

09, 19, 05

1 EXXON VALDEZ OIL SPILL

2 TRUSTEE COUNCIL

3 Public Meeting

4 Wednesday, August 10, 2005

5 441 West 5th Avenue, Suite 500

6 Anchorage, Alaska

7 TRUSTEE COUNCIL MEMBERS PRESENT:

8 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE

9 (CHAIRWOMAN) U.S. Department of Interior

10 STATE OF ALASKA - DEPARTMENT MR. KURT FREDRIKSSON

11 OF ENVIRONMENTAL CONSERVATION: Commissioner

12 U.S. DEPARTMENT OF COMMERCE, MR. PETE HAGEN for

13 National Marine Fisheries Svc: MR. JAMES W. BALSIGER

14 Administrator, AK Region

15 STATE OF ALASKA - DEPARTMENT MR. MCKIE CAMPBELL

16 OF FISH AND GAME: Commissioner

17 STATE OF ALASKA - MR. SCOTT NORDSTRAND

18 DEPARTMENT OF LAW: Deputy Attorney General

19 State of Alaska

20 U.S. DEPARTMENT OF AGRICULTURE, MR. JOE MEADE

21 U.S. FOREST SERVICE Forest Supervisor

22 Forest Service AK Region

23 Proceedings electronically recorded, then transcribed by:

24 Computer Matrix Court Reporters, LLC, 3522 West 27th,

25 Anchorage, AK 99517 - 243-0668

1 TRUSTEE COUNCIL STAFF PRESENT:

2 MS. GAIL PHILLIPS	Executive Director
3 CHERRI WOMAC	Administrative Officer
4 DR. RICHARD DWORSKY	Science Coordinator
5 STEVE ZEMKE	U.S. Forest Service
6 PAULA BANKS	Administrative Manager
7 ROB BOCHENEK	Data Systems Manager
8 MICHAEL SCHLEI	Analyst Programmer
9 CAROLYN ROSNER	Research Analyst
10 CARRIE HOLBA	ARLIS Librarian
11 BRETT HUBER	ADF&G
12 DOUG MUTTER	Department of Interior
13 CAROL FRIES	ADNR
14 DEDE BOHN	U.S. Geological Survey
15 CRAIG TILLERY	Alaska Department of Law
16 GINA BELT	Department of Justice
17 MICHAEL BAFFREY	Department of Interior
18 JENIFER KOHOUT	U.S. Fish & Wildlife Svc.

1	TABLE OF COMMENTS	
2	Call to Order	04
3	Approval of Agenda	05
4	Approval of June 11, 2005 Minutes	07
5	PUBLIC COMMENT	
6	Mr. Michael Munger	14
7	Mr. Walter Johnson	18
8	Mr. Ken Adams	22
9	Ms. Ann Bayes	25
10	Mr. Ross Mullins	27
11	PAC DIALOGUE	
12	Dr. John Gerster	32
13	Ms. Stacy Studebaker	41
14	Mr. Jason Brune	75
15	Mr. Ed Zeine	77
16	Ms. Tori Baker	77
17	Mr. Pat Lavin	80
18	Dr. Brenda Norcross	86
19	Executive Director's Report	94
20	PAC Nominations	126
21	Anchor River Parcels	145
22	Proposed Project Reporting Procedure Change	156
23	Proposed Interim Action Plan	169
24	Small Parcel Acquisition Program	194
25	FY2006 Draft Work Plan	204
26	Administrative Budget	292
27	Adjournment	302

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P R O C E E D I N G S

2

(Anchorage, Alaska - 8/10/05)

3

(On record - 9:08 a.m.)

4

CHAIRWOMAN PEARCE: Let's call the meeting to order. It is August 10th, 2005. This is the Exxon Valdez Oil Spill Trustee Council. Six Trustees are here with Mr. Hagen representing Mr. Balsiger. And we are on teleconference and I understand there are at least two people on teleconference. We need first to approve the agenda. Would everybody please make sure that you're referring to the August 9th draft. And we would entertain a motion on the agenda.

13

MR. MEADE: Question.

14

CHAIRWOMAN PEARCE: Yes, sir. Mr. Meade.

15

MR. MEADE: In my review yesterday, I know that there was an interest to move an item on the agenda on the interim science plan earlier in the agenda. I've not looked at the one handed out this morning to know if it reflects that.

20

CHAIRWOMAN PEARCE: It does not so it is still showing as Item 11.

22

MR. MEADE: It seems in my review of the agenda, it would be important to have that as background information to frame perhaps interactions the Trustees will have on other items into the day. Would that make sense?

1 CHAIRWOMAN PEARCE: I believe it would. Do
2 you have a motion -- does someone have a spot?

3 MR. CAMPBELL: I would move the agenda and
4 would suggest -- and if we can get a second, then I would
5 suggest several changes to the agenda.

6 CHAIRWOMAN PEARCE: Okay. There's a motion
7 to adopt the agenda, is there a second?

8 MR. NORDSTRAND: Second.

9 CHAIRWOMAN PEARCE: And there is a second.
10 Mr. Campbell.

11 MR. CAMPBELL: Let's see. I would --
12 echoing Joe's comment, I would move to propose number 11
13 Interim Action Plan up to number -- the new number nine and
14 subsequently bump the other two down. So it would go after
15 proposed project reporting procedure change and before
16 small parcel acquisition program.

17 CHAIRWOMAN PEARCE: Okay.

18 MR. CAMPBELL: I would further propose that
19 at the bottom of number 5, an item is listed as executive
20 session if necessary. I would move that that tentatively
21 be moved to last place on the agenda.

22 CHAIRWOMAN PEARCE: Just before
23 adjournment?

24 MR. CAMPBELL: Just before adjournment.

25 And that's all my changes. I have some questions on

1 whether the small parcel acquisition program, which I noted
2 has moved from an information item in our original agenda
3 to an action item on this agenda. I have some questions
4 about whether we're ready for that to be an action item.
5 Perhaps we can just take that up at the time.

6 CHAIRWOMAN PEARCE: At the time. Okay. So
7 we have a motion on the table to make two amendments -- I'm
8 sorry, Mr. Commissioner.

9 MR. FREDRIKSSON: Madam Chair, if I might
10 just maybe add one other suggested change. And that is
11 where we have under Item number 5, the Executive Director's
12 report, we have a presentation by John Gerster on the PAC
13 meeting summary. I'm wondering, instead of burying some of
14 the PAC items under the Executive Director's report and
15 since we have under number 4, the Trustee Council Public
16 Advisory Committee dialogue, might we just move John
17 Gerster's PAC meeting summary up into that Item number 4 as
18 an introduction, which would then follow by PAC members'
19 comments or attending in person or call-in. So I think we
20 have then three changes.

21 CHAIRWOMAN PEARCE: So there's a motion to
22 move Item 5 and combine it with Item 4 as a lead in to
23 further discussion with the PAC. So we have three proposed
24 amendments. Is everybody understanding those?

25 (No audible responses)

1 CHAIRWOMAN PEARCE: All those in favor of
2 the amended agenda, signify by saying aye.

3 IN UNISON: Aye.

4 CHAIRWOMAN PEARCE: Anyone opposed?

5 (No audible responses)

6 CHAIRWOMAN PEARCE: We have adopted the
7 agenda and we now have approval of our meeting notes from
8 June 11th. Are there any changes, Madam Executive
9 Director?

10 (No audible response)

11 CHAIRWOMAN PEARCE: Okay. Do we have a
12 motion? Mr. Commissioner.

13 MR. FREDRIKSSON: I would make a motion to
14 adopt but we do -- I would suggest some amendments to the
15 meeting notes and some clarification. So to get to that
16 discussion, I'd move the meeting notes.

17 MR. CAMPBELL: Second.

18 CHAIRWOMAN PEARCE: There is a motion and a
19 second. Mr. Commissioner.

20 MR. FREDRIKSSON: On the -- and it was a
21 little -- we have two sets of notes here. The first is
22 right after the tab, which is then followed by the
23 transcripts from the Cordova Trustee Council meeting with
24 the PAC, which I recall we asked to be spread across the
25 minutes, so that's appropriate. But then following that is

1 a yellow page and then following that are Executive
2 Director meeting notes. So we have two sets of notes, one
3 that's a summary of our previous motions, which I would
4 make some amendments to, and then there are the second set
5 of Council meeting notes, which I'd like to speak to and
6 suggest either amendments to or actually removing.

7 So to begin, if I might, just with the
8 first meeting notes, under the summary of the motions and
9 actions taken by the Trustee Council at their June 11th
10 meeting, under Items number 1, 2, and 3, there are
11 references to attachments which aren't in this document.
12 And I would just recommend that those attachments be
13 deleted for sake of clarity.

14 CHAIRWOMAN PEARCE: Deleted or added?

15 MR. FREDRIKSSON: I would just delete them.

16 CHAIRWOMAN PEARCE: Just -- okay, their
17 reference.

18 MR. FREDRIKSSON: I don't think it's
19 necessary for purposes of this summary, of these notes.

20 CHAIRWOMAN PEARCE: Okay.

21 MR. FREDRIKSSON: On page 2 of those notes,
22 at the very top of the page, there is a reference to public
23 comments, were received from 11 Cordova residents and I
24 would just want to make note that three of the people
25 listed are not Cordova residents. So to be correct, we

1 could either just make mention that 11 comments were
2 received or separate out those three individuals who I
3 believe are Ted Cooney, Walt Parker, and Vince Patrick as
4 not being Cordova residents.

5 CHAIRWOMAN PEARCE: Okay.

6 MR. FREDRIKSSON: And my final amendment to
7 these notes would be under Item number 7, where we talk of
8 the overdue reports, and we talk of the motion of the
9 Trustee Council meeting for staff to review not only the
10 final but I believe it was the quarterly and annual reports
11 and to do that in conjunction with and to work with our
12 liaisons.

13 So I would make a motion that we, at least
14 for purposes of these meeting notes, we delete the A, B,
15 and C amendments on page 1; we distinguish that -- we
16 identify that Ted Cooney, Walt Parker, and Vince Patrick
17 are not Cordova residents; and that we note that the EVOS
18 staff were directed to work with liaison staff and look at
19 both the quarterly, annual, and final reports and their
20 overdue -- and working on procedures to address their
21 overdue status.

22 CHAIRWOMAN PEARCE: Okay. With the leave
23 of the Council, we will take that as a single motion for
24 the actual Trustee Council meeting notes of June 11th.
25 Does everyone understand the proposed amendment? Are there

1 any questions?

2 (No audible responses)

3 CHAIRWOMAN PEARCE: All those in favor

4 signify by saying aye.

5 IN UNISON: Aye.

6 CHAIRWOMAN PEARCE: Anyone opposed?

7 (No audible responses)

8 CHAIRWOMAN PEARCE: And the motion carries.

9 That would bring then to the meeting transcript.

10 MR. FREDRIKSSON: Yeah, and Madam

11 Chairman.....

12 CHAIRWOMAN PEARCE: I remember it was me

13 who asked that it be spread.

14 MR. FREDRIKSSON: Yes. And that I have

15 absolutely no problem with. I think that -- in fact I've

16 been impressed by our -- the transcripts that the Council

17 has produced and so I have absolutely no problem with that

18 and I appreciate the fact that we've got those spread in

19 our minutes. And I would move that we just adopt those as

20 part of our minutes in our meeting notes.

21 CHAIRWOMAN PEARCE: There's a motion. Is

22 there a second?

23 MR. CAMPBELL: Second.

24 CHAIRWOMAN PEARCE: We have a second.

25 MR. MEADE: Second.

1 CHAIRWOMAN PEARCE: Any discussion?
2 (No audible responses)
3 CHAIRWOMAN PEARCE: All those in favor,
4 signify by saying aye.
5 IN UNISON: Aye.
6 CHAIRWOMAN PEARCE: Anyone opposed?
7 (No audible responses)
8 CHAIRWOMAN PEARCE: Motions carries. Then
9 that brings us then to the meeting notes.
10 MR. FREDRIKSSON: The meeting notes
11 following the yellow page in our tabbed section on this
12 issue. And I'm not sure, Gail, if this has been
13 traditional where we've had the Executive Director notes
14 kind of included in.
15 MS. PHILLIPS: Madam Chair. It has been
16 since I've come on. I've always included my notes.
17 They're not official, they're just my record of the
18 meetings. If you don't want them in here, that's fine.
19 MR. FREDRIKSSON: Madam Chair, members of
20 the Council, my preference would be not to include these
21 notes. I have called for the transcripts of our Council
22 meetings just to refresh my mind what was actually said and
23 I think they've been very helpful. And again, I think we
24 have an excellent record of our Council meetings. And
25 while I appreciate the summary of our actions taken in our

1 meeting notes, I think these -- there are some corrections
2 I would make to these. If we're not going to adopt them as
3 part of the official record, I'm not sure it's necessary.
4 I think we could just treat them as just the Executive
5 Director's recollections. Otherwise I'd suggest that we --
6 or I would make motions to actually amend parts of this.
7 But I'm not sure it's necessary if we have the official
8 transcripts.

9 CHAIRWOMAN PEARCE: Well, is there a motion
10 to adopt the meeting notes formerly?

11 MS. PHILLIPS: Madam Chairman. They have
12 never been acted on. They have only always been there as a
13 point of information.

14 CHAIRWOMAN PEARCE: Well we need not do
15 that. And if there is no motion, then we need not enter
16 them in the process.

