop, and it was a very productive workshop. I think it's been
12 long needed to kind of review the problems of herring, particularly
13 -- and again, like the package you just considered for pink salmon,
14 this is more directed towards short term management -- put in a
15 short term management goals, and the -- let me just comment on the
16 -- on this -- on this -- few of the projects here and then we can
17 comment on -- on most of them. The 95051 which was originally
18 ranked as the reviewers -- by -- as a one category, thought it had
19 some -- quite a bit of merit to it. On further consideration in
20 the workshop, it was -- it was apparent that -- it was -- there was
21 some impracticalities involved, and putting out enough coded wire
22 tags and retrieving enough coded wire tags in the process is -- and
23 also the cost involved and sustainability of that, having to do it
24 for several years, it was -- it was quite apparent that there was
25 some real problems there, so, while it may hold some -- some -- may
26 want to be considered in the future, we didn't think it was

1 appropriate at this time to advise staff to be a project -- go
2 forward. And, it's unfortunately too, because a former private
3 contractors that we do -- kind of what to see some encouragement
4 along those lines, but perhaps we can revisit that in future years.
5 05057 was rated number two -- as a two originally, it has got a lot
6 of merit. It's a proposal to Barbara Norcross, University of
7 Alaska, she has withdrawn that because she thinks that we need a
8 little bit more basic oceanography, which is coming out of the SEA
9 plan studies now, in order to make that a most effective study, so
10 she would like to -- for the Trustees to consider that next year.
11 95074, which was rated as a category 1 by the reviewers in June,
12 continues to be rated highly, and it's a continuation of a study
13 started last year on herring reproductive impairment, and it's an
14 oil toxicity study. So, that was -- continues to have a high
15 rating by the reviewers. The next one is a carry forward -- a
16 carry forward of a project that was approved for funding by the
17 Trustee Council last year. It has to do with genetic stock and
18 identification. We had a workshop where herring genetic stock
19 identification was considered along with sockeye salmon and pink
20 salmon, and I don't have the full set of comments from the
21 reviewers right now, so I don't have a particular recommendation to
22 make yet on that one. And, finally 95166 which is the herring
23 natal habitat program proposed by the Alaska Department of Fish &
24 Game. It has some very good work to be done on -- on factors that
25 affect the herring natal habitat. Some very good things are
26 proposed there, but on review, the reviewers thought that parts of

1 that, looking at survival from one life stage to another, parts of
2 that, particularly, the -- great deal of emphasis was put on the
3 egg -- survival of eggs was probably not a crucial step in the
4 survival overall that is kind of tends to get lost in the noise in
5 terms of producing a strong year class, so they favored picking
6 some of those and reducing the scope of some of those efforts. So,
7 my -- my -- with the reviewers' help, my comments were to reduce
8 that particular project.

9 MS. MCBURNEY: Has a revised plan been submitted?

10 DR. SPIES: No.

11 MS. MCBURNEY: Are there plans for revised plans?

12 DR. SPIES: Perhaps Jerome can address that.

13 MS. FISCHER: Dr. Spies on 057, that you mentioned as
14 being withdrawn, but is to be considered the next year, if it's
15 being withdrawn is it really that important to be added into this?

16 DR. SPIES: I think it's an important question to be
17 looked at, it's just the time's just not right to look at it yet.
18 It needs the support of the oceanographic data. I also might say,
19 one of the other things that came out of the herring review, I
20 think maybe Jerome was getting prepared to comment on it, among
21 things, is that we need to do some overall synthesis of where we
22 are with herring research and management, and on this collection of
23 large studies which include quite a bit of money involved in
24 herring research, we need to identify one investigator that's going
25 to coordinate all of this and keep it as an integrated program, and
26 so some of the -- some of the money that was allocated to 166 and

1 320T, which was in the -- which is essentially a herring package,
2 herring proposal that's in the ecosystem package, that some of the
3 reductions that might be achieved could be used to -- to achieve
4 those goals for better integration of the herring package.

5 MS. FISCHER: Okay, Jerome, real quick.

6 DR. MONTAGUE: Yes, Madam Chair, I just wanted to
7 indicate that the revised project description did have the egg
8 survival portion removed, and the budget that's here does reflect
9 that, so the budget was a reduced -- reduced by eliminating that
10 already, and also, as Bob said, the -- within that existing budget,
11 between the existing budget with this one and 320T they're going to
12 do the historical analysis and come up with a stock model.

13 MS. FISCHER: Okay, are there any questions of Dr. Spies
14 or Jerome? Pam.

15 MS. BRODIE: Dr. Spies, as we seem to be following a
16 process of -- of approving the ones that your recommending with
17 some slight changes, or not so slight -- like adding in the
18 hatchery project, can you tell us what the bottom line is going to
19 be for all the things that you recommended, (indiscernible) what
20 they're going to add up to? Well, we're approving a lot of things
21 without knowing how much money we're going to be spending.

22 DR. SPIES: As I mentioned in my introductory
23 comments, you know, these fees are preliminary, kind of
24 recommendations, and the final is going to have to be disciplined
25 by some sort of bottom line consideration, and we really haven't
26 gone through that final step. I think Molly's been doing a little

1 bit on that. I don't know if you have an answer to that, or not.

2 MS. McCAMMON: Not yet, not yet, Mary ...

3 MS. McBurney: I don't like to be in the position

4 MS. FISCHER: What did you figure, Mary?

5 MS. MCBURNEY: It's roughly nine million dollars, for
6 those that have dollar amounts that have been recommended, and
7 there are a few things that we have added on now, that did not have
8 dollar amounts appended to them.

9 MS. McCAMMON: Okay, so in addition to ones already been
10 spent, it would be about eighteen million, plus we've put in a
11 couple of more. We're over twenty million (indiscernible)

12 MS. MCBURNEY: Now are you counting ...

13 DR. SPIES: She said nine ...

14 MR. McCAMMON: Nine plus the Trustees have already spent
15 ten million as interim funding, and that up to nineteen, plus the
16 two million for the hatchery, we're up to twenty-one. Thank you,
17 that was (indiscernible) (Laughter)

18 MS. FISCHER: Any other questions? Yes.

19 DR. FRENCH: Just for clarification (indiscernible)
20 part of the reason Dr. Norcross withdrew the project is because she
21 feels it can go for another time, in addition to the herring
22 project that's in the SEA project, that in addition to the science
23 reservation to that. Beyond that, I'll abstain from any
24 (indiscernible) University of Alaska projects (indiscernible)

25 MS. FISCHER: Okay. Are there any other comments? Jim.

26 MR. CLOUD: I'll make another movement, motion.

1 MS. FISCHER: Go slow.

2 MR. CLOUD: 9505 -- excuse me -- 95074, 95165 and
3 95166 for approval.

4 MS. McBURNEY: Second.

5 MR. CLOUD: Thank you.

6 MS. FISCHER: Okay, we've got a move -- a motion and a
7 second, all in favor, please signify by raising your hands. Okay,
8 that includes -- that's 074, 165 and 166 be approved. Okay. Any
9 opposed? And, are there any abstentions?

10 MR. KING: I think I'll abstain on that, I don't
11 understand the ...

12 MS. FISCHER: And, Dr. French you're abstaining too,
13 aren't you, because that would mean ...

14 DR. FRENCH: 057, it wasn't involved (indiscernible)

15 MS. FISCHER: No, it wasn't involved in it, your right.

16 DR. FRENCH: (Indiscernible - simultaneous talking)
17 I'll be happy to abstain.

18 MS. FISCHER: No, that's fine, it wasn't involved in it,
19 you're right. Okay, are there any other questions or anything
20 about that, other herring projects?

21 (Aside comments)

22 MS. FISCHER: Pretty much what it is, yeah. Just the
23 three. James.

24 MR. DIEHL: Mr. King just abstained, did he want any
25 of the three, or just -- do you want to abstain with all three?
26 Did you want any of the three?

1 MR. KING: Well, I'm having a great deal of problem
2 with the process here. Now, these are very highly technical
3 proposals, well prepared, they have a lot of support in some areas,
4 and I have trouble feeling that I'm qualified to make the kind of
5 evaluations that people will -- like Dr. Spies, who have been
6 sitting with them for days, can make, and I had kind of thought
7 that the Public Advisory Group was to be more involved with helping
8 develop policies than voting on projects that -- we're over our
9 head and we're making kind of snap decisions. Jim Cloud is helping
10 expedite the things, so it gets along, but I -- I have a problem
11 with what we're doing.

12 MS. FISCHER: Anybody else have any?

13 MS. BRODIE: Yeah, I basically agree with Mr. King on
14 this that I feel like -- although -- first of all I want to commend
15 the staff for a greatly improved presentation, I would say, over
16 past years. The fact that (indiscernible) are issued clusters, is
17 very helpful and getting us -- the scientists' recommendation
18 before we vote is also very helpful. A lot of this has been a big
19 improvement over past years, but I -- and you certainly provide a
20 lot of information. I still feel like I don't know that us voting
21 on these things is really very helpful. We kind of go along with
22 other people's recommendations. So, I would like to know, what the
23 Trustees think about this. Is this something they really see as
24 something we're suppose to be doing, or should we be doing this.
25 Mr. King says more policy recommendations, broader policy
26 recommendations.

1 MS. FISCHER: Go ahead, Molly.

2 MS. MCCAMMON: Madam Chair, I don't want to speak for the
3 Trustees, but I think -- I can speak, I think for Jim, for the
4 Executive Director, and I think the way we view the PAG's
5 recommendations and input, I mean, basically, what you've done in
6 these first clusters is support to the -- pretty much you've
7 supported the Chief Scientist's recommendations, and that's
8 basically what you've indicated, and that, in and of itself is
9 useful. You've also given us an indication that you believe 093 is
10 important, that's useful. I would anticipate as we go through
11 there are a number of projects, especially when we get into
12 (indiscernible - coughing) restorations, and projects that have
13 more policy and legal questions where the Chief Scientist has no
14 comment that you will be giving your recommendation on those,
15 absent the Chief Scientist's recommendation. Those will be useful.
16 If you disagree with the Chief Scientist's recommendation, that is
17 useful. Other than that, I think -- I also agree with Jim King in
18 the sense that when you look at it overall, is this kind of work
19 plan effort going in the direction that you think it should be
20 going in? Does it kind of have the right mix of research and
21 monitoring and restoration? Do you think we should be spending
22 this amount of money on these major ecosystem research questions.
23 I mean, there are some bigger picture, types of issues also that
24 you could focus some attention on. I think the combination is
25 actually is both useful.

26 MR. WILLIAMS: Donna ...

1 MS. FISCHER: Yeah, Lew.

2 MR. WILLIAMS: The way I look at this, this is just
3 recommendations. We're looking at them cursory. They understand
4 we our, we have no expertise in this. But, we do kind of set
5 policy this way because some of more skipping, and unless somebody
6 wants to bring them up, that gives them a message that there's
7 quite a bit of doubt on our part about those. The ones we go ahead
8 with -- it's not saying that we approve them, we're not approving
9 the spending of the money. Let's look at it the other way. We're
10 not objecting to these projects going forward is more the way it
11 is, as far as I can see, and that's --that's policy.

12 MR. FISCHER: I think that's a good point.

13 MR. CLOUD: Madam Chairman, we have this same
14 discussion every year, and it's been official, but I think I'm
15 going to -- I might point out that so far today, we've gone through
16 projects that have mainly, or have entirely focused on the
17 fisheries, and in doing so, just in our discussion around here,
18 we've -- we've listened to the Chief Scientist and what they's
19 found. You know, we've listened to our member from the commercial
20 fishing area, and when we get to birds and fox eating eggs, and
21 things like that, Jim, I'm sure just as we have in the past, will
22 very much weigh in your input on specific projects. So, it isn't
23 we're acting in absolute backing. I think we do give a little
24 weight to the general knowledge we all bring to the table.

25 MS. FISCHER: Okay, yes, Jim.

26 MR. KING: One more comment. We all agreed, I think,

1 it's safe to say that the whole community agreed on this concept of
2 an ecosystem approach, and we've seen this, I think an awful lot of
3 progress developed and looking at the problem -- the oil spill area
4 from an ecosystem point of view -- the two things we don't know now
5 is what is this going to turn up that needs to be done. Maybe when
6 the ecosystem goes on a little further, you know, determine that
7 restoration has to make another -- pick another direction, or
8 there's been some enormous gaps that are going to need funding, and
9 so, we don't know how much money we're going to need down the road,
10 and the other thing is the habitat acquisition that we keep talking
11 about, but we don't have anything more than guesses on the figures
12 of what we'll need there. So, there again, I think it's hard to
13 evaluate this things. A lot of them are extremely costly, and
14 perhaps they could be done for less, after we have more of the kind
15 of workshops and serious input that we've had in the past year.

16 MS. FISCHER: Okay, any other comments? Okay, we need
17 to move on to the sockeye salmon program. Do you want to hear Dr.
18 Spies go through each of these like he did the last one, or do you
19 just want to just pull certain ones and ask questions, or -- Rupe.

20 MR. ANDREWS: I'd like to hear a report -- a quick
21 summary on sockeye workshop, or peer review, I think it was.

22 DR. SPIES: Okay. It was carried out on Monday, and
23 I got the comments on one peer reviewer first thing this morning,
24 and faxed from another peer reviewer comments kind of mid-morning,
25 and I haven't had the chance to sit down, but I'll give you my
26 general impressions.

1 MS. FISCHER: Okay.

2 DR. SPIES: The -- and I don't have -- as you can see,
3 I have no recommended allocations yet for the sockeye program.
4 There's -- we kind of look at this in two geographic areas. There
5 was the Kodiak overescapement problems and Akalura and Red Lake,
6 and perhaps some other systems that weren't studied, and then
7 there's the Kenai River problem, and the Kenai River problem has
8 been a particularly large part of the ongoing sockeye
9 investigations, and management that the Trustee Council has
10 supported. That has included -- that has included all aspects of -
11 - of the life cycle looking at the return in Upper Cook Inlet,
12 trying to institute some genetic measurements that will help in-
13 season management. They supported a sonar effort out in the -- in
14 Cook Inlet to try to get a handle on the number of fish that were
15 out there. They've supported various aspects of in-season
16 management. They've looked at the -- to try to trap the outgoing
17 smolt to get good accurate counts of smolts, and they've done lot
18 of liminological investigations in the affected lakes. And, one of
19 the big things that -- that come out of the -- if we can just focus
20 just for now on the Kenai River thing, is -- is there was a real
21 fear of overescapement, trying to put too many fish in the system,
22 and deplete the resources, and this is based on -- mostly on past
23 experiencing in clear water systems, clear water lakes, where over
24 production of fry will graze down the planktonic community and you
25 get poor survival of fry and then you have a major problem with the
26 smolt output. It looked -- early in the process, like that was

1 going on, but one of things -- and there's been some very, very
2 good ecological investigations that are really state-of-the-art,
3 world class liminological investigations that are headed by Jenna
4 Schmidt (ph), out of the Soldotna office of ADF&G, doing very, very
5 good work. The question is how all these pieces kind of fit
6 together for the -- for the -- what we know about sockeye and the
7 system, and a lot of the reliance on -- on -- our knowledge that
8 there has been a problem has been based on the smolt traps -- the
9 inclined smolt traps that are down in the lower part of the river,
10 and now the information coming out indicates that -- that these
11 traps have a collection bias. It's very clear that they have a
12 collection bias. And, the -- the large smolt are being trapped.
13 So, when they had an overescapement, it -- smolt production shifted
14 into a larger size class, they avoided the traps to a larger extent
15 than in the past, and it gave us a picture of decline smolt counts.
16 We're not actually sure of everything that is going on, but there
17 is a strong indication from the information that I've seen that the
18 -- that the traps are biased, and that has clouded -- clouded the
19 picture pretty much as to what we really have involved in
20 overescapement analysis. And, those are kind of preliminary
21 impressions on my part, and I don't want to jump to conclusions
22 here. We've got some very valuable things going on and a big
23 program, and I think there's been some very big successes in terms
24 of better management in our system. The question of the oil spill
25 impacts is a little more clouded now than it was last year.

26 MR. ANDREWS: Did -- does anyone tell you what the catch

1 and escapement data was this year for the Kenai, let the other
2 systems stand by themselves? Based -- based on the smolt
3 projections of 1990 and on up, we never should have seen the total
4 escapement that we got from the Kenai this year.

5 DR. SPIES: Yeah, they would have had to have been a
6 hundred and twenty percent survival.

7 (Laughter)

8 MR. ANDREWS: Essentially now, we have an overescapement
9 of adults again in the Kenai compared to whatever parameters
10 they've put on for ideal escapement, and we're talking about the
11 world's largest sport salmon fishery -- not only Alaska, but the
12 world.

13 DR. SPIES: Right.

14 MR. ANDREWS: And, last year we saw news releases saying
15 they were going to close that fishery this year, both commercial
16 and the sport fishing. You know, we're talking about millions of
17 dollars to a local economy, and somehow I feel that the department
18 has been irresponsible in their data collection and methodology in
19 the way they've handled this.

20 DR. SPIES: Well, I think I -- talking to scientists,
21 I'm convinced that the scientist, if there -- if it's true that the
22 traps are not catching the smolts, I think the scientists have come
23 clean on this thing. I don't they were ever hiding anything, just
24 that now that they've got the information, obviously there's
25 something wrong with trap. You look at the cross-section of where
26 the traps are along the river ...

1 MR. ANDREWS: Yeah, I'm not really saying that, but I
2 think -- I think they don't have any business taking Exxon money --
3 oil spill money and do what is normally research management. In
4 this case, we're seeing poor management again because of
5 overescapement again this year. I feel that this project shouldn't
6 be funded at \$645,000. I think there's other needs for that kind
7 of money.

8 DR. SPIES: You've got a very strong argument there.

9 MR. ANDREWS: Indeed.

10 MR. CLOUD: Dr. Spies, does this -- does this 95050
11 have anything to do, is that what you're -- are they testing that
12 system?

13 DR. SPIES: It's the in-river sonar system, and there
14 was a proposal from a private firm to go in and do a test of that.
15 The system they have in there was made by Bendix, and every -- from
16 all accounts it's an old system and it's kind of held together
17 with, not exactly baling wire, but the people go -- the engineer
18 that designed it, they don't have replacement parts. He comes up
19 and looks at it every year, and he's kind of nursing it along.
20 They really need to replace that system. So, it doesn't seem to --
21 appropriate to go in with an old system and try to calibrate it
22 before a new system is in. Maybe that effort should be made with
23 a new system.

24 MS. FISCHER: Rupe, did I understand a motion on the
25 sockeye salmon program?

26 MR. ANDREWS: Madam Chair, I would move that funding

1 95255 be pulled.

2 MS. FISCHER: Okay, any other projects be pulled in with
3 this motion?

4 MR. WILLIAMS: Why don't we just take the one that we
5 want to approve like we did the last time. I can see only one on
6 there, and that's 95259, and the only reason I would suggest
7 approving it is because it has interim funding. The top four don't
8 have -- haven't been started, there's no interim funding, and the
9 255 and 258 we've heard enough question about, so I just -- why
10 don't we approve 95259.

11 DR. SPIES: Could I just make one point, Madam
12 Chairman.

13 MS. FISCHER: Go ahead.

14 DR. SPIES: The reviewers still feel that there has
15 been problems in Kodiak. They -- that Akalura Lake system -- the
16 Red Lake system had an overescapement and the food was grazed down,
17 and now it's come back. There are still problems in Red Lake, but
18 it's not clear that they are due to overescapement. There are many
19 problems, since the phytoplankton community are set. They've got
20 a egg survival problem over there, but at Akalura it's a little
21 clearer -- or more likely that there was an overescapement effect
22 that's lingering in Akalura Lakes, so -- I guess I want to use some
23 caution -- as not everything has disappeared.

24 MR. CLOUD: 258?

25 MS. FISCHER: 258. The other question I had, Dr. Spies,
26 was like on the Coghill Lake, I thought that that -- that is one

1 approving not to be a viable project that's due to the sediment and
2 -- that's in that lake, that it's -- is that the lake that was in
3 discussion where you restocked it -- salmon in there and it just
4 didn't work.

5 DR. SPIES: Well, there's been a number of things that
6 have been done. The Trustees sponsored fertilization of that lake
7 last year, and it was planned by the Department of Fish & Game to
8 fertilize that lake for five years. There are signs that the
9 fertilization has been partly successful, and that those plankton
10 stocks are rising in the lake. There has also been some past
11 supplementation efforts in terms of putting fry into that system,
12 and maybe it was smolt, into that system, and by the Department of
13 Fish and Game we had a long discussion yesterday on Coghill Lake
14 with some of the reviewers and what really needs to be done. From
15 the Trustees' side and how that fits in with what the Department of
16 Fish & Game might be trying to do with non-Trustee funds. I'm just
17 -- I just have to sit down and think about that and pull in -- and
18 consult the reviewers a little bit more, where we should be going
19 with the Coghill Lake. But, the original concern was that it's a
20 meromictic lake, meaning it's got salt water on bottom, it's very
21 stratified and stable, and the concern was putting fertilizer in
22 this and is somehow sucked down to the salt water -- it never gets
23 backed up, and maybe this is not a great system to be doing that
24 sort of thing in.

25 MR. ANDREWS: That's typical all over this part of the
26 country as far as (indiscernible) lakes.

1 DR. SPIES: Right.

2 MS. FISCHER: Right, Rupe.

3 MR. ANDREWS: I'll second your motion. Let's get in on

4 the table.

5 MS. FISCHER: Okay, the motion ...

6 MR. WILLIAMS: I was just making a recommendation

7 (indiscernible) So, you're the one knows the most about this, make

8 a motion.

9 MS. FISCHER: Rupert.

10 MR. ANDREWS: Okay, I'll take your advise Lew, I move

11 that we -- and Dr. Spies too -- that we accept, let's see

12 (indiscernible)

13 MR. WILLIAMS: The last two at the bottom, I think.

14 MR. ANDREWS: Yeah, 95259 and I think he cautioned us

15 about 95255, we should accept that one.

16 MS. FISCHER: No, that's the one you wanted pulled,

17 yeah.

18 MR. ANDREWS: It would be the bottom two.

19 MS. FISCHER: 258 and 259.

20 MR. WILLIAMS: Second.

21 MS. FISCHER: Okay, we have a motion and a second to

22 approve 95258, 95259, any discussion on that, Pam.

23 MS. BRODIE: I'd like to request that we split those.

24 I'm not persuaded that we should be recommending the Coghill Lake

25 if it's only got a three rating.

26 DR. SPIES: That was a very preliminary -- very

1 preliminary -- June.

2 MS. BRODIE: So, you're saying it should be a one now?

3 DR. SPIES: I'm just withholding my, you know, kind of
4 final recommendation here because I haven't got all the reviewers'
5 comments in.

6 MR. WILLIAMS: I just put it on because it was -- looking
7 down the list of all of them, the bottom three have interim
8 funding, meaning they've already started and Rupert has pointed out
9 some errors in 255, so there are left only two interim projects,
10 those that are continuing.

11 MS. McCAMMON: Madam Chair.

12 MS. FISCHER: Yes.

13 MS. McCAMMON: For the most part the interim funding is
14 completing work that was started last year. In addition, a lot of
15 the sockeye work actually happens in early October at the very
16 beginning of the fiscal year, so some of that funding was to do
17 some -- some completion of last year's start up effort, through
18 October, and analyzing examples and do the data analysis from all
19 the work done in FY '94. So, the actually new work that would be
20 done in FY '95, you see in the balance column.

21 DR. SPIES: Right. And that fry sampling goes on in
22 the fall.

23 (Aside comments)

24 MS. FISCHER: Do I have a motion? Are you amending the
25 motion then, Pam, or what?

26 MS. BRODIE: Just want to divide ...

1 MS. FISCHER: Okay, you want to divide that into -- and
2 so we will then vote on 95258. Is that all right with the -- I'm
3 going to -- I was just going to say, is that all right with the
4 motion?

5 MR. WILLIAMS: Rupert made it.

6 MS. FISCHER: Rupert, do you have any objection?

7 MR. ANDREWS: No, I have no objection ...

8 MS. FISCHER: Okay.

9 DR. MONTAGUE: Madam Chairman.

10 MS. FISCHER: Yes.

11 DR. MONTAGUE: Before the Public Advisory Group votes on
12 this (indiscernible) I think I'd like to cover several relevant
13 comments.

14 MS. FISCHER: Okay, go ahead, Jerome.

15 DR. MONTAGUE: First of all, I'm sure Dr. Spies didn't
16 intend to, but -- admittedly the smolt trap estimates were off, but
17 I think it's still absolutely clear from the data that there was
18 extensive damage, and, for instance, the smolt estimates that, you
19 know, had everything been normal, instead of having one and a half
20 million returning adults, you would have about five million, and
21 that one and a half million adults that came back, came on an
22 estimate of two and a half million smolts, so those two and a half
23 million smolts were -- there were estimated two and a half million
24 came back as one and a half million adults, and from the adults
25 that came back, we feel pretty sure that, instead of two and a half
26 million smolts in 1991 that there were five million smolts, so that

1 would kind of get to be all five hundred -- one hundred and twenty
2 percent, or something like that. So, even if that's the case, the
3 two and a half million that we estimated in '91 fell to nine
4 hundred thousand in '92, fell to three hundred thousand in '93.
5 So, although the scale of the -- the damage may be all sum, and
6 still alarming and precipitous, and, you know, assuming that there
7 was a return relative to the smolts we estimated in '97, or rather
8 '96 rather on the three hundred thousand, then we'd only see about
9 one-tenth the number we saw come back this year. So, instead of
10 one and a half million, there would only be a hundred and fifty
11 thousand. That's even if we're off by hundred, hundred and twenty
12 percent on our smolt.

13 DR. SPIES: Are you saying a million and a half next
14 year, is that what you're saying -- returns?

15 DR. MONTAGUE: No, we had a million and a half this year
16 based on a smolt estimate of two and a half million. So, the smolt
17 estimate for next year was nine hundred thousand. So, you know,
18 two and a half million from '91 to nine hundred thousand in ...

19 DR. SPIES: I think they're using -- I think they're
20 using another index -- they -- Ken Tarbuck has a projection of 3.9
21 for next year.

22 DR. MONTAGUE: I don't think that's pure Kenai River, I
23 think that's Cook Inlet.

24 DR. SPIES: They've got about four different ways of
25 estimating. I'm not a sockeye salmon biologist, but he was -- he
26 was up in the 3.9 million range for a projection for next year.

1 MS. FISCHER: Rupert.

2 DR. MONTAGUE: Is that project -- go ahead.

3 MR. ANDREWS: Dr. Spies, is there any difference -- do
4 you know of any difference in the (indiscernible) experience
5 between glacial into the Kenai and Skilak (indiscernible) glacial
6 than clear system as far as survival?

7 DR. SPIES: Well, I mean the studies themselves
8 certainly -- certainly indicate that there's some differences in
9 liminology of those lakes, and what are those -- whether the
10 differences there -- they're using Tustamena as kind of a control
11 lake to Skilak, and it's a clear water system, so it's more of a
12 comparison than it really is a control. And, it's unclear if the
13 differences they're seeing and made the parameters between those
14 lakes are due to that sort of thing, or whether they're due to the
15 overescapements that have happened in that system. There's some
16 very, very good work going on, in terms of liminology, but where
17 it's kind of heading and what it really says about the damage is
18 kind of unclear in our analysis, and it's an extremely complex
19 picture too.

20 MS. FISCHER: Pam.

21 MS. BRODIE: Dr. Spies, how would you estimate the
22 evidence that the oil spill damaged to the Kenai River sockeyes.

23 DR. SPIES: Right now I'd say it's a lot cloudier than
24 it was a year ago.

25 MS. BRODIE: Thank you.

26 MS. FISCHER: Okay, Jerome do you want to continue,

1 please.

2 DR. MONTAGUE: I guess I would like to get clarification
3 from Dr. Spies as to whether you think the model of decline
4 beginning this year and continuing over the next two years is so
5 clouded now that you would say that you don't know whether it's
6 there or not?

7 DR. SPIES: Again, this is very preliminary. I just
8 got the reviewers' comments, but I certainly have one reviewer that
9 kind of -- at the end said he really wonders what -- if there has
10 been a -- if there is an ongoing problem with the Kenai in terms of
11 overescapement and poor returns of adults due to the oil spill.
12 And, I have to pay attention to that -- that opinion.

13 DR. MONTAGUE: Madam Chair.

14 MS. FISCHER: Yes.

15 DR. MONTAGUE: And, then I'd like to address Rupe's
16 comments on the management, you know, and the relatively large
17 escapement that happened this year, and a couple of things are real
18 relevant. This was the first year that we'd ever used the smolt
19 counts in our forecasting decisions. Prior to that we'd always
20 used what we called a sibling model, which is basically based on
21 how many -- based on the number of spawners you have, how many fish
22 you would have coming back, trying in six years later without any
23 consideration of the smolt count. So, you know, implementing a new
24 technique the first year, I think it's absolutely expected that
25 there would be some error. And the way that fishery is managed,
26 there's the -- the early fishery is the central district, drift net

1 fishery that is really where most of the fish are taken, and then
2 that's followed when the central district is closed, it's followed
3 by set net fishing from nearshore, and then a corridor along the
4 coast about, you know about eight miles wide, and fishing in that
5 corridor isn't sufficient to stop a large number of fish coming.
6 Basically, the -- the catch of the -- the majority of the catch has
7 to occur in that central district. So, we were basing our catch
8 for the central district on a forecast that was about a million
9 low. And, in addition, this year all around the state, the sockeye
10 returns were much later than usual. So, there we are managing the
11 central district fishery, the fish aren't showing up, you know, by
12 all calendar projections, you know, we passed the peak of when the
13 fishing, you know, when the fish are coming back, and we're not
14 having the escapements that we needed either in the Susitna or the
15 Kenai River, and in anticipating a poor return, less fishing
16 occurred in the central district than should have, and then once
17 the fish really started showing up, coming late, the fishing was
18 already confined to that nearshore corridor which wasn't sufficient
19 to catch the incoming fish. But, we did meet Susitna escapements,
20 which is a big issue, we have for the past couple of years been
21 having -- for a long time before then. So, the management of that
22 central district is basically to get escapement back to the Susitna
23 which we just barely achieved. So, obviously it's distressful when
24 you don't hit it right on the head, but I think looking at all the
25 things that happened that year, I think that, you know, I don't
26 know what else we would have done differently.