17 MR. FREDRIKSSON: Then I'm comfortable.

18 CHAIRWOMAN PEARCE: Okay.

19 MR. FREDRIKSSON: Thank you.

20 MR. MEADE: Madam Chair.

21 CHAIRWOMAN PEARCE: Yes, sir. Mr. Meade.

22 MR. MEADE: Just for clarity, I would like
23 to suggest -- I value the Executive Director's summary.
24 It's timely, we usually get them very shortly after the
25 meeting. It gives me a chance to go back and look at the

1 collective recollection. So I -- though I agree it does
2 not need to be part of the formal record, I want to give
3 value to that effort and I find it useful to get a quick
4 snapshot in an otherwise -- I don't need to wade through
5 the verbose transcripts when that suffices my needs. I
6 just would not want to lose that, Gail. I hope you
7 continue to provide that to us in an informal matter.

8 MS. PHILLIPS: Sure.

9 CHAIRWOMAN PEARCE: Thank you. Any other
10 comments? Mr. Fredriksson.

11 MR. FREDRIKSSON: Just to follow up on
12 Joe's comments. I agree. And in fact, it was Gail's
13 meeting notes that kind of prompted me to go back and look
14 at how we had talked about working with the liaisons on the
15 overdue reports. So I do find real value in them, I just
16 -- I don't want to get confused with the official
17 transcripts. So thank you.

18 CHAIRWOMAN PEARCE: Any other comments?

19 (No audible responses)

20 CHAIRWOMAN PEARCE: That brings us to
21 public comment. I would just like to discern the
22 difference between the public comment and the dialogue with
23 the PAC that is the next item on the agenda. Public
24 comment we will keep on a formal basis to three minutes.
25 The PAC dialogue will be perhaps a bit more of a give and

1 take, depending upon how much the -- what mood the Trustees
2 are in in terms of dialoging this morning

3 Is there public comment? Yes, sir. Please
4 come forward. If you'd state your name for the public
5 record, please.

6 MR. MUNGER: Good morning everyone. I'm
7 Michael Munger, I'm the Executive Director of the Cook
8 Inlet Regional Citizens Advisory Council. I have a few
9 comments.

10 CHAIRWOMAN PEARCE: You have the floor.

11 MR. MUNGER: Excuse me?

12 CHAIRWOMAN PEARCE: You have the floor.

13 MR. MUNGER: Thank you very much. Thank
14 you for the opportunity to present comments on what the
15 Cook Inlet Regional Citizens Advisory Council believes is a
16 significant data gap for coastal resources in the northern
17 Gulf of Alaska. That data gap includes coastal habitat
18 mapping data for most of Prince William Sound. Some of the
19 only coastline not included to date in a northern Gulf of
20 Alaska wide effort.

21 Today shore zone mapping surveys have been
22 completed in what would be a contiguous coastal habitat
23 database from the Alaska Peninsula to Chatham Straits in
24 Southeast Alaska, including all base estuaries and islands,
25 except for the shorelines of Prince William Sound. Over

1 the past five years, Cook Inlet RCAC has contributed
2 significant resources with both financial and in kind
3 salary contributions to building this comprehensive coastal
4 habitat mapping program.

5 We have also worked with numerous local
6 state and federal agencies to see this program expanded to
7 include areas outside of our region because we believe the
8 true value of the data is in a larger standardized,
9 comprehensive, contiguous data set. We submitted a
10 proposal to the EVOS Trustee Council this year to complete
11 the Prince William Sound data gap. And unfortunately, it
12 was not recommended for funding because the proposal did
13 not fit under the specific items listed under the original
14 RFP and was too significant to be considered an amendment
15 to our existing shore zone contract with you.

16 I'm here to ask that you reconsider your
17 decision. Existing databases for Prince William Sound do
18 not include the information that shore zone data provides
19 and without using the same systematic protocols that have
20 been applied elsewhere, Prince William Sound cannot be
21 included in the region wide comparisons or probabilistic
22 study designs in the northern gulf. Last year a small
23 portion of Prince William Sound was mapped with shore zone
24 methods using funding and in kind services by the Prince
25 William Sound RCAC, Cook Inlet RCAC, and OSRI. This data

1 clearly showed that the existing data provided by ESI maps
2 in industry geographical database or GRD's, while valuable
3 tools for their specific applications, do not meet the high
4 resolution map data standards or the near shore biological
5 habitat data that shore zone provides.

6 For your information, I -- excuse me -- in
7 closing at a recent EVOS Trustee Council sponsored
8 workshop, shoreline mapping was identified as a top
9 priority because it provides a foundation for monitoring
10 and research and near shore habitat and also provides a
11 valuable assessment tool for oil spill responders and
12 agency coastal planners and permitters. In fact, personnel
13 from four of the agencies that you represent, NOAA, DOI,
14 ADEC, and Department of Fish and Game are currently
15 participating in work groups that are identifying shore
16 zone applications and methods for serving up the data to
17 agency users.

18 We hope that you re-evaluate the need for
19 our proposed shore zone project in Prince William Sound
20 that will allow us to close the gap that exists between the
21 western and eastern Gulf of Alaska. Thank you.

22 CHAIRWOMAN PEARCE: Thank you very much.
23 Are there questions? Commissioner.

24 MR. FREDRIKSSON: Just a question, Mike.
25 You had give a kind of a geographic extent I think in the

1 very beginning of your comments, all the way down to
2 Chatham Straits, is that.....

3 MR. MUNGER: Yeah.

4 MR. FREDRIKSSON: So we've got ESI mapping
5 down through Southeast at this point?

6 MR. MUNGER: We have shore zone mapping
7 down in.....

8 MR. FREDRIKSSON: Shore zone mapping.

9 MR. MUNGER: Through south -- yeah. The
10 only gap in this from information that Sue Saupe provided
11 me is in Prince William Sound, Kurt.

12 MR. FREDRIKSSON: Okay.

13 (Off record comments)

14 CHAIRWOMAN PEARCE: Sorry. Go ahead, Mr.
15 Commissioner.

16 MR. FREDRIKSSON: So Mike this -- because I
17 agree, I think this is -- this ESI mapping, shoreline
18 mapping, is real important to oil spill response
19 preparedness -- and we've been engaged in that -- but as
20 we've moved around the state to do that, like as you
21 mentioned in Chatham Strait, that's through a partnership
22 with multiple agencies at this point. Is that correct?

23 MR. MUNGER: I believe so, yes.

24 MR. FREDRIKSSON: Thank you.

25 CHAIRWOMAN PEARCE: Mr. Commissioner.

1 MR. CAMPBELL: I appreciate it. I was
2 going to ask if you could submit the written testimony so
3 that we could have it for the record.

4 MR. MUNGER: Certainly. Yeah, I got a
5 typed packet.

6 CHAIRWOMAN PEARCE: Other questions?
7 (No audible responses)

8 CHAIRWOMAN PEARCE: Thank you very much.

9 MR. MUNGER: Thank you.

10 CHAIRWOMAN PEARCE: Is there other public
11 testimony here in Anchorage?

12 (No audible responses)

13 CHAIRWOMAN PEARCE: If not, we'll go to the
14 teleconference. Madam Executive Director, what sites do we
15 have? Do we know?

16 MS. PHILLIPS: Cherri, do we know who all
17 is on yet?

18 CHAIRWOMAN PEARCE: Sir, the person who
19 spoke up and asked to testify, could you identify yourself?

20 MR. JOHNSON: Yes, this is Walter Johnson.
21 I'm from Yakutat, Alaska.

22 CHAIRWOMAN PEARCE: Thank you, Mr. Johnson.
23 Would you please go ahead and submit your testimony.

24 MR. JOHNSON: Yes. Madam President and
25 Exxon Valdez Trustee Council. Before I present my comments

1 I would like to express my appreciation and gratitude that
2 allows me to present my views and proposal on the Exxon
3 Valdez oil spill of 1989.

4 When the Exxon Valdez tanker -- Valdez hit
5 the reef in 1989 that spilled 11 million gallons of crude
6 oil into Prince William Sound waters of Alaska, the damage
7 done was not only to the waters and the beaches where the
8 crude oil landed, disasters affect -- affected the entire
9 fishing industry and shook the industry to the core of its
10 being. So terribly bad that it has not recovered to this
11 day. All Alaska salmon and fish were painted and tainted
12 by the Exxon Valdez paintbrush using crude oil for paint.

13 In 1988, the fishing industry had a boom,
14 due to the highest prices that had never been seen before.
15 That year the entire industry invested heavily for their
16 financial future, based upon those prices, fish prices of
17 1988. When the Exxon Valdez crude oil spill hit the news,
18 the prices dropped. That was and is comparable to the Wall
19 Street crash of the thirties, only in Alaska it happened.
20 The entire fishing industry took nearly a fatal blow. But
21 it surely crippled our fishing industry to this day. Very
22 similar to the open canned salmon that may have killed some
23 people in England in 1981. That incident killed the canned
24 salmon industry which is just now making noises about
25 coming back 24 years later.

1 The hardest hit from the Exxon Valdez oil
2 spill were and are the individual fishermen of the
3 Southeast, the Western and Northern Aleutian Chain, Bristol
4 Bay, Yukon, Nome, Kotzebue, and the northern areas of
5 Alaska. They did not participate in the clean up
6 operations that the fishermen of Prince William Sound and
7 other oil affected areas, according (indiscernible -
8 telephonic beep) oil company enjoyed. Nor do those
9 affected areas have the possibility of sharing in cash
10 settlement, even though they have suffered more than those
11 in those areas than named by the oil company.

12 Individual fishermen have struggled due to
13 the drop of fish prices, even some had to give up their
14 preferred occupation. Processors have gone belly up and
15 brokers have ceased to exist. Japan has moved away from a
16 great part of the fishing industry since 1988 -- I mean,
17 '89, sorry. The one great event that happened to make
18 these things occur was and is the Exxon Valdez oil spill.
19 All those disastrous fishing events are still taking place
20 while those same oil companies are enjoying the biggest
21 boom in their history.

22 Nothing has ever been done for the
23 individual fisherman in the unaffected areas of the state
24 that suffered so long and so hard since 1989. How have
25 those fishermen and the unaffected areas described by the

1 oil companies been compensated for the collapse in the fish
2 prices that are still less than half in some areas of
3 Alaska that been named as unaffected?

4 I would request that a survey paid for by
5 the Exxon oil company, whatever their name is now, of all
6 the fishermen in the unaffected areas of southeast,
7 westward and northern Aleutian Chain, Bristol Bay, Yukon,
8 Nome, and Kotzebue and all northern areas of the state of
9 Alaska be involved in this effort. To be included in this
10 survey would be the extent of the damage done to the
11 fishermen by the above, the water oil spill effects that
12 have never been openly discussed and the disastrous effect
13 that the Exxon oil spill has on the individual fishermen of
14 Alaska.

15 These views of mine has been simmering
16 since 1989 and prior to ending my comments, I have one more
17 point to make. The Alaska salmon have not the means nor
18 the ability to change their name like the brush that
19 painted and tainted theirs. Thank you. This is Walter
20 Johnson of Yakutat, Alaska.

21 CHAIRWOMAN PEARCE: Thank you, Mr. Johnson.
22 Are there questions?

23 (No audible responses)

24 CHAIRWOMAN PEARCE: Thank you very much.
25 Ken Adams, Cordova.

1 MR. ADAMS: Thank you very much. Good
2 morning, Mr. Chairman, members of the Trustee Council,
3 members of the PAC that are present, and Executive Director
4 Phillips. I'd like to speak in support of our proposal,
5 060784, entitled commercial fishery synthesis and modeling.
6 I'd like to begin by saying at the June 11th Trustee
7 Council meeting here in Cordova, first learned of the
8 reviewer comments of our proposal. Those were comments
9 submitted by members of the PAC and the STAC. And not very
10 long afterward, as a matter -- it was about 10 days later
11 -- we sent a message to Executive Director Phillips and
12 requested that she forward the message to the Trustee
13 Council, our request for the opportunity to submit a
14 modified proposal which was responsive to the reviewer
15 comments.

16 This was common practice formerly within
17 the Trustee Council upon receipt of reviewer's comments,
18 proposers could review their proposals and make them more
19 responsive to reviewer comments. So we anticipated the
20 same thing as to happen this time. However, that request
21 was denied and we were informed that no proposal would be
22 modified. However, after reviewing the staff prepared FY06
23 proposal recommendations, Table 2, it is noted that
24 recommendations for proposal modification occur in eight of
25 the 11 proposals submitted. So in view of the fact that

1 the majority of proposals that you received need
2 alteration, at this time we request the Council reconsider
3 their position and provide the opportunity for application
4 revision -- application/revision.

5 With respect to the proposal reviews, we
6 would like to express our heartfelt thanks to members of
7 the PAC and to Executive Director Phillips for their
8 comments in recognition of the benefit of our community
9 involvement effort which began four years ago. And we are
10 in effect seeking exactly what members of the Trustee
11 Council called for at their June 11th meeting in Cordova,
12 that is, to realize tangibles, tangibles from the Council's
13 restoration efforts -- previous restoration efforts. So we
14 offer the opportunity to achieve tangibles. And including
15 the application of science for improved fisheries
16 management. Specifically, we seek to improve pink salmon
17 forecasting in Prince William Sound and we believe that the
18 information assets provided by the Council's previously
19 supported SEA plan, that is the Sound Ecosystem Assessment
20 plan, provides the basis by which the applications goal and
21 the achievement of tangible products can be achieved.

22 In the event that members of the PAC and
23 Trustee Council are unaware, the return of pink salmon to
24 Prince William Sound is here, is extremely large. It's
25 perhaps double the pre-season forecast. This may well be

1 the biggest pink salmon return in history for Prince
2 William Sound. Consequently, without adequate warning
3 beforehand of the strength of the return, there will be
4 wasted resource, fishermen without markets due to inability
5 of the processors to keep pace with this return strength
6 and in general lost economic opportunities that affects the
7 communities of Prince William Sound.

8 In view of the Council's call for proposals
9 responsive to the FY06 invitation, our proposal presented
10 services of topics relevant to injured human service and
11 specifically commercial fishing. And although pink salmon
12 as a previously injured species is listed as recovered,
13 commercial fishing service is not and is annually subject
14 to great uncertainties relative to the need for more
15 accurate means of forecasting. As it stands now,
16 Department of Fish and Game and hatcheries, which produce
17 their own forecasts, rely upon a three or five year rolling
18 average, which simply does not work.

19 Our strategy for improving pink salmon
20 forecasting utilizes a model created within the SEA
21 program. We acknowledge the comments of the STAC that our
22 FY06 proposal is technically deficient. We can revise our
23 proposal to be responsive to the STAC reviewer's comments.
24 At this time we request the opportunity to do so and to
25 begin the process of model and then to implementation and

1 achievement of tangible application science of restoration
2 -- Trustee Council restoration science for improved
3 fisheries management and for the benefit of the resource
4 dependent community. That concludes my comments and I'd be
5 happy to answer any questions that members of the Trustee
6 Council or anyone else, including the PAC, may have. Thank
7 you very much.

8 CHAIRWOMAN PEARCE: Thank you, Mr. Adams.
9 Are there questions from the Council members?

10 (No audible responses)

11 CHAIRWOMAN PEARCE: Hearing none, we have
12 as a participant from Anchor Point, Ann, I believe it's
13 Bayes. Ms. Bayes, are you on line and do you want to
14 testify?

15 MS. BAYES: Yes, I have -- can you hear me?

16 CHAIRWOMAN PEARCE: Yes, ma'am. Would you
17 just state your name for the record?

18 MS. BAYES: I will. This is Ann Bayes,
19 post office box 575, Anchor Point, Alaska, and I'm calling
20 in regard to the small parcel acquisition proposal
21 regarding the Anchor River parcels on your draft agenda
22 that was posted on line. It's Item number 7. And I did
23 submit comments by email yesterday through your Executive
24 Director and I believe those are copied into your packets
25 today. I just wanted to reiterate that we are, in the

1 community of Anchor Point, hoping to see a proposal which
2 has long been under consideration and negotiation come to
3 fruition. And any ability of the Trustee Council to help
4 the community of Anchor Point in acquiring these parcels
5 and bringing this to conclusion would be greatly
6 appreciated. There's been a lot of negotiation, there's
7 been appraisals that have had to meet federal standards in
8 order to come up to funding requirements of some of the
9 grants that have already been submitted.

10 The people in the community would really
11 like to see this land in public ownership and the proposal
12 through The Nature Conservancy with the assistance of the
13 Kachemak Securities Land Trust has been well supported.
14 I've watched this from being on the state parks advisory
15 board, the borough planning commission, member of local
16 community non-profits, and I would just like to encourage
17 your support for this and thank you for the opportunity to
18 comment.

19 CHAIRWOMAN PEARCE: Thank you, Ms. Bayes.

20 MS. BAYES: Thank you.

21 CHAIRWOMAN PEARCE: We do indeed have your
22 email. It will be part of the packet. It was provided to
23 us this morning. Are there questions?

24 (No audible responses)

25 CHAIRWOMAN PEARCE: Hearing none.....

1 MR. MULLINS: Hello, this is Ross Mullins
2 in Cordova. Do you hear me?

3 CHAIRWOMAN PEARCE: Yes, I do Mr. Mullins.
4 Can you wait just a moment?

5 MR. MULLINS: I'd like to testify as well,
6 thank you.

7 CHAIRWOMAN PEARCE: Okay. Other than Mr.
8 Mullins, is there anyone else on teleconference?

9 (No audible responses)

10 CHAIRWOMAN PEARCE: If not, Mr. Mullins,
11 would you go ahead please and testify. Three minutes,
12 please.

13 MR. MULLINS: Thank you. I want to thank
14 the Council and the Executive Director and the PAC for
15 their attention and good works in moving this program ahead
16 that is known as the oil spill restoration project,
17 basically. I would like to confirm my support for all of
18 Ken Adams' comments. We were quite desirous of submitting
19 a revised proposal after seeing the STAC comments.

20 And I think part of the problem there is
21 the fact that we were attempting to be responsive to the
22 nature of the FY06 call for proposals. And we did --
23 because our project is a broad scoping project, bridging
24 the science from the SEA project, working with
25 collaborators and attempting to draw some large groups

1 together that will help put this modeling effort into
2 reality, a modeling effort that has been identified by the
3 STAC and PAC and others in the past as being highly
4 desirous. Not only from the sense that Mr. Adams discussed
5 in potentially improving pink salmon forecasting but as
6 well having the ability to open windows into how the
7 ecosystem of Prince William Sound actually functions in
8 terms of predators, food supply -- a lot of different
9 tropic levels are involved in this modeling effort.

10 And it's not simply something to produce a
11 better forecast. The knowledge that will be developed out
12 of this long term will be of extreme value to resource
13 managers and others in their understanding of how the
14 mechanisms of Prince William Sound operate. This is the
15 type of thing we wanted back 25 years ago, or in the '70's
16 when we were arguing we need baseline information so that
17 in the event of a catastrophic oil spill, they'll be some
18 way to measure the predations that are caused by that
19 event.

20 And so in attempting to respond to the FY06
21 invitation as it was drafted, we basically shot ourselves
22 in the foot because we opened ourselves to criticism that,
23 you know, the plan does not have a lot of content. But
24 there was not content called for. We could have easily
25 devised it in a way that would show the technical modeling

1 elements. And we've done that to a large degree on our
2 website, www.pwsfrap.org. That website is current through
3 yesterday. There are full displays there of pink salmon,
4 fry animations, larval drift animations for herring.
5 zooplankton animations, a large amount of technical detail
6 on the evolution equations of the model. Various other
7 elements that are part and parcel of our overall effort
8 over the past several years.

9 And I feel that the Executive Director's
10 recommendation here that it is a strongly supported
11 community involvement project and that we should submit a
12 revised or modified proposal should be offered to us. Even
13 though in the polling apparently that took place, the
14 Council said they were not going to entertain any revised
15 proposals. But in contrast to that, I look at the -- in
16 the draft work plan, I look at the proposals submitted, I
17 believe, by Bickford, which is a science project within the
18 realm of the herring problem in Prince William Sound. It
19 states from the STAC's point of view, Bickford's
20 unsolicited proposal does not respond to the FY2006 EVOS
21 request for proposals.

22 Well, I mean, we're in this quandary. We
23 would like to have the opportunity to address the Council
24 and the STAC comments so that any damage that was caused by
25 our basically trying to stay within the language of the

1 FY06 invitation can be remedied. We put too much time and
2 investment into this project to just let it go by the
3 wayside. And if it does, I'm afraid the SEA legacy will be
4 lost forever. I mean, we're building up quite a nice
5 presence. Just look at the website and you try to
6 contemplate what the EVOS Trustee Council website has cost
7 you to create and to maintain, you'll see there's a
8 significant value here in what has been contributed from
9 our effort at this point. And at least give us hopefully
10 the consideration of a revised submission so that we can
11 continue this work.

12 And in fact the joint program we've had
13 with Fish and Game this summer, their comportion of the
14 field research that was part of our overall joint proposal
15 last year has been extremely successful. They are very
16 pleased with the results they got from the PIT tagging
17 field experiments that took place here in the month of
18 July. So, you know, there's a lot of material that's being
19 developed, working toward actually getting this model going
20 again and, you know, the proof is in our website. We can
21 transfer a lot of that right into a proposal. So if you'll
22 just give us the opportunity, we'd be most grateful and
23 thank you very much for listening and your time today.

24 CHAIRWOMAN PEARCE: Thank you very much,
25 Mr. Mullins. Are there questions? Mr. Hagen.

1 MR. HAGEN: Yes, thanks Ross. Yeah, that
2 was one of the questions I was going to ask you and I think
3 you just answered it, was regards to the PIT tagging
4 feasibility studies. So you say that's been completed now
5 or it was in July?

6 MR. MULLINS: Yes, they had initially --
7 you know, anything -- start up with a new type of
8 procedure.....

9 MR. HAGEN: Sure.

10 MR. MULLINS:they had a few technical
11 problems right in the beginning. But talking to Steve
12 Moffit, he indicates that they had a 92 percent overall
13 survival that was weighted down slightly by the fact that
14 in the first instance of inserting these tags, they didn't
15 have the procedure down. So if you had eliminated those
16 first couple of procedures after they got up to speed, he
17 felt that it would have been up around 98 percent survival
18 of the PIT tagged.....

19 MR. HAGEN: Okay. Yeah, that's.....

20 MR. MULLINS:carrying frys. So that
21 was very -- a rewarding answer for their efforts I think.

22 MR. HAGEN: Okay. Thank you. Yeah, that's
23 all I wanted to know. I was wondering what the status of
24 that project was. Because I know it was going to take
25 place this summer and when the proposals were submitted,

1 you didn't have that information at the time. So that's
2 good to know. So thank you.

3 CHAIRWOMAN PEARCE: Any other questions?

4 (No audible responses)

5 CHAIRWOMAN PEARCE: Thank you very much,
6 Mr. Mullins.

7 MR. MULLINS: Thank you.

8 CHAIRWOMAN PEARCE: Is anyone else on
9 teleconference that wishes to testify under public comment?

10 (No audible responses)

11 CHAIRWOMAN PEARCE: Hearing none, what
12 about here in Anchorage? Anyone else for public comment?

13 (No audible responses)

14 CHAIRWOMAN PEARCE: We will close public
15 comment and go to our PAC. First we'll have the meeting
16 summary by Dr. Gerster. Dr. Gerster, do you want to come
17 forward, please. And if you wouldn't mind, Dr. Gerster,
18 would you ask your PAC members, once you've identified
19 yourself for the record, just to rise and identify
20 themselves so we'll have on the record all the PAC members
21 who are present, please.

22 DR. GERSTER: Yes, I'm John Gerster, chair
23 of the PAC. The PAC members here in attendance, if they
24 could stand and identify themselves.

25 CHAIRWOMAN PEARCE: Do you want to start at

1 the back, please.

2 MS. STUDEBAKER: I'm Stacy Studebaker from
3 Kodiak.

4 DR. GERSTER: Louder.

5 MS. STUDEBAKER: Stacy Studebaker from
6 Kodiak.

7 MR. TEUBER: Andy Teuber, Kodiak
8 subsistence.

9 MR. HAGENSTEIN: Randy Hagenstein from
10 Anchorage.

11 MR. BRUNE: Jason Brune from Anchorage.

12 MR. LAVIN: Pat Lavin from Anchorage.

13 DR. NORCROSS: Brenda Norcross, I do
14 science from Fairbanks.

15 DR. GERSTER: And do we have any PAC
16 members on teleconference?

17 MS. BAKER: This is Tori Baker from
18 Cordova.

19 DR. GERSTER: Thank you, Tori.

20 CHAIRWOMAN PEARCE: Anyone else on
21 teleconference?

22 (No audible responses)

23 CHAIRWOMAN PEARCE: Great. Well, we
24 welcome all of you. Dr. Gerster, would you like to give
25 your report, please?

1 DR. GERSTER: The PAC met June 11th in
2 Cordova and was actually very well represented. There were
3 a lot of PAC members there, a lot of other participants.
4 And it was an excellent, I think, dialogue and good in
5 take. Brenda Norcross gave us a brief overview of the
6 Science and Technical Advisory Committee reviews and noted
7 the difficulties in addressing the invitation for proposals
8 and identifying synthesis. One thing that the PAC strongly
9 recommends is a workshop format for synthesis. We think
10 that getting the players together in the same room to
11 discuss synthesis is the way to go.

12 We also talked about lingering oil and
13 injured resources and services. But we did not have enough
14 time to study the proposals in detail. So we recessed
15 until Thursday, June 16th. The synthesis models may not
16 appear to address all that needs addressed. We need to
17 include all aspects of recovery, including services and
18 human impacts. We then went through the proposals. The
19 PAC supports the Adams proposal but recommends the Trustee
20 Council consider the revisions to the proposal as
21 recommended by the STAC. Brenda Norcross summarized the
22 Ben-David proposals, which we did not like.

23 We then looked at the Bickford proposal and
24 the PAC supports funding this proposal at the \$52,000
25 level. Passed unanimously. We looked at the Bodkin

1 proposal and discussed it and we agree with -- again, with
2 the STAC recommendations. We discussed a new in-house data
3 management position. We feel that just funding proposals
4 is not enough, that we need to consider further data
5 management. And perhaps a data management conference.

6 We looked at the Esler proposal. And
7 again, that needed to be modified. We looked at the
8 Hoover-Miller proposal and the PAC supports the STAC
9 recommendations to modify this proposal. We looked at the
10 Irons proposal and we were not keen in funding that. We
11 looked at the Kiefer proposal and the PAC supports the STAC
12 recommendations for changing that. We looked at the Short
13 proposal and we were concerned about receiving outstanding
14 reports from this PI. We looked at the Saupe proposal.
15 And again, overdue reports were a concern. We looked at
16 the Walker proposal, which is actually a new proposal, and
17 we support the STAC recommendations.

18 We looked at the Willette proposal. There
19 was some dissensions but we think that the fish data will
20 be collected without EVOS funding and we support the STAC
21 recommendations. We looked at the Jacobs proposal. And
22 then there was a question about the current Integral
23 project, which I don't think the PAC got an adequate
24 response about. And I would ask the Trustees to perhaps
25 update us on the Integral project. We looked at the

1 Rusanowski proposal. And I think the bottom line is that
2 the PAC was very interested in actually reviewing the
3 proposals and talking with the STAC and agrees that we have
4 a good STAC. That we should listen to their
5 recommendations.