1 MS. FISCHER: Okay. Are there any other comments? Or
2 anymore questions?

3 MS. MCBURNEY: Madam Chair.

4 MS. FISCHER: Yes, Mary.

5 MS. MCBURNEY: I propose that we just go ahead and vote
6 on these two motions, then I would like to make a third.

7 MS. FISCHER: Okay, and then you'd like to what?

8 MS. MCBURNEY: Make a third.

9 MS. FISCHER: Oh, okay. Okay, first we have a motion on
10 95258, all in favor signify by ... (Hands raised) Okay, all
11 opposed? (Fischer opposed) I'm going to opposed that. Motion
12 passes. A motion on 95259, all in favor? Okay, any oppose? Three
13 oppose -- four (Brodie, Diehl, French opposed), please keep your
14 arms up until -- are you finished. Okay, motion passes. We're
15 going on to other fish/shellfish projects. Oh, I'm sorry Mary, you
16 wanted to make a third motion, I'm sorry.

17 MS. MCBURNEY: Yes, my Kenai Peninsula constituents, in
18 particular, are interested and do support projects 105 and also
19 255, and I would like to put those forward for consideration.

20 MR. CLOUD: If you'll split them, I'll second.

21 MS. MCBURNEY: Okay.

22 MS. FISCHER: Okay, so there are two separate motions,
23 95105, motion made by Mary, and a second motion 95255, is that the
24 way it's going to read? Okay, and two seconds out of you, Mr.
25 Cloud?

26 MR. CLOUD: Yes.

1 MS. FISCHER: Okay. All in favor of ...
2 MR. CLOUD: Can we discuss it a little bit?
3 MS. FISCHER: Okay, open for discussion. Yes, Jim.
4 MR. CLOUD: Well, I'd just like to speak in favor of
5 the Kenai River sockeye restoration, and although I agree and have
6 agreed with Rupert on mistakes in management by Fish & Game ever
7 since the beginning of this thing, and apparently still somehow
8 people in the department keep doing things that screw up here and
9 there, and I think Rupe's suggestion, or example of the press
10 releases last year, and then to have the escapement come in not
11 nearly as weak, it does have a real damage to those communities,
12 and -- and is pretty serious. So, we have to be careful. It's
13 sort of like yelling fire in a -- in a movie theater when you saw
14 somebody light a cigarette. Yet, we have to be -- we're serious
15 both -- in both ways. It is such an important fishery, and the
16 problem is, you know the potential cost, if indeed we do have --
17 continue to have extreme drop offs in escapement means that we
18 should be paying attention. I'm in favor of 255.
19 MR. ANDREWS: We're on 105 now.
20 MR. CLOUD: Oh, I'm sorry, that was 255
21 (indiscernible)
22 MS. FISCHER: Okay, you've already made your comments.
23 Any other comments? Okay, all in favor of accepting -- assessing
24 the 95105, please raise your hand to signify in favor. (Hands
25 raised) Any opposed? (McBurney, holding 2 votes) Motion fails.
26 (Aside comments)

1 MS. FISCHER: Three votes to two votes (indiscernible)
2 Got that Doug?
3 MR. MUTTER: Got it.
4 MS. FISCHER: All in favor of 95255, please raise your
5 hand to signify in favor, one, two, three in favor. (Hands raised)
6 All opposed, motion fails. Oh you got two proxies, and you've got
7 two proxies. You voted for it. Okay, let's do a voice, okay let's
8 do a voice.
9 Now wait a minute. Doug will do a roll call.
10 MR. MUTTER: Rupert Andrews.
11 MR. ANDREWS: No.
12 MR. MUTTER: This is on 95255, Pamela Brodie.
13 MS. BRODIE: No.
14 MR. MUTTER: James Cloud.
15 MR. CLOUD: Yes.
16 MR. MUTTER: James Diehl.
17 MR. DIEHL: No.
18 MR. MUTTER: Richard Eliason.
19 MR. CLOUD: Yes.
20 MR. MUTTER: Donna Fischer.
21 MS. FISCHER: No.
22 MR. MUTTER: John French.
23 DR. FRENCH: Yes.
24 MR. MUTTER: James King.
25 MR. KING: No.
26 MR. MUTTER: Vern McCorkle.

1 MR. CLOUD: Yes.
2 MR. MUTTER: Charles McCune
3 MS. McBURNEY: Yes.
4 MR. MUTTER: John McMullen.
5 MS. McBURNEY: Yes.
6 MR. MUTTER: John Sturgeon (unanswered). Lew Williams.
7 MR. WILLIAMS: No.
8 MR. ANDREWS: Can we -- can we just wait a few minutes.
9 MS. FISCHER: We have to wait, Kim, it's a tie breaker.
10 Pam.
11 MS. BENTON: I tried to take a really long time.
12 MS. FISCHER: You say no to 95255.
13 MR. BENTON: Yes, I say no.
14 (Aside comments)
15 MR. FISCHER: Motion fails. Okay, sorry about that
16 Mary.
17 MS. BRODIE: I just like to remind the Public Advisory
18 Group that the Trustee Council does look at the vote, not just
19 whether they win or lose.
20 MS. FISCHER: Right.
21 (Aside comments)
22 MS. McBURNEY: I actually agreed with you on something.
23 MS. FISCHER: Okay, let's move on to the other fish and
24 shell fish project. Well, let's take a five minute break so you
25 can come back to this, okay.
26 (Off Record 3:20 p.m.)

1 (On Record 3:35 p.m.)

2 MS. FISCHER: Take our seats so we can get started
3 again. Maybe we can get through this next -- get through other
4 fish/shellfish projects.

5 (Jim Cloud left at 3:25, gave proxy to Lew Williams)

6 MS. FISCHER: Go ahead.

7 MS. McCAMMON: Under Other Fish and Shellfish Projects,
8 there's only five of them. Let's see, three of them were actually
9 either close out or carry forward projects. They were projects
10 that were approved last year, but didn't get completed because they
11 had to go through NEPA compliance, and those are projects 043A,
12 139B, 139C2, and I guess also 043B. So ...

13 MS. FISCHER: So, they have to go through NEPA
14 compliance?

15 MS. McCAMMON: They have already been through NEPA
16 compliance.

17 MS. FISCHER: Oh, they've already been through NEPA
18 compliance.

19 MS. McCAMMON: Yes.

20 MS. FISCHER: Now, what do you mean by the ...

21 MS. McCAMMON: ... by carry forward.

22 MS. FISCHER: 139C1 clarify?

23 MS. McCAMMON: Maybe Dr. Spies could address that.

24 MS. FISCHER: 139C1.

25 DR. SPIES: That was a comment that the -- the
26 reviewers made with respect to the -- connection to the spill I

1 believe. I'd have -- I'd have to check my notes on that particular
2 one.

3 MS. McCAMMON: We also have Forest Service here too.

4 MS. BENTON: This is a follow up to that -- on that
5 project. Was this a project that half was done last year, and this
6 is the half that's being done now for -- I remember this project
7 from last year, but I don't remember what happened.

8 UNKNOWN: Which one?

9 MS. BENTON: The Montague Riparian, 139C1.

10 MS. FISCHER: Okay, can you speak on that?

11 MR. RAY THOMPSON: Madam Chair, Ray Thompson from the
12 Forest Service. Yes, I can. I think Kim's question is probably a
13 good one. There was work done out there last year, and the work
14 that was done last year was the actual habitat manipulation. There
15 was some vegetation that was thinned in order to provide, you know,
16 better growth for the spruce stands, in an old area where the trees
17 had been removed, and there was also trees planted in there, and
18 then there was habitat structures placed in the stream to improve,
19 you know salmon habitat up there. And, the process for this year -
20 - the project for this year is to evaluate the effectiveness of the
21 work that was done a year ago, and possibly augment some of those
22 improvements as the money is available.

23 MS. FISCHER: Okay, Kim do you feel pretty satisfied
24 with that?

25 MS. BENTON: Yes, I do. I'm just -- to try to equal
26 the (indiscernible - out of range of microphone) than the

1 landowners with the projects. The operator that's out there -- is
2 there anything that can be done, I don't know what it would involve
3 to go back and check on it, if it needs -- maybe could be tied into
4 something that's existing -- a stream check on the harvest
5 operations, and then maybe the budget could be (indiscernible), but
6 if it's already been done, and just checking on it, yeah.

7 MS. FISCHER: Okay, question, Pam.

8 MS. BRODIE: Yes, Mr. Thompson, is this Forest Service
9 land or private land?

10 MR. THOMPSON: Well to be one hundred percent on that, I
11 believe it's all Forest Service, and it's on the west end of
12 Montague.

13 MS. BRODIE: Why is the Forest Service doing this
14 restoration, if the problem with some logging by Forest Service,
15 doesn't Forest Service pay that out of the agency budget?

16 MR. THOMPSON: Well, that being -- that was much before
17 my time, I can't ask -- answer that, exactly. I know that, you
18 know since salmon, you know, stocks were, you know, injured in the
19 spill, I believe the opportunity was seized to do something that
20 may have all been an idea for a long time, but there had never
21 been, you know, funding to do that kind of work. And, I don't
22 think that's a typical with some of the other work that's happening
23 associated with Exxon Valdez oil spill. Opportunities are there,
24 but through normal agency management, you just never have funding
25 to do those kinds of things, and this provided that opportunity.

26 MS. FISCHER: Okay, Pam, does that answer your question?

1 MS. BRODIE: Yes, thank you.

2 MR. FISCHER: Okay, are there any other questions or

3 comments on that area? On the five projects that are here.

4 MR. WILLIAMS: Could I ask a question.

5 MS. FISCHER: Certainly, Lew.

6 MR. WILLIAMS: I'd like to ask Dr. Spies, why he

7 recommended zero on all the rest of them in that?

8 DR. SPIES: That's just the balance -- the balance on

9 those is zero. The balance -- I mean, there's always been interim

10 funding and most of them came out as zero with the balance, so ...

11 MR. WILLIAMS: Oh, I see. Well, then we don't -- they're

12 not going to do anything on those.

13 DR. SPIES: Except for 043.

14 MR. WILLIAMS: Yeah.

15 MS. FISCHER: 043. Okay, are there any that would like

16 to be removed, or may I entertain a motion to have a consensus on

17 these five projects?

18 MR. WILLIAMS: I just move we go onto to marine

19 birds/forage fish interaction.

20 MS. FISCHER: Do we have a second? Okay, no action on

21 the other, we're going to move onto marine birds/forage fish

22 interaction.

23 DR. SPIES: Okay, as you recall from the August

24 meeting, this is another cluster of ecosystem marine research that

25 its purpose is to try to understand the kind of many sea birds and

26 marine mammals that's occurring, and that were also injured by the

1 spill, and the objection here as in other areas is to try to
2 restore those populations and to understand the factors --
3 ecological factors that may be constraining their recovery.

4 There's a large number of proposals under this -- under this
5 banner. We've gone through a number of different -- there was an
6 original set of proposals, there were revised ones and then revised
7 again. I'm just getting comments back now, I just called my office
8 during the break, that's why I'm a little bit late. We're getting
9 comments back from about four different reviewers on this package
10 now, and it's a little bit early for me to make recommendations
11 except to note that there -- that it's shaping up into a pretty
12 good package. There's some remaining concerns that the reviewers
13 have with the technical content of this. I think the concept that
14 we need to understand the forage fish base and how it varies under
15 different conditions to get at the hypothesis that food may be
16 limiting the recovery of birds and mammals. That's an important
17 research objective, and so I feel confident something useful will
18 be done this year, and perhaps in the future. So, we really -- I
19 haven't really come to a definite set of recommendations yet on
20 this.

21 MS. McCAMMON: Madam Chair.

22 MS. FISCHER: Yes.

23 MS. McCAMMON: The revised set of proposals is before you
24 in this package here, and the revised set of -- that a work group
25 put together totals about 1.4 million, and that's the package now
26 that is out to peer review, and we have to have a recommendation

1 back by next week.

2 MS. FISCHER: Any questions to Dr. Spies on any of
3 these? Jim.

4 MR. KING: I'm not clear exactly, what this other
5 package is? It's not these ones that are listed under ...

6 MR. McCAMMON: Madam Chair, they actually took -- all of
7 the people who were involved in forage fish met here for a workshop
8 -- actually they met for two workshops, and they probably need to
9 continue to work them -- the workshop format, because they're --
10 they're just beginning to integrate and to develop a real cohesive
11 package. And, what they did was took these proposals, picked out
12 what they determined were their priorities, repackaged them, gave
13 them one number A, B, C, D, E, F, G, and you'll see in the package
14 "formerly 181 BAA," so you can track back to what the original
15 proposal was, but they have been revised from what you see here,
16 but they were revised by the people who proposed these. This a
17 proposer revision, as a result of two workshops that they had in
18 the last month.

19 MR. KING: I'd like to move we endorse all of the
20 these as recommended by the committee. I understand they may have
21 additional changes before the deadline, and so we're endorsing the
22 concept of what they are doing, which is developing, as I
23 understand it, an ecosystem package related to the feeding of these
24 various species, or the food supply.

25 MS. FISCHER: Do we have a second?

26 MR. ANDREWS and DR. FRENCH: Second.

1 MS. FISCHER: That was a tie.

2 DR. FRENCH: Rupe can have it. I would like to add
3 either an additional clarification or amendment to that, and that
4 is -- well, it's really two-fold, and you can split it into two
5 amendments if you wish. I would like to put a cap of 1.4 million
6 on that, which is the total package in front of us today. And,
7 also, I'd like to state that it's consensus -- or at least I'd the
8 motion to say that it's consensus of the PAG that forage fish
9 studies with respect to sea birds is an important aspect of the
10 ecosystem study, and that they probably have significant
11 consequences outside of the Sound in addition to the study areas
12 within the Sound, but we concur that studies within the Sound is
13 the appropriate place to start.

14 MS. FISCHER: Okay. Do I have a second to that
15 amendment?

16 MR. ANDREWS and MS. MCBURNEY: Second.

17 MS. FISCHER: All righty, we'll vote first on the
18 amendment that there will be a 1.4 million cap and that the forage
19 fish studies are important in the Sound as well as outside the
20 spill ...

21 MR. KING: Outside of the Sound as well as inside
22 (indiscernible) appropriate place to start.

23 MS. FISCHER: Outside the Sound as well as in.

24 MR. WILLIAMS: Well, now I need a clarification. Does --
25 do John and Jim's amendment then replace all of this marine bird
26 and forage fish section? Or are you ...

1 MR. KING: That's what we're recommending is that we
2 accept this package with a tentative cap -- dollar value they have
3 on it, the 1.4 million ...

4 MR. WILLIAMS: Does that -- do those revisions cover all
5 of this section, John?

6 DR. FRENCH: In my mind it does.

7 MR. WILLIAMS: Right, okay. That's all I need to know.

8 MS. BENTON: Can I just see a stable isotope project in
9 here, were we supposed to lump those all together?

10 DR. FRENCH: Yeah, we're suppose to lump all the
11 isotope project -- is the isotope project in here?

12 DR. SPIES: Well, on that particular one they're were
13 proposing to do some -- some fatty acid signatures. I think that's
14 -- yeah, the work by Worthian (ph) at Texas A&M, and I think that
15 that -- a little bit of that, despite the fact that Dr. French
16 hasn't sent me the reprints I'd asked him for twice, (Laughter) I
17 think it's an important aspect to carry on some of that work, and
18 so I think the stable isotopes, we need to split that off, reduce
19 the budget, do the fatty acid, let the stable isotope work go
20 within that one big package of stable isotope.

21 DR. FRENCH: Okay, I'll accept Dr. Spies addition to my
22 amendment.

23 MS. FISCHER: Okay. Okay, we're going to vote on the
24 amendment with Dr. Spies' addition to that. All in favor.

25 ALL PAG MEMBERS: Aye.

26 MS. FISCHER: All opposed? Okay. Now, go back to the

1 original motion that we accept -- that we accept the whole concept
2 here, with the amendment, all in favor? Pam, you have a question?

3 MS. BRODIE: Yes, I have a question about this for Dr.
4 Spies. If we -- if the Trustees go ahead and fund these projects,
5 and we find out all this information about marine birds and forage
6 fish, what kind of restoration can that lead us to?

7 DR. SPIES: That's an excellent question, I think
8 because it's a little less apparent for this group than it was for
9 some of the commercially harvested species. But, on the other hand
10 a lot of these -- I mean, that's part of the forage fish basis is
11 the herring, which is a commercially harvest species. There's also
12 potential interaction between the commercial harvest species and
13 forage fish base itself. So, I think that the -- while the
14 connection is not as direct, I think the -- that the chance that we
15 can derive useful information relating to -- to important species
16 of fish that -- they're in the forage base, and those include some
17 of the commercially harvested species as well as interact with some
18 of the -- potentially interact with some of the commercial harvest
19 species, and there is this question of by-take of birds, as well,
20 by the fishing industry that has been raised as an issue. I don't
21 know what the magnitude was in the past, you know.

22 MS. BRODIE: But, if for example, we find out that
23 birds eat a lot of herring, you know, we're not going to go kill
24 the birds, I hope. So, what sort of action could it lead to.

25 DR. SPIES: Well, I think what we're worried -- there
26 could be adjustments of -- I mean things like -- say for instance,

1 the pollock in Prince William Sound are -- are somehow interacting
2 with the other forage fish, such as the capelin or sand lance, and
3 that certain bird species aren't able to do that, and maybe the
4 pollock are also doing something with the pink salmon that are
5 suppressing the populations of pink salmon. One option might be to
6 institute a pollock fishery, or to encourage a pollock fishery, if
7 they're that big a factor in the Sound. That's just another guess,
8 as what might come out of this. I think -- also, we have to look
9 at, you know, my -- I think our position is also that -- that more
10 than -- what can you strictly do under restoration, to actually
11 make a change in the ecosystem, but the fact that somehow knowing,
12 you know, a really benefit to the people of Alaska in the long-term
13 is going to be having information about basic resources, and not go
14 along in the dark about what -- what your natural resources are
15 doing. So, I would also make that argument.

16 MS. FISCHER: Okay, John.

17 DR. FRENCH: I just -- Dr. Spies mentioned one of the
18 ways -- management tools, namely predator removal -- but also you
19 can have fishery exclusions (indiscernible - out of range of
20 microphone) just like you do marine mammals (indiscernible)

21 (Aside comments)

22 MS. FISCHER: All right, Jim.

23 MR. KING: I'm just going to ask Dr. Spies if the
24 knowledge generated by this kind of research, might lead to
25 restoration expenses; it might also lead to the knowledge that
26 there's nothing -- useful can be done in some cases and reduce the

1 expenses.

2 DR. SPIES: What was the question, Jim?

3 MS. FISCHER: Okay, we have a motion on the concept to
4 accept -- a motion to accept the concept of the marine bird/forage
5 fish interaction, with the amendment. All in favor, please raise
6 your hand. (Andrews, Cloud, Diehl, Eliason (Cloud), Fischer,
7 French, King, McCorkle (Cloud), McCune (McBurney), McMullen
8 (McBurney) Sturgeon (Benton), Williams) Any opposed? One
9 opposition, Pam (Brodie).

10 (Aside comments)

11 MS. FISCHER: Okay, I think we can go on to the next
12 one. At four o'clock I am going to take a break, to see if there's
13 anybody in the public that wish to make comments since we do have
14 public comment at that time. So, we'll go on to other marine bird
15 projects.

16 MR. ANDREWS: So do you want to -- are you going to end
17 the agenda for today at 4 o'clock, or continue on?

18 MS. FISCHER: No, we have public comment, and then if
19 there's no one here, we'll continue on for a little while. Okay?

20 DR. SPIES: Okay, the other marine bird projects,
21 these are a combination of some -- some monitoring and some
22 research investigations, and I don't know what I can say about the
23 whole thing, it's not really meant as a cluster project, except to
24 the extent that they involve bird -- bird studies.

25 MS. FISCHER: Rupert.

26 MR. ANDREWS: I have a question for clarification, Dr.

1 Spies, "five year plan to remove predators from seabird colonies"
2 I'm sure this -- without the project in front of me, I'm sure this
3 is direct against (indiscernible) bears, fox, because they're
4 predators involved (indiscernible)

5 DR. SPIES: Yes, mainly directed against predators,
6 and it's been -- the Trustee Council did support research --
7 support an effort on Shumigan Islands outside the spill area last
8 year to remove foxes, and so this is a -- this is a longer term
9 planning effort that's been proposed.

10 MR. ANDREWS: It's just fox, I guess that's my question.

11 MS. McCAMMON: Rats.

12 DR. SPIES: Rats, too.

13 MR. ANDREWS: Oh, rats, too?

14 DR. SPIES: And, it's being proposed by the -- the
15 Pacific Seabird Group, which is an organization of marine bird
16 biologists. One of the reasons it got such a low score is that
17 there is strong feeling by the reviewers that -- that this is
18 normal agency business, that the agencies should be out there in
19 front doing this sort of thing, and for some reasons they haven't
20 been -- they haven't done it -- probably because of limited budget
21 or something.

22 MS. FISCHER: Jim.

23 MR. KING: I'll make a motion that we approve number
24 38, number 49 -- excuse me -- number 41, and 42, and the grounds
25 for that is we've heard a lot about the symposiums and meetings and
26 whatnot related to fisheries, and other resources, and the

1 symposium on seabirds which was proposed by a civic seabird group,
2 is not very much money really, and I think it's time that kind of
3 a look. It's going to save money in the long run, and so I -- I
4 think that's really worthwhile. The introduced predator thing is
5 not very much money, and neither is the five-year plan to remove
6 predators from seabirds. So, I would say we should deal with those
7 three, 38, 41 and 42.

8 MR. WILLIAMS: Second it.

9 DR. FRENCH: Can I ask for a clarification, what's the
10 four on 42 is for?

11 MS. McCAMMON: Madam Chair, the four on 42 was -- well,
12 there were two policy questions. One was that the plan was for
13 primarily areas outside of the spill area, and then secondly, the
14 question of whether it was normal agency management. There is no
15 question from the peer reviewers that predator removal is probably
16 the one -- the one overwhelming restoration activity that can be
17 done for birds. There was no question about that. The question
18 was whether it was appropriate for the Trustee Council to be
19 funding this.

20 DR. SPIES: A lot of questions came up when these --
21 these projects on the -- on the top of the next page, under this
22 package that -- a lot of them had threes and so forth, you know,
23 social attraction of predator removal, transportation of chicks,
24 you know, socialization type -- type activities and so forth, and
25 there's a real question as to how effective these things will be.
26 There's a lot of disagreement between seabird biologists. I

1 certainly support Jim King's idea, and that the proposal put forth
2 by the Pacific Seabird Group, to have a workshop on seabird
3 restoration is a good one. It got a two because there wasn't any
4 indication on the original proposal that they -- that they would
5 necessarily publish this. I think that they've partially addressed
6 that in a letter to us. So, I would support that, it's one of my
7 recommendations.

8 MS. FISCHER: Okay, we have a motion on the floor to
9 accept 38, 48, 41 and 42. Are there any other comments? All in
10 favor, please raise your hand signifying that. (Andrews, Brodie,
11 Cloud, Diehl, Eliason (Cloud), Fischer, French, King, McCorkle
12 (Cloud), McCune (McBurney), McMullen (McBurney), Sturgeon (Benton),
13 Williams) Any opposition? Please raise your hand. (Andrews,
14 Brodie, Cloud, Diehl, Eliason (Cloud), Fischer, French, King,
15 McCorkle (Cloud), McCune (McBurney), McMullen (McBurney), Sturgeon
16 (Benton), Williams) Okay, all in favor. Gee, if that moves that
17 fast, maybe we can get through the next one, nearshore ecosystem
18 study -- studies. Dr. Spies.

19 DR. SPIES: This is another cluster of projects that
20 are taking the ecosystem approach, and the basic idea here is that
21 there are a lot of -- that the nearshore ecosystem was perhaps
22 arguably one of the more damaged parts of the ecosystem from the
23 oil and that there are continuing problems with recovery of sea
24 ducks, other birds, sea otters and so forth, and that if we're
25 going to take an ecosystem approach, we ought to be looking at some
26 of these nearshore systems as well, not just the pelagic systems

1 that were injured. There have been one set of proposals, they were
2 reviewed with somewhat mixed reviews and certainly indication on
3 the part of the reviewers that a lot of these were strong, but
4 other ones were not as strong. The overall coordination,
5 integration of the package could improve. Another set has been --
6 another revision -- a revision has taken place and another set of
7 proposals have been put forward. Those are -- I've just got some
8 peer review comments back this morning, so I'm kind with -- I
9 haven't made a firm recommendation here on -- on the far right
10 columns, so if you've got to do that, I just hope someone from NBS
11 that -- that there's probably a need for further sharpening of this
12 package, and -- although, you know, it may be that some of these
13 could go forward on their own. The peer reviewers, I think, feel
14 that we need to -- we need to bring this in a sharper focus in that
15 direction.

16 MS. FISCHER: Okay. Do I hear a motion?

17 MS. MCBURNEY: I have a question.

18 MS. FISCHER: Okay, Mary.

19 MS. MCBURNEY: I was just curious as to whether the
20 objectives of the harlequin ducks recovering monitoring, the 427,
21 whether -- many of the objectives of that project are also
22 incorporated into 025, which are factors affecting recovery of sea
23 ducks?

24 DR. SPIES: We've looked at those. They don't -- they
25 don't overlap a lot, the monitoring is looking strictly -- pretty
26 much strictly at the population parameters, whereas 025 is looking

1 more at feeding and ecology of the sea ducks in general.

2 MS. MCBURNEY: And, which -- which species of sea ducks
3 are you looking at?

4 DR. SPIES: It included more than the harlequin. I
5 think the golden eyes and the scooters, are also included.

6 MS. FISCHER: Okay, are there any other questions? Lew.

7 MR. WILLIAMS: I have a question, do I understand then
8 that some of your scientific groups are looking at taking these
9 projects and revising and coming up with a revised project now?

10 DR. SPIES: Yeah, the reviewers are looking at the
11 first set of revisions and it may be that they might recommend some
12 further sharpening and revision of the package.

13 MR. WILLIAMS: So, it would kind of be previous for us to
14 approve any of this. Wouldn't it be better probably to pass on
15 this and then after you get your final package, send it around to
16 the members of the group, and ask if any member has any objection,
17 and then we could write our comments to you, if there's objection.
18 Otherwise, I don't see that there's much we can do based on what
19 little knowledge ...

20 MS. FISCHER: Do you want to make that a motion, Lew?

21 MR. WILLIAMS: Yeah, I'll make that a motion that we just
22 defer this until we hear further from them, and they will ask if we
23 have any comment individually, which we'll forward otherwise.

24 MS. FISCHER: Is there a second?

25 MR. ANDREW: Second.

26 DR. SPIES: So, Molly tells me that that's quite

1 possible, so we can do that (indiscernible - simultaneous talking)
2 Madam Chairman.

3 MS. FISCHER: Okay, Jim, you have a question?

4 MR. KING: Well, I was just going to ask Dr. Spies if
5 it's -- or Molly, if it's -- we should endorse the concept that we
6 often hear of, plugging this into a tight package, which apparently
7 is what you're attempting to do.

8 DR. SPIES: One possible recommendation might be that
9 one or two projects go forward, and a little bit of seed money be
10 put out to sharpen this up. I mean, one of the concerns that I
11 have is -- is that we try not to start too many things at once, and
12 going in too many different directions. If -- we kind of build
13 this program slowly and have it sustainable, and that would -- kind
14 of play into our thinking perhaps here.

15 MR. KING: I like the concept of sharpening up.

16 MS. FISCHER: Okay, John.

17 DR. FRENCH: I -- I'll suggest a substitute, but ...

18 MS. FISCHER: Pick it up and pull it to you.

19 DR. FRENCH: Anyway, the -- I think a possible
20 substitute amendment, and I'll put it forward, is -- would be that
21 the PAG approve the formation of a nearshore ecosystem package,
22 with the guidance of the Chief Scientist with a value of no greater
23 than one million dollars.

24 MS. FISCHER: A nearshore package with the guidance of
25 the Chief ...

26 DR. FRENCH: The -- the one that's here right now -- is

1 2.2, but I think if we follow the Chief Scientist's suggestion of
2 basically providing some seed money, much as the way the SEA
3 program was developed originally. They were shooting for a much
4 bigger package, but I think a million dollars is enough incentive
5 for people to put together a pretty good size package that would be
6 effective, but not excessive.

7 MS. FISCHER: Okay, does anybody -- does everybody
8 understand that motion?

9 MR. WILLIAMS: That will work, with what I suggested
10 having a report from them send around to members and then we'll
11 comment on it individually.

12 MS. FISCHER: Okay, a vote on the motion for the PAG
13 group to approve a nearshore package with the guidance of the Chief
14 Scientist, not to exceed one million dollars -- for the approximate
15 amount of one million dollars. Is that about right?

16 DR. FRENCH: Not to exceed one million.

17 MS. FISCHER: Okay, not to exceed one million. All in
18 favor -- oh, do we have a second on that -- did we get a second on
19 that.

20 MS. McBURNEY: Second.

21 MS. FISCHER: Okay. All in favor? (Andrews, Brodie,
22 Cloud, Diehl, Eliason (Cloud), Fischer, French, King, McCorkle
23 (Cloud), McCune (McBurney), McMullen (McBurney), Sturgeon (Benton),
24 Williams) All opposed? (None opposed) The ayes have it. Okay,
25 going back to the original motion, that Lew recommended that,
26 actually that they come up with a package, send it out to the PAG

1 group and we make comments if we so choose to in send it back to
2 them.

3 MR. WILLIAMS: Great.

4 MS. FISCHER: Okay, all in favor? (Andrews, Brodie,
5 Cloud, Diehl, Eliason (Cloud), Fischer, French, King, McCorkle
6 (Cloud), McCune (McBurney), McMullen (McBurney), Sturgeon (Benton),
7 Williams) Any opposed? (None opposed) The ayes have it. Okay,
8 it's four o'clock. Is there anyone hear from the public that
9 wishes to make a comment. Paul, I see you stroll in, would you
10 like to make a comment? This is Paul Roetman, who is with the
11 Order EDC of Valdez, and he's come to talk, I think on the
12 incinerator project. Is that right, Paul?

13 MR. PAUL ROETMAN: Madam Chair and Members of the Public
14 Advisory Group. I am Paul Roetman, I'm with the Economic -- Prince
15 William Sound Economic Development Council in Valdez. We are a
16 regional non-profit promoting economic development in Prince
17 William Sound. The project that I am here to support is project
18 95115. It's Sound Waste Management Plan.

19 (Aside comments)

20 MR. ROETMAN: Sound Waste Management Plan.

21 MS. FISCHER: 95115. Dr. Spies, do you know where
22 that's at in the ...

23 MS. McCAMMON: On page 7.

24 MS. FISCHER: Page 7, okay, I see it. Near the bottom
25 of our packet.

26 MR. ROETMAN: Excuse me, for over a year now, we've had

1 a regional committee to deal with solid wastes and other wastes.
2 I have a committee list here. It's made up of members from each of
3 the communities in Prince William Sound, as well as the two
4 hatchery corporations, Valdez Fisheries Development Association and
5 also the Prince William Sound Aquaculture, also Alyeska. We wanted
6 to get together the largest contributors -- two -- oil and solid
7 waste in Prince William Sound. The proposal you have before you is
8 a result of the work that we have done. We feel that the strength
9 of this proposal is that it is supported by all communities. It's
10 important to protect the resources and service injured by the spill
11 and that it's important to the communities themselves. In your
12 packet you have supporting resolutions from each of the communities
13 as well as Chugachmiut, who has been working on waste issues and
14 hazardous waste issues with Tatitlek -- the communities of Tatitlek
15 and Chenega. And, I would like to answer any questions if anyone
16 has any.