6 We encourage the Trustee Council to proceed
7 quickly with the science director. We think that having a
8 prestigious doctorate science director will aid
9 tremendously in the community and it was a revelation for
10 the PAC to work and listen to the STAC recommendations.

11 The PAC came up with agreement with the
12 STAC on things that need to be studied. Birds, marbled
13 murrelets, harlequin ducks, pigeon guillemots, common
14 loons, cormorants, marine mammals -- perhaps. Fish,
15 Pacific herring -- which is tremendously dead. We need to
16 do near shore monitoring and studies -- clams, intertidal
17 communities, mussels, sediments. Services, commercial
18 fishing, passive use, recreation, and tourism. And of
19 course, lingering oil.

20 We had a briefing on July 19th. This was
21 not a PAC meeting but just a briefing. Basically from Gail
22 Phillips. We had a brief description of the proposed
23 budget. We noted that \$239,000 from a National Ocean
24 Services grant was being used to fund EVOS administrative
25 activities. We talked about the ARLIS budget, the need for

1 extra staff with the number of requests that will come out
2 because of the reopener deadline in 2006. And we discussed
3 questions, who pays for responses to FOIA requests made of
4 the Trustee Council.

5 There's a question why the Trustee Council
6 was funding state and federal agencies. We got quite the
7 response. Various agencies administer numerous EVOS funded
8 projects, participate in document preparation and review,
9 and coordinate. The liaisons. The PAC is concerned that
10 there is a substantial amount of funds being expended on
11 liaisons. I just bring that up for your consideration.

12 The amount proposed for the travel budget
13 was discussed, which did not look out of line. We
14 discussed the NEPA compliance, National Environmental
15 Policy Act. And we feel that our NEPA compliance is in
16 good shape. There are four workshops proposed for next
17 year, plus the annual symposium. The PAC fully supports
18 these symposiums and thinks that they are a very good use
19 of EVOS monies. Two in data management, two about science
20 management, including the status of injured resources and
21 lingering oil.

22 We also agreed with two community
23 involvement workshops and another PAC site visit. Again,
24 to stress that a workshop on coordinating data management
25 is necessary. I've been very gratified in the way that the

1 PAC members have given their time to actually delve into
2 the problems, procedures, and potential of EVOS and I would
3 thank them very much. Any questions?

4 CHAIRWOMAN PEARCE: Are there questions for
5 our PAC chair? Yes, Mr. Commissioner.

6 MR. CAMPBELL: I have a question. There
7 appear to be two meeting summaries in our notebooks that
8 appear to be similar but different in some aspects than
9 what you just summarized for us. Is that a different
10 document than we have in front of us? Because there are
11 things you are talking about I can't find in here. And I
12 may just be missing it.

13 DR. GERSTER: Remember that we had a
14 meeting in Cordova.....

15 MR. CAMPBELL: Right.

16 DR. GERSTER:did not have enough time
17 and had to have a subsequent follow up teleconference.

18 MR. CAMPBELL: Okay.

19 DR. GERSTER: And then there's the July
20 19th, which is just an advisory.

21 MR. CAMPBELL: Right. I saw a brief
22 reference to that in here.

23 DR. GERSTER: Yes.

24 MR. CAMPBELL: Do you have -- do your
25 written comments there that you have in front you.....

1 DR. GERSTER: This is from your packet.

2 MR. CAMPBELL: Oh, this -- okay.

3 DR. GERSTER: I believe there were earlier
4 drafts, but this is the final draft.

5 MR. CAMPBELL: Okay.

6 DR. GERSTER: Is that true, Gail?

7 MS. PHILLIPS: Yes.

8 MR. CAMPBELL: Okay.

9 DR. GERSTER: Joe, you have your finger up.

10 MR. MEADE: Yes, if it's appropriate, I
11 don't have a question, but discussion, Madam Chair.

12 CHAIRWOMAN PEARCE: Yes, please go ahead.

13 MR. MEADE: Thank you very much for your
14 comments and again I would like on behalf of both myself
15 and the Trustees on a whole to commend the PAC for the
16 session in Cordova. I felt that that was an excellent
17 opportunity for enhancing our communication and value and
18 perspectives for each of our appropriate roles. So I just
19 wanted to publicly thank the Public Advisory Committee for
20 the time, energy, and talent they bring to this discussion
21 and that community by community engagement.

22 The clarification or the discussion I
23 wanted to offer -- and I do appreciate the scrutiny of the
24 budget -- I wanted to offer under the area of compensation
25 to federal agencies at least an explanation why you see

1 that there. The U.S. Forest Service has but one agency
2 here, has a significant amount of time of one of our
3 subsistence fishery biologists tied up with helping to
4 accomplish the work of the Council here. And to expect
5 that to, on a sustained basis, come from appropriations
6 oriented towards and anticipated to address issues of
7 national forest management would be inappropriate. And
8 that's why I've asked that we appropriately compensate
9 liaisons doing work that is principally in the goal and the
10 purpose of the Exxon Valdez oil spill recovery. And that
11 is, I feel, an equitable way to spend congressional dollars
12 as are appropriated for the intent they're appropriated
13 within the federal agencies and expend the EVOS revenue in
14 ways that are appropriate to accomplish EVOS outcome.

15 So I'd just offer that as discussion so you
16 might understand though our amount is relatively small, I
17 do advocate that appropriated dollars needed to be spent
18 for the intent to which Congress appropriates those line
19 items. And EVOS needs to cover its costs to the extent
20 that it's appropriate within the consent decree settlement.

21 CHAIRWOMAN PEARCE: Any other comments on
22 that point or any others that Dr. Gerster brought up?

23 (No audible responses)

24 CHAIRWOMAN PEARCE: If not, Dr. Gerster,
25 why don't you stay at the table and we'll pull another

1 chair up. Of the PAC members who are here, who would like
2 to come forward? Stacy. Just identify yourself for the
3 record, please.

4 MS. STUDEBAKER: Okay. Good morning,
5 ladies and gentlemen of the Trustee Council. My name is
6 Stacy Studebaker and I'm the vice chairman of the EVOS PAC,
7 as you know. I've served on the Public Advisory Committee
8 going on 10 years now and so I have a little bit longer
9 history with the organization, I think, than John and some
10 of the other newer PAC members. And I'm going to speak
11 rather frankly today about a number of things that concern
12 me and should concern the rest of the public, whom I
13 represent. I know the public doesn't always have a chance
14 to delve into the inner workings and the details of what
15 goes on with the EVOS restoration process. It's huge.
16 It's enormous and it's a good thing I'm retired, that's all
17 I can say. Because I have a little more time to dedicate.
18 And I think this is an extremely, extremely important
19 legacy that we are achieving. And so I think it's very
20 worthy of public input and my time.

21 For the first seven years that I've served
22 on the PAC, things went comparatively smoothly. There was
23 a good working relationship between the PAC, the science
24 director, the Executive Director, and the Trustees. There
25 was a lot of trust. And we felt confident that we didn't

1 have to scrutinize every detail, that things were being
2 achieved according to the Restoration Plan and the EIS.
3 And in the last couple of years I think there's been a real
4 disintegration in a lot of things. And so I'm going to
5 address those things today. I have notes here so I don't
6 wander off too much and I've kind of categorized them into
7 five different categories.

8 I want to start out with the science
9 director issue. Although promised a new science director,
10 we have not hired a new science director to replace Phil
11 Mundy, who was abruptly dismissed last January without any
12 explanation to the PAC or the public or anybody. And I
13 understand you had a meeting last week to discuss the job
14 description. The PAC at its June meeting recommended this
15 as a very high priority, to get this person hired. We feel
16 that the qualifications for the new science director must
17 include a PhD in oceanography, fishery science, or
18 remediation. And that this person should not be a current
19 employee of any agencies the Trustees represent so that he
20 or she has no strings attached to any agency and can
21 maintain a very high level of professionalism and
22 objectivity similar to Phil Mundy.

23 The new science director will be crucially
24 important for coordinating the synthesis project that the
25 STAC, PAC, Executive Director, science coordinator, have

1 recommended for you that's before you today, which I'll
2 address a little bit later on in my comments.

3 The next thing I'd like to talk about is
4 the small parcel program. I've been the PAC representative
5 on the committee that has been working very hard for the
6 last year to try to get this back on track and to revise --
7 come up with a plan and an application that's satisfactory
8 to the Trustees. We keep coming up with a plan and then
9 we're sent back to the drawing board. And then we come up
10 with another plan and we're sent back to the drawing board.

12 But now we have another plan before you
13 today and we feel it's a very important aspect of the EVOS
14 restoration work. And the public placed this aspect of
15 restoration through habitat acquisition and protection at
16 the top of the list and there is a public perception that
17 this program has come to a grinding halt, because there
18 hasn't been much action over the last year. And I hope you
19 will approve our plan at this meeting and resume the small
20 parcel application process and reassure the public by, for
21 starters, starting out with the purchase of the Anchor
22 River parcel at the mouth of the Anchor River.

23 There's further important work to be doing
24 in the small parcel area, including two very important and
25 highly rated small parcels in Kodiak, including Termination

1 Point and the Long Island parcel.

2 Number 3, I just yesterday -- I came in
3 yesterday, walked into the office, and I saw a report that
4 was prepared by EVOS staff on administration spending
5 trends from 2003 to 2006. And I love bar graphs because
6 they -- well, they're just easy to read. It's easy to
7 comprehend data on bar graphs. And it's a nice clear bar
8 graph. And it shows a number of things have been going
9 down, but something has been going up, glaringly. Public
10 information and administration, that is internal
11 operations, plus ARLIS, have gone down, since 2003 to 2006,
12 have decreased 18 percent. Funding for science management,
13 that is internal science management, has decreased 62
14 percent. Data management, internal data management, has
15 decreased about 13 percent.

16 While all these very, very important things
17 that should be going up are actually going down, what's
18 glaring about this -- and I'll pass this around because I
19 don't know if everybody in the audience has seen this --
20 that the project management by agency liaison staff has
21 increased by 295 percent since 2003. And I appreciate your
22 explanation, Joe, of the Forest Service component of that.
23 I appreciate that very much. That's the first explanation
24 I've heard for this, actually. And.....

25 MR. MEADE: And I'll add to that, if it's

1 appropriate here, just for years that compensation was not
2 sought, when we actually had a much higher level of
3 engagement with Ken Holbrook as well. So we're trying to
4 correct or remedy what should have been different, you
5 know, perhaps a decade back, so.....

6 MS. STUDEBAKER: I understand. Yeah, okay.
7 So I think the public really deserves some explanation of
8 this for the other agencies and we should not be paying for
9 things that are not related to restoration. I feel pretty
10 strongly -- especially if these liaison staff are already
11 staff of agencies, they're getting salaries. In addition
12 to that, they're getting these big, double-dipping -- I
13 mean, that's what it appears. You know, it's -- I mean it
14 kind of appears that way to the public, that if they're
15 getting their regular salaries and then they're getting
16 these other contracts to manage projects that are actually
17 decreasing.....

18 CHAIRWOMAN PEARCE: This money goes to the
19 agency. The check is not written to the person. It's part
20 of the person's pay. So they're paid by the month or by
21 the hour or by the whatever. It is not double-dipping.

22 MS. STUDEBAKER: Okay. Okay.

23 MR. CAMPBELL: If I can interject for a
24 moment?

25 CHAIRWOMAN PEARCE: Mr. Commissioner.

1 MS. STUDEBAKER: Yeah, well you know the
2 problem is we just haven't had much opportunity to work out
3 these kinds of details. And I really appreciate some
4 explanation of that.

5 MR. CAMPBELL: If I can interject for a
6 moment. We appreciate you bringing this to us. The report
7 and bar graph that you refer to was prepared at our request
8 because we brought this issue and raised this issue at our
9 last meeting in Cordova. And if you refer to the meeting
10 notes, there's specific things where we were -- I was
11 talking about 66 percent of the money is spent on research
12 and monitoring, 28 on administration, 6 percent is actually
13 spent on restoration by our count. And we have grave
14 concern about those percentages. And we specifically
15 expressed grave concern about the amount spent on
16 administration.

17 However, what I'll say and at least for
18 Fish and Game, we have one liaison who is funded through
19 EVOS. There's no double-dipping. Just one salary. But
20 frankly, without that liaison who can and does focus full
21 time, 100 percent on EVOS, I would be totally inadequate up
22 here. Because I think I speak for most of the other folks
23 up here, we do not have time to devote full time or near
24 the time that EVOS has. So it's our liaisons and their
25 involvement through the process that make us effective as

1 we sit here. And as far as I'm concerned, that portion of
2 the money is very effectively spent to accomplish what we
3 need to do.

4 MS. STUDEBAKER: Well, I guess it's the
5 glaring increase in the last couple of years, is that my
6 perception of, in the seven years that proceeded that, is
7 that they were -- the projects were managed very
8 efficiently. However they were managed, it looked like
9 they were being managed efficiently and there were more
10 projects. I mean, we've really tapered down in the number
11 of projects that are being managed. And knowing that and
12 seeing this cost go up 295 percent, when you're -- I mean,
13 it's glaring. And.....

14 MR. CAMPBELL: This overall is precisely
15 the point we raised last week and I think when we get to
16 the admin budget, you'll find us discussing that. We're
17 not disagreeing with you, we're the ones who brought it up
18 last meeting and made a big point of it.

19 MS. STUDEBAKER: Right. Right. And I
20 appreciate that very much. But.....

21 UNIDENTIFIED SPEAKER: Madam Chair.

22 CHAIRWOMAN PEARCE: Just a moment.
23 Commissioner Fredriksson, on that point or shall we let
24 Stacy go forward?

25 MR. FREDRIKSSON: Madam Chair, I think in

1 terms of the PAC dialogue with the Council -- and John you
2 pointed out administration. The administration funding is
3 an issue of concern to the PAC. And as McKie says
4 accurately, it's a concern to the Trustee Council. Stacy,
5 you walked in yesterday and you found a chart here that the
6 EVOS staff has prepared and I have seen that for the first
7 time this morning. So you have an evening ahead of me. I
8 hope to catch up with the information that you have
9 available to you so we can have an effective dialogue with
10 the PAC.