17 MS. FISCHER: Is there any questions of Paul. Yes.

18 MS. BENTON: I note Chuck Totemoff isn't here today,
19 but this is a project that he was interested in. I just have a
20 question, I notice in the FY -- project description, that it -- it
21 said that it hasn't been reviewed by counsel, and I guess the
22 question would be, the first one, as to whether or not this has
23 been legally -- has gone through legal review? Do you know if this
24 project has gone through legal review?

25 MS. McCAMMON: Madam Chair, this project -- I have it.
26 This project has been submitted to all of the attorneys, they're

1 reviewing it, including the revised proposal, and we hope to hear
2 from them by the end of the week.

3 MS. FISCHER: I'm going to declare my conflict here,
4 because I did lobby the Trustees on this, and they were all in
5 favor of it, which I talked to you too, I think, Dr. Spies, on this
6 project too.

7 MR. ROETMAN: It's important for the communities in this
8 project that this project be funded. Currently there's a lot of
9 money for implementing projects, but there's not a lot of money for
10 up front costs of planning. Certainly, Alaska Department of
11 Environmental Conservation has had -- for two consecutive years, no
12 money for solid waste planning. We'd like to see the funds in
13 there, but it's just not there. We are looking for other funds as
14 well, for the non -- the non-oil sections of the way streams, the
15 other solid waste issues, as well as the project monies which
16 actually build it. So, we are looking elsewhere, and this is money
17 to get the ball rolling.

18 MS. FISCHER: Are there any other questions of Paul --
19 Mr. Roetman? Okay, thank you, Paul. All righty, I think -- oh,
20 are there any other members of the public that wish to speak, or
21 anyone else? Okay. Since there are no other public members, I
22 think we can continue on with the program, and close that section
23 of the program then.

24 DR. SPIES: Madam Chairman, do you want to continue
25 with the -- with the next groups of studies, intertidal/subtidal
26 community structure.

1 MS. FISCHER: Yes.

2 DR. SPIES: Okay. This includes both the package and
3 some other projects. The package was an intertidal/subtidal
4 package that -- those labeled 95009 parts A through, I think, E,
5 and some other projects that dealt with intertidal and subtidal
6 studies. The -- what is -- we -- the Trustee Council supported --
7 strongly supported continuing intertidal/subtidal studies in this.
8 Through the years of damage assessment and restoration. Generally
9 the -- the package it was -- that was submitted under 95009, some
10 very good individual studies -- but the -- the studies were not
11 really developed too well, as well as hanging together as a whole,
12 and there wasn't a lot of strong integration of the package. So,
13 I think that there is -- most of the lower scores that you see in
14 this package were the -- were the proposals that had be submitted
15 reflect that lack of integration that -- that was received on the
16 part of the reviewers. One particular study I might mention, among
17 others, is the survey and experimental enhancement of octopuses in
18 intertidal habitats, and this is -- this came up in a course of a
19 review on what had been done, and there was a lot of concern on the
20 part of Native villages in the spill area about the lack of
21 traditional food sources, including octopuses and chikons, and so
22 forth, and this was a group of organisms that had not really been -
23 - kind of fallen through the cracks in the damage assessment, and
24 so, we tried to address those concerns about whether we still had
25 viable, healthy populations of octopuses, and also to get the
26 communities involved to some extent, that -- that this project was

1 -- was put forward and received a fairly favorable review as you
2 can see from -- the reviewers so we're suggesting that that
3 particular one go forward. Some of the other ones that initially
4 got high reviews, 95086A is the coastal habitat intertidal
5 monitoring and experimental design verification. This -- this
6 proposes to revisit some of the sites outside of Herring Bay where
7 most of the work been studied -- or focused over the last several
8 years, to see if we still have indications of continuing damage to
9 the intertidal zone. In addition, there was a large component that
10 was put in to try to verify that the sites that were used in the
11 past really gave an accurate picture of damage. This has a very
12 high price tag of nearly a million dollars in this one particular
13 project, and it was a thought of the reviewers that we ought to
14 reduce the scope of this just to possibly revisiting some of the
15 sites next year that had been last visited in '91 to look at the --
16 whether geographical aspects or whether damage persists. So,
17 that's -- that's where the revision comes on that. The
18 recommendation for revision comes to that, and really it tends to
19 be a reduction. Also, the Herring Bay monitoring and restoration
20 studies, there was a -- I think -- I believe that figure that --
21 that five seventy-six balance on there, for 95086C, reflects a
22 reduction of some of the scope of that work too, and not -- not
23 starting new things but kind of finishing up on a lot of past work
24 that's been done in that particular project. The eelgrass
25 monitoring, which is one of six, is a fairly favorably reviewed by
26 the reviewers, and, so that might move forward as a separate

1 project as well. Otherwise, the generally low classification of a
2 lot of these, except for the close-out there at the very end,
3 reflects the need to kind of focus this package and studies more --
4 is our intention in the next year or two to get the
5 intertidal/nearshore people together, and look at what that whole
6 suite of studies needs to go.

7 MS. FISCHER: Are there any questions for Dr. Spies on
8 any of these projects? Okay, can we get a motion -- Pam, did you
9 have a question?

10 MS. BRODIE: Yeah, on 086A, this is -- you want to
11 reduce the amount nearly a million dollars here, which sounds like
12 it's to go back and see if something was done right the first time.

13 DR. SPIES: That's the part we're suggesting not be
14 done.

15 MS. BRODIE: Okay.

16 DR. SPIES: Well, it's not so much that -- that was
17 done incorrectly, except that the only choice you had, if you have
18 no pre-base line data on -- on the communities out there, is to
19 compare oiled area with an unoiled area. Ideally, you'd want to
20 look at both of those areas before the spill and after the spill,
21 it's called a balanced before and after design. If you don't have
22 pre-spill, you only have the after spill, and it's -- and they're
23 looking at possibility -- there could be some systematic
24 differences between the oiled and nonoiled areas, just due to
25 geography or the currents. If one could imagine the oil spill
26 going down and hitting just the points of land that stick out of

1 the islands, and not necessarily oiling the whole area, and there
2 may be because of current some other factors that -- that go along
3 with the oil damage. So, that was an attempt to deal with that
4 issue.

5 MS. BRODIE: And, the information that would be
6 obtained from these studies, how might this be used for
7 restoration?

8 DR. SPIES: That's a good question, just as your
9 previous iterations of the same questions were. I think in this
10 case, the likelihood that you could actually directly do something
11 intertidal is fairly remote. It does, however, the information, I
12 think, there is a clear commitment on the part of the Trustees to
13 monitor damaged parts of the ecosystem until -- until they recover,
14 and I think that would fit solely under that -- that sort of
15 mandate.

16 MS. BRODIE: Thank you.

17 MS. FISCHER: Okay, are there any other questions, Lew?

18 MR. WILLIAMS: I didn't have a question, I was going to
19 have a motion. I was going to leave out 86, was that the one, and
20 vote on it separately, but then have a motion we approve 09D, 86C,
21 106 and 285, which is a close-out.

22 MS. FISCHER: Okay, so, 09D, 86C, 285 ...

23 MR. WILLIAMS: 106

24 MS. BRODIE: 285 isn't that -- no money, already been
25 funded.

26 MS. FISCHER: No, he said it was close out, it mentioned

1 that it was closed out.

2 MS. BRODIE: But, it's already funded.

3 MS. FISCHER: It's already funded, yeah.

4 MR. WILLIAMS: Okay, forget about it. Leave that an
5 option.

6 MS. FISCHER: Okay, so you want to leave 09D and then
7 086C then?

8 MR. WILLIAMS: I was going to say we approve 09D ...

9 MS. FISCHER: Oh, approve, okay.

10 MR. WILLIAMS: ... 86A -- no -- 86C, and 106, and then
11 we'll come back to 86A in a minute.

12 MS. FISCHER: Okay, so we have a motion, do we have a
13 second on the motion?

14 DR. FRENCH: Second.

15 MS. FISCHER: John French seconds. We have a motion to
16 accept 09D, 086C, 106. All in favor, please raise your right hand.
17 (Andrews, Cloud, Diehl, Eliason (Cloud), Fischer, French, King,
18 McCorkle (Cloud), McCune (McBurney), McMullen (McBurney), Sturgeon
19 (Benton), Williams) Okay, any opposed. (Brodie) Pam opposes,
20 okay. We got to keep Doug busy over here, don't we, Pam? Okay.
21 Lew, you want to make another motion?

22 MR. WILLIAMS: Now, I'll make a motion to approve 86A.

23 MS. FISCHER: 86A?

24 MR. WILLIAMS: I presumed there would be discussion on
25 that. I might not even go for it myself. As revised by the Chief
26 Scientist after he gets all his information.

1 MS. MCBURNEY: I just (indiscernible)

2 MS. FISCHER: Sure, Mary.

3 MS. MCBURNEY: Is this one that we, last year had
4 deferred for a year? It seems to me that there was one of the
5 Herring Bay projects that, they were looking for annual funding,
6 but we deferred, or at least declined funds last year. That jog
7 anybody's memory?

8 DR. SPIES: I think this idea is not new, it may have
9 been -- go back and kind of ...

10 MS. MCBURNEY: Maybe it's -- seems like deja vu all over
11 again, and I'm trying to remember which iteration we've seen it
12 before.

13 DR. SPIES: I think -- I think you're right. I think
14 it was last year that the site verification aspect came up. It's
15 been around for a couple of years. I don't -- I don't have a copy
16 of the '94 work plan with me right now.

17 DR. FRENCH: I have another question, is this one that
18 will have a revision on pretty soon, and you could send to us like
19 the earlier group, so we can give our individual opinion on?

20 DR. SPIES: Right, should have that fairly soon.

21 MS. FISCHER: Okay. All in favor -- yeah, John French
22 seconded it -- oh, you didn't second that one, I'm sorry, is there
23 a second on the motion? Motion dies for lack of a second then.
24 John.

25 DR. FRENCH: I'd like to move that we it's the
26 consensus of the Public Advisory Group that either the Chief

1 Scientist or the Trustees, I'm not quite sure which, anyway that a
2 more tightly knit intertidal, I think that's the word I want,
3 intertidal ecosystem project be developed for future years.

4 MR. KING: Second.

5 MS. FISCHER: Okay, we have a motion on the floor and a
6 second that an intertidal/subtidal community structure be
7 emphasized on, John is that what it is?

8 DR. FRENCH: (Indiscernible) Yes, an intertidal/
9 subtidal ecosystem package be developed for future work plans.

10 MS. FISCHER: Okay.

11 DR. FRENCH: I don't know that we need to specify who
12 is supposed to do it.

13 MS. FISCHER: Okay, all in favor of John's motion,
14 please raise your right hand. (Andrews, Brodie, Cloud, Diehl,
15 Eliason (Cloud), Fischer, French, King, McCorkle (Cloud), McCune
16 (McBurney), McMullen (McBurney), Sturgeon (Benton), Williams) Any
17 opposed? (None Opposed) Okay, the ayes have it. Okay, moving on,
18 we'll move on to the marine mammal ecosystem studies.

19 DR. SPIES: Right. These are a series of projects
20 that, of course deal with marine mammals, deal with various aspects
21 of their ecology, including health and conditions, monitoring
22 populations, predation and some indication of their trophic habits
23 based on various indirect methods. We basically favor most of --
24 these are favorably reviewed. I don't think in this case that it's
25 as necessary that these all be as -- as closely knit as some of the
26 other ones. It is a little bit of an artificial construct because

1 the marine mammal group itself doesn't form a community, but
2 interacts with some of the other components of the ecosystem, which
3 are subject to a kind of larger studies here. So -- I don't know
4 if there's much more that can be said about that, except it -- as
5 we -- the harbor seals are continuing to be a -- of a concern in
6 Prince William Sound and northern Gulf of Alaska, and -- and most
7 of these are -- are kind of focused on the harbor seal questions.

8 MS. MCBURNEY: Madam Chairman.

9 MS. FISCHER: Yes, Mary.

10 MS. MCBURNEY: Do any of the forage fish project have
11 marine mammals components?

12 DR. SPIES: These -- there's a plan for the harbor
13 seal investigators to work closely with the forage fish people in
14 terms of exchange of samples and sampling sites and I -- I don't
15 know to what extent they're sharing, but yes, they're definitely
16 talking about kind of making sure that the integrations can happen
17 between those two activities as appropriate.

18 MS. FISCHER: Any other questions? Pam.

19 MS. BRODIE: Two questions, Dr. Spies, first, I'm very,
20 very concerned about the declining populations of harbor seals, but
21 shouldn't these be funded by NOAA, I guess, as part of the agency
22 budget since the problem is not really an oil spill problem, but
23 some other unknown problem, perhaps, like a food.

24 DR. SPIES: Well, the general concept is that the --
25 I mean there's a decline of a lot of species in the northern Gulf
26 of Alaska, including a lot of seabirds and harbor seals, and sea

1 lions and so forth. In addition, there were -- there were species,
2 including the harbor seals, who were definitely injured by the
3 spill, and so the thinking is that the worst folks would be doing
4 something about restoration of injured species, we can't do that in
5 the absence of information about the wider ecology of these
6 species. So, we need to focus our effort and looking at taking a
7 broader ecological view of what the problems of these species are.
8 We certainly recognize that it's not all an oil spill problem.
9 It's -- that's definitely difficult to draw a bright line here as
10 ...

11 MS. BRODIE: Would -- would NOAA be doing these studies
12 with the (indiscernible)

13 DR. SPIES: Yes, for sea otters, the Fish & Wildlife
14 Service and for the harbor -- for the seals, I think it's Fish &
15 Game investigators.

16 MS. BRODIE: Oh, I'm sorry, Fish & Game.

17 DR. SPIES: I think they would probably be doing a
18 little bit of work occasionally, but not to the intensity that --
19 that has been carried on after the spill.

20 MS. BRODIE: My other question is, how many seals would
21 be killed for these, particularly 117, or any of them?

22 DR. SPIES: I believe those are based mainly on biopsy
23 samples that would be taken on animals that would be captured and
24 released.

25 MS. BRODIE: Okay, thank you.

26 MS. FISCHER: Okay, Lew.

1 MR. WILLIAMS: I just had a question, I see there -- we
2 have three harbor seal projects in this section. Is there anyway
3 to combine all three of them, just make it one project? 01 and 64,
4 and 27 ...

5 DR. SPIES: I think to some extent their working --
6 these are principal investigators trying to answer different sets
7 of questions, but I believe that their integrated in terms of
8 logistics and using the same animals. Certainly, they're not --
9 you know, any animals that's been put (indiscernible) condition and
10 held, he's probably also going to have a biopsy taken for -- that
11 we can look at its blubber and lipids at the same time, so I think
12 they're -- they're integrated from that aspect.

13 MR. WILLIAMS: And part of this concerns the spill then
14 because you're taking the biopsy to determine if the spill caused
15 any damages.

16 DR. SPIES: Yeah, and a lot to look at the wider
17 aspect of their ecology and trophic status and health of the
18 populations to look what may be living and recovering that -- other
19 species.

20 MS. FISCHER: Okay. Do we have motion to accept?

21 MR. WILLIAMS: I'll move we accept 0164 and 117.

22 MS. FISCHER: Okay, a second on that?

23 MR. ANDREWS: Second.

24 MS. FISCHER: Yeah, motion to accept 001 and 117BAA, all
25 in favor? (Andrews, Brodie, Cloud, Diehl, Eliason (Cloud),
26 Fischer, French, King, McCorkle (Cloud), McCune (McBurney),

1 McMullen (McBurney), Sturgeon (Benton), Williams) Any oppose.
2 Okay the ayes have it. Move onto the other marine mammal projects.

3 MR. DIEHL: I would like to look at 014.

4 MS. FISCHER: Oh, okay, 95014 -- I'm sorry, let's go
5 back to that.

6 MR. DIEHL: This one -- this is (indiscernible)
7 project from the National Oceanic Society. This is the Matkin
8 project that would put observations from pre-oil spill Prince
9 William Sound and post-oil spill Prince William Sound into a
10 computer model to try to get at -- just -- if -- if the feeding
11 habits of the -- the orcas has changed in terms of the oil spill.
12 It's may have something to do with the harbor seals and marine --
13 and marine mammals, and I think it's an appropriate study for --
14 trophic study for killer whales, you know.

15 MS. FISCHER: Jim, would you like to make a motion on
16 that, to accept that then.

17 MR. DIEHL: How -- how come -- how come you don't have
18 -- you haven't -- you're not recommending that this.

19 DR. SPIES: I just haven't formed a recommendation
20 because there's -- there's -- if you go down to the next package,
21 there's a Matkin proposal, 95013, also, and NOAA proposal, and
22 we're trying to get NOAA and Matkin to -- to iron out their
23 differences and try to get these things put together, and we
24 haven't reached that resolution yet, people in NOAA are working on
25 this, and ...

26 MR. DIEHL: Yeah, right -- people on NOAA are working

1 on it, but their at an impasse.

2 MS. FISCHER: So, I take it you don't want to entertain
3 a motion.

4 MR. DIEHL: Wait a second, just trying to get to the
5 bottom, just why this is in terms of the way it is, okay.

6 MS. FISCHER: Okay.

7 MR. DIEHL: You know, I would ...

8 DR. SPIES: Because in the next package they're
9 proposing to do very similar things, although, although, I think
10 Matkin is proposing to do a little bit more than NOAA is proposing,
11 and so ...

12 MR. DIEHL: In the next -- so maybe we should consider
13 the next one?

14 MS. FISCHER: Yeah, that's what he said a minute ago.

15 DR. SPIES: It might make sense to look at it all
16 together.

17 MR. DIEHL: It would make a little bit more sense if
18 we got an 014 after 013.

19 DR. FRENCH: If Jim's going to waffle on making the
20 motion, I'll move recommend funding of 013 and 014.

21 MS. FISCHER: Well, we're taking one out of the other
22 though.

23 DR. FRENCH: They are two different packages, we'll
24 approve the other as far as (indiscernible - out of range of
25 microphone)

26 MS. FISCHER: Well, would you like to take and move 014

1 down to other marine mammal projects then, and then vote on them
2 both together at that time when we come to them?

3 (Indiscernible - simultaneous talking)

4 MS. FISCHER: All right, we have a motion for 95014,
5 right? And 95103.

6 DR. FRENCH: As far as I'm concerned we can delete the
7 rest of the other marine mammals projects.

8 MS. FISCHER: Okay, we need a second.

9 MR. DIEHL: I second it.

10 MS. FISCHER: Okay, all in favor please raise your right
11 hand. (Andrews, Cloud, Diehl, Eliason (Cloud), Fischer, French,
12 King, McCorkle (Cloud), Sturgeon (Benton), Williams) Okay, any
13 opposed? (Brodie) Pam opposes. Okay. Okay, now we're going down
14 then to the other marine mammal projects, and we just have one
15 project down there 95092.

16 DR. SPIES: Yeah, that's -- that's the marine mammal
17 proposal that -- it has pretty much all of its objectives are
18 included in 013.

19 MS. FISCHER: Okay. I want to question Dr. Spies, I
20 notice that in Southeast, I think it was this year, that they
21 spotted some, probably more than three hundred killer whales at one
22 time, you know, in Southeast down there. Are any of these whales
23 that were in Prince William Sound in that group? There was one pod
24 that was supposed to have been missing, pod B I think it was,
25 wasn't it, John -- that was supposed to have been missing, and for
26 some reason they're thinking that they did turn up in Southeast,

1 they're in with that group of three or four hundred whales that
2 were just spotted earlier this spring, you know, around in June.

3 DR. SPIES: I don't have any information on that, but
4 just certainly could look into it -- I ...

5 MS. FISCHER: It was in all the papers, and it created
6 some problems on the fishing, and stuff like that, but the whales
7 were very friendly, came up to the boats (indiscernible -
8 simultaneous talking)

9 DR. SPIES: The ones -- the ones that we think are
10 most affected after the spill was pod AB, and you're suggesting
11 that some of the members ...

12 MS. FISCHER: AB.

13 DR. SPIES: ... of AB pod might have been down in
14 Southeast.

15 MS. FISCHER: Had gone down there, yeah, because they
16 didn't find them for a long time, they didn't know where they went
17 to.

18 DR. FRENCH: We've got more harbor seals than sea
19 lions.

20 MS. FISCHER: I'm talking about the whales, the killer
21 whales.

22 DR. SPIES: There was one -- there was one transient
23 pod, I think it was pod AT that split, and came back together and
24 apparently this is more characteristic of the transient pods than
25 it is the resident -- so called resident pods. The resident pods
26 are like AB, and it's very unusual for those pods to break up for

1 very long at all, certainly not more than days or weeks.

2 MR. DIEHL: Not aware of (indiscernible) -- not aware
3 of any reports of killer whales traveling in pods of three hundred,
4 you're saying?

5 MS. FISCHER: Approximately three hundred of them
6 discovered down there, and they were all just -- weren't they,
7 Rupert, do you remember that back early in the summer?

8 MR. ANDREWS: Not in any one spot, it's probably a
9 (indiscernible - simultaneous talking)

10 MS. FISCHER: Well, I'm -- (indiscernible) that's what
11 I'm wondering is there a certain amount of ...

12 MR. DIEHL: Early in the summer there was a huge --
13 there was a huge beluga stranding of two hundred plus at the mouth
14 of the Little Susitna River, but that was beluga whales, and they
15 were in Cook Inlet.

16 MS. FISCHER: But, this was in Southeast. Yeah, okay,
17 let's move on to the oil toxicity projects.

18 DR. SPIES: Okay, what these projects really have in
19 common is they all deal with oil toxicity, and I don't think it's
20 appropriate necessarily to be integrated. We can go through this
21 briefly. The first projects 95026, which is proposed by Joan
22 Bracking (ph) of the University of Alaska to look at hydrocarbon
23 monitoring and try to integrate some of the microbial and chemical
24 sediment data from the spill, and peer reviewers look at that fairly
25 highly. The next project is 95027 which is the Kodiak Shoreline
26 Assessment, that was looked at -- the proposals put in on that was

1 -- didn't seem to have a lot of specifics and it was difficult for
2 the reviewers to really evaluate the extent of the remaining
3 problems in Kodiak. It certainly is -- is good to some extent by
4 the concerns of the people in Kodiak, and to what extent we should
5 -- and what the cost would be of trying to address those concerns
6 about remaining oil in the environment is -- still needs, I think,
7 further study. So, I have no recommendation at that time -- at
8 this time for that one, and I apologize for that. The next one is
9 a proposal by Dick Button (ph), University of Alaska to look at in
10 situ formation and ecotoxicity of hydrocarbon degradation products
11 formed by ultramicrobacteria. This is a pretty sophisticated
12 approach to looking at the -- the products of hydrocarbon
13 degradation by bacteria, which in that -- degradation has been a
14 big part of the aftermath of the spill, and the question is whether
15 some of these degradation products might be toxic or not. I'm
16 going to be contacting Dr. Button, and be talking to him about some
17 of the reviewer concerns that came up, but generally, that review
18 was pretty positive on that one. The mussel bed restoration,
19 95090, which is the second one on the next page, is a continuing
20 effort by NOAA and National Park Service to deal with the oil
21 mussel beds in Prince William Sound and Gulf of Alaska.
22 Restoration was first undertaken last year after pilot projects had
23 been identified some very effective methods of cleaning up those
24 mussel beds. And, finally 95290, which is the support for the
25 hydrocarbon database that -- has a huge database that has been
26 gathered over the years since the spill, and they have helped us in

1 interpretation of hydrocarbon data in the past. A very, very
2 valuable part of ongoing Trustee sponsored research programs.

3 MS. FISCHER: Are there any questions to Dr. Spies?
4 Kim.

5 MS. BENTON: Yes, I have a question, probably more for
6 Molly. Is there a reason -- I know that project 95027, the Kodiak
7 shoreline assessment had some pretty significant types of
8 subsistence concerns, and also for the mussel bed restoration
9 projects. Is there a reason that they were put under the oil
10 toxicity project listing instead of subsistence?

11 MS. McCAMMON: Madam Chair, this project was actually
12 proposed by DEC and not by subsistence users. At the subsistence
13 planning meeting in Kodiak, there was the representative of DEC
14 there who explained the project, and there was support expressed at
15 that -- at that meeting for the project -- we've not -- they were
16 encouraged to write letters and call as part of the public comment
17 period. We didn't receive any public comments through that
18 process. But, it was self that it wasn't -- the reason -- I should
19 explain the reason DEC developed it is because they believe that at
20 the last set of public hearings in Kodiak about a year ago, there
21 was concern express that there was still oil on the beaches, and
22 there was still concern about contamination of subsistence foods.
23 So, I suppose this is one of those things that could go either way,
24 but overall it's a monitoring assessment type project.

25 MS. FISCHER: Okay, John.

26 DR. FRENCH: On the same project, this is a statement

1 in support of rather than a question to Molly, but it's been -- or
2 it will have been five years since the last previous monitoring was
3 done. There's a fairly strong feeling from DEC that there should
4 be periodic monitoring, and that five years is about an appropriate
5 time -- there was significant oil in the previous monitoring,
6 although throughout relatively patchy areas, and one new thing that
7 has been suggested by DEC in this is that utilization of
8 subsistence users -- users and other people familiar with the
9 beaches in helping -- helping identify the areas that need to be
10 assessed most accurately, and for that reason both in terms of
11 beach users, but -- and also that support of the Kodiak Island
12 Borough you'll notice when you go back to the audio-conference
13 minutes, why indeed that one of the projects that the Borough Mayor
14 picked out is one that Borough strongly supports. There's
15 generally a consensus both in the villages, who, granted, don't
16 speak up a whole lot, but also in the municipal emergency council
17 that this is an important project to go forward, and we would very
18 much like to see it go forward.

19 MS. FISCHER: Lew.

20 MR. WILLIAMS: Donna, to speed this along, I'll take
21 three of them, and maybe we can get them out of the way, and then
22 come back to Kodiak, and I have a question about one other. But,
23 right now, I'll move we approve 026, 090 and 290.

24 MS. FISCHER: 090 and 290. Okay, so we have a motion,
25 do we have a second?

26 MR. ANDREW: Second.

1 MS. FISCHER: Okay, we have a motion to approve 026, 090
2 and 290. Jim.

3 MR. KING: Well, a quick -- a question for Dr. Spies,
4 is one is relative to the toxicity in the nearshore environment,
5 wouldn't that be part of the ecosystem study that we already voted
6 on? If you're going to study the nearshore ecosystem, you're going
7 to ...

8 DR. SPIES: 95071 there?

9 MR. KING: Yeah.

10 DR. SPIES: If that were -- if that were to be
11 included it might be part of the nearshore ecosystem because what
12 that project was in the past, and this is essentially a repeat or
13 continuance of that, is looking at the -- some of the bottom fish,
14 flounders in particular that as the oil moved down to the
15 intertidal zone and the subtidal zone, they had a continuing
16 exposure. I think the last time we had measurements it was either
17 '91 or '92 where the enzymes that are responsive to oil
18 contamination were still elevated in those populations. But it --
19 other effects weren't apparent. Those are kind of just indicators
20 of an exposure that they did some work on, you know, effects on
21 gills and other tissues in the body of the fish, and they really
22 didn't turn up very much, so it got kind of weak -- weak rating by
23 the reviewers here. But, you're right, I think it should be given
24 consideration on the nearshore package if it were to go forward.

25 MR. KING: And, 026, the same thing?

26 MR. FISCHER: Okay, was there any other questions? Pam.

1 MS. BRODIE: Dr. Spies, for 090, I've talked -- done a
2 little looking into this, and I heard that some of the mussel beds
3 are pretty easy to clean up and a lot of that's been done already,
4 and then some others are really much harder to clean up, and it
5 gets to be very expensive per mussel bed. Can you say whether
6 that's true, and whether this represents the mussel beds that are
7 getting to be really (indiscernible - simultaneous talking)

8 DR. SPIES: I think you're probably right. It does
9 become more difficult -- I mean there are some that are truly
10 easier than others. I've -- I've -- we visited those mussels beds
11 and particular where they're thick, then they can be almost cut off
12 like turf from the -- we can -- the bisset threads, and kind of
13 roll them back like a turf lawn, and other where they're more
14 scattered and the sediments are deeper, they're replacement
15 sediments -- to put back on the beach are more difficult to come
16 by, then it might increase the expense there.

17 MS. BRODIE: Do you know how much it is per mussel bed
18 to clean?

19 DR. SPIES: I don't have those figures off-hand.
20 Okay, there were fifty that were identified and ...

21 MS. FISCHER: Yes, Molly.

22 MS. McCAMMON: Unfortunately the two DEC representatives
23 had to leave early, but they will be here tomorrow and could answer
24 that question, but I believe there were somewhere between fourteen
25 and sixteen that were actually cleaned up this summer. They had
26 originally identified like fifty sites; they were able to clean up

1 like fourteen. This project -- a good portion of it is to actually
2 monitor what was done this year and determine if it was effective,
3 and to continue working on, kind of the next layer of -- of highly
4 ranked mussel beds and do a few more next year.

5 MS. FISCHER: Okay, are there any other questions?

6 MS. BRODIE: I'd like to request that this one be
7 separated and we vote.

8 MR. WILLIAMS: Fine by me.

9 MS. BRODIE: Thank you. 090 be separated.

10 MS. FISCHER: 090 ...

11 MR. WILLIAMS: And we're just voting on 026 and 290?

12 MS. FISCHER: Is that okay with the second, Rupert?

13 MR. ANDREWS: Okay.

14 MS. FISCHER: So, we're voting -- the motion is for 026
15 and 290, then.

16 MR. WILLIAMS: Yeah, question.

17 MS. FISCHER: Okay, all in favor? (Andrews, Brodie,
18 Cloud, Eliason (Cloud), Fischer, French, King, McCorkle (Cloud),
19 McCune (McBurney), McMullen (McBurney), Sturgeon (Benton),
20 Williams) All opposed? (Diehl - abstained) Okay, and are there
21 any other ones now. John, did you have one?

22 MR. WILLIAMS:: I'll move now that we approve 090 so we
23 can vote it down or have a debate on it, once we've brought it up.

24 MS. FISCHER: Okay. A second?

25 DR. FRENCH: (Indiscernible) what's the second for.

26 MS. FISCHER: Well, (indiscernible) made a motion and

1 we're going to vote it down.

2 MR. WILLIAMS: (Indiscernible) It's a new motion. You
3 don't want to vote. If there's no second, we just drop it and go
4 on to Kodiak.

5 DR. FRENCH: (Indiscernible)

6 MS. FISCHER: 027.

7 MR. WILLIAMS: John did you want to do that with a
8 revision in it. That's one reason I pulled it back because didn't
9 Dr. Spies say they're doing a revision.

10 DR. FRENCH: I don't think so.

11 DR. SPIES: No, I didn't -- I -- there is a question
12 about is that the perfect cost to do the work. It's probably
13 somewhere in the back of the reviewers' mind when they --
14 questioned.

15 DR. FRENCH: Yeah, and I think, obviously, this
16 project, if it does go forward, you will be discussing the DEC the
17 costs, and I know Mark has assured peer reviewers (indiscernible -
18 coughing) he initially, on whatever day it was, (indiscernible)
19 that -- why utilization of local knowledge to identify the most
20 probable sites for evaluation, the cost could probably be reduced
21 a little, but it still -- a survey -- monitoring survey for
22 shorelines is still going to be expensive, but it shouldn't have to
23 be helicopter surveys, but it's been five years, and most people
24 really do feel like it needs to be done at least one more time,
25 clean now or view cleaned (indiscernible), but it should be done
26 one more time.

1 MS. BRODIE: Can I offer an amendment that we approve
2 this project, but with the stipulation that there be local
3 community involvement, and I have a different reason for wanting
4 that than John. I was in Ouzinkie last weekend. I know this is a
5 feeling of several communities that they have subsistence
6 questions, and it's one thing if the agencies go out and do a
7 shoreline survey and say, yep, well everything's clean now, and
8 another thing when they're actually involved in it, and it helps
9 their fears about the safety of the foods that they're eating.

10 DR. FRENCH: I think the DEC wants to do this in part
11 because their being told that the oil is there by the subsistence
12 users, and if there -- they want to be able to find the oil, if
13 indeed it's there. So, I think we're -- we ...

14 MR. BRODIE: No, I agree, but I just want to make sure
15 that that's how the project is done.

16 MS. FISCHER: Is there a second to the friendly
17 amendment?

18 MR. WILLIAMS: Second.

19 DR. FRENCH: I'll accept it.

20 MS. FISCHER: Okay. All in favor -- we're voting on the
21 amendment, and that there would be local community involvement
22 along with the clean up on this. All in favor, please raise your
23 right hand. Okay, the ayes have it. (Passed without objection)
24 Okay, now the original amendment is to accept putting in shoreline
25 assessment, this is proposed by DEC, all in favor please raise your
26 right hand. (Andrews, Brodie, Cloud, Eliason (Cloud), Fischer,

1 French, King, McCorkle (Cloud), McCune (McBurney), McMullen
2 (McBurney, Sturgeon (Benton), Williams) Okay, all opposed? (Diehl
3 abstained) Okay, are there anything else on this one agenda here
4 that we would like to have pulled or talked or discussed about?

5 MR. WILLIAMS: I'd like to ask a question about ...

6 MS. FISCHER: Clarified Lew, go right ahead.

7 MR. WILLIAMS: ... yeah, and that's 266, it's shoreline
8 assessment and oil removal. Why -- that's a big item, but as I
9 remember, one of our priorities is to remove any existing oil, is
10 there any existing oil, is that why you haven't recommended
11 anything on it, or what's the status of this?

12 MS. McCAMMON: Madam Chair, let me get that, one quick
13 comment. Actually -- the proposal that was actually submitted was
14 116, the one right above it. This was submitted to actually use a
15 product called PES 51 and do it on a test basis to see if it would
16 work in cleaning up oil. This was not available in '89 when the
17 spill originally occurred. It was the feeling -- the reason it was
18 given a four was because there was a feeling that it was not
19 appropriate for the Trustee Council to be using public funds to
20 product test, private -- privately produced product in a non-
21 competitive basis. Therefore, DEC developed project 266. The idea
22 would be go at the competitive RFPs to test two or three different
23 types of new clean-up techniques that have been developed since
24 1989. It would, they would serve dual purposes. One would be to
25 use -- to try to clean up existing oil, the second purpose would
26 be, you may be developing products that would be of use in future

1 oil spills. We're not -- it's not permissible for us to use
2 Trustee funds for future oil spill work, but you could also use it
3 conceivably for cleaning up existing oil. But, it's very expensive
4 to do this kind of product testing. They were estimating, and this
5 was just -- their just kind of throwing figures out as to what it
6 may cost, but they were estimating about four hundred thousand per
7 site per product testing. But that's where that (indiscernible -
8 simultaneous talking)

9 MR. WILLIAMS: I just wondered.

10 MS. BENTON: In the project notes in the summary, it
11 mentioned that some alternative funding may be available? Do you
12 think ...

13 MS. McCAMMON: The hope for the alternative funding is
14 that there was funding through the state criminal settlement funds.
15 There was three million dollars in -- in this -- for needing -- I
16 can't remember the actual term, it was like mitigation work for
17 future oil spills, and we were hoping that maybe we could combine
18 some funding and tap into that. But, it's my understanding now
19 that DEC already has that allocated for other purposes.

20 MS. FISCHER: Okay, Lew does that answer your question?

21 MR. WILLIAMS: That answers my question.

22 MS. FISCHER: Okay. Is there anything else to discuss
23 under this project? Okay. I -- show of hands, maybe, or how does
24 everybody feel about adjourning -- or recessing -- until tomorrow
25 morning, and we'll start with archaeology projects tomorrow
26 morning. 8:30 sharp please. Everything can be left on the tables.

1 Thank you, and you have a good evening.

2 (Off Record 4:55 p.m. October 12, 1994)

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PUBLIC ADVISORY GROUP
TRANSCRIPTS
October 12 - 13, 1994
V. II

**EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL**

RESTORATION OFFICE
Simpson Building
645 G Street
Anchorage, Alaska

October 12-13, 1994

VOLUME II

October 13, 1994

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

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1 with too, about adequate housing resources that's on there?

2 MR. KING: Adequate.

3 MS. FISCHER: So, it does cover a lot of what everybody
4 was talking about.

5 MR. KING: (Indiscernible) good job.

6 MS. FISCHER: It is a good resolution, Molly. Okay,
7 we'll put that up for right now, and, you know, I don't think that
8 we can hold up anything, I think we need to go on.

9 DR. FRENCH: We can go on to discuss the projects. I
10 wasn't suggesting we hold up -- suggesting we hold up this
11 (indiscernible)

12 MS. FISCHER: Right, and I agree with that. I think
13 you're right there. Mark was absent yesterday when we were on the
14 oil toxicity project. He would like to speak a little bit on
15 95090, and 95266. Chuck Totemoff -- and one of the things that
16 we've always supported was Chuck Totemoff, you know, on the
17 shoreline assessment and clean up in Chenega Bay, and that's what
18 266 was concerning. So, Mark is going -- where's Mark -- oh, okay
19 -- Mark if you'll come up and talk on these two projects, and see
20 where we go.

21 MR. BRODERSON: I'm Mark Broderon, Environmental
22 Conservation, I apologize for not being here yesterday. I had to
23 either be gone either this morning or last night, and I just didn't
24 comprehend how quickly you all could move. So, I apologize for
25 having to back you up here for just a moment. The oiled mussel
26 project is primarily a NOAA project, and with small components to

1 National Biological Survey and DEC. It will look at the results of
2 the mussel beds that were cleaned this year. Also the beds that
3 we're using for controls, and expand into the Kenai area to track
4 some mussel beds in there that have not been looked at in a number
5 of years. There's also a component to this to collect mussels for
6 pristane analyses. It turns out this may be a very good indicator
7 of the number of copopods present or absent in a given year, which
8 is proving to be perhaps a very major predictor in terms of success
9 of pink salmon, or predicting pink salmon returns, I guess I should
10 say, because the theory or hypothesis now that -- one of the
11 hypothesis that SEA currently is investigating as a price switching
12 hypothesis that when there's enough large copopods that the pink
13 salmon and other creatures eat that, and when there's not enough
14 copopods, pink salmon get eaten, and if you reduce a large number
15 of your pink salmon, well, then, not as many of them return. One
16 possible way of looking at this is to measure the amount of
17 pristane that's in the mussels, and this -- a major chunk of this
18 project goes towards collecting that. It was put here, rather than
19 in SEA, because of the cost savings that have resolved since they
20 were going out to look at oiled mussel beds anyway. So, that's --
21 that's a -- I guess, a fifty word or less version of what that
22 project is about. I know you're in a hurry, so I'll let it go at
23 that. On -- do you want to stop and talk about that?

24 (Pam Brodie arrived at 8:38 a.m.)

25 MS. FISCHER: Are there any questions -- yeah, are there
26 any questions on 090 (indiscernible - coughing) on that project?

1 MR. BRODERSON: There is no actual clean up or treatment
2 that would be done this year. It's strictly to look at what was
3 done last year in terms of -- in case that question comes up. But,
4 it is to look and find out the effective of the work that was done
5 last year.

6 DR. SPIES: Mark, is this still -- Madam Chair -- ask
7 a question?

8 MS. FISCHER: All right.

9 DR. SPIES: Is this the work that Jeff Short proposes
10 to do, pristane ...

11 MR. BRODERSON: Yes.

12 DR. SPIES: Do you know, approximately, how much of
13 the budget is dedicated to that?

14 MR. BRODERSON: No, I don't. I just -- it's a major chunk
15 of the logistics because they have to go out fairly regularly to --
16 I believe about thirty-five sites to collect it, it's either five
17 or six times over the course of the summer as they're trying to
18 develop this index. They feel that in the future once it -- if it
19 proves out, it will be much cheaper to do in the future, but when
20 you're proving something out, you need to get fairly intensive
21 sampling for a year or two to figure out just what it is that you
22 have there. I could not tell you how much of it is directly
23 related to that, and a good -- another portion of this is the
24 actual analysis of the hydrocarbon samples, and once again a major
25 chunk of that goes towards the pristane analysis. If it works, it
26 might be a very powerful predictor in the future for pink salmon

1 return.

2 DR. FRENCH: Madam Chair.

3 MS. FISCHER: Yes, John.

4 DR. FRENCH: Mark, so this is primarily dollars, I mean
5 I notice that almost -- not quite half the budget has already been
6 interimly funded. What's the (indiscernible) essentially critical
7 dollars for following up on the existence -- the project has
8 already been undertaken. A fair amount of money has been spent on
9 undertaking.

10 MR. BRODERSON: Yes, that's correct. A good portion of
11 it's to follow up on what was done, the other portion is developing
12 this indices, and a small portion of it continuing monitoring of
13 oiled hydro -- oiled mussels in the spill area.

14 MS. FISCHER: Pam.

15 MS. BRODIE: I'm sorry, Mark, I'm kind of confused
16 about this. You're saying that the mussels add restoration that
17 happens (indiscernible) population of pink salmon?

18 MR. BRODERSON: No, no. No. Copopods use pristane as a
19 buoyancy regulator, large copopods, (indiscernible) copopods,
20 there very, very large copopods. In some years they're a favored
21 food source, eight to nine months, they're in depths, if I
22 understand this correctly, and then in the spring much shallower
23 and are available to pink salmon, pollock, other creatures that are
24 higher up on the food chain. In some years there appears to be
25 more of these copopods and in some years there appears to be less.
26 When the copopods are present in large numbers, it's a food source

1 for the pink fry as they're dropping out of the creeks on their way
2 out to the ocean, and years when there are less of these copopods,
3 the pink fry themselves become targets of other fish, and it
4 appears that the copopods are eaten in preference to the pinks, but
5 that -- things such as juvenile pollock and such will eat pink fry
6 when there's no copopods around to eat. At least that's the
7 hypothesis that folks -- one of the hypothesis that's being
8 explored under the SEA program right now to try to explain some of
9 the vaguaries (ph) in the return of pink salmon from one year to
10 another. And, that -- the mussels take up the pristane, not
11 directly from the copopods apparently, because they're too big, but
12 when the copopods break up the pristane gets in the water, and the
13 copopods take it up as they're filtering the water, and it appears
14 that the mussels would be a very good -- the amount of pristane in
15 the mussels would be a very good indicator of the amount of
16 copopods that were actually present in the water column in the
17 spring for either the pinks to eat or to keep the pinks from being
18 eaten.

19 MS. FISCHER: Is there any other questions?

20 MR. BRODERSON: Do I need to go over that again? I do,
21 don't I.

22 DR. FRENCH: Very mystifying.

23 MS. BRODIE: It is mystifying, I'm sorry.

24 DR. FRENCH: The question I would ask Mark is, if this
25 project is relatively expensive (indiscernible - out of range of
26 microphone) to start with, is it going to create (indiscernible)

1 that's less expensive (indiscernible)

2 MR. BRODERSON: I'm pretty sure it would. That's a rather
3 expensive indicator that at some point -- the hope is at some point
4 you could go out there and take one or two batches of samples of
5 mussels, analyze for pristane, and have a pretty good indication of
6 the amount of copopods that you had previously. It would help you
7 make the prediction of how many pinks are going to return.

8 DR. FRENCH: It's still going to have to be done over
9 a variety of locations in the Sound if you have a variety of
10 hatcheries in the Sound ...

11 MR. BRODERSON: It ...

12 DR SPIES: One would think so, and then I -- seems to
13 me like it's a bright idea to have, may have some promise. Well,
14 a lot of factors have to go into one would -- for instance, the
15 pink fry, when they first enter the marine environment or
16 nearshore, then they fairly quickly move into the corridors, and
17 one would have to -- if it's the condition of the corridors, then
18 one would have to be assured that the -- collecting shore -- shore-
19 based mussels will actually reflect that, and there's -- there's a
20 number of questions that would come up. But, it seems like a
21 bright idea, I mean its ... I don't know what proportion of this --
22 this cost involves.

23 (Jim Diehl arrived at 8:45 a.m.)

24 MS. FISCHER: Okay, let's move on to 266. Is that --
25 does that satisfy everybody? John.

26 DR. FRENCH: Well -- let him finish his presentation.

1 I may move to make a motion afterwards.

2 MS. FISCHER: 266.

3 MR BRODERSON: 266 is a project that -- the focus of this
4 has changed several times trying to accommodate requests from
5 various and sundry members of the public. It's one we put together
6 after we got the proposal on PES 51, which was approximately half
7 a million dollars to clean one mussel bed, and that seemed a bit
8 high. And so, we put together -- this is basically an RFP to clean
9 three beaches -- three of the oiled beaches around Chenega, using
10 technologies that weren't available to us when the spill was
11 declared over. We had the pleasure of running three of the Trustee
12 Council members out to look at the beaches here in the last month,
13 and folks were surprised by the amount of oil on some of the
14 beaches still, and these beaches were primarily ones that were not
15 treated to any great extent back during clean-up days because of
16 the large bolder fields, etcetera. The technology just wasn't
17 there to do it. Everybody was hoping that Mother Nature would take
18 care of it. It's not going as quickly as one might have hoped.
19 Chenega in particular, because it's -- their subsistence area, has
20 -- requested us to look to see what conceivably could be done along
21 that line.

22 MS. FISCHER: Mark, Rupe has a question (indiscernible)

23 MR. ANDREWS: Mark, does the oil that's still in these
24 beach sites contain the same level of toxicity that we saw five
25 years ago, or what is that of toxicity now?

26 MR. BRODERSON: I can't put an absolute number on it. My

1 understanding is, is that the toxicity is gradually declining, but
2 there are places that we went out to here last month that you can
3 still smell the light end aromatic which, as you dig it up out of
4 the ground, which would tend to indicate to me that if there's
5 still a certain amount of toxicity associated with it. I do -- I
6 do not know the amount of toxicity associated with it. One of the
7 good things that really seems to bother the people of Chenega, and
8 we had some of them with us when we went to some of these sites,
9 was just the presence of the oil itself. There's a -- it's present
10 in many different forms. There's tar on the beaches sometimes in
11 long lens that is there. There are places where the subsurface oil
12 bleeds to the surface. There's long stains down the beaches.
13 There are rock faces with tar mats on them with spruce needles all
14 through it. It's there in many different forms. It unfortunately
15 doesn't seem to be going away as quickly as we hoped it might. I'm
16 not sure that we want to get involved into just more treatment as
17 we did in the past, and that's why we were trying to aim here at
18 what has come on to the scene since we last declared victory and
19 went home. That's - perhaps we can find some methods that are cost
20 effective here. One other approach that one could get the cost
21 down here is that rather than saying we're going to clean this
22 beach, one could make it more, we're going to look at -- at
23 treatment on this beach and just do small sections of them with
24 these alternative technologies, and then if something proves up,
25 then you go back in and do it on a larger scale at that point. I
26 don't think that would be as satisfying to the folks at Chenega,

1 but perhaps it's a half-of-a-loaf solution. Work there is
2 expensive. What we did here to come up with the costs on this
3 project, is three beaches, three hundred thousand dollars per
4 beach, two hundred thousand monitoring program, and some
5 administration on it and take care of it. There has to be state
6 people to oversee, basically is what it comes down to. You can't
7 just let it run on. So, if you ended up having the RFPs come back
8 for less than that, you'd spend less than that. The three hundred
9 thousand dollar number came from the many, many different projects
10 that have been proposed to DEC over the last five years. If I had
11 a nickel for every project that's been proposed, I could fund this
12 myself out of that. I wouldn't have to worry about it. There is
13 some basis for where the number came from, but I have to admit it's
14 essentially a placeholder per beach, based upon what we've heard
15 from various and sundry vendors trying to convince us they have the
16 best thing going to clean up oil spills.

17 MS. FISCHER: Okay, go ahead Rupe.

18 MR. ANDREWS: A quick follow-up here. A year and a half
19 ago this committee was in Prince William Sound, (indiscernible -
20 coughing) beaches we dug down a couple of feet and found oil. I
21 assume that this clean up would mean you'd have to dig down and dig
22 these beaches up to remove that oil that's -- it's actually not on
23 the surface, but below the surface.

24 (Indiscernible - simultaneous talking)

25 MR. BRODERSON: There's lenses of asphalt it's on the
26 surface. This past summer we went in and broke up asphalt lenses

1 on fifteen beaches where we could, using -- using Chenega as the
2 workers to do this work, where we could actually get in and
3 effectively do that, and it worked fairly well. There are other
4 beaches where those techniques wouldn't work, and so we didn't even
5 try it. They're primarily in large, boulder fields, there's
6 surface mousse in a lot of these beached. We went to five of them
7 within a ten mile radius -- or fifteen mile radius of the Village
8 of Chenega that we looked at, it was the worst five that I knew
9 about, so in a sense it was somewhat prejudicial, but by the same
10 token when you're looking at the effects of the beaches on the
11 folks that use and live on those beaches, you want to look at the
12 worst of it, not the best of it, because the -- it's the beaches
13 where Chenega used to spend a lot of time doing subsistence they
14 now feel they can't because of the oil present on those beaches.
15 I'd be reluctant to get into a huge program again cleaning up all
16 the beaches everywhere. I think if it ever does go this route, one
17 needs to focus on beaches that are primarily heavily subsistence
18 and recreation use, and let Mother Nature take care of most of it.
19 For example, one of the beaches is directly across from Chenega,
20 it's one every morning when they wake up, they look across and they
21 see it, and there's this long lens of oil that bleeds out of the
22 subsurface continuously that for several hundred yards, and every
23 time you go over there, there's oil on that beach, and that beach
24 has been cleaned several times. Perhaps one wants to say, well
25 we'll go clean that beach. There's a number of different mix and
26 match -- mix and match options that a person could do with this

1 project, depending upon how far down the road one wanted to go
2 here, but there are beaches that have not responded to natural
3 recovery as well as we hoped they would when we cut the clean-up
4 off several years ago. I don't have the answer, obviously, as I'm
5 sitting here giving you these various options. I do not know what
6 the answer is on this project.

7 (Lew Williams arrived at 8:53 a.m.)

8 MS. FISCHER: You know, Gail Evanoff was here and she
9 spoke about their beach, and especially this summer when the
10 weather was so nice, and some of you should remember this, when the
11 sun out, as warm as it got, the beach was sticky from oil. If you
12 remember that, she said they'd walk on that beach and it was
13 sticky. In the early days after the spill, the year -- the first
14 year and second year after the spill, Chenega virtually was
15 ignored. They were ignored by everybody. They were not taken care
16 of. Here, we want to donate money to a science center, and here is
17 an area, in my opinion, of people that this is their lifestyle, no
18 reflection against you, Mark, because you probably weren't involved
19 with that, but it saddening to think that we -- you know, are the
20 remark is, well we can't afford to do too much. Why can't we
21 afford to do too much? I mean, this is an area that's literally
22 damaged by the oil, but yet we'll build a science center. This is
23 the people's lifestyle. This is the way they live, you know, and
24 yet we're still kind of shoveling it under the shelf and it's still
25 being ignored, and I think we need to something, or make a
26 recommendation to work at Chenega. Pam.

1 MS. BRODIE: Thank you. Dr. Spies, you talked about
2 this yesterday, and it -- it's ranked as a two, not a one, could
3 you -- if -- as I recall, you said -- well, you had some concerns
4 about it, could you go into that again, please?

5 (Mary McBurney arrived at 8:55 p.m.)

6 DR. SPIES: There were a number of things that come to
7 reviewers when they look at this, and one was that there's this
8 great deal of uncertainty as to how serious the problem is. The
9 second thing is there hasn't been a lot of feedback, that I'm aware
10 of as far as the efforts that were done last summer, and perhaps
11 just because I'm not plugged into the process, but the efforts that
12 were done last summer, the break up of the asphalt, if that was --
13 the driver for that was a concern that the people at the village
14 had for the clean up, you know, how satisfactory they feel that
15 that job is done. So, that feedback loop is important to take into
16 account, and the third thing, I think, was the uncertainty of the -
17 - you know, what kind of technology is out there to actually
18 improve the clean up, to do things that were not available in the
19 past year or so. It was not, I think -- I think, Donna is
20 absolutely right if it's, you know, it's a beach in their backyard
21 something should probably be done. It's just not really clear
22 exactly what's going to work and the price tag is pretty large, so
23 I think we need to nail down some uncertainties here.

24 MS. BRODIE: Do you think that it's something that if
25 we waited another year, that we could do a better, more cost
26 effective job?

1 DR. SPIES: Not necessarily.

2 MS. BRODIE: Well, how do we go about nailing down this

3 -- the uncertainties?

4 DR. SPIES: Well, I think -- I think it probably needs

5 a little closer look at in -- in the review process. Obviously, it

6 doesn't sound like Mark's absolutely certain that we have the right

7 solution here. I think it deserves a lot of attention, but I don't

8 -- I don't know -- want to be careful that we don't just throw

9 money at it and try to make it better, and I'm not saying that this

10 is throwing money at it, but if -- we just need to be -- we need to

11 carefully consider what's -- what's undertaken here.

12 MS. BRODIE: Do you have a recommendation for us --

13 about this?

14 DR. SPIES: Not presently.

15 MS. FISCHER: Okay, can I ask one question, then I'll

16 let you guys. Dr. Spies, how many times have you been out there

17 and how many times have you seen the beach out there? Have you

18 been out there?

19 DR. SPIES: I've not been to Chenega. I've been to a

20 lot of other beaches in Prince William Sound. I've seen a lot of

21 subsurface oil.

22 MS. FISCHER: But you've heard over the past couple of

23 years that Chenega is very bad, and that it ...

24 DR. SPIES: I certainly have, uh-huh.

25 MS. FISCHER: Why then, hasn't this been a priority

26 then? I mean, to go look at it especially since this ...

1 DR. SPIES: We funded it last year to break up a lot
2 of -- I forget what the figure was -- we put a fair amount of money
3 into it. There was money -- the local people were involved in
4 breaking up the beaches, and I thought that would take care of the
5 problem, and it certainly was a start.

6 MS. FISCHER: Okay, John, you had a question?

7 DR. FRENCH: Yeah, I have a serious concern about this
8 type of a project, not that I'm not sensitive to the fact that the
9 oil is there, and the people are disturbed by the oil, but more so
10 because the people are disturbed the oil and they become very
11 sensitive to the fact that the oil is there. I'm concerned that
12 even if we manage to remove ninety percent of what was there, which
13 I don't think this project would do, why the remaining ten percent
14 would still keep those subsistence users away from those beaches,
15 and I wish Chuck was here to respond to that. But, what I've seen
16 working with subsistence users in other areas, once they become
17 sensitive to it, if they can find any tar balls in the area. It's
18 enough that -- that it tends to keep people away from it, even
19 though as a toxicologist I don't feel that that's an actual threat
20 to their health or their survival in any direct way. But, in terms
21 of their appreciation of the -- well, their ability to continue
22 their subsistence lifestyle if they're used to it, yes, it's
23 affected, but I'm not sure that this type of project is going to
24 restore that. I do think we should try to restore it, but I don't
25 -- I'm not convinced in my own heart that this type of project is
26 going to do so.

1 MS. FISCHER: Vern.

2 MR. McCORKLE: Madam Chair. I have been hoping that
3 something could happen for the people of Chenega for about two and
4 a half years, while we've been working on this project, and I'm not
5 convinced that we really have found a way to do that yet, but I'd
6 like to see the project move up in priority, and not to worry too
7 much about a million or so dollars that might be invested toward
8 trying to work on that project. I have an unusual circumstance in
9 that while I was city managing at St. Paul in 1976, a Japanese
10 oiler went on the rocks and put a whole lot of oil into a Salt (ph)
11 Lagoon, which is a very fragile area -- habitat, and ten years
12 later the oil -- and nothing was done to remove the oil, it just --
13 was let -- letting nature take its course. Ten or twelve years
14 later the oil was still there, but as we're finding at Chenega,
15 little, by little, by little, some of the oil is moving away. The
16 copopods died off for a couple of years, but began to come back.
17 We discovered that clams and crabs and oysters that had grown in
18 Salt Lagoon and were killed after the first -- you know, after the
19 first two or three years, have come back in great numbers, all as
20 a result of doing nothing. The people at St. Paul didn't use Salt
21 Lagoon until about 1986, about ten years later, when they began to
22 recreate it again and harvest clams. I think that it's probably a
23 sad thing if the people of Chenega have to wait for ten years to --
24 to begin to use their area again, and I think that we should make
25 sure that the people of Chenega are involved, as many of them as
26 who want to be. What will occur when the local people are involved

1 in doing the staid work, so to speak, is that they will also get a
2 feel for what -- what's involved, and they may be critical for
3 awhile, but as they begin over the years continue to work on that
4 project, they'll have some greater understanding for what the
5 scientific community is faced with, and short of removing all the
6 dirt -- to time -- okay. Oh, somebody's on the phone?

7 MS. FISCHER: We have Jim Ayers on the phone.

8 MR. McCORKLE: Well, Mr. Ayers you can wait a minute,
9 I'll be done in a minute. (Laughter) I'll be done -- I'll hurry
10 though. Short of removing all the dirt there, it's going to take
11 a number of years to do this. I just think we should put the money
12 to it, to -- to complete that project. I don't think we should be
13 skimping on dollars. So, now Mr. Ayers, it's your turn.

14 MS. FISCHER: Before we move on to Jim, maybe he can
15 hear us, I would like to know if anyone wants to take action on
16 these two projects? You kind of mentioned -- would anyone like to
17 make a motion?

18 UNKNOWN: Are we talking about 116 and 266?

19 MS. FISCHER: Yes -- 090. Go ahead, Mark.

20 MR. BRODERSON: I need about thirty seconds.

21 MS. FISCHER: Sure.

22 MR. BRODERSON: I agree with everything that Bob Spies was
23 saying in terms of the need to figure out where we're going on
24 this, and what we propose to do here was to do a joint writing of
25 the RFP with the Chief Scientist, peer reviewers, the other
26 agencies, Chenega, everyone to figure out an approach on this.

1 This project was put forward after the initial call for invitations
2 trying to respond to requests from the public. And so, it's not as
3 well thought out as it should be. I'd be the first person to admit
4 that. So, the approach is to go through and figure out the
5 approach before you spend great gobs of money, and have the
6 Executive Director or the Chief Scientist, everybody comfortable
7 with what that approach is going to be, and then, and only then do
8 you go ahead with the larger expenditure of money, once that
9 approach is figured out. You need to have money for the staff to
10 be able to figure out that approach, and that's the first step I
11 guess, in this kind of thing, and then step on down the road with
12 it once everyone is comfortable with it. If we don't become
13 comfortable with it, at that point you stop.

14 MS. FISCHER: But, I don't think it should be ignored
15 either. I think it needs to go forward, and needs to be checked --
16 worked with, with the people as well. You know, the people have
17 been working it. So, but something needs to be done, that needs to
18 be continuous.

19 DR. FRENCH: Madam Chair, I -- I don't think we're
20 going to resolve this right away, can we -- let's let Mr. Ayers ...

21 MS. FISCHER: Okay. Mark, can you hang around a bit?
22 Okay, we'll go ahead and go with Jim.

23 MS. McCAMMON: Jim, can you hear us?

24 MR. AYERS: Yes. I can hear most everybody when
25 they're speaking into (indiscernible - simultaneous talking)\

26 MS. McCAMMON: Okay, talk a few more minutes -- just a

1 few more seconds and we're trying to get a voice level for you.