11 I would like to just say that this is
12 something we want to look into. We want to get a much
13 better handle on the administrative costs. We want to see
14 costs go to fixing the resources that were damaged by the
15 Exxon Valdez oil spill. Plain and simple. That's what I
16 sit here for. Right now, to date, I have zero dollars
17 coming from EVOS for any liaison work. I have put a
18 proposal in. I have gone through legislative hearings over
19 the last year to argue why in those public hearings DEC
20 should be provided with funding for an Exxon Valdez
21 liaison. I was successful. I have no money. I would like
22 to get money. I have a real need for staff assistance to
23 carry out what I consider to be one of the most important
24 duties I have as commissioner of environmental
25 conservation.

1 So I am looking for, if you will, \$50,000
2 -- I think a little less -- but about a half a position
3 which right now I'm kind of managing other -- I am
4 exhausting staff through other duties as assigned, if you
5 will. But I don't -- DEC doesn't receive any EVOS money to
6 date. That's a topic that we're going to be discussing
7 later today through the administration budget. And what I
8 hope we and the PAC will scrutinize and dig into all the
9 more in the future. So the issue is correct, the issue is
10 on target, we share it, but as to whether or not we can
11 reconcile how much is enough right now when we're dealing
12 with charts that were handed to us as early as this
13 morning, I don't know if we can do that.

14 CHAIRWOMAN PEARCE: On the topic of
15 budgets.

16 MR. NORDSTRAND: Yes.

17 CHAIRWOMAN PEARCE: Mr. Nordstrand.

18 MR. NORDSTRAND: I just mention this 2006
19 bar here is a proposal. It's not the current budget. It
20 isn't money that's been approved to be spent. You might
21 consider looking at 2005, which shows an increase as, you
22 know, what has actually happened thus far and.....

23 MS. STUDEBAKER: Well, it's the proposed
24 budget, right, for 2006?

25 MR. NORDSTRAND: It is the proposed

1 budget.....

2 CHAIRWOMAN PEARCE: Being brought to us by
3 staff.

4 MS. PHILLIPS: Yes.

5 MR. NORDSTRAND: By staff, but it isn't --
6 we didn't propose it. We haven't approved it. We'll
7 consider it but that's all it is.

8 CHAIRWOMAN PEARCE: And it's appropriate
9 for you to bring up concerns. There's nothing wrong with
10 that.

11 MS. STUDEBAKER: Yeah. Well, I just.....

12 CHAIRWOMAN PEARCE: Mr. Hagen.

13 MS. STUDEBAKER: What I just don't get is
14 that, you know, things were managed so well in-house, the
15 projects were managed so effectively and efficiently by the
16 in-house staff for so many years with the science director,
17 who was very well qualified -- and two different -- I
18 worked under two different science directors. And so I
19 don't understand why all of a sudden, you know, the
20 agencies are requiring this additional funding when the
21 project load is going down. That's -- I just still don't'
22 get it but.....

23 CHAIRWOMAN PEARCE: I'll speak only for our
24 agency. When I came on the Trustee Council in 2001, the
25 staff that works with me now worked with me then, including

1 Michael Baffery in our office, Dede, and while Tony DeGange
2 has moved on to bigger a better things, we have his
3 replacement here, Jenifer Kohout now, who's just been
4 assigned. Our agencies have gone through, since 2001, four
5 straight years of our regional offices going through budget
6 cuts. And the USGS regional director, the
7 region 7 Fish and Wildlife Service regional director and
8 said if you want continued support for EVOS, you're going
9 to have to help us fund it because we no longer have the
10 money to do so. If you want us to be well briefed and have
11 qualified personnel working with us to make EVOS work, then
12 this is the methodology that the Trustee Council has
13 chosen. It has happened since 2003, certainly speaking for
14 the federal agencies, we've seen those sort of budget cuts
15 at the regional levels. And that's what has happened.
16 It's very clear and simple. The money is certainly not a
17 bonus. I bet Dede wishes it was. But it's not a bonus, it
18 goes straight to the agency and becomes a part of the pay
19 for her regular salary. There is no bonus involved. Mr.
20 Hagen.

21 MR. HAGEN: Yeah, just speaking for NOAA --
22 and I do wear two hats as far as I'm serving as an
23 alternate to Jim Balsiger, and he asked me to sit in here
24 today for him -- but I also serve as a liaison, I guess.
25 And just to let you know my perspective, inevitably when I

1 type in liaison, my spell checker always comes out with
2 lesion, so you know, there is a real sense -- and for like
3 2005, I think I was in there for 12 months of project
4 management. We didn't use it. I have other duties and we
5 certainly aren't expecting EVOS to subsidize those.

6 So for the 2006 budget, I suspect we should
7 up front reduce that money in half, most likely. So the
8 money you see in there was -- at least on our extent -- was
9 in place but it's going back to the restoration fund, at
10 least for my participation as a liaison, so.....

11 MS. STUDEBAKER: Yeah, because on the graph
12 that I have it shows that the total cost for 2005 for
13 liaisons was \$274,000. And then the proposed cost for 2006
14 is \$484,000. So that would come out of that? I mean that
15 would.....

16 MR. HAGEN: Well, yeah, I can't speak --
17 just for my agency, we won't be requesting 12 months of my
18 time to work on this because I don't put in 12 months, I've
19 got other duties. And so.....

20 CHAIRWOMAN PEARCE: Mr. Meade and then Dr.
21 Gerster.

22 MR. MEADE: I just thought I would broaden
23 my explanation, Stacy, as I offered earlier, to give a
24 perspective. Since the oil spill in '89, we've committed
25 more than one FTE. So in excess of \$120,000 when you

1 incorporate travel and training and associated costs on an
2 annual basis. And there was of course a very direct
3 correlation to the national forests in the Prince William
4 Sound. And so it was a very appropriate thing to do.

5 As Drue has noted, over that period of time
6 since '89, and particularly in most recent times with our
7 federal deficits and the war on terrorism, our federal
8 dollars are very stretched and budgets are declining
9 rapidly. And so I have significantly reduced the amount of
10 staff available to contribute that time to the EVOS
11 efforts. And more recently, needing to seek compensation
12 for the small amount of time we continue to provide, as I
13 explained earlier.

14 But I thought I would underscore the fact
15 that, you know, those costs would have been much higher in
16 past years had that compensation been provided as it should
17 have been. So it's important to think about when you see
18 that perception of an increase in '06, there's a
19 significant amount of resources that were not accounted for
20 in past years that were, if you will, contributed.

21 CHAIRWOMAN PEARCE: Dr. Gerster and then
22 we'll go back to Ms. Studebaker for the other two points.

23 DR. GERSTER: The emperor has no clothes.
24 Your public, we're not bureaucrats, we're not scientists,
25 we're the public. We're just saying that in the tight

1 budget days today, to look at a half a million dollars to
2 liaise just doesn't seem right. That's all I'll say.

3 MR. FREDRIKSSON: Madam Chair.

4 CHAIRWOMAN PEARCE: Ms. Studebaker.

5 MR. FREDRIKSSON: If I might. Because I
6 want to put a little face on what it is to liaise. There
7 was a report put out by EVOS staff that summarized all the
8 projects that had been undertaken that had been funded from
9 1992 to 2002. That was 185 reports. It was liaison-ing in
10 my agency that went to try and find those 185 reports. We
11 were only able to access 78 by looking through the ARLIS
12 library or looking through the EVOS web page. Seventy-
13 eight reports that this Trustee Council funded to restore
14 Prince William Sound could not be found.

15 The amount of money -- now if I am to
16 liaise some more, I'd like to know what that money -- what
17 those 78 reports totalled in a dollar context. I think I'm
18 going to get to that later today and I'm going to hope that
19 maybe instead of having my liaison dig that up, I'll have
20 the help of Gail and her competent staff to find that out.
21 But the emperor doesn't have any clothes, I think is the
22 quote, to me a far greater issue right now is the report
23 that the EVOS Council has funded that can't be found and
24 what that represents to restoration of the resources and
25 the cost of that.

1 To me the liaison cost and this
2 administrative cost is just one element that we need to
3 look at in a much bigger context. But we've got to dig
4 into this and I think the administrative budget is properly
5 one of the targets we need to look at. But that
6 administrative budget also provides the tools, the
7 resources, that gets to where did the reports go? Where's
8 the investigator? Did anybody call the investigator? You
9 know, there's a lot that goes into that administrative cost
10 that we need to dig in to.

11 CHAIRWOMAN PEARCE: Mr. Campbell and then
12 back to Ms. Studebaker.

13 MR. CAMPBELL: To perhaps belabor this, and
14 we are going to take up admin budget, is again perhaps by
15 just thinking, you know, what is liaison without a full
16 understanding of what these people are doing. In our case,
17 managing -- you know, it's -- had been apportioned by
18 managing specific projects is to not understand it. But
19 just as we feel it is worth EVOS's money to fly you all
20 here to be here in person, I -- you know, I just.....

21 DR. GERSTER: I walked.

22 MR. CAMPBELL: From Kodiak? I would say it
23 is -- you know, frankly I would be effective without a
24 liaison who can contribute basically full time to this. I
25 regard this as a very important duty. Neither I nor any of

1 the other Trustees charge EVOS for our time, which is
2 significant on this. Nor travel or anything else. Nor do
3 we intend to. But frankly I just couldn't do this job
4 without that. But this concern about administrative costs,
5 we agree with you. We rose this -- you know, I seemed to
6 provoke a collective either gasp or something when I
7 suggested -- and I'm still serious about it -- at the last
8 meeting that maybe we could think about how we wrap this
9 thing up and shut it down. Because as projects continue to
10 decline, administrative costs will continue to be a greater
11 and greater percentage that doesn't make sense. You know,
12 I think we need to think both in the little details about
13 the budget but also in large quantity -- in big picture
14 issues on the budget, on how we can, you know, put as many
15 dollars towards actually making something better. And
16 that's what I'm very interested in.

17 MS. STUDEBAKER: Well, yeah.

18 MR. CAMPBELL: I should also say, in the
19 spirit of full disclosure, that because EVOS is
20 administratively housed within the Department of
21 Administration, we also charge a very small overhead on
22 that for our work there. We lose money on it and I have
23 offered it to any other agency up here who wants to take
24 it. So far I can't find a taker. But.....

25 CHAIRWOMAN PEARCE: Ms. Studebaker.

1 MS. STUDEBAKER: Well, yeah, well your
2 statement about shutting it down, I mean, I'm not sure what
3 you mean by that. I mean -- you mean.....

4 MR. CAMPBELL: Well, as we discussed at the
5 last meeting, I.....

6 MS. STUDEBAKER: Is that -- can you even do
7 that?

8 MR. CAMPBELL: Sure.

9 MS. STUDEBAKER: I mean, according to the
10 Restoration Plan and.....

11 MR. CAMPBELL: Sure. We could find -- we
12 could say, here, North Pacific Research Board, you do this.
13 Here, Prince William Sound Science Center, you do this.
14 Here, you all do this. We're out of business.

15 CHAIRWOMAN PEARCE: He's thinking out loud
16 again.

17 MR. CAMPBELL: I am.

18 MR. FREDRIKSSON: He's thinking outside the
19 box. This is called dialogue.

20 MS. STUDEBAKER: Yeah. Okay.

21 CHAIRWOMAN PEARCE: Ms. Studebaker.

22 MS. STUDEBAKER: All right. Let me -- I'm
23 not going to belabor that one. I'll deal with that one
24 later. I want to talk about the FY06 work plan next. The
25 PAC and the STAC as well as the staff have worked very hard

1 on the FY06 work plan that you will be taking action on at
2 this meeting. And we have all made our recommendations,
3 which John summarized. Last year at this same meeting you
4 deviated quite a bit from the normal protocols -- at least
5 that I have experienced over the last nine years -- in
6 regards to the work plan. Rather than approving the
7 recommendations of the peer reviewers, the STAC, the PAC,
8 the Executive Director, and the science director -- then
9 Phil Mundy -- you funded a mega-project from a out-of-state
10 consulting firm, namely Integral Consulting, for \$650,000.
11 No one, including the staff, the PAC, or the STAC, had seen
12 or reviewed the proposal from Integral Consulting.

13 And so we didn't have any prior knowledge.
14 The proposal was not peer reviewed as other projects are
15 subject to that are submitted for funding. Somehow this
16 project got through and at the expense of some other really
17 good projects that could not be funded. And the PAC felt
18 that we were truly blind-sided. And consequently we've
19 lost a lot of trust, very frankly. And to this day, a year
20 later, no information has been forthcoming to the PAC or
21 STAC as to how this \$650,000 has been spent.

22 And we know it's gone out to the Jacobs
23 group at Integral Consulting but the public really deserves
24 some accountability for this. It's so out of protocol, it
25 was such a deviation from the normal procedure, that it

1 just really blind-sided the public and there's been a lot
2 of ill feelings since.

3 This same firm, Integral Consulting, has
4 now come back with a second proposal. This time we got to
5 see it and we got to review it for the FY06 work plan. And
6 it got very low reviews by the peer reviewers, the STAC,
7 and the PAC and it was not recommended in its form. But we
8 were open enough to ask for a modification of this project
9 and to include in a synthesis project not only some out-of-
10 state fresh look at the restoration up to this point but
11 also include those scientists, those in-state scientists
12 who have expertise on the injured species.