2 MR. AYERS: Does that mean that whatever voice level
3 I'm using now is the one that I should maintain.

4 MS. FISCHER: No, we want you to yell, Jim.

5 MS. McCAMMON: Actually, we wanted it a little higher.

6 MR. AYERS: A little higher.

7 MS. McCAMMON: That's fine, we're ...

8 MR. AYERS: Is this better?

9 MS. McCAMMON: Yeah, you're coming in good.

10 MR. AYERS: Okay. I like it when that happens on the
11 airplane and they announce that we're coming in. I had an
12 interesting experience, they called it an "air hammer." I've never
13 been in an airplane that got hit with an "air hammer." In a clear
14 sky, there evidently is a unexplained turbulence, and so we were
15 flying along in this Northwest jet between Detroit and Washington,
16 D.C. and we hit an "air hammer," and it literally just -- sounded
17 like somebody just punched the side of the airplane, we kind of
18 just fell a little bit off to the side, and I've never kind of
19 experienced that before. So, I'm into kind of a spiritual
20 acknowledgement in my life. (Laughter) So, when you mentioned
21 that we're -- that I'm coming in good, I'm glad to hear that.
22 (Laughter) I just -- I'm sure that you've been covering the
23 general approach and where we are with major restoration efforts
24 and the proposals that are in for FY '95. Let me begin with, I
25 apologize for not being there. As you know, I have made the last
26 two meetings, and I fully intended to be at your meeting, when I

1 was requested to attend some major meetings immediately following
2 the "sine die" congressional ending here, and so I was called back
3 to Washington, D.C. and I'll be here for another three days, and
4 then I'll be there. So, I apologize for not being there. I'm sure
5 that any questions you may have of me though are in more than
6 capable hands and minds there. I'm glad to hear that you're
7 actually into detailed discussions of what -- it sounded like a
8 very detailed discussion of what -- what is happening in the
9 communities and how -- how can we better help with the restoration.
10 I'm going to say -- I just want to do a quick overview, and I'll
11 stop and see if there are questions of me. I think we have moved
12 forward with the PAG administration request, both in budget and
13 staff support, and if there -- if there is something that we've
14 over looked, please bring that up with Molly while you're there,
15 but I think we've accommodated everything. The meetings in the
16 communities might be a question, depends on where they are and how
17 many actually. There's a cost feature that is a little unclear to
18 me, it depends on where those meetings are. Within restoration --
19 within administration, which is 100 area, as you know, we have
20 reduced the budget again, and I think outstanding discussion that's
21 left there will be the information management system, which is down
22 in project 95089, and we have yet to get our arms around that. I
23 did pull it out of the packet from the Council of August 23rd
24 request, because I wanted to look at it a little further and get a
25 better definition before we actually got authorization, but that's
26 how to pull the information together, including the research

1 information, and then how to best make that information available
2 to the general public, for scientists and the agencies, and so that
3 project, which I believe, is a part of admin. I mean, someone
4 pointed out, well geez, you have that, isn't that really a part of
5 admin? Well, it could be. So, I don't want to unnecessarily
6 quibble about that. I -- I feel like we've continued to cut admin
7 at your request, and I think we've done so without harming any
8 program or projects or efforts. In monitoring and research, I
9 believe that through the Chief Scientist and peer review work,
10 which we are referring to as the core reviewers, I think we are
11 making great strides in moving towards an ecosystem adaptive
12 management process. I don't believe we're there. I think that
13 there are still projects that ought to be integrated. I think
14 there's some efforts that can -- can be made to further the
15 ecosystem approach, and I believe that we need to do that
16 prudently, and that means, I don't think we should just leap off
17 and -- and grab a bunch of projects and put them together, or just
18 slam some projects, or encourage people to slam some multiple
19 specie projects together and call that ecosystem. I think we have
20 to be careful and we have to be prudent, but I think we're making
21 progress. I'm enthusiastic and excited about the annual work
22 shops, and we will have an annual forum to discuss the status, and
23 I'm looking forward to having an opportunity where we have some
24 work sessions to get a good synthesis of the information, and then
25 have an annual status forum where we can actually bring people
26 together, and make that available, and open to the public, and

1 actually have community representatives sitting with scientists,
2 talking about where we are today, and where do we need to go from
3 here. Under -- and I think that that is one of the most
4 significant things that we are doing that is not going to leap to
5 the forefront. It's not a headliner, it's not -- it's not
6 something that's really, geez, isn't this exciting conversation at
7 the coffee pot, but it is something that I think that we're doing
8 that is the most important piece of our foundation, which is an
9 adaptive management approach with the scientist people from the
10 communities working together to synthesize information and look at
11 where we need to go next with restoration. Under general
12 restoration, there are several things going on, and -- it sounded
13 like that DEC and Mark Broderson is working with the communities
14 and working with the PAG and trying to describe how best to
15 approach both the development of methodology in some of these
16 efforts of general restoration, and also making sure that we don't
17 appear to be walking away from it. I think we have a good approach
18 to that, but I also think that it's important for you to know about
19 it. There's -- we're not walking away from it. We want to meet it
20 head on and see what is reasonable, and do it right, as opposed to
21 just spend money to -- for pressure reasons. I think we need to
22 spend money wisely, and we need to develop methodology that people
23 are comfortable with, and it's a matter of negotiation and planning
24 as much as it is just dumping money on something to satisfy people,
25 and I don't want us to ever get into that. I think we're all kind
26 of in this together, and we've moved beyond that particular mode.

1 Under general restoration, there are also a number of projects.
2 Let me say that one of the things I'm doing while I'm back here is
3 I am meeting with the Department of Justice. It is going to be
4 very difficult to proceed with any kind of -- and everybody has a
5 different word for this sentence -- some people call it fish
6 enhancement, some people call it fish intervention, some people
7 call it fish improvements, some people call it stream enhancement.
8 Let me just say that -- that based on my conversations with Bill
9 Brighton, who is an Assistant Attorney General in the Department of
10 Justice back here, their view is, and they believe that there have
11 been any number of inquiries about the issue of hatcheries, and not
12 just Alaska, but other places, but that the issue is of such a
13 nature, in restoration within the Exxon Valdez oil spill effort,
14 that fisheries enhancement or fisheries intervention, hatcheries,
15 putting eggs in streams, those things which actually have to do
16 with biological intervention, and the reason I'm separating that
17 from some physical intervention, they're saying if you want to go
18 in and restore stream beds, we understand that, you might have to
19 talk to the Corps of Engineers about how much you're going to do,
20 but we understand that, but if you're actually going to produce
21 fish, if you're going to put eggs or smolt or fry, if you're going
22 to involve yourself in biological intervention, then someone is
23 going to have to pursue an EIS. Now, we talked about an EA, and I
24 think that -- I don't know how that -- they're coming out on that,
25 whether they're going to say, well, okay, you can do an EA, but we
26 think it's going to take an EIS, but if you can get an EA that

1 fully explains the scientific value of that activity, and how
2 management is going to be a part of that, so that you're actually
3 managing -- you're managing the resource and you're having this
4 biological intervention program for the purposes of -- demonstrated
5 purposes of restoring wild stocks; if it's scientifically sound and
6 there is a management component, which is policy, obviously, is a
7 part of that or a component that is -- that can be explained, that
8 leads to a rationale legal logic that you're restoring wild stocks
9 that have been injured by the Exxon Valdez oil spill, then that's
10 when they believe you can submit a project for that kind of
11 activity. And, I think that's one of the more -- I know that many
12 of you have been interested in that issue, and I've been trying to
13 get to the bottom of that, so that's one of the other things I'm
14 trying to do, now, and that's what I've recently been told, that
15 we're going to have to pursue an EA or an EIS before we can
16 actually get into the discussion of whether a project is
17 appropriate or not. And -- and I'll come back to that if you want
18 to. Habitat acquisition-- habitat acquisition, as many of you have
19 commented on, we are moving forward according to the preferred
20 alternative, no action can be taken until after the Record of
21 Decision is signed on October 31st, and we are in several
22 negotiations and appraisals. The process is moving forward, but
23 with the understanding, we've heard you loud and clear saying it
24 should be spill-wide, not just focused on one particular
25 geographical area, and it ought to be across the injured resources.
26 So, we are moving forward. There are lots of different

1 discussions; the appraisal process has been very complex. It is
2 very difficult to appraise land in remote Alaska, and it certainly
3 is more than many people have bargained for, I think, it's safe to
4 say, and it -- it is moving slowly. I anticipate that in November,
5 hopefully, we will be able to move forward depending on -- after
6 the Record of Decision is signed and we've done a full assessment
7 of appraisals completed and negotiations, hopefully -- I'm hoping
8 that we can do something in the -- in the Kodiak area and in the
9 Prince William Sound area, and in the northern Afognak-Shuyak area.
10 For those of you who are saying -- wondering, well, what does that
11 mean, I'm hoping -- we are not going to have everything done at the
12 same time, I'm hoping we can move forward with getting the
13 appraisal completed and negotiations completed with Chenega, and
14 I'm hoping that we can do the same for at least Shuyak at this
15 point, and southern Kodiak. We're also intending to do that in a
16 fashion that doesn't preclude any future acquisitions, but
17 eventually all of it would be accomplished within the range that's
18 in the EIS preferred alternative. So, I'm going to stop there.
19 That's a quick overview of what I know, at this point, but I'd be
20 glad to answer questions, then I'm going to run off to this next
21 meeting.

22 MS. FISCHER: Morning, Jim, this is Donna. Are there
23 any questions from the PAG members? Anyone wants to ask Jim
24 anything? They're thinking, Jim.

25 MR. AYERS: Was that the kind of information, Donna,
26 that people were -- I also, you know, don't want to tell you things

1 that you're not interested in. If there's something else that you
2 wanted me to cover that I didn't, let me know.

3 MS. FISCHER: John French.

4 DR. FRENCH: Jim, this is John French. Yeah, I think
5 with respect to the questions of -- especially with respect to
6 hatcheries have -- information was very useful. One of the
7 projects we were just discussing was DEC's proposal to look at
8 various -- well, at least part of us looking at various chemical
9 remediation techniques. Are those going to have to require full
10 EIS also?

11 MR. AYERS: I -- I don't know that. I was trying --
12 I will try further to ferret out -- when they talk about biological
13 intervention, what -- what they mean. I suspect, not knowing what
14 the specific methodology is that DEC is talking about at this
15 point. If they're talking about in-stream or in the marine
16 environment, I suspect that it will. If they're talking about
17 going in and performing some clean-up and then seeing how that
18 clean up works, it may not. But, if they're talking about going in
19 and doing some test driving on some sort of chemical clean-up
20 technique and it is in the marine environment, then I think we're
21 going to at least hear about it.

22 DR. FRENCH: Okay, thanks, Jim. I don't think -- I'm
23 not ever sure DEC is sure exactly what type of remediation their
24 trying to look at. I think they're talking about an RFP or some
25 type of outside process to get the suggestions. I know that one of
26 the original ones is the PES 51 one, but I think that tells us

1 enough about where we are.

2 MR. AYERS: Okay.

3 MS. FISCHER: Are there any other questions or comments
4 to Jim?

5 MR. AYERS: Donna, I wanted to know if people felt --
6 I'm sorry ...

7 MS. FISCHER: Go ahead.

8 MR. AYERS: ... if people felt comfortable that we --
9 I mean we are making some progress, EIS is about to be completed,
10 the ROD will hopefully be signed October 31st, behind that,
11 hopefully, the Council will take action on a final restoration
12 plan, and immediately behind that a '95 work plan, including
13 signing of a Record of Decision on the research institute and the
14 creation of a reserve. And, I know the PAG in the past has been
15 some what critical, one, of not being involved, and two, not making
16 progress. I just wondered if you're feeling better about -- and I
17 know you're not going to say it's perfect yet, but are you feeling
18 better about your involvement, and about progress?

19 MS. FISCHER: Speaking for myself, Jim, yes. I feel
20 like the progress is there, I feel that the involvement has
21 probably made a 180 degree turn for the better, and going in the
22 right direction, as far as I'm concerned, and I think the creation
23 of a reserve is exactly what's needed. I think from the letters
24 and response from the PAG members that that was one of the things
25 they all had a concern about, and you guys listened, that's my
26 feeling. Pam, would like to say something.

1 MS. BRODIE: Yes, Mr. Ayers, I really would like to
2 compliment you and your staff on having done an enormous amount of
3 work on time, meeting deadlines, and I think it's really been
4 extraordinary. And, also I was saying to Ms. McCammon yesterday
5 that I think that the way the work plan information has been
6 presented is much easier to understand now than in the past. The
7 way projects have been clustered, and the way we're given questions
8 that the Trustees are asking, and how the projects are designed to
9 answer the questions. All of this may have existed in people's
10 minds in the past, but it certainly was not made clear to the
11 public, and so it seemed, whether accurately or not, to be just a
12 random group of projects being presented, and this is a big
13 improvement.

14 MS. FISCHER: Anyone else care to make a comment? Lew
15 Williams.

16 MR. WILLIAMS: Yeah, Jim, this is Lew Williams. I just
17 want to second what Pam said, that for the first time I feel like
18 we're getting something done efficiently because we have this put
19 before us in an easily understood manner for a public member who
20 lacks scientific background that all the other people involved in
21 this have, so just keep up the good work.

22 MS. FISCHER: Vern McCorkle.

23 MR. MCCORKLE: Thanks also, Jim. I'll third that. I
24 really do like to see the programs organized the way they are
25 because it's very easy for people who are busy to try and get some
26 kind of grasp of what's going on. The only thing, and it may be in

1 the literature, and I might not have picked it up, but it would be
2 helpful for me to know, to have a little report on -- on scientific
3 work in progress, and what is happening to it. It doesn't need to
4 be lengthy, but just a tiny sketch of work in progress would be
5 helpful to because that's the part that I'm missing. But, I think,
6 in the main, this is a wonderful presentation this year.

7 MR. AYERS: I appreciate it, and let me say that it is
8 the result of the hard work of the staff and -- and that the
9 liaisons -- actually the agencies have joined hands, and I think
10 that you're -- you know, many of you've talked to me about the
11 internal, bureaucratic conflict, and I think you've seen that set
12 aside, and I think that a lot of the positive motion and the
13 progress is a result of people working together, and, as you point
14 out, staff actually pulling information together in a readable
15 fashion, and to the extent possible, taking kind of the covers off
16 of all the -- the information, the massive amount of information,
17 and trying to present it in a -- in a format that is not only
18 presentable, but timely. With regard to the progress of the
19 various things that are going on, there's two or three levels of
20 that, and I'm about to leave for this other meeting over at
21 Department of Agriculture, but let me say that I think that a
22 number of people, including Veronica and Sandra, staff people who
23 have helped pull together, where -- where the progress is on
24 projects all the way back to those projects that were begun in '92
25 that ought to be in a condition of final report, to those projects
26 that are now ongoing, and then Molly's got a list of the various

1 activities, actually there's a big map on her wall of our critical
2 path analysis of the major things that are currently going on, and
3 what the deadlines are for those. And, what I would suggest is
4 that Molly cover that, those kind of three levels of information
5 that are all within your question, and I'm not sure which one you
6 were really after, whether you were after all three levels. But,
7 I'd ask that Molly cover that and then I'm going to run off, and I
8 apologize again that I'm back here, and I think it's -- I think
9 it's good for all of us that I am back here, but I do apologize for
10 not being there and I look forward to talking to you soon.

11 MS. FISCHER: Jim, yeah, we've missed you here, but we
12 understand. And another person, I think too that, we're kind of
13 amiss at not mentioning is also the Chief Scientist, Dr. Spies.
14 He's played a big part in this and we appreciate it, his
15 contribution too, all the information that we've received, the
16 decisions that he's helped pull together. I think a lot of this
17 wouldn't have come about had it not been for Dr. Spies, of course,
18 under your direction -- directorship, and with Molly, I think, we
19 really feel comfortable here as the PAG members.

20 MR. AYERS: Good, good. Well, I think with you we
21 have a good team now, and I think that we're -- you know, I think
22 it's the right team, I think people are able to converse with each
23 other when there is a conflict, and frequently conflicts are a
24 matter of perception, we're able to clarify what the conflict is
25 and then resolve them rather than letting them stew, and I think
26 that's very healthy for this -- for this team that we have right

1 now, and I appreciate what -- what you're doing. Dr. Spies and our
2 core review process is going to continue to be an integral part of
3 the PAG's available resources, and as we put these workshops
4 together, again we will involve the PAG in both the workshops and
5 ultimately the annual meeting. And so, thanks again, and I'll talk
6 to you later.

7 MS. FISCHER: Have a good day, Jim.

8 MR. AYERS: Thank you.

9 MS. FISCHER: Thank you for calling. All right, we're
10 going to go back to the two that we were on, 090 and 266, Mark are
11 you -- are there any other ...

12 DR. FRENCH: Madam Chair.

13 MS. FISCHER: Yes, John.

14 DR. FRENCH: To try to facilitate things, I'd like to
15 move that we take both of these forward with positive
16 recommendations

17 MR. McCORKLE Second the motion.

18 MS. FISCHER: Okay, I hear a motion and a second by
19 Vern. All in -- any discussion? Jim, Mr. King.

20 MR. KING: I feel like we ought to endorse the
21 process that's going on. The proposal is a little vague, but we've
22 been told it's going to be sharpened up, so that's what I would
23 like to endorse, the sharpening up and the concept of the thing,
24 and maybe the Trustee Council will want to look at the price tag,
25 more in depth later on.

26 MS. FISCHER: Vern.

1 MR. McCORKLE: Also, further that same point, I'm going
2 to vote in favor of the motion, but I do recall in discussion that
3 Mark told us that there was going to be some review as to how to
4 best go forward, and a lot of consideration would go into that part
5 of the process, and I think that's important and critical to it's
6 overall success at the end of the line.

7 MS. FISCHER: Okay. Oh, Pam.

8 MS. BRODIE: I'd like to offer an amendment that we
9 endorse the concept of these clean ups pending the -- not sure how
10 to say this -- pending revisions that are satisfactory to the
11 scientists involved Dr. Spies, could you help me with this?

12 DR. SPIES: Sure, further review and refinement.

13 MS. FISCHER: Okay, with further review and refinement.

14 DR. SPIES: Does that capture your thought?

15 DR. FRENCH: Add environmental assessment to that so we
16 don't have to make yet another (indiscernible - simultaneous
17 talking)

18 MS. BRODIE: Sounds good.

19 MS. FISCHER: Do you want to withdraw you motion and
20 make a new motion to include all that, John? Would that be all
21 right with the second?

22 DR. FRENCH: Yeah, that's fine. You want me to try to
23 ...

24 MS. FISCHER: Yeah.

25 MR. McCORKLE: ... second to the amendment?

26 MS. FISCHER: No.

1 MR. ANDREWS: I'll second.

2 MR. McCORKLE: Okay, no there isn't, okay. I'd like to
3 speak to that.

4 MS. FISCHER: Okay, go ahead.

5 MR. McCORKLE: I certainly appreciate the spirit of the
6 amendment, but what I don't like about it is that we are adopting
7 the concept, we're not adopting any action, and I am opposed to
8 adopting a concept here. I want action on this program.

9 MS. McBURNEY: Madam Chair. I need clarification.

10 MS. FISCHER: Yes, Mary.

11 MS. McBURNEY: I -- I apologize for being a bit late this
12 morning, but -- so this may have already been covered, but as far
13 as the price tag on 266, is that a generous ballpark for
14 accomplishing the objectives of this project? Or, is this
15 basically a pretty realistic estimate of what's going to be
16 necessary to undertake this project.

17 MS. FISCHER: I'm going to let Mark answer that because
18 from the way they were talking that just is -- still unsettled, and
19 still have to fine tune a lot of the project in that, isn't that
20 right, Mark?

21 MR. BRODERSON: Yes, that's correct, and in the write up
22 for the project, I think would capture all of the proposed
23 amendment ideas, and they're actually laid out in the proposal that
24 this is how it will be done, and all of the things that you were
25 talking about need to be captured before the project goes ahead.
26 In terms of the dollar amounts here, it's partially dependent upon

1 approach. Is it -- so you can go at -- approaching so you can
2 clean a beach, or you're going to approach that you're trying to
3 prove up a method and then clean a beach. And, the cost between
4 the two is very different, or potentially very different. The one
5 that's laid out here is the price we think to clean the beach. I
6 think that, as part of the review, we will look at both of these
7 approaches, and conceivably we'll drop down to the lesser cost
8 approach. But, we don't want to get into proving up brand new
9 technology, that's not part of what we're here about. But, we do
10 want to look at new methods that have come along that have been
11 accepted by EPA, but not necessarily tried in cold water areas. We
12 don't want to do a major scale project on something we're not sure
13 will work. That's -- that's -- but at the same token, we don't
14 want to forget about this. We're trying to take rather a
15 conservative approach to something without letting it disappear
16 from the radar screen.

17 MS. MCBURNEY: 266 is dealing primarily with mechanical
18 clean up methods?

19 MR. BRODERSON: One of the most promising ones we have on
20 the horizon right now is microbe that the Israelies have recently
21 developed and used on their own beaches. It's much warmer in the
22 Mediterranean than here, it's much sandier than here. I would very
23 much like to try that method here. It's been tried on a limited
24 basis on the North Slope and also in Dutch Harbor, but never in the
25 intertidal. It's ...

26 MS. FISCHER: Has it been successful?

1 MR. BRODERSON: It's been quite successful.

2 MS. FISCHER: Rupert.

3 MR. ANDREWS: Yes, I'd like to make an amendment to this
4 motion that the Chief Scientist visit these beaches in Chenega and
5 make recommendations.

6 MR. BRODERSON: We have videos of all of the beaches that
7 perhaps we could show him. He unfortunately was unavailable and we
8 waited for weeks to get the weather that we needed in order to go
9 down there. The original intent was that he go along with us, but
10 it didn't work out. So, perhaps the videos would suffice.

11 MR. ANDREWS: Yes, okay, I'll -- I didn't get a second
12 so I'll withdraw the amendment anyway.

13 DR. SPIES: I brought sunblocker this time.

14 MS. McCAMMON: Mark, you might also mention the process
15 that takes place. That if the Trustees take action on a particular
16 project, they're voting on basically a three page, what we call a
17 brief project description. The process that happens afterwards is
18 that who ever proposes the project develops what we call a detailed
19 project description, which goes into extensive length as to what is
20 actually done. That detailed project description is also reviewed
21 by the Chief Scientist and peer reviewers, and there is often
22 substantial revision, and it goes through a much more detailed
23 review process. And, before a project can actually go forward, you
24 need the approval of the Chief Scientist and the Executive Director
25 with a detailed project description. So, there is several
26 additional layers of review even after a process is approved.

1 MS. FISCHER: I think my main concern is that I know two
2 possibly three years that Chenega was ignored. I mean, literally
3 ignored, and I just think we owe it to them out of the settlement
4 to do something for them, and I think that they do deserve that.
5 I mean, that's my opinion. Vern.

6 MR. McCORKLE: Two points, the reason I can vote for this
7 motion is because I'm aware of that extensive review prior to
8 spending the first dollar, except for the review dollars, and
9 second in the budgetary process I'm aware that the figures that are
10 involved here would not be exceeded, but might be less, so I feel
11 comfortable on that basis too.

12 UNKNOWN: Move for question.

13 MS. FISCHER: Okay ...

14 MS. McBURNEY: Madam Chair, one other thing. I'm sort of
15 waiting for John French to jump up with one of his wonderful, how
16 about a cap on this group of projects, and I would like to perhaps
17 open just that possibility for discussion, just briefly. I'm
18 curious as to whether proposing a cap of say a million dollars to
19 accomplish both of these projects would be sufficient, realizing
20 that there's plenty of wiggle room it sounds, especially with
21 project 266, and that way we would at least provide for some
22 funding, or at least make our own recommendation as to what we feel
23 that funding might be, and then we can just move on.

24 MS. FISCHER: Mark, what would that do to your budget,
25 would that be ...

26 MR. BRODERSON: What we tried to do here is come up with

1 a cost effective method of looking at several technologies.
2 Whether you look at one technology or several, you have basically
3 the same administrative -- very, very close to the same
4 administrative costs and development costs, etcetera, associated
5 with them. We tried to come up with a balance between one, which
6 would then have quite a bit of administrative costs, essentially on
7 a per unit basis, versus several. Settled at three -- three
8 hundred thousand dollars per site if you're actually going to clean
9 a beach, it's probably very, very skimpy based upon what Exxon
10 spent during the clean up on some of these beaches. If we use the
11 approach of trying to prove up the technology on a beach, but not
12 actually trying to clean the whole beach, three hundred thousand is
13 probably very ample per beach. I'm reluctant to say what it would
14 do to the project because obviously this thing has not been
15 factored out as far as it should be. It's only been on the books
16 here for a couple of months, and there's been an awful lot of other
17 projects going on. Part of the project is developing the project.
18 I'm -- appreciate the indulgence of the group to basically let us
19 do that work with this as a cap and we will try and expend as
20 little of it as possible, and yet still get the job done. DEC has
21 a long history of returning funds from projects when we figure out
22 ways to do them cheaper as we get into the projects. I would hope
23 we could do it here again.

24 MS. McBURNEY: I'd like to -- I'm kind of lost in our
25 process here, do we have a motion on the table.

26 MR. FISCHER: All we've got is an amendment to a motion,

1 Mary.

2 MS. MCBURNEY: Why don't you clear that, and then I'll
3 amend again, perhaps.

4 MS. FISCHER: Vote on the amendment to accept the
5 concept pending further review and refinement and an environment
6 assessment. All in favor? Okay. All opposed?

7 MR. WILLIAMS: And, I'm voting for four people.

8 MS. FISCHER: Okay.

9 MS. MCBURNEY: And I hold two.

10 MS. FISCHER: Okay. We've got to do a voice vote. Doug
11 will call -- roll call.

12 MR. MUTTER: All in favor, Rupe Andrews.

13 MR. ANDREWS: Yes.

14 MR. MUTTER: Pamela Brodie.

15 MS. BRODIE: Yes.

16 MR. MUTTER: James Cloud.

17 MR. MCCORKLE: No.

18 MR. MUTTER: James Diehl.

19 MR. DIEHL: Yes.

20 MR. MUTTER: Richard Eliason.

21 MR. MCCORKLE: No.

22 MR. MUTTER: Donna Fischer.

23 MS. FISCHER: No.

24 MR. MUTTER: John French.

25 DR. FRENCH: Yes.

26 MR. MUTTER: James King.

1 MR. KING: Yes.

2 MR. MUTTER: Vern McCorkle.

3 MR. McCORKLE: No.

4 MR. MUTTER: Gerald McCune.

5 MR. McBURNEY: No.

6 MR. MUTTER: Mr. McMullen.

7 MR. McBURNEY: No.

8 MR. MUTTER: Lew Williams.

9 MR. WILLIAMS: Yes.

10 (Aside comments)

11 MR. MUTTER: John Sturgeon

12 UNKNOWN: Yes.

13 MS. FISCHER: Okay, it passed -- motion passes -- or the

14 amendment passes, now we've got to go back to the original motion.

15 (Aside comments)

16 DR. FRENCH: I object Madam Chair, we have official

17 voting alternate. Jim's -- Vern does appropriately hold the other

18 public-at-large ones because those are designated as other public-

19 at-large members, as the voting alternates. However, John Sturgeon

20 has an alternate of Kim Benton, I forget who Chuck Totemoff's is,

21 but it is designated and they're not present.

22 MR. McCORKLE: Is your objection taken on the fact that -

23 - the proxy was passed by telephone?

24 DR. FRENCH: No, it's ...

25 MR. McCORKLE: If they were passed by writing, it would

26 pass.

1 DR. FRENCH: No, it would.
2 MR. McCORKLE: Yes, it would.
3 DR. FRENCH: I do not believe so, according to our
4 rules.
5 MR. McCORKLE: Our rules do not say that you can't
6 appoint anyone you know -- anybody you -- our rules say you may
7 appoint anybody you wish in writing.
8 DR. FRENCH: Our rule is you will have a voting
9 alternate, a singular voting alternate.
10 MR. McCORKLE: Correct.
11 DR. FRENCH: Designated and approved by Trustee
12 Council.
13 MR. McCORKLE: That's correct, I stand corrected. I
14 forgot about that approval.
15 MR. ANDREWS: This is really important, let's get on
16 with it.
17 MR. McCORKLE: Yeah.
18 DR. FRENCH: So, let's get on ...
19 MR. McCORKLE: So, cancel Kim Benton's vote.
20 MR. MUTTER: Okay, thank you.
21 MS. BRODIE: Motion failed?
22 MS. FISCHER: Yeah, it failed. Okay, that's the
23 amendment, the amendment failed. Okay what was the original --
24 okay was this for -- where am I -- the original amendment was to
25 support the agencies and taking care of 090 and 266, is that not
26 right John?

1 DR. FRENCH: Yes, you're right, funding of those two
2 projects, yes.

3 MS. FISCHER: Okay. All in favor signify by raising
4 your right hand. (Andrews, Cloud (McCorkle), Diehl, Eliason
5 (McCorkle), Fischer, French, King, McCorkle, McCune (McBurney),
6 McMullen (McBurney), Williams) All opposed? One opposed (Brodie).
7 Motion passes. Okay, let's take a five minute break and then come
8 back. Now, I mean five minutes, folks.

9 (Off Record 9:43)

10 (On Record 9:50)

11 MS. FISCHER: Okay, we have two things that have been
12 brought up to us that we need to go over, and Doug is going to
13 introduce them to the record, the proxies.

14 MR. MUTTER: Okay, the current proxies I have is Vern
15 McCorkle holds James Cloud's vote and Richard Eliason's vote, both
16 public-at-large members, and Mary McBurney holds Gerald McCune and
17 John McMullen, commercial fisheries and aquaculture votes. The
18 end.

19 MR. WILLIAMS: Okay, and I think Vern McCorkle is leaving
20 and he's been -- asked Lew Williams to take the public-at-large
21 vote, so he's going to be holding that until he returns. Is that
22 right?

23 MR. WILLIAMS: If that's what you say, Madam Chairman,
24 that's what you mean.

25 MS. FISCHER: He'll be back in a few minutes. Okay, we
26 have the draft resolution in front of us. Has everybody had a

1 chance to read it, or everybody should have had a chance to read
2 it. It's right there in front of you, and I asked everybody to
3 read it during the break. So, I'd like to entertain a motion on
4 this.

5 MR. ANDREWS: Move to adopt resolution.

6 DR. FRENCH: Second.

7 MS. FISCHER: Okay, Doug.

8 MR. MUTTER: I suggest you wait for Vern, he has three
9 votes.

10 (Long Pause)

11 MS. FISCHER: Vern, before you take off, we'd like to do
12 a vote on this resolution. It's already been moved and second;.
13 Rupe moved and Lew second, I think -- was it you or John -- John,
14 John French. Any discussion on the motion -- on the resolution.
15 Go ahead, Mary, excuse me.

16 MS. MCBURNEY: As far as the issues of particular
17 concern, dropping down to the fourth one, "a need to ensure that
18 future Trustee Council project funding is appropriately balanced
19 between on-going, field-based ecosystem research efforts and new
20 laboratory-based research efforts that the proposed facility would
21 support," it doesn't quite go as far as I had intended in my
22 comments yesterday. Things such as appropriately balanced is a
23 little too weasel-wordy for me, and it -- doesn't really quite
24 address the issues that future projects may not be directed toward
25 this research institute, as a way of keeping it afloat. And,
26 particularly I see a loop-hole here with the new laboratory-based

1 research efforts that the proposed facility would support. Well,
2 earlier in this sentence, it does not address other laboratory
3 research facilities that are currently available that might
4 potentially be used for certain projects, and I see that as being
5 a bias that should be addressed, whether it is Kodiak, Cordova,
6 Auke Bay, other places might be more appropriately utilized. I'm
7 not exactly at a point to propose some additional wording, I
8 haven't sat down to really think about how I would like to rephrase
9 that, but before we vote on it, I would like to have that
10 clarified.

11 MS. McCAMMON: Madam Chair, is it in essence that the
12 concept that any new research efforts that would use, that would
13 make use of this facility, not be taken at the expense of current,
14 important ongoing ecosystem research efforts, or something to that
15 effect.

16 MS. McBURNEY: Well, that's part of it. My primary
17 concern is that -- it was a leap of faith number two, that if you
18 build it they will come. Well, if they don't come, or don't come
19 quickly enough, there may be a tendency to direct research efforts
20 toward the institute so that the facilities are utilized, and
21 that's what I would like to avoid. I would like to make sure that
22 there's not going to be an inherent biased to direct research
23 efforts toward the institute, simply because they need it.

24 DR. FRENCH: Can I try some language ...

25 MS. FISCHER: Yes.

26 DR. FRENCH: Okay this -- there's a possible proposed

1 amendment or addition. I don't -- I guess I'm proposing to add
2 this to item number four, although it could stand by itself.
3 Future Trustee Council projects using the proposed facility, will
4 not be given priority over other projects based on the location of
5 the project activities. Is that it?

6 MS. McBURNEY: Yes, I would concur to that, and in fact
7 I would like to see that adopted perhaps as a fifth item, stand
8 alone.

9 DR. FRENCH: Fifth item as opposed -- to stand alone.
10 I'll propose that we amend it and just adding it as a fifth item.

11 MS. FISCHER: Will you reword that again, then, or will
12 you repeat that again?

13 DR. FRENCH: "Future Trustee Council projects using the
14 proposed facilities, will not be given priority over other projects
15 based on the location of the project activities."

16 MS. FISCHER: Very good. Did you get that Molly.

17 MS. McCAMMON: I'm getting it.

18 DR. FRENCH: One more time.

19 MS. FISCHER: One more time, and go slow.

20 DR. FRENCH: "Future Trustee Council projects using the
21 proposed facilities, will not be given priority over other projects
22 based on the location of the project activities."

23 MR. McCORKLE: John, you're saying that projects directly
24 related to the oil spill have the priorities.

25 DR. FRENCH: Both -- I think the item that's here says
26 that. What I'm saying if a project is proposed say to, well say

1 looking at -- say looking at fish biointergentics (ph), that's one
2 that we can easily envision having -- doing it in several different
3 locations. If it was proposed to be done in Kodiak or Auke Bay, it
4 wouldn't necessarily be given priority to Seward because that's the
5 location where it's proposed to be. If it's good project, it will
6 be funded for which ever location it's proposed for, for Cordova,
7 for (indiscernible - simultaneous talking)

8 MS. FISCHER: Is there a second on that amendment?

9 MS. McBURNEY: I second.

10 MS. FISCHER: Okay, can this be brought back to us after
11 lunch, as amended?

12 MS. McCAMMON: Yes, no problem.

13 MS. FISCHER: Any discussion on the amendment? Pam.

14 MS. BRODIE: I favor the amendment, but I don't think
15 it will work. I think, in fact, if this facility is built and it
16 needs money, the Trustees will want to support it and they will in
17 fact favor these projects.

18 MS. FISCHER: Mary.

19 MS. McBURNEY: And, in response to that, I have every
20 confidence that that will happen also, but I would like it to be on
21 the record that the Public Advisory Group does not intend for that
22 to happen.

23 MS. FISCHER: Good idea. Vern.

24 MR. McCORKLE: Madam Chairman, I really don't mind if
25 work is assigned to a scientific agency, if it's competent to do
26 the work, and there's nothing wrong with sending work to the Seward

1 facility, unless it would be to the detriment of other facilities
2 that are equally capable of doing the work, or suddenly there
3 should be a -- all the work is assigned there. So, there's nothing
4 wrong with saying this is a facility we built, let's use it. But,
5 I don't think we should use it to the detriment of other bona fide
6 facilities.

7 MS. FISCHER: And, that's basically what the amendment
8 addresses.

9 DR. FRENCH: I would tend to concur with Ms. Brodie's
10 suggestion that it's not likely to have much affect. I mean, some
11 people have even suggested that the restoration reserve might end
12 up being used as the operating funds for the -- for the center.
13 I'm concerned about that, but I don't see that we have much
14 recourse on this, that point of this -- time.

15 MS. MCBURNEY: Recourse we may not have, but the public
16 record we do.

17 MS. FISCHER: All in favor of the motion.

18 ALL PAG MEMBERS: Aye.

19 MS. FISCHER: Any opposed? (None opposed) That's the
20 amendment, I'm sorry -- the amendment to the motion.

21 MS. McCAMMON: Madam Chair, actually there is one thing
22 that Mr. Andrews brought up that isn't covered in this resolution,
23 and that is the concept that EVOS research would have priority for
24 use of the facility, and we had discussed that yesterday, and it
25 really isn't included in that. And, that is actually a concern
26 among a number of people who actually believe that they will come,

1 but the "they" out there is much larger within general marine
2 research and other non-EVOS research, and there was a concern that
3 EVOS projects would have a hard time getting in the door. So that
4 you might -- I just offer that as a possibility.

5 MS. FISCHER: Okay, is there any discussion? Pam.

6 MS. BRODIE: I'm concerned about the second to the last
7 particular concern -- "the need to ensure adequate housing
8 resources are available." I'm not sure what that means. If it
9 means that the -- that part of this project means subsidizing
10 housing for the researchers, it ups the cost and I don't think
11 that's appropriate. I know, I heard what Jim King was saying about
12 this, but I think Seward is very different situation than Barrow,
13 and that -- that building this housing -- available housing, I
14 think is appropriate to the private sector, not -- or I don't
15 believe that public money should be involved in that. So, I would
16 offer a motion to remove that one.

17 MR. McCORKLE: I'll second.

18 MS. FISCHER: Okay, we have a motion and a second to
19 remove to ensure adequate housing. Rupert.

20 MR. ANDREWS: Yeah, just under discussion. We heard
21 from the architect and I can tell you from experience, that the
22 number of visitors arriving in Seward each year is increasing. I
23 think we heard a figure of half a million visitors from the tour
24 ship industry to that community. It's an important recreational,
25 salt water fishing area for the southcentral population, and prices
26 for hotel, when you can get one, a hotel room during the summer

1 months in Seward are pretty high, and I think Jim has a got a point
2 here when he talks about researchers with small grants, rather than
3 use a significant portion of that grant for housing they'd rather
4 use it for the research work. I don't know what it would cost to
5 have some kind of housing available at the facility, but I think,
6 as I remember the architect's discussion yesterday, it's being
7 planned for anyway. But, I think housing is going to be a very
8 important factor down there. Seward is just going to get bigger as
9 a tourist community.

10 MS. FISCHER: Mary.

11 MS. McBURNEY: I don't wish to make this comment to
12 minimize the importance of housing, but since this resolution is
13 drafted in support of the capital -- research capital improvements
14 that are necessary, that's what the Trustee Council is being asked
15 to fund. I don't feel that subsidized housing or providing housing
16 units, or APCO trailers in the parking lot, or what -- however they
17 might deal with that issue, is really a part of the proposal, that
18 -- what we're supporting is really for the research component, and
19 for the actual research facilities.

20 MS. FISCHER: Lew.

21 MR. WILLIAMS: I think if we pass this thing, we should
22 amend that particular thing to ask that the City of Seward assure
23 that there's adequate affordable housing resources, because this is
24 their project, and if they're going to go through with it, we're
25 going to ask them to make sure that there's housing there.

26 MS. McCORKLE: If you'll make that an amendment, I'll

1 second it.

2 MS. WILLIAMS: Well there's ...

3 MS. BRODIE: Well, as maker of the motion, I will
4 accept that (indiscernible)

5 MR. WILLIAMS: And, that would just change the thing,
6 instead of ...

7 MS. FISCHER: need to ensure that the City of Seward
8 provide adequate housing ...

9 MR. WILLIAMS: Well, sure I can read it to you, I made
10 the amendment, but I took out the first four words and put, "the
11 City of Seward assures that adequate," then I put "affordable
12 housing resources are available," then the -- read the rest of it.

13 MR. FISCHER: Okay. And is there a second?

14 MR. MCCORKLE: Second.

15 MS. FISCHER: Okay. Is this a friendly amendment to
16 your amendment, or are you going to withdraw your amendment?

17 MS. BRODIE: I accept that as a change to my amendment
18 -- it's a substitute, so it's not an amendment.

19 MS. FISCHER: Okay. Mr. King.

20 MR. KING: Just as a matter of clarification, having
21 been in the position of a field worker, and traveling around the
22 country at odd hours and needing places to stay, often without
23 reservations, because of weather conditions, and that sort of
24 thing, it's difficult to stay in commercial facilities. The Forest
25 Service and the Fish & Wildlife Service now have established bunk

1 houses at a number of their facilities, there's one in Cordova, the
2 Forest Service has, the Fish & Wildlife, at most of those refuges
3 has a bunkhouse, and people going through there doing projects, it
4 just facilitates things enormously for them. So, I don't feel that
5 this is an issue that we ought to waste a lot of time on, but I
6 think maybe we ought to just drop it. It isn't part of the
7 scientific criteria here. I brought it up because I've had
8 experience -- that is critical, and I've seen people have serious
9 problems trying to run around the country in the summer time here
10 when ...

11 MS. FISCHER: Yes, sir.

12 MR. WILLIAMS: Donna, I think that it's important
13 that we remind the people of Seward that, you know, we're going to
14 help them with project and recommend it, but it's really up to them
15 to make sure that there's adequate housing down there for people,
16 whether it's, you know, the Chamber of Commerce gives hints of
17 where bread and breakfasts are, or whether they go into public
18 housing, or what. But, that's their problem, and it should be very
19 well pointed to them, that it's their problem and their private
20 industry problem.

21 MS. FISCHER: One of the things I just want to follow up
22 with what Rupert said, they did mention yesterday that that was
23 part of the plan, you know, to provide housing in with this center,
24 so I -- I don't know, but I think we do need to bring this back to
25 Seward. All in favor of the amendment, please raise your right
26 hand. (Andrews, Cloud (McCorkle), Diehl, Eliason (McCorkle),

1 Fischer, French, King, McCorkle, Sturgeon (Benton), Williams) All
2 opposed. (Brodie, McCune (McBurney), McMullen (McBurney) The
3 amendment has it. Now, we go back with the additions of the two --
4 oh, we've got another amendment -- wait, I'm out of line here. We
5 didn't vote on the first amendment, did we? Did we vote on the
6 first amendment? Okay, then we go back to the resolution with the
7 two amendments to it. All in favor of the resolution, the Exxon
8 Vadez Oil Spill Trustee Council from the Public Advisory Group
9 concerning the Seward -- the Institute of Marine Science project.
10 All in favor of the resolution, please raise your right hand.

11 MS. BRODIE: Any more chances to speak on the main
12 resolution.

13 MS. FISCHER: If you want to, go ahead Pam.

14 MS. BRODIE: Congress and state legislators in America
15 are pretty unpopular right now, for all the money that they spend,
16 and I have been a lobbyist on and off for about fifteen years, and
17 I can tell you I have seen Congress and state legislator vote --
18 state legislators vote on a lot of projects, and they are virtually
19 all good projects. They all have benefits. They certainly all
20 have supporters who have done a lot of work to promote them, and yet
21 the sum total of the effect is that the legislature spend too much
22 money. Sometimes, every once in awhile, they support very risky
23 things, which sometimes end up costing a lot more money of the
24 public's money than people expect. We had a legislator here
25 yesterday, who is certainly not known as a conservative, and yet he
26 expressed that he is very wary of taking leaps of faith regarding

1 the use of public funds, and I think that we as a body fall into
2 the same trap of seeing lots of projects that would have some
3 merit, and therefore we support them with much attention to the
4 bottom line, and sometimes to the risk. This one involves twenty-
5 five million dollars of Trustee Council money, to begin with,
6 another twelve and a half million dollars of state money that the
7 legislature has appropriated and is likely to consume enormous
8 amounts of Trustee Council money in the future, out of the reserve.
9 I am sure it will do good things, I am sure it has many benefits,
10 but I am not at all sure that it is a good -- that it is the best
11 use of public funds. I think it is too risky and that is why I'm
12 opposing this proposal.

13 MS. FISCHER: Thank you, Pam. Okay, all in favor of the
14 -- any other comments first before we go on? Yes, John.

15 DR. FRENCH: Just a clerical clarification. There
16 should be an "s" on the end of Ocean Sciences, School of Fisheries
17 and Ocean Sciences.

18 MS. McCAMMON: Thank you (indiscernible)

19 MS. FISCHER: Okay, all in favor of the resolution,
20 please raise your right hand. (Andrews, Cloud (McCorkle), Diehl,
21 Eliason (McCorkle), Fischer, French, King, McCorkle, Sturgeon
22 (Benton), Williams) All opposed. (Brodie, McCune (McBurney),
23 McMullen (McBurney)) Two opposed.

24 (Indiscernible - out of range of microphone)

25 MS. FISCHER: Who opposed, oh Lew opposed -- Kim did.

26 MR. WILLIAMS: No, no.

1 (Aside comments)

2 MS. FISCHER: Oh, that's right, you've got two. Okay,
3 let's move back into our projects again. We're at archaeology
4 projects, 95007A, B, and 95078 -- 95007A. Okay, and comments on
5 any of the projects here. Do we entertain a motion -- to accept?

6 DR. SPIES: I just -- Madam Chair, could I make some
7 comments?

8 MS. FISCHER: Certainly, go ahead, Dr. Spies.

9 DR. SPIES: As originally proposed there was some
10 question about the size of the budgets that was raised by the
11 reviewers in June on the initial review of these projects. I had
12 a conversation with Molly McCammon this morning. The first chance
13 we've had to discuss these budgets. She's gone through them in
14 some detail with Veronica Gilbert, the representative from
15 Department of Natural Resources, and as I think -- I don't want to
16 speak for Molly, but she seems relatively satisfied with that the
17 budgets are well justified in terms of the objectives.

18 MS. FISCHER: Okay. Rupe.

19 MR. ANDREWS: I'm going to direct a quick question to
20 clarify something here to Dr. Spies, one of these projects having
21 a 1 category, archaeological site restoration, I hate to ask such
22 a dumb question, but what happens in an archaeological site
23 restoration. What do they actually do?

24 DR. SPIES: One -- it involves -- Veronica Gilbert
25 could probably speak in more detail to this, but it involves, as I
26 understand the project, and I -- I haven't read this for a while.

1 There's -- there's -- in some cases there's some threat to the
2 ongoing resources in terms of vandalism and erosion from --
3 actually it's complicated by the effects of the earthquake. There
4 is some intertidal sites that are -- are being eroded, and there's
5 some chance that least could break through and cause further
6 erosion further up on the beach. They're saying, in some cases,
7 stabilization, and there's also an effort to undue some of the --
8 some of the holes and tell-tell signs of vandalism that were at
9 these sites previously. And, there's also a large aspect of this
10 is curation of the site. If it looks like the site is well-known
11 to vandals, or is in danger of further erosion or deterioration, it
12 would involve curating some of the materials from those sites, if
13 they're not lost.

14 MS. FISCHER: So, a lot of this was done prior to the
15 oil spill, as you mentioned, even earthquake damage possibly, and
16 even prior to the spill?

17 DR. SPIES: Some, it's complicated by the effects of
18 the earthquake in some of these sites, and in addition there's some
19 -- there's some oiling that went on as well. So, it's -- it's kind
20 of a mixture.

21 MS. FISCHER: Thank you. Any other -- Kim.

22 MS. BENTON: Can I just ask a question. Last year
23 there was a project, an archaeological project for site
24 identification, to identify some sites for possible repositories.
25 Can you tell us where you're at with that, and because I don't see
26 any follow up projects with the '95.

1 MS. McCAMMON: Actually, Veronica, why don't you go ahead
2 and speak to that. Well, it was a planning project, and a report
3 is supposed to be due, I believe in April, but Veronica can report.

4 MS. VERONICA GILBERT: Madam Chairman, the item that
5 Ms. Benton raises is a draft under the interim funding for 007A,
6 which is the close-out of the '94 project, which included the
7 historic preservation plan, which we expect to have in draft form
8 by the end of October, and in final form by May of '95, and that
9 will address some of the issues that you've raised, and the intent
10 here is that could and should be influencing our projects for '96,
11 for the FY '96 work plan.

12 MS. BENTON: So, do you look at -- how did I know that
13 there was some discussion in the past about trying to have some --
14 once the artifacts are recovered, having a place to put them, and
15 preferably in some of the communities. So, that would come up in
16 '96?

17 MS. GILBERT: Right, but -- and then we would have the
18 period between October and May to discuss the report, discuss
19 proposals, and I'm sure they would come before the PAG for full
20 discussion.

21 MS. FISCHER: Okay, Rupe.

22 MR. ANDREWS: Didn't the Trustees fund \$47,000,000 for
23 a facility in Kodiak to house these last year?

24 MS. GILBERT: Fifteen, 1.5 million is my understanding,
25 yes.

26 MR. ANDREWS: 1.5 million?

1 MS. GILBERT: The Alutik, yeah, the Alutik project.

2 MS. ANDREWS: So that project is going on now, they're
3 actually building?

4 MS. GILBERT: It's under construction.

5 MS. FISCHER: Veronica, where would the areas be in the
6 Sound that you're looking at?

7 MS. GILBERT: The index site monitoring -- the initial
8 plan is to identify four index sites, and the number four is -- is
9 estimated at this point, and may actually be one more or less, once
10 the detail plan is developed. But, the idea is to identify the
11 sites that are most vulnerable, to prospecting because the theory
12 right now is that where most of the damage did occur in '89, sort
13 of the initial survey, that now we're down to a continued damage at
14 high value sites, and those would be identified and -- whether
15 they'll actually be identified in the -- in the detail project
16 description, or at least the process for doing so, I mean -- and
17 the idea was to have them throughout the oil spill area, and not
18 just in one region.

19 MS. FISCHER: Are there any other comments or questions
20 for Veronica? Okay. I guess hearing no action, we'll move onto
21 habitat protection/acquisition. Dr. Spies, would you care to
22 address the habitat protection/acquisition.

23 DR. SPIES: Certainly, Madam Chairman. As apparent,
24 all of these projects address one way or the other the effort to
25 acquire and preserve habitat restoration resources. We just might,
26 I don't know what we can say -- much more than that -- that they

1 have in common, but we might just go down just kind of project by
2 project. 95058 is restoration assistance to landowners. I had --
3 I have no particular comment on that because it involved kind of a
4 policy decision from the technical point of view -- I don't know if
5 Molly has anything say.

6 MS. McCAMMON: Madam Chair, actually I would like to
7 speak to that one. This project was actually developed at the
8 direct request of the State Trustees last spring, who asked staff
9 to work with private landowners to determine if there were any
10 restoration activities that could occur on private lands that would
11 be a benefit to the injured resource system in the spill area. We
12 did have several meetings, and developed this project. It started
13 out, I think a little more costly than we had originally
14 anticipated, and we've actually ratcheted it down quite a bit, and
15 I believe it's even going to come in below two hundred thousand.
16 The idea is to have staff within the Forest Service, DNR and the
17 habitat division at Fish & Game, to work directly with private
18 landowners before they start any logging activities. To help --
19 get some suggestions on the best locations for roads, for culverts,
20 the things -- before they actually developed their plans. The way
21 the process works now on private lands, the plans are developed and
22 then they come to the agencies for the proper permit, and often at
23 that time a great -- a significant amount of money has been
24 expended and the idea is to work earlier on in the process, and
25 also to determine if there's anything that can be done with next
26 boxes or any other kinds of actions that could facilitate the

1 protection of injured resources.

2 MS. FISCHER: I remember when this came up, and I
3 believe it was asked -- the question was asked then, too, are we
4 going out looking for more than what we should be?

5 MS. McCAMMON: I beg your pardon?

6 MS. FISCHER: Are we going out or are we asking -- you
7 know, going out looking for more than for what everybody has found.
8 By going -- going out and asking these private landowners, you
9 know, if they have any restoration needs or anything like that. Is
10 this what this addresses, or ...

11 MS. McCAMMON: In other words, are you asking whether
12 this will go out and actually develop further restoration projects?

13 MS. FISCHER: Yeah.

14 MS. McCAMMON: It may end up with some restoration
15 projects coming back to the Trustees for funding, but I think it
16 also is intended to be -- to actually have restoration take place
17 at an earlier part of the planning stage. I think Kim could speak
18 to that too.

19 MS. FISCHER: Kim.

20 MS. BENTON: Yes, if I can. The landowners and the
21 timber owners that were looking for this project, believe that
22 there's a great amount of information that's available for Trustee
23 Council staff and habitat protection staff, that may not be
24 transmitted through the normal agencies, and there are land and
25 timber owners that are interested in furthering restoration, not
26 necessarily looking for funds, but just looking for the experts to

1 tell them and share the information that they could use in their
2 activities, and particularly those that are not interested in
3 outright acquisition, but are interested in restoration. So that's
4 -- the way that we saw this project, the scope of this project, and
5 one of the questions that I wanted to ask is, when it was ranked
6 one instead of two, my understanding is that was because of funding
7 concerns. Obviously, we're very supportive of this project and
8 we'd like to see it go forward, and I understand that if there was
9 an opportunity, a window of opportunity that became available in
10 this particular area, that there may be request for further funds,
11 but I think we're looking more for cost sharing and just more
12 information.

13 MS. FISCHER: Okay, thank you, Kim. Are there any other
14 comments on that project or anything? Any other questions? Okay,
15 Dr. Spies, you want to go on?

16 DR. SPIES: The next project is 95060 which is spruce
17 bark beetle infestation impacts on injured fish and wildlife
18 species of the Exxon Valdez oil spill. The basic idea there was to
19 go into habitats where there are injured species and try to assess
20 to what effect the spruce bark beetle infestations that are
21 occurring might be affecting those injures species. I think the
22 reviewers comments -- the reviewers gave this a fairly low
23 technical rating, and I think the -- one of the consensus that came
24 out of the review sessions in June were -- were that this is a
25 stretch for -- to the effects of the oil spill, and perhaps fell
26 more into the realm of normal agency management.

1 MS. FISCHER: Okay, are there any questions for Dr.
2 Spies on this project or comments. Okay, do you want to move onto
3 the next one, Dr. Spies.

4 DR. SPIES: Well, the next project 95095,
5 quantification of stream habitat for harlequin ducks and anadromous
6 fish species, this was a project whose aim was to try to quantify
7 harlequin duck habitat from remotely sensed data. I think the
8 reviewers felt that the -- although the habitat for harlequin ducks
9 had been characterized, it doesn't necessarily work the other way.
10 You can take a mostly sensed image and not necessarily have any
11 great assurance that you can zero in on what is really harlequin
12 duck habitat. So, it had a fairly low technical rating for that
13 reason.

14 MS. FISCHER: Okay, any questions? Any comments? Okay,
15 let's move on.

16 DR. SPIES: The next one is simply a close-out;, the
17 interim funding has already been granted on that, and that's 95110,
18 supports the habitat working group. 95122 is mapping potential
19 nesting habitat of marbled murrelets in Prince William Sound using
20 geographic databases. The reviewers, as with the -- the previous
21 one, 95095, felt that the -- didn't have a lot of technical merit
22 at this time, and gave it a rather low technical score. 95126, is
23 that one you can speak to Molly? Habitat protection and
24 acquisition support, that the general ...

25 MS. MCCAMMON: Madam Chair, 126 is the funding to support
26 habitat -- the habitat acquisition process that includes the funds

1 for the appraisal followed by technical support for any potential
2 habitat acquisition. That number is rather soft in that. It
3 depends to a great deal on the number of parcels that come before
4 the Trustees and how much action is taken, and whether it's done in
5 one year or over a three year period.

6 MS. McBURNEY: Madam Chair.

7 MS. FISCHER: Yes, Mary.

8 MS. McBURNEY: Under the notes in the summary it is
9 stated that further consideration of the budget was needed, but
10 there was a -- a note that there is a possible of lapse of some '94
11 funds. Do you have any idea how -- what the availability is from
12 last funds might be?

13 MS. McCAMMON: Madam Chair, if you'll recall from our --
14 my report on the October 5th Trustee Council meeting, we're
15 expecting reports from the Forest Service which primarily had --
16 had most of those funds for appraisals, and expect to reporting by
17 November -- November 2nd on the extent of those last funds. So, we
18 should know by that time. At this point, we don't know.

19 MS. McBURNEY: Thank you.

20 MS. FISCHER: Lew.

21 MR. WILLIAMS: Donna, I have a question on this and it
22 combines with the spruce bark beetle -- farther up, I didn't say
23 anything there, but what I'm concerned about or -- and Dr. Spies
24 can answer the question -- is anybody looking at some of these land
25 acquisitions so that we don't buy a whole bunch of spruce bark
26 beetle property and lock it up in a reserve, and then find out we

1 can't cut the trees down to get -- to the spruce bark beetles.

2 DR. SPIES: We have some members of the habitat
3 restoration group here that perhaps one of them could step forward
4 and address that question. They're a lot more familiar with this
5 than I am. Ken Holbrook from the Forest Service.

6 MS. McCAMMON: This was actually a direct request from
7 the Trustees to determine what extent the spruce bark beetle was on
8 potential habitat acquisition lands.

9 MR. KEN HOLBROOK: My name is Ken Holbrook, and I'm from
10 the Forest Service. We have inventoried all of the spruce bark
11 beetle infestation in the spill area, and only a few parcels that
12 are being considered at -- that were evaluated, have any
13 infestation at all, and those were around Kachemak Bay and
14 Seldovia. None of the parcels that are under negotiations now have
15 any infestation. A few small parcels, which isn't the topic here,
16 but -- that we are evaluating now would also have some infestation,
17 and we are identifying that in the evaluation.

18 MR. WILLIAMS: May I ask another question?

19 MS. FISCHER: Join in with us.

20 MR. WILLIAMS: I'm not a scientist, I'm just curious. Is
21 there anyway to stop the spruce bark beetle from expanding or does
22 it just eat up all the forest and die, or is there -- I just don't
23 know, or do you have to cut all the trees.

24 MS. McCAMMON: Fire.

25 MR. WILLIAMS: Fire does it or what?

26 MR. HOLBROOK: Fire would do it, timber harvest, it will

1 -- it will ultimately cure itself by killing the trees, and then
2 they will fall down, and you know, grow back.

3 MR. WILLIAMS: But then, it doesn't spread any further.
4 You know, we've got a lot of trees ...

5 MR. HOLBROOK: It is spreading now, yeah.

6 MS. FISCHER: Okay, any other questions or comments?
7 Okay, we can move on.

8 DR. SPIES: I have no comment on the public access.

9 MS. FISCHER: Okay.

10 DR. SPIES: And, 95505, which is the data analysis for
11 stream habitat, is a small project that was fairly favorably
12 reviewed. This really is completing a project on data analysis for
13 existing stream habitat, to establish a relationship between aerial
14 photo channel-type interpretation as to spawning and rearing
15 habitat. So, that, -- that's the last project on the list there
16 under habitat protection and acquisition.

17 MS. FISCHER: Okay. If we can entertain a motion to
18 accept the concept or remove any -- Pam.

19 MS. BRODIE: I would like to move that we support
20 projects 95126 and projects 95505B.

21 MR. WILLIAMS: Second.

22 MS. FISCHER: Okay --

23 (Aside comments)

24 MS. MCBURNEY: ... that we also support 95058.

25 MS. FISCHER: 95058. Okay, any discussion on the three
26 that are picked here? Pam.

1 MS. BRODIE: I would like to request that, that they be
2 separate votes, 058 be a separate vote.

3 MS. FISCHER: You'll second that?

4 DR. WILLIAMS: Second.

5 MS. BRODIE: That we just vote on them separately.

6 DR. FRENCH: What we need is an amendment -- it should
7 go as a separate vote.

8 MS. FISCHER: Okay. We'll come back to your's then
9 Mary. We'll go for a vote on 95126 and 95505B. All in favor of
10 support, please raise your right hand. (Andrews, Brodie, Cloud
11 (McCorkle), Diehl, Eliason (McCorkle), French, King, McCorkle,
12 McCune (McBurney), McMullen (McBurney), Sturgeon (Benton, Williams)
13 Opposed? (Fischer) Okay, Mary's motion 95058, all in favor of
14 support? (Andrews, Cloud (McCorkle), Eliason (McCorkle), Fischer,
15 French, King, McCorkle, McCune (McBurney), McMullen (McBurney),
16 Sturgeon (Benton), Williams) All opposed? (Brodie, Diehl) Two
17 opposed.

18 MS. BENTON: Madam Chair.

19 MS. FISCHER: Yes.

20 MS. BENTON: Is there anyway that with this group of
21 projects as they move forward that we attach some direction from
22 the Public Advisory Group that we would like to have greater
23 involvement in the habitat acquisition process?

24 MS. FISCHER: Attach some what?

25 MS. BENTON: Attach some sort of note or message to the
26 Trustee Council that the Public Advisory Group would like to be

1 more involved in the habitat acquisition process.

2 MS. FISCHER: Do you want me to add a motion to go in
3 with this, sure it's okay.

4 MS. BENTON: Sure, that's a motion.

5 MS. FISCHER: So, that we get it on record. Okay, is
6 there a second to her motion?

7 MR. ANDREWS: I'll second it.

8 MS. FISCHER: Will you make sure that the Trustees get
9 that finally. Okay, the motion is that there is a message sent to
10 the Trustees that they be more -- the PAG members be more involved
11 in the habitat acquisition ...

12 MS. BENTON: ... and protection process.

13 MS. FISCHER: ... and protection process. All in favor
14 of the motion. (Andrews, Brodie, Cloud (McCorkle), Diehl, Eliason
15 (McCorkle), Fischer, French, King, McCorkle, McCune (McBurney),
16 McMullen (McBurney), Sturgeon (Benton), Williams) Unanimous.
17 Opposed? The ayes have it. Okay, we're move down to recreation
18 projects, Dr. Spies.

19 DR. SPIES: Okay, these are all recreation projects.
20 There's only one of these that has much technical content in it, so
21 I didn't comment on the others, and that one project was 95077, the
22 recreation impacts in Prince William Sound: human impacts as a
23 factor constraining long-term ecosystem recovery. Reviewers
24 thought that this was an interesting concept, but that it wasn't
25 very well developed and not very sharp technically, and thought
26 other projects had merit, so it got a category rating of three.

1 MS. McCAMMON: Madam Chair.

2 MS. FISCHER: Yes, Molly.

3 MS. McCAMMON: I mean -- the issue of recreation
4 projects, as most people know, the federal attorneys have not been
5 very keen on most of these. It's their feeling that restoration of
6 recreation should be done by way of recreation of those injured
7 resources that depend upon recreation. So, it's always been
8 difficult to get recreation projects through -- through that
9 process, and I think that's the case -- will continue to be the
10 case for this year, although there is one project in there that
11 appears to have glimmer of hope, in terms of passing scrutiny, of
12 getting through, and that's 080, Fleming Spit recreation area
13 enhancement. Veronica Gilbert with the Department of Natural
14 Resources has actually been working on this quite -- quite
15 extensively to address come of the initial legal concerns, and I'd
16 like her to speak to this one in particular.