13 It seems like it would be the best
14 approach, is to have a combination of out-of-state
15 scientists and in-state scientists -- coordinated -- a
16 synthesis project coordinated by the new science director.
17 The new EVOS science director. That's what the PAC
18 envisions. Not another half a million dollars going out to
19 Integral Consulting for something we haven't even -- we
20 don't even know what they achieved so far this last year.
21 We cannot get information. I've asked for information
22 numerous times, an update, a report, on what Jacobs has
23 been doing and there's just no way that -- it would be
24 terribly irresponsible to fund another contract, another
25 half a million dollars, to this out-of-state firm given

1 that we have no information about what they've done so far.

2 And we don't have a clear plan of what you
3 guys have in mind. What's your vision? If we had some
4 idea what you had in mind, then maybe this would fit into
5 it. But you haven't articulated a vision to the public
6 that gives you any accountability for this million dollars,
7 you know, to Integral. Half a million last year and
8 possibly another half million this year.

9 So as I said, the PAC, STAC, Executive
10 Director, science director, have a proposal before you for
11 this synthesis work to be done by this combination of
12 Alaskan and out-of-state scientists to evaluate the injured
13 resources and services up to this point. I think that
14 synthesis is the way to go right now. It makes a lot of
15 sense. The PAC agrees. It's just that we want to know
16 what's being done with the public trust, with the money.
17 We want to know what Jacobs is doing. Given that their
18 proposal was so weak, the one that we did get to review
19 this year, we're worried. Quite concerned.

20 So we hope you'll support our
21 recommendations this time and honor our effort and our
22 involvement in the process by recommending our
23 recommendations for this. It will cost a whole lot less.
24 That's for sure.

25 Okay. Next subject. I want to talk about

1 the draft Interim Action Plan. This document that came out
2 about a week ago, I guess. And I want to compliment the
3 staff. I know the staff put a lot of time into it and it's
4 excellent. It's like an annual work plan and it's the
5 first one I've seen in quite a long time. And if followed,
6 it will realign this organization with the restoration
7 plan. Frankly there's been a lot -- I don't agree and I
8 think there are a lot of PAC members that don't agree with
9 John's statement about following NEPA. I think there has
10 been some lack of diligence in executing the EIS. And so I
11 hope that this draft -- that you will adopt this draft
12 Interim Action Plan and get the Restoration Plan back on
13 track. It's very good.

14 I especially support the ongoing
15 integration of public participation and community
16 involvement into the restoration process. It's not only
17 important but I think it's mandated, if I'm not correct.
18 Okay. Yes?

19 CHAIRWOMAN PEARCE: Go ahead, I'm sorry.
20 Commissioner Campbell.

21 MR. CAMPBELL: Can I ask a question about --
22 because I also strongly -- I think all of us do --
23 strongly believe in the need for community involvement and
24 stuff. This summer I've been traveling a lot, way more
25 than I would like. But I've been to an awful lot of the

1 communities surrounding the Gulf. I've spent three days
2 out in Kodiak, I spent a lot of time on the Kenai and
3 Cordova and -- you know, and also just in the course of my
4 business I talk to people. So I think I've talked to folks
5 in all the communities.

6 And one of the things that I ask people,
7 because I take this job as -- you know, tell me how you
8 feel about EVOS, what it's been doing, or how you feel,
9 where you think it should be going. And it's always -- I
10 realize how dangerous it is to rely on unscientific samples
11 of -- you know, where you're just touching bases here and
12 there and stuff. But I'm not finding that I'm hearing the
13 same thing from all these people I'm talking to in the
14 different communities that I'm hearing in particular from
15 the committee that supposed to be representing them. And
16 is there any way we can -- I mean, am I not talking to the
17 right people or are things not aligned? What would you
18 recommend on how we do get a better pulse of what the
19 communities involve?

20 MS. STUDEBAKER: Well, I don't -- I think
21 people, just your general person on the street, you know,
22 doesn't follow the details like I have for the last 10
23 years. You know, I've dedicated tremendous amounts of
24 time, reading documents and attending meetings. And so,
25 you know, I have a much better finger on the pulse, you

1 know, as it ebbs and flows through the restoration process
2 than the general public. You know, the general public
3 knows there was a lawsuit, the state got a bunch of money,
4 the money is being managed by some group, and it's going
5 out to the communities and, you know, Kodiak is real happy.
6 We've gotten -- we've benefitted tremendously, you know,
7 from the restoration of acquired land acquisition. And so
8 people are real happy, you know.

9 But I guess they're looking at the effects
10 of the money and where it's going whereas Public Advisory
11 Committee members are watching the process. You know,
12 scrutinizing the process and the change of the Trustees and
13 the different philosophies of the Trustees. And the -- you
14 know, on and on. So of course you're going to get a
15 different opinion from the man on the street than somebody
16 on the Public Advisory Committee that's been on the
17 committee for many years.

18 MR. CAMPBELL: Let me just ask, because
19 when I say I'm talking to people, I'm talking to people in
20 municipal governments, I'm talking to people running
21 processing plants, I'm talking to fishermen's
22 organizations. I'm talking to -- you know, I'm not talking
23 to the guy in the bar though. And I'm -- always get a
24 little concerned -- your stating at the very beginning
25 about -- and I'll have to paraphrase, I can't remember

1 exactly -- but it was something about I'm here to tell you
2 what the public would want to tell you if they knew better
3 or something like that.

4 MS. STUDEBAKER: I didn't say that.

5 MR. CAMPBELL: Well, we're referring to the
6 transcript. But something that I always get a little
7 concerned -- how can we most effectively through you -- I
8 mean, you're representing this community -- how can we
9 reach out to the public most effectively because right now
10 I've got to tell you I think there is a pretty low opinion
11 of what's happened.

12 MS. STUDEBAKER: Well, I think for starter
13 I think.....

14 DR. GERSTER: Listen.

15 MS. STUDEBAKER: Yeah.

16 MR. CAMPBELL: I'm doing that.

17 MS. STUDEBAKER: I think listen and include
18 us. Have some plans. Have an annual work plan that we can
19 have in hand and use as something to guide us by. You
20 know, we don't have a rudder right now. We're just all --
21 I mean, I just -- the process is just going like this. I
22 used to think we were in, you know, in sync. And now it's
23 just back and forth. And so an annual work plan is what's
24 supposed to be the rudder of an organization. And if that
25 annual work plan is developed by the Trustees, the staff,

1 the PAC, and the STAC, a collective, good, honest,
2 collaborative effort, then I think we can diffuse a lot of
3 problems. And clear up a lot of problems and a lot of mis-
4 communication.

5 But the PAC has felt -- many members of the
6 PAC have felt very excluded with these secret meetings --
7 seemingly secret meetings and liaisons going in the back
8 room and coming out with a plan that nobody has seen and
9 things like this going on. You know, I mean, it's just
10 fuel for conspiracy. You know, so give us a break. You
11 know, communicate what you have in mind. Give us your
12 plan. Maybe you have -- maybe you guys all have such
13 different ideas of what should be done that you can't come
14 up with an annual plan or agree on an annual plan. I don't
15 know. But I don't have a clue.

16 CHAIRWOMAN PEARCE: Mr. Fredriksson.

17 MR. FREDRIKSSON: Yeah, Madam Chair. I
18 think I -- you said listen and I -- we are here to listen.
19 And we are listening and I hope you listen too when I come
20 back at you, it's kind of a back at you, give us a break.
21 What -- there was a lot of confusion and communication
22 breakdown back in August of what was -- '04 at the time?

23 MS. STUDEBAKER: No, last year. '05.

24 MR. FREDRIKSSON: August '05.

25 MS. STUDEBAKER: Yeah, just last year.

1 MR. FREDRIKSSON: Okay.

2 MS. STUDEBAKER: Exactly this time.

3 MR. FREDRIKSSON: Well, this is August of

4 '05.

5 DR. GERSTER: Four.

6 MR. FREDRIKSSON: So August of '04.

7 MS. STUDEBAKER: '04. Yeah, four, yeah.

8 MR. FREDRIKSSON: A year ago. Okay. We --

9 of course, a number of us at this table weren't here then

10 or were in different positions then. But that

11 communication breakdown has been acknowledged and worked

12 on. And what I hear you today is to say, be clearer. We

13 need to know the course. We have tried very hard to get

14 consensus amongst six different opinions as to what that

15 course is. And we've conveyed it in an annual report and

16 we've conveyed it in an invitation and now we will talk

17 today about conveying it in an annual work plan, all of

18 which you have also commented to say good on you.

19 Synthesis, right on. Back to the Restoration Plan, right

20 on. Communicate with us and provide the course. I think

21 we agree with you. And we hope we have done that and what

22 I would just ask, if we can put the past behind us and at

23 least focus on today and the future. You have -- to me I

24 think, you know, we should take victory when we see it.

25 If we are in agreement that the invitation

1 needs to be precise and disciplined and explain what the
2 Council is trying to achieve and we have an annual work
3 plan to get us there that's shared with the PAC and the
4 STAC and the general public through the EVOS office, that
5 to me is something we should at least accept as an
6 accomplishment. And I think there is a commitment between
7 the Trustee Council to provide the PAC, and the general
8 public for that matter, with that kind of guidance and
9 directed vision. Because it is important that we provide a
10 directed vision. And if there's some disagreement now with
11 you sitting there, because you keep -- you also said, well,
12 we still have this rudderless ship -- I'm feeling like we
13 have a ship that has set out a course that is very precise
14 and directed. And if we have a disagreement on that, then
15 I'd like to hear where that is.

16 MS. STUDEBAKER: Well, you might think that
17 but you haven't communicated that. That's the problem, is
18 you may think that you guys have a course, but you have not
19 communicated what that course is to the public and that's
20 my point.

21 MR. FREDRIKSSON: And you don't see that in
22 the invitation?

23 MS. STUDEBAKER: Well, I do but.....

24 MR. FREDRIKSSON: Oh, okay.

25 MS. STUDEBAKER:you know, last year

1 we had a different invitation and you just spun out, you
2 know, in left field and funded something that wasn't even
3 responsible [sic] to the invitation. So.....

4 CHAIRWOMAN PEARCE: But we just said we
5 understand that there was mis-communication last year and
6 so starting in January with the annual report, we started
7 to focus back in and we've worked very hard since January
8 to try to have that focus with this request, with the
9 annual report, and with kind of where we're headed now. We
10 have tried to focus. And I think we've certainly tried to
11 communicate it.

12 MS. STUDEBAKER: Well, I can't leave
13 \$650,000 behind me and move on without some accountability
14 for what that was spent on last year. I just won't let it
15 die until I'm satisfied.

16 CHAIRWOMAN PEARCE: That's a different
17 topic.

18 MS. STUDEBAKER: Yeah, yeah. I just can't
19 -- I can't just leave \$650,000 of the public's money behind
20 and move forward.

21 MR. FREDRIKSSON: I can't leave.....

22 MS. STUDEBAKER: I can't.

23 MR. FREDRIKSSON: I can't leave 78 reports
24 that are nowhere to be found. I agree with you. We need
25 to find out what those reports produce.

1 MS. STUDEBAKER: Well.....

2 CHAIRWOMAN PEARCE: Commissioner Campbell
3 and then Mr. Meade.

4 MR. CAMPBELL: Actually I have substantial
5 concern not how just 650,000 was spent but how 750 million
6 has been spent. But we are where we are. In Cordova we
7 talked -- we do have a number of new Trustees and we have
8 others and we did talk about a course correction. I got
9 told in Cordova by a number of different people that I was
10 overly clear about my view of things. And evidently I
11 wasn't quite clear enough. So at least speaking for
12 myself, let me reiterate.

13 MS. STUDEBAKER: Well, see I hear one thing
14 from you and something from -- you know, so it.....

15 MR. CAMPBELL: Okay. Well, I'm just
16 speaking for myself and reiterate -- and that's the
17 process. We have six Trustees, we have to have unanimous
18 agreement.

19 MS. STUDEBAKER: It's hard.

20 MR. CAMPBELL: You know, we don't have much
21 opportunity, you know, we can't just.....

22 MS. STUDEBAKER: Yeah.

23 MR. CAMPBELL:go off into a room.
24 Maybe you'd be better served if we did but speaking
25 strictly for myself, I'm very concerned in terms of when I

1 look back about how the money is applied in terms of the
2 percentages -- leaving the land purchases aside -- on the
3 figures that I talked about last time, about 66 percent
4 appropriated to research and monitoring, 28 percent on
5 administration, six percent on what I actually can identify
6 and identify as restoration. People would look at
7 different aspects and say that's different. But what I
8 would say -- I said being a simple guy, I look and there
9 were three things -- three categories of things there were
10 injured in the oil spill. There were the fish, there were
11 the animals, and there were the people of the Sound. What
12 I'm interested in doing is using the money we have left to
13 help those three injured categories or resources to the
14 maximum degree if possible. That will be my lodestar
15 throughout as long as I'm on the Council. If there's
16 anything that's not clear about that, I can clarify it.

17 MS. STUDEBAKER: Well, I do not agree with
18 your six percent spent on restoration.

19 MR. CAMPBELL: Yeah, we can go.....

20 MS. STUDEBAKER: Because that.....

21 MR. CAMPBELL: I understand.

22 MS. STUDEBAKER: Because habitat.....

23 DR. GERSTER: That's another topic.

24 MS. STUDEBAKER: Habitat acquisition

25 is.....