17 MS. FISCHER: Veronica.

18 MS. GILBERT: Madam Chairman, I'd like to address what
19 we've attempted to do with 95080. It was submitted by the City of
20 Cordova, it had been originally developed by the Cordova Sporting
21 Club, and it consisted of two parts. It got a high price tag, and
22 that was in two parts, the first had to do with replacement of
23 sport fishing opportunities at Fleming Spit, and the other part had
24 to do with construction of other recreational facilities, camping
25 areas, tent platforms, etcetera. The direction I was given, or the
26 advice from the Department of Law was that the connection with

1 sports fishing, replacement of sport fishing proper, came closest
2 to being consistent with the policies that are in draft form in the
3 restoration plan, that is that they have a connection with natural
4 resources that were injured in the spill -- consequent -- and that
5 -- that indicated that we should further develop Phase I of the
6 project and see if that, in fact, could pass legal muster. And,
7 what we've done in a revised version of this project description,
8 which was sent to all of you, was to further develop Phase I of the
9 original proposal, adding in the language that we felt might
10 pacify, or it might address some of the legal concerns, and the
11 price tag on that came out to 815.8 thousand, and again that
12 addressed replacement sport fishing opportunities in the Cordova
13 area, and there were three aspects to the proposal, and, of course,
14 we have no idea which aspect would be supported or if the entire
15 project could pass muster. But, one part of the acquisition of a
16 parcel of land is the mouth of Fleming Creek, which is important
17 for the entire project, both facilities and protection of riparian
18 habitat, and that's for 150,000 of the total amount. Another part
19 dealt with support of the fisheries enhancement -- it is the
20 terminal fishery there, and that part dealt with dredging out the -
21 - deepening the smolt rearing pond, and also construction of
22 permanent net pens. At this point, they are temporary and there
23 are problems related to those, and that came out to about another
24 170,000 of the entire project, and the third segment had to do with
25 construction of facilities, many of which addressed sanitation and
26 improved safety, especially safe access, and that amounted to --

1 you know, accounted for the rest -- about 500,000, and the largest
2 single ticket item was construction of a fishing boardwalk, at the
3 site, and, again, its main purpose is for safe access to the site,
4 and currently it is being reviewed by you, and also by the
5 attorneys involved in this process, and the rest of the liaisons,
6 for other policy concerns.

7 MS. FISCHER: Veronica, may I ask a quick -- where is
8 Fleming Spit at in Cordova.

9 MS. GILBERT: Yes, maybe Mary could tell me. It's right
10 near -- it's adjacent to the new state ferry dock on Orca Narrows.

11 MS. FISCHER: Okay, that's fine, okay.

12 MR. ANDREWS: Is it public lands? This is public land?

13 MS. MCBURNEY: With my -- I was curious who the private
14 landowner is that you'd referred to ...

15 MS. GILBERT: I -- I don't know the private landowner.

16 MS. MCBURNEY: It's my understanding is that a lot of
17 that property is either City of Cordova or it lies within the DOT
18 right-of-way.

19 MS. GILBERT: Parcel 252, U.S. Survey 252, and I can't
20 -- I don't know the landowner.

21 MS. FISCHER: Okay, any other comments or questions?
22 Okay, thank you, Veronica. Do you want to move on Dr. Spies?

23 DR. SPIES: Okay, I'm going to hand the ball off to
24 Molly McCammon on subsistence project. She's been involved in
25 these, and there's a lot of these, as Jim said, that have come up
26 with this category four, a legal flag has been raised, and I know

1 there's a lot of concern by the public advisory group about that.
2 Molly can we -- I'll jump in when she tells me.

3 MS. FISCHER: Excuse me, Dr. Spies, sorry. When we need
4 to take action on recreation projects or whatever, we skipped over
5 that a little bit.

6 DR. SPIES: I'm a little enthusiastic to reach the end
7 here.

8 MS. FISCHER: I know, I think we all are. Okay. Are
9 there any comments or any -- can we entertain a motion to accept
10 the concept of these projects or what?

11 MR. WILLIAMS: Died for a lack of action.

12 MS. FISCHER: Yes, it did. We'll move on.

13 MS. MCCAMMON: Madam Chair. The cluster categories --
14 entire subsistence projects, a large number of these projects were
15 actually developed as a result of a project the Trustees funded in
16 April, which was a subsistence restoration planning project, and
17 that entailed a number of state and federal agencies going out to
18 communities in the spill region to speak with them and to determine
19 what their priorities were, and what their concerns were in terms
20 of restoration of subsistence services. The list that you see here
21 focuses primarily on Prince William Sound and Kenai Peninsula
22 communities. Because of the timing of the -- the planning effort
23 and -- that it just started right before the summer fishing season.
24 The meeting in Kodiak was held just a week ago, and I believe the
25 results of the meeting in the Chegnik region also. So that
26 planning effort is actually looking forward at FY '96 portion. A

1 number of the projects that were developed -- the primary purpose
2 for the project was to determine what people felt were the issues
3 of greatest concern in their particular communities. What we were
4 looking for was a by-product of this planning process, is that if
5 there were projects that did not receive Trustee Council funding,
6 that they would be turned over to the State Department of Community
7 and Regional Affairs, that was allocated five million dollars of
8 the state settlement funds towards subsistence restoration. And,
9 so kind of our -- the secondary -- it wasn't the primary goal of
10 this planning process, but definitely we were hoping a secondary
11 benefit of this planning process, would be that these projects if
12 they didn't get funded here would be considered for that alternate
13 funding source. A number of these projects that were developed, I
14 can hit the highlights of the ones that are number one, and then
15 just raise a few of some of the issues with the number fours.
16 Going through the number ones, 052, Community Involvement, Use of
17 Traditional Knowledge. This project was actually initiated as a
18 result of some of our science workshops in the spring where the
19 scientist said, you know it would be really great to have the
20 knowledge that local people have in their communities. They're out
21 there year-round observing what's happening with birds and sea
22 otters and marine mammals and fish, and we go out there for two
23 weeks or three weeks in the field season and we don't have the
24 benefit of the knowledge that people have on a year-round basis.
25 It would sure be great if we could somehow incorporate that into
26 our existing projects and database. So, that's how the initial

1 thought of this project. We've actually been doing a lot of
2 discussion internally on how -- on other needs, and I think that
3 this -- in trying to address some concerns that both Chuck Totemoff
4 and some others about -- also, how do we get the information back
5 from EVOS research back to the communities. We do a great job of -
6 - I think of funding research, but we don't do such a great job of
7 getting the results of that research back to folks in the spill
8 area. So, this project is actually being rewritten to incorporate
9 the two aspects. One aspect is to do a greater outreach to the
10 communities in terms of getting information back, what's happening
11 with sea otters, what's happening with harbor seals. What's
12 happening to direct researchers who are doing research within the
13 actual location of the community, to make them in contact with
14 local community people. It also involves pilot projects of three
15 communities which would be Chenega, Tatitlek and Port Graham to
16 start with, of having people identified in those communities that
17 would be the contact for -- we're starting to incorporate some of
18 that local knowledge and getting it back to the appropriate
19 scientists. So, this actually would -- we've been working on this
20 project a lot. We have a lot of support for it because we think it
21 will help address one of the issues that the public has certainly
22 brought to us, this needs some more information. In conjunction
23 with this, we're also planning on expanding the newsletter within -
24 - the Trustee Council newsletter to incorporate not only -- from
25 the actions -- the bureaucratic actions that the Trustee Council
26 takes, but to double it in size and to focus on research result

1 findings, those kinds of things. So, I wanted to -- to make that
2 a note. If you go down to the next number one, it's project 95131
3 clam restoration. This project was requested by Nanwalek, Port
4 Graham and Tatitlek. It actually received a very high technical
5 rating, but the reviewers asked that it be reformatted and
6 structures as a -- as a pilot project to determine if ...

7 DR. SPIES: Well, their going to raise littleneck
8 clams.

9 MS. MCCAMMON: Littleneck clams ...

10 DR. SPIES: Right, and the reviewers concerns were
11 that the -- the technology of getting the littleneck clams all the
12 way to seed hadn't been fully developed yet, and we ought to do
13 that first to make sure we can do it correctly and consistently
14 before we get into a large scale project.

15 MS. MCCAMMON: And that project has been rewritten to
16 reflect that ...

17 MS. FISCHER: Molly, excuse me, Rupe has a question.

18 MR. ANDREWS: Question, does this mean they're going to
19 raise clams and then reseed with clams produced under mariculture
20 techniques, and ...

21 MS. FISCHER: How are you doing that?

22 MR. ANDREWS: You're doing it already?

23 MS. FISCHER: ... like oysters.

24 MS. MCCAMMON: The idea is to raise clams and then to
25 reseed existing clam beds. Going back to the other number one,
26 95138 elders/youth conference. This also received substantial

1 support from -- from our earlier review sessions. The idea is to
2 bring people in from all the communities in the spill area to talk
3 about information -- this would be another aspect of incorporating
4 local knowledge and getting it back into, kind of our database, our
5 information base, and also have the ability for community -- for
6 members from the individual communities to share information
7 amongst themselves. 95244, the seal and sea otter cooperative
8 subsistence harvest assistance, this project is a continuation from
9 last year's. I believe it has a small element proposed for next
10 year, but basically it's a two year project. This was to work with
11 subsistence users, and it's a cooperative project to provide
12 information between researchers and -- and the harvest sector.
13 95272, Chenega chinook release program, this was started last year.
14 It does have a legal issue in that it's remote release of a
15 hatchery stock, and as Jim reported this morning, their trying to
16 determine what implication this will have for this year's funding.
17 An environmental analysis was done on this project last year and
18 was successfully approved through the process. We're hoping that
19 that will suffice for this year also.

20 MS. FISCHER: Who, because of those policy legal, an
21 entire rating as it received, what are the chances? Do you think
22 that legal will look at the recommendations by the scientific
23 community to ...

24 MS. McCAMMON: I believe they will, yes. That's what
25 they've indicated.

26 MS. FISCHER: Okay.

1 MS. MCBURNEY: Madam Chair,

2 MS. FISCHER: Yes, Mary.

3 MS. MCBURNEY: I'd like to make a motion, and I'd like to
4 preface my motion with the fact that DCRA has had this five million
5 dollars for the past two years. They have done absolutely nothing
6 with it. The total amount for all of these projects, those that
7 are high, low, medium priority, those with legal problems comes to
8 approximately \$3.6 million. I think what is appropriate is for us
9 to not take any action and make any recommendation on these, but
10 rather make a very strong recommendation that this entire package
11 be turned over to the Department of Community and Regional Affairs,
12 where many of these projects, especially those with legal and
13 policy issues will get a much fairer consideration, since the
14 Department is not bound by the legal and policy considerations that
15 bind the Trustee Council in that process. And, I believe that
16 would be the most appropriate use for that money. It still leaves
17 \$1.4 million left over if this entire list is approved, and what if
18 -- funding is expended from the DCRA account. My motion is that
19 the subsistence projects that we put forward a recommendation that
20 the subsistence projects be forwarded with our encouragement that
21 each and every one of them be given careful consideration for
22 funding with the five million dollars which DCRA currently has, and
23 I'm looking for a second.

24 MR. FISCHER: Is there a second?

25 MR. ANDREWS: Second.

26 MS. FISCHER: Okay, any discussion on the motion? John.

1 DR. FRENCH Yes. I'd like to move we remove the
2 project 052 from that category. The reason being that project
3 really did evolve from the scientific discussion here and the
4 desire to integrate the scientific discussions with traditional
5 knowledge, and for that reason I do think it's appropriate and also
6 much more likely that project will get funded if we fund it from
7 the Trustee process. So, I'd like to remove that from the list
8 we're forwarding to DCRA for approval, and I'll follow that up
9 later with a motion that we recommend approval of that project.

10 MS. FISCHER: Okay ...

11 MS. MCBURNEY: I would just -- make a clarification.
12 That's fine, but my feeling is that actually that many of these
13 projects that, at this point, probably wouldn't stand a ghost of a
14 chance with the Trustees -- would have a much better chance of
15 being funded through DCRA, and therefore, I see this as a very
16 positive motions for making sure that these projects aren't just
17 dismissed because they have legal or policy issues, rather that
18 they be given another forum where they might receive another shake,
19 and perhaps greater consideration.

20 MS. FISCHER: Would you like to make that a motion,
21 John?

22 DR. FRENCH: I think I did make it as an amendment to
23 her original motion, yeah, that we were to remove that project to
24 the list to be forward to DCRA -- to be recommended for DCRA
25 funding, and I'll follow that up after we vote on that as an
26 amendment.

1 MS. FISCHER: Do we have a second?

2 MS. MCBURNEY: For John?

3 MS. FISCHER: Yes.

4 MS. MCBURNEY: I will second.

5 MS. MCCAMMON: Madam Chair, could I offer something here.
6 First of all, the state funding through DCRA is not stringless, and
7 I think we should make that really clear. It -- it still has to
8 meet the terms of the settlement -- of the criminal settlement. It
9 still has to go through legal hoops. It still, also, before it can
10 be expended, has to have the concurrence of the state Trustees for
11 its expenditure, and the federal attorneys will still review those
12 projects. So, they still have an oversight role. So, that -- I
13 don't think they should be viewed as not having scrutiny. Now,
14 whether they have as -- the kind of -- to the depth of scrutiny, I
15 don't know. But, they still have strings attached to them. They
16 still have to meet the legal terms of the settlement. But, I just
17 wanted to clarify that.

18 MS. FISCHER: Molly, I just wanted to ask if they have
19 five million dollars, apparently. I'm thinking that's in their
20 department's account, that would not have any Trustee jurisdiction
21 at this point, would it?

22 MS. MCCAMMON: Yes, it does. Madam Chair, when it was --
23 it was appropriated by the legislature as part of the criminal
24 settlement legislation, and one of -- specifically in the
25 legislation, expenditures have to be -- there have to be
26 consultation with the state Trustees, and they basically have to

1 sanction those expenditures. So, the idea with this process was to
2 come back to the state Trustees once projects were identified and
3 have them brought forth to the state Trustees.

4 MS. FISCHER: Okay, Kim.

5 MS. BENTON: I wish Chuck were here this morning
6 because I know this is an issue -- a very high concern for his
7 community, and many other communities that are out there. My
8 comment that I would make on the motion is, I don't think you'll
9 find anyone more frustrated with this pace of -- that they're
10 taking with the five million dollars, state subsistence monies,
11 than the communities. But, with the motion as it's written, I
12 think who gets penalized as -- with by taking and removing from
13 consideration projects to be funded using the other funds, are the
14 communities, and I don't think that's fair. DCRA has their own
15 mechanism, they have their own ideas, they're going to go forward
16 with their own planning, and maybe they'll go forward very slowly,
17 but we cannot mandate to them how fast they should be working, and
18 the projects that are listed, especially the ones that are highly
19 ranked, I think are really important to the community, and I think
20 that they deserve to go forward under the '95 work plan.

21 MS. FISCHER: Okay.

22 MS. McCAMMON: Madam Chair.

23 MS. FISCHER: Molly.

24 MS. McCAMMON: There are a couple of things that I think
25 really need the -- this is a complicated issue here. I mean, first
26 of all I think you have to be aware that -- one, an additional

1 limitation on the state funding is that it is only to
2 unincorporated communities. So, this leaves out a significant
3 number of communities within the spill area, so that's number one.
4 Number two, in meeting with a number of communities, they wish
5 their projects to go forth through the Trustee process first
6 because the Trustees have a much bigger pot of money over a longer
7 period of time. The state funding is five million dollars, a one
8 time five million dollars. So, there was an interest on the part
9 of the communities that their projects first go through this --
10 this process. And, the third aspect of the state funding is that
11 the meetings -- although meetings have been held in predominately
12 all regions of the spill area, the Kodiak and the Alaska Peninsula
13 communities have not had as significant participation as the
14 communities that you see here in Prince William Sound and the
15 Kenai. It's not so simple just to say let's take all of these out
16 and put them through Community and Regional Affairs. The reason
17 DCRA has taken so long to do this is that they were given the five
18 million dollars, they were give no planning money. They are
19 basically latching onto our planning process. They have been
20 attending all the meetings, they've been participating in these
21 workshops and they will take -- these projects are on the list of -
22 - these area projects are also being considered. So, I just wanted
23 to make that -- give you more information.

24 MS. FISCHER: Okay, John.

25 DR. FRENCH: The main point I wanted to make was one
26 Molly just made, that the DCRA money can only be used for

1 unincorporated villages.

2 MS. McCAMMON: Yes.

3 DR. FRENCH: In the Kodiak area, at least, the only
4 village that's eligible for it is Karluk.

5 MS. McCAMMON: Karluk.

6 MS. MCBURNEY: At this point, I would like to withdraw
7 the motion, especially considering the wishes of the communities
8 themselves. I wish that Representative Davidson were here,
9 primarily because this was a problem that had been foreseen
10 originally when the state settlement had been made between the
11 competing bills of HB 411 and the parent bill of this particular
12 issue, and I think it's just a very unfortunate legacy of what
13 happens when public policy becomes blinded by public interest, and
14 here we do have five million dollars which has basically been
15 locked up, and away from the people that it was intended to help.

16 MS. FISCHER: Okay, is that okay with the second?

17 MR. ANDREWS: Yes.

18 MS. FISCHER: Okay, that motion has been withdrawn. Any
19 other discussion on some of the areas? John.

20 DR. FRENCH: I'd like to put forward a motion that we
21 put forward, I guess all this with one, 052, 131, 138, 244 and 272,
22 with our recommendations that the Trustees look at them seriously
23 for funding and with the additional encouragement that the Trustee
24 Council try to resolve some of the legal questions, with respect to
25 the rest of the projects, and that they continue to work closely
26 with DCRA to facilitate the process of expending the DCRA dollars.

1 MS. FISCHER: Okay, did you include 132 in with that?

2 DR. FRENCH: I tried to pick up all the ones that had
3 ones.

4 MS. FISCHER: All the ones, okay. Do we have a second
5 on this motion?

6 MR. WILLIAMS: I'll second it.

7 MS. FISCHER: Okay, any discussion? Pam.

8 MS. BRODIE: Thank you. Some of these I support, some
9 I have questions about, in particular 131 clam restoration and 138
10 the elders/youth conference. What concerns me about 131 is the
11 potential that this is a subsidy for commercial enterprises by the
12 villages, rather than a subsistence project. I wonder if Dr. Spies
13 or Ms. McCammon could address that.

14 DR. SPIES: Well, there's the ultimate objective of
15 this project is to reseed clam beds, and to restore the natural
16 populations. To the extent that those populations are harvested,
17 I think -- would be allowable under Trustee policies, since we're
18 restoring other resources that are harvested. My understanding of
19 this project is that it's not for direct production of a commercial
20 product as -- as you might get in something like an oyster farm.

21 MS. MCBURNEY: Thank you. And the elders/youth
22 conference. It's not clear to me what that has to do with this --
23 with the oil spill.

24 MS. MCCAMMON: Madam Chair, one of the -- and I think
25 actually Rita Miraglia who has been working on these subsistence
26 planning meetings can attest to this, but one of the things that we

1 discovered from the communities is that -- is the feelings that
2 subsistence services have been seriously -- not only seriously
3 damaged as a result of the spill, but have the potential because of
4 their lack of use for the last five years, a potential of being
5 lost in some communities. And, Rita maybe you could describe some
6 of the thoughts that went behind this development of this project
7 because you were at those meetings.

8 MS. RITA MIRAGLIA: One thing that came across very
9 strongly in all of the community meetings that we had, but
10 especially strongly in the Prince William Sound communities,
11 Chenega, Tatitlek, was that there needed to be an opportunity for
12 people from the communities impacted by the spill to get together
13 and talk about their experiences, and one -- one of the goals we
14 have in this conference is for people to be able to talk about the
15 way in which a Yupik culture has dealt with crises in the past, and
16 what can be done to help people deal with the problems that they're
17 still facing as a result of the oil spill. Another goal is to
18 allow the scientist also the communicate -- the intention is to
19 bring in elders and young people from the communities, and the
20 elders are there to talk about past experiences and bring their --
21 their wisdom to the problem, and the intent is also to involve
22 scientists and get everyone together to talk about what's gone on
23 and what can be done from this point to help deal with -- some of
24 the problems that are still going on in the communities impacted by
25 the spill, involve the whole spectrum from continued concern about
26 the safety of the resources. In some cases there's still scarcity

1 of subsistence resources. One of the concerns that goes along with
2 that is how do you pass on subsistence skills, the hunting skills,
3 the processing skills and all of those things, and the values that
4 go with those to young people, in the absence of the animals that
5 you normally harvest. And, this is seen as one way to start
6 dealing with those problems and get everyone together to talk about
7 them, and one of the potential outgrowth is that -- of this is if
8 you can find ways for people to carry -- to pass on those skills or
9 preserve the knowledge, you know, without going out and continuing
10 to harvest species that are recovering, but may be hindered from
11 that recovery by harvest right now, that that may help also in the
12 recovery of the animals. So, it links to the spill in a number of
13 ways.

14 MS. BRODIE: But, I under -- I can see that that would
15 be valuable, but it would seem like that would happen within the
16 villages anyway. Why do you need to bring together the different
17 villages to do that?

18 MS. MIRAGLIA: So that people can share the experiences
19 from -- from all of the different areas. So, people can get
20 together and talk to one another. I actually think this is a very
21 small cost for what we may be able to achieve with it. And, one of
22 the -- one of the products of this conference will be to put
23 together a video and proceedings of the conference, so that people
24 will have something to take back to the communities with them. You
25 know, I -- I recently went to Port Graham. I happened to arrive
26 there at the very end of an elders conference, which was Chugach

1 region-wide, so it involved Chenega, Tatitlek, Port Graham and then
2 Nanwalek. I think they also may have had some people there from
3 Seward and Valdez and Cordova. And, I happen to get there just at
4 the tail end. One of the things that they did touch -- they did
5 touch on some of these questions that we'd like to deal with at
6 this conference. And, it really -- one thing that really struck me
7 was how happy people were when I got there to have the opportunity
8 to get together and talk about these things, and be heard, and have
9 other people who understood -- what went through it. Seemed like
10 it was a very feeling thing for people, and I think it would be
11 very good for us to be able to build on that, and that conference
12 was -- was not focused on that, it was sort of a side benefit of
13 it, and it was only limited to the Chugach region. I think it
14 would really be beneficial to bring people together from the whole
15 area to discuss these.

16 MS. FISCHER: Mary.

17 MS. MCBURNEY: I have a few thoughts on this particular
18 project. Number one, there is an annual elders/youth conference
19 that is held, and I can't recall if AFFN or Rural Cap that sponsor
20 it, and I would suggest that perhaps setting up a workshop in
21 conjunction with an existing elders/youth conference and see how
22 that might work out. Otherwise, the -- the objectives of this
23 conference, I -- I think have merit, and I also know that the
24 Alaska Humanities Forum has funding for exactly this sort of a
25 conference get together, story talking, sort of activities, and I
26 think that is a much more appropriate place to seek funding than

1 the Trustee Council.

2 MS. FISCHER: Lew.

3 MR. WILLIAMS: I disagree a little bit on that Mary. I
4 think collecting all this information completes the record for the
5 restoration Council, because right now we're losing a lot of --
6 with -- probably losing the information for the effects of the
7 spill on subsistence users, and we're going to have to go out and
8 get it, and this is one way to get, and complete our records.

9 MS. FISCHER: Jim.

10 MR. DIEHL: (Indiscernible) you know, to the point
11 that Mary made that there are existing conferences -- to the point
12 made that there are existing conferences, I would suggest that at
13 these existing conferences there's a whole array of things going
14 on, all at the same time, and different people having different
15 interest in the different workshops that are going on, you wouldn't
16 be able to pull together all the -- all the people, perhaps at the
17 same time. It would be much more useful and focused if it happened
18 in a separate -- in a separate conference.

19 MS. FISCHER: Pam, you had a comment.

20 MS. BRODIE: I would like to request that the maker of
21 the motion allow us to vote on these projects separately.

22 DR. FRENCH: Just ask to divide the question, and we
23 (indiscernible - simultaneous talking)

24 MS. BRODIE: Divide the question? Pardon me.

25 DR. FRENCH: Just needs to move that we divide the
26 question and we'd have to vote project by project.

1 MS. BRODIE: That's just what I move.
2 MS. FISCHER: A motion to divide the question?
3 MS. BRODIE: Yes.
4 MS. FISCHER: So, we go project by project of the one.
5 Okay, all in favor -- any other discussion? Okay, Rupert did you
6 have ...
7 MR. ANDREWS: I was just wondering why 138, elders/youth
8 conference, couldn't be combined with 052, community
9 involvement/use of traditional knowledge. It seems to overlap
10 here.
11 MS. McCammon: Madam Chair, actually we did discuss doing
12 that and then -- 052 was actually developed by staff, 138 was
13 actually developed by the communities, and so we left it separately
14 for that reason. However, the intent was that they would be very
15 closely coordinated, and if they got funded there would be cost
16 reduction there.
17 MS. FISCHER: Okay, let's take a vote on 95052, all in
18 favor of funding, please raise your right hand. (Andrews, Brodie,
19 Cloud (McCorkle), Diehl, Eliason (McCorkle), Fischer, French, King,
20 McCorkle, McCune (McBurney), McMullen (McBurney), Sturgeon
21 (Benton), Williams) Okay, any opposition, please raise your hand.
22 The ayes have it -- or the right hand, whatever. Okay, 95131, all
23 in favor, please raise your hand. (Andrews, Brodie, Cloud
24 (McCorkle), Diehl, Eliason (McCorkle), Fischer, French, King,
25 McCorkle, McCune (McBurney), McMullen (McBurney), Williams) And
26 oppositions? (Sturgeon (Benton)) One opposed, Kim. 95138, all in

1 favor, please raise your hand. (Andrews, Cloud (McCorkle), Diehl,
2 Eliason (McCorkle), Fischer, French, King, McCorkle, Sturgeon
3 (Benton), Williams) All opposed? (Brodie, McCune (Brodie),
4 McMullen (Brodie)) Okay, two oppose -- three oppose, I'm sorry.
5 Okay, 95244, all in favor please raise your right hand. (Brodie,
6 Cloud (McCorkle), Diehl, Eliason (McCorkle), Fischer, French, King,
7 McCorkle, McCune (McBurney), McMullen (McBurney), Sturgeon
8 (Benton), Williams) Okay, any oppose? (Andrews) Rupert. 95272,
9 all in favor. (Andrews, Cloud (McCorkle), Diehl, Eliason
10 (McCorkle), Fischer, French, King, McCorkle, McCune (McBurney),
11 McMullen (McBurney), Williams) Okay, oppose? (Brodie) One
12 opposed. Okay, the motions passed on all of the actually.

13 MR. WILLIAMS: Madam Chairman.

14 MS. FISCHER: Yes.

15 MR. WILLIAMS: I have one comment now that we finished
16 subsistence. I understood that we don't have a subsistence member
17 that's been coming here very actively, and we have no applicants
18 for the deadline of October 31st, and I think some strong efforts
19 should be made to get a subsistence representative back into the
20 PAG full time, because these are very important segment of this
21 stuff, and as a public member, I don't know that much about it, so
22 I need the expertise of somebody that knows it. I don't know how
23 to do that, whether Molly and the staff can go around with the
24 people you've been dealing with on drawing these up and tell them
25 to get some nominees in or how.

26 MS. McCAMMON: Madam Chair, we actually have been trying

1 to do that.

2 DR. FRENCH: Do you have any yet?

3 MS. McCAMMON: No, we do not.

4 MS. FISCHER: Are you sending the notices out -- excuse
5 me -- to the different communities to ask for this in Prince
6 William Sound.

7 MS. McCAMMON: We have done that, and we did that when
8 the extension of the application period occurred, and we're
9 preparing to do it again, and word-of-mouth, and just contacting
10 the various organizations. It often just requires the right
11 contact, and we have contacted those ...

12 MS. FISCHER: Have you contacted Gail Evanoff and
13 Totemoff (indiscernible - simultaneous talking)

14 MS. McCAMMON: (Indiscernible) we've spoken with both of
15 them.

16 MS. FISCHER: Yeah, okay. It seems they -- both
17 probably be good. Okay.

18 MS. McCAMMON: We also don't have any applicants for the
19 aquaculture seat and for commercial recreation, commercial tourism.

20 MS. FISCHER: Okay.

21 MR. McCAMMON: Madam Chair, before we leave this, there's
22 only -- there's one other project I'd like to just bring up and
23 that's project 279, and that's -- this is the subsistence
24 restoration project, and this is the closing out of the subsistence
25 food safety testing project. The actual number in the balance
26 column has been reduced from 129.5 to 65.4. This project is also

1 being done in close coordination with 052, and eventually being
2 rolled into it. But this funding would finish the last of the food
3 safety testing sample analysis that has happened throughout the
4 spill area to -- to bring closure to that project. The interim
5 funding was intended for that. The 65.4 thousand is intended to
6 develop a training program and a test kit program so that it's --
7 folks in the community see kind of an abnormal organism in the one
8 of the marine mammals or one of there subsistence harvest products,
9 that they will have kit to hold that and ship it off to the various
10 laboratories to be tested, and this is a project that subsistence
11 division has worked closely on. I think there was a concern
12 earlier on, and the reason it was given a two was because of the
13 cost and the feeling that, there was a concern about whether it was
14 still needed. We've discussed it with a number of the communities,
15 and they would like to see this portion of the project go forward.

16 MS. FISCHER: Do we entertain a motion to this? John.

17 DR. FRENCH: I so move. I would have included it in my
18 initial motion, except I didn't really recognize the project. I
19 concur with Molly that the subsistence division has done a good job
20 on that project.

21 MS. FISCHER: 95279, do we have a second?

22 MR. DIEHL: Second.

23 MS. FISCHER: Okay. any discussion on the motion?
24 Okay, all in favor of 279, please raise your right hand. (Andrews,
25 Brodie, Cloud (McCorkle), Diehl, Eliason (McCorkle), Fischer,
26 French, King, McCorkle, McCune (McBurney), McMullen (McBurney),

1 Sturgeon (Benton), Williams) Okay, any opposed? Motion has it,
2 passed. Okay. We only have a few projects left, and we were going
3 to break at 11:30, but if you don't object to having a later lunch,
4 we can go through and try to finish the projects. Would that be
5 all right with everybody? Well, let's take a five minute break
6 then, and then come back and get busy on them.

7 (Off Record 11:16 a.m.)

8 (On Record 11:25 a.m.)

9 MS. FISCHER: The next project is reducing marine
10 pollution. Dr. Spies.

11 DR. SPIES: You heard a gentleman from Valdez
12 yesterday addressing Sound waste management plan, which is
13 development of a plan for disposing waste, mainly oiled solid waste
14 and this was favorable received by the reviews. 95417 is carry-
15 forward of waste oil disposal facilities. That's a close-out
16 project and the interim funding has been voted by the Trustees.

17 MS. FISCHER: Can we entertain a motion?

18 MR. ANDREWS: Move to adopt.

19 MS. MCBURNEY: Second.

20 MS. FISCHER: It's been moved and seconded. All in
21 favor, please raise your right hand. (Andrews, Brodie, Cloud
22 (McCorkle), Diehl, Eliason (McCorkle), Fischer, French, King,
23 McCorkle, McCune (McBurney), McMullen (McBurney), Sturgeon
24 (Benton), Williams) All opposed. (None) Okay, let's move forward.

25 DR. SPIES: Miscellaneous research projects, I don't
26 see any way to go through these but one at time (indiscernible).

1 Well, this is reasonably short. 95046 and 95055 both -- looking at
2 kind of a long-term record in ecosystems in Prince William Sound
3 and in Alaska in general. In the case of the first project, I
4 think the reviewers saw the concepts were interesting, but the
5 merits they were not as well developed as they could have been --
6 could have been, and other research projects had a greater priority
7 in there (indiscernible - out of range of microphone) weak scores.
8 The next two projects the reviewers thought -- these are both bald
9 eagle projects -- the reviewers thought 95030 which is the
10 productivity survey of bald eagles is perhaps more important to do
11 than the population survey, and I've made my recommendation on that
12 basis. However, I just received some correspondence from one of
13 the main biologist doing the eagle work for the first several
14 years, and he felt just the opposition, that the population survey
15 should be undertaken. So, we may or may not revise the
16 recommendation on those particular projects. 95062, the river
17 otter recovery monitoring, there's some merit to this, but other
18 projects, again, have some higher consideration than -- for the
19 competing -- competing for the resources that are available this
20 year. So, that's essentially comments, unless anyone has questions
21 on the miscellaneous research projects.

22 MR. WILLIAMS: I have a question. Why didn't you combine
23 the two bald eagle things, make it into one project?

24 DR. SPIES: Possibly, and there might be some cost
25 savings there. They were done previously together as one project.

26 MS. FISCHER: Okay, Jim.

1 MR. DIEHL: You worried about toxicity adding up in
2 these eagles and ruin their reproductive rates?

3 DR. SPIES: In the first year of the spill, in '89,
4 there was a reduced productivity of bald eagles in the oiled area
5 versus the unoiled area, it recovered in '90, in fact there
6 appeared to be some compensation, some higher than normal
7 reproductive rates in '90, and this is an attempt to go back now
8 and see if productivity is -- has returned to some normal level.
9 But investigators argue, and perhaps rightly so, that the one year
10 productivity data, by itself, (indiscernible), maybe not that
11 unusual, and like better to have an overall population estimate.
12 I think the last one we had was like in '90 or '91.

13 MS. FISCHER: Okay, Jim.

14 MR. KING: I'd like to move for adoption on 029, and
15 I think what the difference between those two population and
16 productivity is that population can be done with an airplane and
17 productivity has to be done with a helicopter. Is that right?

18 DR. SPIES: That's correct.

19 MR. KING: That's why the major cost difference.

20 MR. ANDREWS: Second.

21 MS. FISCHER: Moved and second. Any discussion? Okay,
22 all in favor, please raise your right hand. (Andrews, Brodie,
23 Cloud (McCorkle), Diehl, Eliason (McCorkle), Fischer, French, King,
24 McCorkle, McCune (McBurney), McMullen (McBurney), Sturgeon
25 (Benton), Williams) All opposed. (None) The motion passed.
26 Miscellaneous general restoration projects.

1 DR. SPIES: 95047 was a letter that proposed to
2 somehow remove the contamination from Prince William Sound and seal
3 it, and Cook Inlet -- didn't seem to hold much merit. I don't
4 think I can say anything more without violating some principle of
5 security. The two rockfish projects were not given, I mean they've
6 got some merit, but I think the reviewers thought that rock fish
7 management and perhaps more in a purview of the normal management
8 activities of the Alaska Department of Fish and Game. There still
9 arguably some damage, perhaps to rock fish, but the case is rather
10 weak, in my estimation. And then, 95141, perhaps Molly -- this is
11 the Afognak Island state park interim support. This is one I'm not
12 that familiar with.

13 MS. McCAMMON: (Indiscernible - out of range of
14 microphone)

15 MS. GILBERT: Madam Chairman, I'd like to address 95141.
16 It's a category four, I think, for two reasons. One is that it was
17 put together rather late and consequently did not receive the same
18 review as most of the other projects, and the other is that it does
19 raise issue of whether the all or part of this project is normal
20 agency management, and the project does consist of two parts. The
21 largest amount, 270,000, is to move over-burden back to nine of the
22 sixteen miles of logging road. In the nearly acquired -- or in the
23 area that was newly acquired on Afognak Island, and became part of
24 the Afognak Island state park, as part of the purchase agreement
25 and the resolution that the Trustee Council signed, it became the
26 responsibility of the seller to comply with state law dealing with

1 putting the roads to bed. However, that dealt largely with
2 stabilizing the roads to reduce the likelihood of erosion. That's
3 fine, it's just that what we're intending to do with the request
4 for two hundred and seventy thousand is to actually move over-
5 burden back onto the roads to hasten revegetation, to return, as
6 least a portion of the area, back to what approaches natural
7 habitat. The remaining twenty thousand of the request is for
8 interim support for management of the state park. This request was
9 submitted largely at the -- in response to a letter of intent from
10 the state legislature when they -- formed Afognak Island state park
11 -- the letter of intent that was attached to the legislation, did
12 direct the Department of Natural Resources to seek interim support
13 for management of the state park. It's interim for a period not to
14 exceed five years. Of course, it would be year-to-year
15 reconsideration until such time as the state can develop -- can
16 generate sources of revenue, to continue management of this new
17 state park.

18 MS. FISCHER: Are there any questions of Veronica?
19 John.

20 DR. FRENCH: Yeah, Veronica, has a master plan for the
21 management of the park been developed, I mean do we have any idea
22 whether or not we're going to want to reopen some of these roads
23 for access into parts of the park later?

24 MS. GILBERT: That's a good point. No, it hasn't, but
25 the -- the work plan that you -- have available to you, the three
26 page description, does address the issue of developing a trail

1 conversion plan, which is the intent here, there is not a
2 particular budget item requesting funding to develop that, but the
3 idea was, that in fact some of those trails should be -- or some of
4 the logging roads should, in fact, be converted to trails, but it
5 should be done consciously, and not just inadvertently, and that's
6 why the request for moving over-burden back onto the roads is for
7 only nine of the sixteen miles, and admittedly that's an initial --
8 or the preliminary estimate of what proportion would be converted
9 to trails.

10 MS. FISCHER: Any other -- Kim.

11 MS. BENTON: I have a question that might not be
12 related specifically to this project, but rather to the habitat
13 acquisition on a whole. If the state park is having -- state parks
14 is having problems funding the parks that they have, is that being
15 taken into consideration when the ownership question is raised over
16 future acquisition?

17 MS. FISCHER: Molly, can you answer that?

18 MS. McCAMMON: Madam Chair, the question of ownership of
19 potential acquisitions, you mean who actually ends up with the
20 land, is the discussion? In most cases it's fairly obvious because
21 it's the adjacent land management agency. There's only a couple of
22 instances that there is actually discussion going on between the
23 federal and state agencies as to whether it would be more
24 appropriate for a state park, or within the Forest Service system.
25 And, I'm sure that those are part of the discussions that are
26 ongoing, as to what future management would incur.

1 MS. GILBERT: Madam Chair, may I say a word on that
2 issue, too ...

3 MS. FISCHER: Yes, Veronica.

4 MS. GILBERT: ... because I've struggled a bit with
5 this, and terms of the parcels that have -- acquired parcels that
6 have gone to Alaska state parks, one major one was Kachemak Bay in-
7 holdings where we already had an existing park. We already had a
8 management system, perhaps not adequate, but it was the best we
9 could do. With the Afognak Island state park, you'll dealing with
10 a brand new state park, and it placing a burden on a unit of the
11 state parks that just cannot expand quickly. We're not dealing
12 with an in-holding, and in that -- in that particular case, in the
13 absence of some kind of interim support, until you can generate
14 resources, the kind of attention that would be placed on that would
15 simply be an extension of what exists right now, which is largely
16 management, Fort Abercrombie, in this (indiscernible - simultaneous
17 talking)

18 MS. FISCHER: Kim.

19 MS. BENTON: I guess -- I understand that and I agree
20 that is you're going to buy a piece of property you should be able
21 to manage it. I just -- when I look at the spreadsheet of all the
22 future habitat acquisitions that are being considered and the areas
23 that are being considered, I see several of those that are
24 (indiscernible) to be possibly put into state park ownership. And
25 so, we always think about what are costs going to be, looking
26 ahead, and I'm wondering if any parcel in the future, most parcels,

1 any parcels, that is put into state ownership, will incur the same
2 problem and the same lack of funds?

3 MS. FISCHER: Any other comments or questions? Okay, do
4 we entertain a -- John, yes.

5 DR. FRENCH: Possibly to stimulate further discussion
6 on it, I'd -- I'd like to propose that PAG support a portion of
7 this project for recovery of the roads, conversion of the roads to
8 trails, but not for interim management.

9 MS. BRODIE: Second

10 MS. FRENCH: Okay, the motions been made as partial
11 support of this project, mainly for maintenance of the roads and
12 trails, right John?

13 DR. FRENCH: In many cases, actually conversion of the
14 roads back to more native conditions than maintenance.

15 MS. FISCHER: Okay. Any discussion? Yes, Kim.

16 MS. BENTON: I guess my comment that I would have on
17 the motion was I question the ties to restoration. I think the
18 trail systems are something that are important. I don't think that
19 they're necessarily really closely tied to restoration, and so I
20 will vote against this motion based on that.

21 MS. FISCHER: Mr. King.

22 MR. KING: I find it a little difficult to vote for
23 this too because of the lack of comprehensive plan. Now, perhaps
24 there's something obviously, I'm not familiar with the area myself,
25 that would preclude needing a public use plan, but unless there's
26 something of that nature, I would say this is premature, and that

1 maybe it could be looked at sometime in the future.

2 MS. FISCHER: Okay, Rupe.

3 MR. ANDREWS: I would support this proposal in part
4 because if you don't pull the culverts, you're going to have
5 tremendous damage, and that's what they should do.

6 MS. FISCHER: Any other comments. Okay, all in favor of
7 the motion please raise -- signify by raising your right hand.
8 (Andrews, Brodie, Diehl, French, McCune (McBurney), McMullen
9 (McBurney)) Opposed? (Cloud (McCorkle), Fischer, King, McCorkle,
10 Sturgeon (Benton), Williams)

11 (Aside comments)

12 MR. WILLIAMS: My reason is I support Jim King's
13 reasoning. It's not just trying to be obnoxious.

14 (Laughter)

15 MR. MUTTER: Tie vote.

16 MS. FISCHER: It's a tie vote. So, the motion fails.
17 Kim only has one vote as an alternate. So, the motion fails.
18 Okay, then we'll move on to administration/science
19 management/public information.

20 MS. BENTON: Madam Chair.

21 MS. FISCHER: Oh, yes.

22 MS. BENTON: Before we get to that section, could I ask
23 the group to entertain a motion that the acquisition and ownership
24 be subjected to the same kind of criteria that we're asking every
25 other project to be subjected to of financial responsibility and
26 feasibility. And, if the state park can't handle any more

1 acquisition then -- financially, then maybe they shouldn't look at
2 owning.

3 MS. FISCHER: Is there a second to her motion?

4 MR. WILLIAMS: I'll second it.

5 MS. FISCHER: Okay, will you repeat it, Kim, that you
6 would like for the state to make sure that they have ...

7 MS. BENTON: In acquisition decisions, financial
8 responsibility is taken for consideration so that the state parks
9 don't -- doesn't acquire property that they can't afford to manage.

10 MS. McCAMMON: Madam Chair.

11 MS. FISCHER: Yes.

12 MS. McCAMMON: Just for a point of clarification,
13 wouldn't you consider that for any agency whether it was federal or
14 state, could be under the same kind of financial responsibility.

15 MS. BENTON: Any agency.

16 MS. FISCHER: Adjust that to say any agency, federal and
17 state ...

18 MS. BENTON: You'd want the same kind.

19 MS. McCAMMON: Seriously, in the draft Restoration Plan,
20 there is a draft policy that except where a specific -- let's see -
21 - except where specific restoration activities for acquired lands
22 exceed normal agency efforts, land management costs will be met
23 from existing agency budget. So, that was intent, it has been
24 direct policy that the costs fee be absorbed within existing
25 budgets, where possible.

26 MS. FISCHER: So, it may not hold for that fee amount --

1 record though, Kim. Jim.

2 MR. KING: The budget for the state parks for federal
3 parks comes up every year in the congress or the state legislature,
4 and depending on the demand and the use and the support, it's been
5 varied quite a bit. I think I'd like to point out that in the last
6 budget year there was quite a lot of cuts, but state parks was not
7 cut. There's a strong feeling that the -- I guess the tourist
8 industry is using our state parks, and that they are producing a
9 form of wealth in areas that were not producing wealth a few years
10 ago. Something on that order, anyway, has been telling the
11 legislature that was quite cut and flash and clang to hold up the
12 budget for state parks. So, I think we should consider that, you
13 know, we'll get what we want. If we need budget for parks
14 collectively, we'll get it when the time comes.

15 MS. FISCHER: Yes, Pam's first.

16 MS. BRODIE: Thank you, Madam Chair. I would like to
17 echo what Jim King just said and add that perhaps an unintended
18 consequence if we do this, will be to encourage the Trustees to put
19 land acquisitions into the federal hands, rather than state, which
20 I don't think this group, at least, in -- from our past votes, that
21 has not been what this group has wanted to do.

22 MR. FISCHER: Jim.

23 MR. DIEHL: I don't understand why this is being
24 brought up because it is taken care of by the Congress or the State
25 Legislature, and it has to be taken care of by them. We cannot
26 direct them.

1 MS. FISCHER: I'm going to make a comment, too. I do
2 know that the state parks were cut to some degree, Jim, because I
3 know in the Richardson Highway we had several, close to Valdez
4 around Thompson Pass, they wanted to cut out -- they weren't
5 completely cut out, but they were reduced on funding for any type
6 of participation as to what there had been. So, DOT picked up,
7 like the clean up and stuff like that, in order to maintain these
8 parks and keep them open. And some of the areas they weren't cut,
9 you're right, they weren't cut, but I think that we're going to
10 find in areas like out in the Sound where there hard to get to.
11 We're going to see those areas get cut, because they aren't going
12 to have the manpower or the people to do it. Under the federal
13 side, they've also been cutting their parks and recs all around the
14 country. There's a lot of parks that the federal have literally
15 cut out a lot of funding, cut back on help to where they can't be
16 open. The fees have gone up in areas that they have been open, in
17 order to pay for the staff there, and Yellowstone is one good
18 example. There's another one up in Wyoming, that was another good
19 example, and there's been a lot of publicity on them. So, they are
20 -- everybody is cutting back to some degree, and I think Kim has a
21 good point there, in my opinion. Okay, Kim.

22 MS. BENTON: Having been through these acquisitions, I
23 -- Molly brings up good point, it's not just the state system, and
24 if the state system can afford them, I think that that's a good
25 opportunity. I just think that if the state system cannot afford
26 them, or the federal system cannot afford them, that those costs be

1 taken into consideration up front, and if they're going to keep
2 coming back to the Trustee Council for funding, that maybe that's
3 a budget item that we know, or we're going to have to anticipate.
4 Just to be aware of it, and that's the reason I bring it up, is we
5 try to keep -- you know, yesterday we listened to the Seward Center
6 and we had a lot of maintenance questions. How are you going to be
7 able to maintain it, and I think we should apply the same criteria
8 to land.

9 MS. FISCHER: Lew.

10 MR. WILLIAMS: Yeah, in response to the criticism of
11 Kim's motion, we have before us a request for interim funds to
12 manage -- partially manage a park, and I think what her motion
13 intends is that we don't want them to just go grabbing land right
14 and left, without consideration of some management funds because we
15 don't want them coming back then to the Trustee Council and
16 spending that money on management that they should be getting funds
17 for through the legislature or through Congress.

18 MS. FISCHER: Okay, any -- Jim.

19 MR. DIEHL: You know, right now it's true that there
20 are a lot of them, state parks that perhaps need more managing, and
21 there are a lot of federal parks that perhaps need more managing,
22 but I would suggest that people that go into these parks take a
23 look around and if something is wrong, then they get back to the
24 management entity and create enough noise so that things get taken
25 care of, and that's just the way things are going to work in the
26 future, rather than having people everywhere managing.

1 MS. FISCHER: Rupert.

2 MR. ANDREWS: I think the important thing is to give a
3 line around it and says this is state property. The Wood River
4 Chitick (ph) state park was selected back in the early sixties.
5 Nothing was ever done. I'm not even sure there's any state action
6 out there right now, but it is a state park and it is a very
7 important area. I think that's the important thing. Hundreds of
8 them are using Afognak Island for decades, and I suppose they'll
9 continue to use it, and I don't think facilities really are needed.
10 The important thing is to get the land around it.

11 MR. WILLIAMS: But, you don't want them coming back in
12 then and asking the Trustee Council for another three hundred
13 thousand to manage it because that's not what the intent of the
14 restoration funds are.

15 MR. DIEHL: No.

16 (Indiscernible - simultaneous talking)

17 MR. WILLIAMS: But, I think under the normal budgeting
18 process of State Division of Parks, that will come at some point.

19 MS. FISCHER: John.

20 DR. DIEHL: It would be extremely unfortunate the
21 restoration reserve was used for management of acquired lands.

22 MS. FISCHER: John.

23 DR. FRENCH: I concur with the need to have fiscal
24 responsibility over the land, however, I intend to vote against
25 this motion, primarily for reasons that Pam Brodie stated. I'm
26 afraid that the consequences of this motion would be we would see

1 more lands go into federal management, and especially with
2 consideration for Shuyak Island purchases and other north of
3 Afognak purchases under consideration at this time, as Jim Ayers
4 said earlier. I think, I would -- I would be very disappointed to
5 see those go under federal rather than state management, and I
6 think they would make an excellent addition to the state parks
7 system, and I just don't want to send the wrong message at this
8 time.

9 MS. FISCHER: Okay, all in favor of Kim's motion, please
10 raise your right hand to -- signify by raising your right hand.
11 (Cloud (McCorkle), Eliason (McCorkle), Fischer, McCorkle, Sturgeon
12 (Benton, Williams). Okay, all opposed to this motion, please raise
13 your right hand. (Andrews, Brodie, Diehl, French, King, McCune
14 (McBurney), McMullen (McBurney)) The nays have it. Okay, we're
15 going to move on then to administration/science management/public
16 information.

17 MS. MCCAMMON: Madam Chair, I'll take this cluster of
18 categories -- cluster of projects. The first one, 95049 proposed
19 an independent review of restoration and monitoring projects. It
20 was our view that this was basically why we have the peer review
21 process in place for and that this would be duplicative of what we
22 already have in place. The Chief Scientist contract was up -- RFP
23 it went out through a competitive process, we're in the process of
24 negotiating a new contract for that. 95089, the information
25 management system, this was split out into two sections. The first
26 one that was funded by the Trustees in August was for the Oil Spill

1 Public Information Center. The second portion is something that
2 we're still continuing to, as Dr. Spies indicates here is clarify,
3 revise and further refine. But, the intent with this project is to
4 transition the OSPIC into an actually information management
5 system. We are not currently managing the information that is
6 produced by Trustee Council funded projects. It was only this year
7 that we even developed one single database that you can find out
8 what they've funded in the past. The goal of this additional
9 funding would be to set forward a plan for managing the information
10 that's being generated through this process to develop products
11 that would ensure that it has access to the public -- the general
12 public, as well as to the greater scientific community. We had
13 originally had some details as to what those end products would be
14 in the original proposal that you have in your packet. We've been
15 doing a lot of thinking and discussion with folks. We're not quite
16 sure we're at that point of saying yes, these are the products we
17 absolutely want, so we're actually trying to fall back to more of
18 a planning and discussion phase, coordination with a number of
19 efforts with the University, with National Biological Survey.
20 Other -- other efforts that are doing information management to
21 make sure that whatever we do is well coordinated and well thought
22 out with those also. Project 95100 was the administration, science
23 management and public information budget, and this was funded by
24 the Trustees at their August 23rd meeting.

25 MS. FISCHER: It was funded?

26 MS. MCCAMMON: It was funded, yes.

1 MS. FISCHER: So, there's no need for us to even ...

2 MS. MCCAMMON: There actually will be a few, you know, as
3 you go through all these things here, there were a few things that
4 slipped through the cracks when we actually did that budget, and I
5 believe there will be approximately thirty thousand or so more for
6 that budget that will come before the Trustees on November 2nd.
7 But, I don't have those details for you at this moment. And, then
8 project 95422, which the Trustees also funded, was the closeout for
9 the EIS/Record of Decision process for the restoration plan, and
10 that was also funded. So, the only thing that really is before the
11 Trustees is the rest of 089, that project description is being
12 revised, I don't have it for you now, but it would be helpful to
13 have an indication from the PAG as to what you thought is the
14 relative importance of trying to grapple with this issue because
15 this is one of the number one priorities I know of the Executive
16 Director, and in response to what we have heard from the public to
17 a large degree, and it would be useful to get an affirmation of
18 whether you voice that as important.

19 MR. FISCHER: Okay, are there any questions or comments
20 from Molly. Okay, can we entertain a motion for any of these?
21 Moving right along. Oh, Pam.

22 MR. BRODIE: I move we adopt 089.

23 MR. KING: Second.

24 MS. FISCHER: Okay, any discussion on 089. Kim.

25 MS. BENTON: Can I just ask a question of Molly. One
26 of the things we talked about earlier was in trying to figure out

1 the best way to make this information user friendly is involving
2 the users, and I haven't read through the project description
3 lately, but can we just maybe address a little bit about how that
4 will happen so that you don't -- the system doesn't evolve, costing
5 a bunch of money that the people will want to use it, but don't
6 know how.

7 MS. McCAMMON: Madam Chair, in that project description,
8 actually we have an advisory group that would work with us as we go
9 forward with this planning process, and it would include users such
10 as the education system, scientists and community members.

11 MS. BENTON: Thank you.

12 MS. FISCHER: Okay, now we have a motion for 089, all in
13 favor, please raise your right hand. Any opposed? (None) The
14 ayes have it. Okay, we've already taken action on 95119, and we'll
15 move down to 424, restoration reserve, and then we're out of here.
16 Yes, Lew.

17 MR. WILLIAMS: A considering all the money we saved by
18 not approving all these projects, I move we approve 424, but that
19 the amount be \$24 million instead of \$12 million.

20 MR. KING: Second.

21 MR. WILLIAMS: It has been moved an second for the amount
22 to be increased to \$24 million instead of \$12 million. Any
23 comments? Mary.

24 MS. MCBURNEY: Where's that money coming from?

25 MR. WILLIAMS: Out of the \$70 million they're getting
26 this year. That's where they're getting the 71, course it might

1 not be that amount.

2 MS. MCBURNEY: What are we willing to trade-off?

3 MR. WILLIAMS: We've already traded off, we haven't
4 approved eleven million for buying permits out of Cordova, and I
5 forgot what other projects in here, but there ought to be another
6 twelve million.

7 MR. DIEHL: That was never funded, was it?

8 MR. WILLIAMS: It's in this list, and it's in the total
9 eleven.

10 MR. DIEHL: Everything is in the list though.

11 MS. FISCHER: Okay, all in favor of the motion, please
12 raise your right hand by signifying in favor of. (Andrews, Cloud
13 (McCorkle), Eliason (McCorkle), King, McCorkle, Williams) Opposed?
14 (Brodie, Diehl, Fischer, French, McCune (McBurney), McMullen
15 (McBurney), Sturgeon (Benton)) The opposed have it, it'll stay at
16 \$12 million.

17 MR. WILLIAMS: I sure hope that somebody notes to the
18 Trustees there was a move to ask them to put more money in this
19 thing.

20 DR. FRENCH: I'd like to substitute to move that we
21 heartily endorse the addition of -- the depositing of at least an
22 additional \$12 million in restoration reserve, and that the
23 Trustees give consideration to increasing the amount.

24 MR. WILLIAMS: I'll second it.

25 MS. FISCHER: Okay, and what was that -- what was the
26 motion?

1 DR. FRENCH: That we heartily endorse the continued
2 contribution of at least \$12 million to the reserve fund and that
3 we wish -- we encourage the Trustees consider depositing a larger
4 amount of money.

5 MS. FISCHER: Okay, there to move to increase or to
6 endorse the twelve million and possibly increase it where possible,
7 and there was a second. Any discussion on the motion. All in
8 favor of the motion, please raise your right hand. (Andrews, Cloud
9 (McCorkle), Eliason (McCorkle), Fischer, French, King, McCorkle,
10 McCune (McBurney), McMullen (McBurney), Sturgeon (Benton),
11 Williams) Any opposition? (Brodie, Diehl) Okay, two oppose, the
12 motion passes. Is there any other discussion.

13 MR. WILLIAMS: When do we meet again?

14 MS. FISCHER: Pardon me?

15 MR. WILLIAMS: When do we meet again.

16 MS. FISCHER: I think in January, from what I
17 understand, when they pick the new PAG members. Molly does, has
18 some certificates she does want to hand out, and I think that this
19 is the end of our -- our journey for the two years that we've had,
20 I know I've certainly enjoyed being with all of you. It certainly
21 has been a learning experience, and hope to see you again, and hope
22 to work with many of you again. And, I'm going to turn it over to
23 Molly.

24 MS. McCAMMON: Madam Chair, just to actually maybe
25 respond a little bit more appropriately to your question there.
26 The solicitations for Public Advisory Group members was extended to

1 October 31st. Unfortunately, with this additional solicitation, we
2 have not received any new names during this period of time. And
3 so, I would encourage all of you especially in the areas of
4 aquaculture, subsistence and recreational -- commercial tourism,
5 that to encourage folks who are interested in this process to get
6 their names in very quickly as the deadline is October 31st.
7 Following this, the goal is to take the names submitted to the
8 Trustees and attempt to get a new Public Advisory Group constituted
9 and up and running by December. We have talked about the new PAG
10 meeting possibly in December for a board training session, or
11 waiting until January, mid-January, when we're having our annual
12 workshop. At that time there may be a meeting in conjunction with
13 that annual workshop. But, there was really, given that the work
14 plan is going to be done in November, there wasn't -- didn't appear
15 to be a need for an immediate PAG meeting until December/January,
16 sometime around that time.

17 MS. FISCHER: Molly, my understanding from some of the
18 Trustees that they were hoping that as many of the PAG members
19 could come back, you know, possibly they would because of the
20 experience and knowledge they've gained through this. Are many of
21 them coming back? Do you know?

22 MS. McCAMMON: In fact, most of the names that have been
23 received are from existing PAG members who have asked to be
24 reappointed. There are actually very few new names on the list.

25 MS. FISCHER: Okay, Lew.

26 MR. WILLIAMS: I can think of a couple in aquaculture and

1 tourism. What will I do, have them call you ...

2 MS. McCAMMON: Yes.

3 MR. WILLIAMS: ... and you'll give them an application or
4 tell them what they have to do.

5 MS. McCAMMON: Yes. In appreciation for all of the work
6 that this Public Advisory Group has done, we had -- we prepared
7 certificates of appreciate and I'd like to read those into the
8 record and we have these for both the PAG members and their
9 alternates, because in a lot cases the alternates have served
10 extensive, and we appreciate their participation as well. The
11 Exxon Oil Spill Trustee Council extends our deepest appreciation
12 to, and your name is listed here, for your contribution to
13 restoration of the resources of services inured by the Exxon Valdez
14 oil spill, as a member of the Public Advisory Group, October, 1992
15 through October, 1994, and it is signed by the six Trustees, the
16 three state, three federal Trustees. These are original
17 signatures. We had a whirlwind (indiscernible - laughing) around
18 the state to get those signatures on these, and John Sandor's, this
19 is in blue ink just prove that they are original signatures there.
20 On behalf of the Executive Director and all of the Trustees, I
21 would like to extend our appreciation for the work and the
22 contribution that you have made through this process. I know for
23 many of you, it's been kind of painfully slow over the last two
24 years, but I think you have helped to get it to the point where
25 those steps are moving a little faster, and it's with great
26 appreciation. And, I'll like to hand them out to all of you.

1 MR. FISCHER: Doug.

2 MR. MUTTER: I'd just like to say that this has been an
3 entertaining and educational two years, (laughter) and I look
4 forward to another two years with some of you folks. Actually, I'm
5 impressed with all of the attention and thought that you as
6 individuals and as group has given to these issues. So, very good.

7 MS. FISCHER: Pam.

8 MR. BRODIE: Never to miss an opportunity to speak, I
9 would like to thank the staff and also the other members of the
10 public advisory group for your patience with dealing with probably
11 the most verbose of Public Advisory Group members, being myself,
12 thank you.

13 MS. FISCHER: Anyone else care to make comments? Mr.
14 King.

15 MR. KING: I'd like to say that. too, that I've
16 particularly appreciated the new people that I have met though this
17 process, both from the staff and the Public Advisory Group, and
18 really surprised and appreciative of the sincerity and dedication
19 that I see all around, and that we were all a little confused, I
20 think through our first year, and I see us coming together in a
21 wonderful way before we wound up, so I'd like to say thanks to
22 everybody in that regard.

23 MS. FISCHER: Any other comments? Yes, I would like to
24 thank the staff too, and I think Sherry needs to be thanked a big
25 deal for always calling us and making our reservations for us or
26 getting us taken care of to make sure we get here. I know that

1 along with her other duties, that was a large responsibility too.
2 I think the staff has been just tremendous in dealing with so many
3 different personalities, and have been wonderful to all of us.
4 Thank you. We're just finished.

5 (Off Record 12:05)

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END OF PROCEEDINGS

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CERTIFICATE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

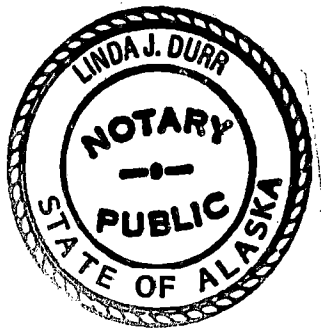
I, Linda J. Durr, a notary public in and for the State of Alaska and a Certified Professional Legal Secretary, do hereby certify:

That the foregoing pages numbered 03 through 356 contain a full, true, and correct transcript of the Exxon Valdez Oil Spill Settlement Trustees Council Public Advisory Group meeting taken electronically by me on October 12 and 13, 1994, commencing at the hour of 8:30 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 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 24th day of October, 1994.



Linda J. Durr

Linda J. Durr, Certified PLS
Notary Public for Alaska
My commission expires: 10/19/97