1 MR. CAMPBELL: I said leaving aside.....
2 MS. STUDEBAKER: Yes, but it is.....
3 MR. CAMPBELL:habitat purchases.
4 MS. STUDEBAKER:considered part of
5 the Restoration Plan. In the Restoration Plan, habitat
6 acquisition is including in restoration.
7 MR. CAMPBELL: Well, without looking
8 back.....
9 MS. STUDEBAKER: So.....
10 MR. CAMPBELL:is there any doubt
11 about where I want to go in the future? I'm not saying --
12 I mean if I'm not clear, let me know.
13 MS. STUDEBAKER: I think I know where you
14 want to go.
15 MR. CAMPBELL: Okay.
16 MS. STUDEBAKER: I'm not a hundred percent
17 clear. Yes, Pete.
18 MR. HAGEN: Yeah, just -- I think we need
19 to really move on.
20 MS. STUDEBAKER: Okay.
21 MR. HAGEN: And I think -- but I think what
22 the appearance is, there's going to have to be a lot of
23 dialogue on where to go. I think we're -- with this
24 Interim Action Plan, there's a short term time frame that I
25 think we can all agree on. Beyond that, there has to be

1 continued dialogue on where the restoration program goes.
2 Whether it's outside the box or inside the box or what the
3 box is. So just the dialogue needs to continue and it's
4 going to be baby steps in part but we'll have to do it in
5 the open process.

6 MS. STUDEBAKER: Okay. Good.

7 CHAIRWOMAN PEARCE: Mr. Meade.

8 MS. STUDEBAKER: I just had -- oh, I had
9 one more.....

10 CHAIRWOMAN PEARCE: Just a.....

11 MS. STUDEBAKER: Okay.

12 CHAIRWOMAN PEARCE: Go ahead, Mr. Meade.

13 MR. MEADE: The piece, Stacy, that I wanted
14 to share is very much respect for your -- outlining your
15 concerns and your interest, and I really appreciate you
16 elevating those and bringing them forward to us. A key
17 ingredient for me is -- and I hold these as high ideals as
18 a public servant -- and it's trust and mutual respect. I
19 gain concern when stones are cast without really rooting in
20 discerning the accuracy of those stones. Because stones
21 can leave bruises and bruises leave scars, can. The
22 accusations of conspiracy, liaisons going into back rooms -
23 those things didn't occur.

24 And so I would urge, in mutual respect,
25 especially as a Public Advisory Committee member, root in

1 and find the details as to why the liaisons were asked in a
2 public forum by me to actually -- or suggested to the board
3 -- to go and try to pull together some approaches to bridge
4 the gap in differing viewpoints in the changing politics
5 represented on the board of Trustees so that we could move
6 forward with a vision that we have been pretty clear about
7 in the annual report. A vision that identified that within
8 a certain time frame a reopener needed to be addressed.

9 The Attorneys General and the Department of Justice needed
10 to have clear, concise, and synthesized data as to what the
11 injured species were and what the lingering effects may be.

13 And so staying on the track we had been on,
14 focusing long term towards Gulf Ecosystem Monitoring,
15 didn't necessarily look as though it was going to yard up
16 the data that was needed. Again, through a variety of new
17 Trustees, myself included -- I had only been, I think, on
18 board then a year or so -- we stumbled through how to
19 bridge the gap of differing opinions and the need for
20 dialogue in what is a very stilted approach to having
21 conversation. That all melted together in needing to give
22 direction one year ago. And depending on our liaisons for
23 being able to help us garner up the best knowledge as to
24 which of the projects could help provide the most focus
25 towards the outcomes that were beginning to get expressed

1 as a need with '06 in mind. It wasn't for conspiracy, it
2 wasn't for creating distrust, it was a board of six
3 different individuals with six different viewpoints, trying
4 to bridge the gap of, if you will, the politics, the change
5 in looking ahead and the need for a certain set of
6 synthesized data.

7 So the piece I wanted to share again in
8 mutual respect is to be cautious when one throws stones.
9 Words of conspiracy, words of sending liaisons into back
10 rooms to do things in secrecy, those things didn't occur
11 and I would urge you as you're urging us to be honest in
12 communication rather than to cast some stones that may not
13 have any merit behind them.

14 MS. STUDEBAKER: Well, yeah, perception --
15 you know, there's intent and then there's perception too,
16 I'll just say that. And it's -- I'm not casting any
17 stones, I'm just flicking a few little pebbles, just to get
18 some dialogue, you know.

19 MR. MEADE: I would urge, just ask for the
20 dialogue. You don't need to cast a pebble.

21 MS. STUDEBAKER: Well, I've certainly
22 gotten that going. I just have one more thing. I just
23 want to mention that I also, in the Interim Action Plan, I
24 really support the concept of the working group on injured
25 resources and services. It would be -- if this is

1 approved, I think it's a good avenue for collaboration. It
2 would be comprised of the staff, the science director,
3 representatives from the PAC and STAC. And it would be a
4 good collaborative team approach to review lingering oil
5 work, its possible remediation, and consider it in -- we
6 would consider that, if that happened -- if we had that
7 group -- they would consider recommendations to the Council
8 for updates on injured resources and services.

9 So I think the collaborative approach, the
10 team approach, involving the public, involving all the
11 different groups, is the way to go if we want to move
12 forward in good faith and get something done here. And
13 that's all I have.

14 CHAIRWOMAN PEARCE: Thank you very much.
15 Any other comments from Trustees?

16 (No audible responses)

17 CHAIRWOMAN PEARCE: Okay. Other PAC
18 members? Yes, Jason. Good morning.

19 DR. GERSTER: Introduce yourself.

20 MR. BRUNE: Good morning. My name is Jason
21 Brune from Anchorage and I have very brief comments. I've
22 only been on the PAC for less than a year and I only wish
23 to express this on -- I'm speaking on behalf of myself, not
24 on behalf of the PAC. There was a comment made by one of
25 the PI's when we were reviewing these that he put in a

1 proposal as a placeholder and knowing that he would be able
2 to go back and modify that, because that's what's been done
3 historically. And I made the comment at the time that I
4 had an inherent problem with -- and maybe this was
5 something that Commissioner Campbell had said down in
6 Cordova -- I had an inherent problem with placeholders
7 being put in just for maintaining scientists' work and for
8 maintaining, as McKie said, you know, what happened in
9 Valdez, scientists are not one of the species that were
10 harmed from the event.

11 And so I guess when I hear the amount --
12 and I guess I didn't realize this at the time, that eight
13 of 13 of the proposals have been recommended changes or to
14 go back. Representing myself as a member of the PAC, I
15 have a problem with that. And it seems like we're trying
16 to keep these scientists in business and I agree with the
17 mission, I agree with what we've laid out in our plan at
18 the beginning of the year, but I have a problem there and
19 that's on behalf of myself. Thank you.

20 CHAIRWOMAN PEARCE: Any questions or
21 comments for Mr. Brune?

22 (No audible responses)

23 CHAIRWOMAN PEARCE: Thank you. Other PAC
24 members?

25 (No audible responses)

1 CHAIRWOMAN PEARCE: What about.....

2 MR. ZEINE: This is Ed Zeine in Cordova. I
3 just wanted to appreciate -- let you know I appreciate the
4 Trustees listening to us and taking into consideration the
5 various subjects that are being spoken about here. And
6 Stacy has brought up some very good aspects of the problems
7 as we see it. And I do appreciate your cooperation in
8 working with us on it. That's about all I have to say.

9 CHAIRWOMAN PEARCE: Thank you very much,
10 Mr. Zeine. I know we also have Tori Baker on line. Did
11 you have any comments?

12 MS. BAKER: Sure. Drue, thanks. Yeah,
13 this is Tori Baker in Cordova. Yes, I wanted to say that,
14 you know, I think that I want to applaud everybody for
15 taking at least the risks, I guess as it is, to actually
16 engage in what has termed on the agenda dialogue. I mean,
17 I think there is a lot of backlog that was able to be aired
18 today but I would hope too that we continue to have it be a
19 dialogue where there is give and take.

20 And I think that there was a lot of good
21 exchanged today but I think there was also an ability on
22 the part of the PAC to voice some of the concerns. I think
23 it's always tough when either John or Stacy feels compelled
24 to or is called upon to represent all of us. And one of
25 the reasons that I've chosen to stay as part of the process

1 with the PAC is that we are not truly driven by (phone cut
2 out) in that body in that we are encouraged to express and
3 discuss and give to you the Trustees the various complaints
4 that we both express and that we represents.

5 And I think, McKie, this gets back to your
6 point. There is a lot of scrutiny on the PAC. But I think
7 that, you know, overall the communications within the whole
8 Trustee process in the last year and a half have
9 unfortunately reached a bit of a low ebb. And there's been
10 a lot of confusion and there's been a lot of breaches,
11 there's been a lot of attempts on a lot of parts to put
12 this on better footing. So I just applaud everyone.

13 And I just want to underscore that the PAC
14 does not speak as a consensus statement generally. I know
15 that that's one thing that I and many of us have always
16 held very dear on the PAC, that we can feel free that we
17 can express our various opinions to the Trustees. Because
18 that's what essentially -- to be a little bit glib -- we
19 were hired on to do, was to express a variety of opinions.
20 But I just encourage everybody to keep listening to the
21 variety of opinions that we do have.

22 Gail also gave me the opportunity -- I just
23 wanted to also note that -- I think I heard when I was
24 first checking in here, people were commenting on the
25 publication of this recent document, the Gulf of Alaska

1 Biology and Oceanography volume that Alaska Sea grant
2 published on behalf of the Trustee Council. And I guess I
3 just wanted to highlight that very positive step forward.
4 I think, you know, we all get so embroiled in our day to
5 day missions and paths with this, I guess I just wanted to
6 draw the public's attention as well as the Trustee and the
7 STAC and the PAC to the publication of what I think is a
8 very important volume.

9 And I would hope that people -- well, on
10 the subject of the whole biology and oceanography of this
11 exact area obviously that we're so focused on now. I think
12 that contained in this volume is not necessarily a GEM
13 vision per se. I think what this document to me represents
14 is the process and the potential of a GEM type
15 collaboration with a lot of long term researchers and
16 scientists who have been working not only under the EVOS
17 Council but have worked professionally and long in their
18 careers on the topic of marine ecosystems and ecosystem
19 they've researched.

20 So I would just like to say that the Marine
21 Advisory Program, we have -- hand in hand with Gail have
22 made available to the PAC -- and I know Gail, as I
23 understand it, is forwarding complimentary volumes to the
24 STAC and to the Trustees. We at the Marine Advisory
25 Program felt that this is a tremendous document and

1 something that everyone should be proud of and I hope
2 really enters into the dialogue of the vision of this
3 ecosystem research that we are all, you know, so key on. I
4 just think that the publication of this has been timely
5 and I would really encourage everyone to take a look at it
6 and begin to incorporate that into our discussions as we
7 move ahead with what is the vision and the future function
8 of this process.

9 So that's my comments for today. Thanks.

10 CHAIRWOMAN PEARCE: Thank you, Ms. Baker.

11 Any questions or comments?

12 (No audible responses)

13 CHAIRWOMAN PEARCE: And one last try, any
14 other PAC members? Yes.

15 MR. LAVIN: Hi again, this is Pat Lavin.
16 Stacy has hit a lot of things obviously already. I'll try
17 not to duplicate any of that. I'll just talk about two
18 things. One, the process about discussing the future in
19 GEM and such between now and over whatever time frame -- I
20 think we've talked somewhat about 18 months or something.
21 And the other one is what to do with the work plan now that
22 you're going to talk about later today.

23 On the GEM discussion, I would just say
24 that GEM as we now know it is a work -- you know, is a
25 product of many years and a lot of investment and I would

1 ask that the process to undo that to some extent
2 potentially be given adequate time, over time, meetings and
3 such. There's been some discussion of workshops in the
4 coming year, maybe four workshops or so. I don't know if
5 that was intended to be the topic for any of those. I
6 apologize if somebody already made that clear, but that
7 would be my suggestion anyway. Build that into some
8 workshops or some kind of process that's laid out well in
9 advance and we can see for a year ahead of time where the
10 opportunities are to discuss doing something other than the
11 current GEM plan, if we're going to deviate from that.

12 The other issue on the work plan I'm going
13 to disagree on some level with one of the previous speakers
14 who was objecting to the modification of projects that
15 come in. I would say that that is to be expected and is a
16 good thing in a way. At least in a way. You try to be as
17 clear as you can in the invitation about what you want,
18 what you want to do, but the PI's have their own interests
19 and expertise and stuff and there's often not going to be a
20 perfect fit with all these proposals that come in. And
21 it's been the staff, the science director and the STAC,
22 work with what they get, and there's a give and take after
23 that point and project modifications. And to me that's all
24 good and that's what needs to happen now because the
25 projects that we got in in response didn't quite fit the

1 bill but if massaged properly, I think there's a way to get
2 the synthesized information that we're looking for in less
3 than a year's time now.

4 And that's my other, I guess, quick point
5 is I don't have that Interim Work Plan right in front of me
6 now but my recollection is it flags something like a
7 December 2006 date where some kind of conclusion or
8 synthesis finality is hoped for, and that would be too late
9 for reopener purposes. So I think your eye has to be on a
10 ball more like next spring, which is a, you know, probably
11 a tall order under any circumstances. But to take sort of
12 the mishmash that we have -- Brenda's idea I think is good.
13 Something like an outside eye or two to maybe oversee, but
14 we need to plug in the people on the ground who already
15 have the knowledge. Most of them were represented in some
16 proposal or other. That all needs to be massaged. But
17 it's all there in the projects that you got, but they all
18 need modification to make that happen. Nobody proposed
19 exactly what the STAC and PAC wound up saying so -- but
20 with some work it can happen.

21 So I would just say that let's do those
22 modifications and move up the end game for the date on when
23 that synthesis would be. Thank you.

24 CHAIRWOMAN PEARCE: Thank you, Mr. Lavin.

25 MR. FREDRIKSSON: Madam.

1 CHAIRWOMAN PEARCE: Mr. Fredriksson first
2 and then Mr. Campbell.

3 MR. FREDRIKSSON: Madam Chair, I think in
4 terms of the question about modifications, how
5 modifications come into play, I think it's not uncommon in
6 the past for the Trustee Council to fund for approved
7 funding conditioned upon or contingent upon certain very
8 specific, if you will, criteria being satisfied by the EVOS
9 staff. And I think there has got to be a part in the
10 process where things come to conclusion in terms of the
11 advisors, a decision is made, and we move on. And I think
12 that's -- if I hear you correct, Pat -- that that's -- I'm
13 hearing that it's not that there's no modification being
14 contemplated but how we bring that modification to a
15 closure and move on.

16 And maybe just another comment in terms of
17 your reference to GEM. I think what the message we've been
18 trying to send is that it's very important that we kind of
19 bring to some kind of synthesis, some kind of -- I don't
20 want to say closure but it seems so fitting that we bring
21 some closure to the update of the injured resource list.
22 That we understand what today is injured. As I look at
23 some of these, I see species where we have classified -- we
24 have characterized -- EVOS has characterized it as having a
25 certain recovery status, but I haven't seen a lot of

1 information perhaps or study done to just update population
2 surveys to know if in fact that's accurate today.

3 I believe once we reach that and once we
4 kind of brought this synthesis together, we were
5 envisioning moving forward in terms of GEM monitoring,
6 other ideas. So your comment in terms of workshops or
7 opportunities to engage the public in what now -- the what
8 now question, GEM, other things -- is something that I
9 think the Trustee Council is very sympathetic to and wants
10 to get there as well.

11 CHAIRWOMAN PEARCE: Commissioner Campbell.

12 MR. CAMPBELL: I'd just pass on a request
13 to the PAC and actually at least individual Trustees have
14 passed this on to the STAC as well, is if -- we would like
15 it if you would take a look at the overall GEM program and
16 say, if the Trustees did do what we talked about last
17 meeting, which is make a course change. And while
18 certainly maintaining monitoring as a component of our
19 work, try to focus more of the actual dollars on actual
20 restoration repair, help, compensation, however you want to
21 say it. What are the really important components of long
22 term monitoring that it is important not to lose as part of
23 that restoration work? I mean, I think there's a whole lot
24 of long term monitoring that's academically really
25 interesting. There's stuff that we've seen that I think is

1 great science -- I wish our department had done it or the
2 university had done it -- but to me it doesn't fit into our
3 mission. So what are the elements that actually help us
4 make things better?

5 CHAIRWOMAN PEARCE: Mr. Lavin.

6 MR. CAMPBELL: And just if you all will
7 think of that and come back to us.

8 MR. LAVIN: Maybe Brenda is much better
9 qualified to speak to it. I think where GEM was trying to
10 go -- and I support the diversion we're on right now to
11 wrap up the update the best we can and driven by the
12 reopener maybe a little bit but it's good to get it done
13 anyway and then go onto what's next -- I think it was built
14 into the program to spend some time identifying what those
15 things are. That I don't know that that's something that
16 we the PAC are going to be able to shoot from the hip and
17 say here's the things you should really monitor.....

18 MR. CAMPBELL: I wasn't asking you to shoot
19 the hip -- asking you actually not to, to go back and think
20 of it.

21 MR. LAVIN: But part of -- at least part of
22 the answer may already be there in the way GEM was designed
23 to decide what to monitor over long term.

24 CHAIRWOMAN PEARCE: Other questions or
25 comments for Mr. Lavin?

1 (No audible responses)

2 CHAIRWOMAN PEARCE: Thank you very much.

3 MR. LAVIN: Thank you. And thank you for

4 reinstating or instating the PAC dialogue portion of the

5 agenda.

6 CHAIRWOMAN PEARCE: Other PAC members?

7 DR. GERSTER: Brenda, would you?

8 DR. NORCROSS: Sure. I'm Dr. Brenda

9 Norcross. I'm a PAC member that represents science and I'm

10 the liaison with STAC because I also am co-chair of STAC.

11 What I would just like to state, that while Tori Baker made

12 a comment that the PAC wasn't scientists, I'd like you to

13 know that several of them are but the most important thing

14 about the PAC is that they're very concerned about the

15 restoration, about the injured resources, about the injured

16 species, and to see something that goes on into the future.

18 I think that that's where they're coming

19 from. That nobody is coming from a self interest and that

20 they just -- that the PAC in general spends so much

21 volunteer time on this that they want to see that something

22 positive is coming out of it. That they're supporting --

23 for instance, the 2006 work plan for synthesis -- that they

24 want to see the best product, not something that just sort

25 of fulfills it, they want an excellent product and they

1 want the most for the money. So they're very supportive of
2 that and they're very devoted people.

3 MS. BAKER: Brenda, I've never shied away
4 from being not a scientist. I don't think that was I that
5 said that.

6 DR. NORCROSS: I didn't mean that, Tori.
7 I'm sorry if I said that.

8 MS. BAKER: No, I say -- and if I can.....

9 CHAIRWOMAN PEARCE: Go ahead, Tori.

10 MS. BAKER: I think I agree with you
11 definitely that -- again, my major point was that there is
12 a diversity of very good opinion on that PAC and I think
13 that the Trustees are asking us to continue to roll up our
14 sleeves and give them the specific feedback and I think
15 we've done a pretty good job of it. I think we just need
16 to get onto the same page.

17 CHAIRWOMAN PEARCE: Any questions for Ms.
18 Norcross?

19 (No audible responses)

20 CHAIRWOMAN PEARCE: Thank you, Brenda.

21 MR. MEADE: Just well said.

22 CHAIRWOMAN PEARCE: Thank you very much.

23 Any others?

24 (No audible responses)

25 CHAIRWOMAN PEARCE: Dr. Gerster, any

1 closing remarks?

2 DR. GERSTER: Well, I just want to thank
3 the PAC for all of the volunteer time that they've put in.
4 I think they have done very well. I've been very
5 impressed.

6 CHAIRWOMAN PEARCE: Thank you. And we'd
7 like to thank all the PAC members too. And thank you for
8 being here today. And for one, I look forward to
9 continuing these dialogues, I think it's very healthy and
10 that the two-way communication is good. We.....

11 MR. FREDRIKSSON: Madam

12 CHAIRWOMAN PEARCE: Before our break.....

13 MR. FREDRIKSSON: Madam Chair, if I might.
14 Just stick -- on that.....

15 CHAIRWOMAN PEARCE: Commissioner.

16 (Laughter)

17 MR. FREDRIKSSON: I would hope in our
18 future agendas, I'd like to have the PAC as a separate
19 agenda item instead of just kind of relegated to the
20 Executive Director's report. I think it just kind of gives
21 it that extra time to set aside that is really what we're
22 talking about here today.

23 CHAIRWOMAN PEARCE: I think that's an
24 excellent idea.

25 MR. MEADE: If I may, Madam Chair.

1 CHAIRWOMAN PEARCE: Mr. Meade.

2 MR. MEADE: I just wanted to echo that too.
3 I think as we met in Cordova and discussed in with the PAC,
4 I think that each of the PAC comments today reflect a chasm
5 in effective communication. And I also would suggest we've
6 seen some of that with the STAC as well. I think we owe it
7 to the collective interests here to not let our procedural
8 approaches to how we conduct our business impede our
9 ability to have good frank dialogue. I would suspect that
10 the concerns that -- for example, Stacy has outlined today
11 -- had we communicated in this type of dialogue about them
12 immediately, then perceptions would not have grown into
13 larger issues and we would have been able to put those to
14 solve and had mutual respect for each of our roles. So I
15 just want to underscore what you suggest, Kurt.

16 CHAIRWOMAN PEARCE: Thank you. We will
17 take a break. On the clock here in the room it's 11
18 minutes to -- eight minutes after 11:00. We'll plan to
19 come back at 20 after. In the meantime, we did move our
20 executive session to the end of the day. We have scheduled
21 a noon working lunch. We will break to grab sandwiches and
22 come back in and just work through lunch if that's all
23 right with everybody. Because we do want to get to the
24 work plan and have an opportunity for a full discussion
25 today. With that, we are in recess until 20 after and

1 we'll be coming back on line at that time.

2 (Off record - 11:08 a.m.)

3 (On record - 11:25 a.m.)

4 CHAIRWOMAN PEARCE: I'm ready. It's 25
5 after 11:00. We're going to come back to order. We are
6 back on teleconference. All of our Trustees and our
7 Executive Director are back in the room. If we could ask
8 the folks in the hallway to rejoin us.

9 (Off record comments)

10 CHAIRWOMAN PEARCE: If we could ask
11 everybody in the hallway to either move their conversation
12 to the front end of building or come on in.

13 (Off record comments)

14 CHAIRWOMAN PEARCE: We are ready to move to
15 the Executive Director's report however we have two items
16 before. The first one being, I was remiss at the beginning
17 of the meeting. I want to express on behalf of the
18 Council, of our liaisons and staff, our deep regret to you
19 Gail for the loss of your mother and we appreciate very
20 much the fact that you are here with us today and we want
21 to send our best to you and your family.

22 MS. PHILLIPS: Thank you very much. I
23 appreciate that.

24 CHAIRWOMAN PEARCE: You're welcome. And
25 McKie.

1 MR. CAMPBELL: Madam Chair. I would move --
2 let's see here, let me find it -- that the updated 10 year
3 budgets -- or the 10 year budget survey be moved down to be
4 taken up with the other budget items in the agenda.

5 CHAIRWOMAN PEARCE: Is there a second? Mr.
6 Meade.

7 MR. MEADE: Discussion.

8 CHAIRWOMAN PEARCE: We need a second.

9 MR. NORDSTRAND: Second.

10 CHAIRWOMAN PEARCE: I'll sec -- okay, we
11 have a second. Mr. Meade.

12 MR. MEADE: The briefing I got on that 10
13 year package would even suggest that it might be premature
14 to actually have much discussion to it. That it might need
15 to be combed through, teased about for a lot more
16 consistency and clarity and what's captured therein. So I
17 would even advocate that it may be timely to at this point
18 remove it from today's agenda.

19 MR. CAMPBELL: I would be equally.....

20 CHAIRWOMAN PEARCE: Commissioner Campbell.

21 MR. CAMPBELL: That was I guess the point
22 of my moving it down there where we could address that, but
23 whichever way you'd prefer to address it.

24 CHAIRWOMAN PEARCE: If you'd like to remove
25 it, if you wanted to make that as a amendment to the

1 motion, that would be fine. Mr. Nordstrand.....

2 MR. MEADE: I would like to amend the
3 motion of the gentleman to my left -- can we just go to
4 Bobby's rules instead of Robert's?

5 CHAIRWOMAN PEARCE: Sure.

6 MR. MEADE: I'd like to modify what my good
7 friend Mr. Campbell down there had to say and remove that
8 from the agenda until a time when it's had a chance to be
9 more thoroughly evaluated.

10 CHAIRWOMAN PEARCE: Mr. Nordstrand, would
11 you second that since you were the second?

12 MR. NORDSTRAND: Yes, I would. I would
13 just comment that.....

14 CHAIRWOMAN PEARCE: Okay. Discussion.

15 MR. NORDSTRAND:it might be
16 appropriate to sort of talk about what it is we're trying
17 to get in terms of information so that when it comes back,
18 it's what we want and need.

19 MS. PHILLIPS: And Madam.....

20 CHAIRWOMAN PEARCE: And I would think that
21 under the admin budget, that might be.....

22 MR. NORDSTRAND: A good place to have that
23 discussion.

24 CHAIRWOMAN PEARCE:a good place to
25 roll all of that discussion in, if that's okay. Madam.

1 MS. PHILLIPS: Madam Chairman. This was a
2 request during the retreat.....

3 CHAIRWOMAN PEARCE: Right.

4 MS. PHILLIPS:that we do this 10 year
5 recap so.....

6 MR. CAMPBELL: Right. We understand.

7 CHAIRWOMAN PEARCE: Okay.

8 MS. PHILLIPS:it's not an action item
9 or anything like.

10 MR. CAMPBELL: Well, if we can have a sort
11 of on the agenda.

12 CHAIRWOMAN PEARCE: We have a.....

13 MR. MEADE: So are you making an amendment
14 to my amendment to his.....

15 MR. CAMPBELL: No, I would never dare.

16 CHAIRWOMAN PEARCE: You can't do that. We
17 have a motion to remove the summary from the agenda and not
18 do a full briefing on it today. It was not an action item.
19 I am assuming we will discuss our needs when we're under
20 the admin budget in old number 10, which is now number 11,
21 I think. Any discussion?

22 (No audible responses)

23 CHAIRWOMAN PEARCE: All those in favor of
24 the motion.

25 IN UNISON: Aye.

1 CHAIRWOMAN PEARCE: Anyone opposed?

2 (No audible responses)

3 CHAIRWOMAN PEARCE: The motion carries.

4 Madam Executive Director.

5 MS. PHILLIPS: Thank you, Madam Chairman.

6 I'll go through my remarks very quickly. The first item I
7 wanted to bring to your attention is the Koniag annual
8 payment. If you'll look under your tab for miscellaneous
9 items of information on the Koniag document on page 9, you
10 will just see that we will make the third payment to Koniag
11 in October of this year and that amount of money will be
12 \$439,078. And there's no action that's required of the
13 Trustee Council, I just wanted to bring that to your
14 attention.

15 Also, for your information and the
16 information of the members of the public and the PAC, if
17 anybody is interested in getting copies of the three Prince
18 William Sound Science Center presentations that were given
19 to us during the Cordova meeting, the ones by doctors
20 Thorne and Bishop and by Nancy Bird. We have those on disk
21 and anybody is welcome to get copies of those.

22 Updated projects list, this is going to be
23 a real good -- I think you'll be very pleased to hear what
24 we have to bring forward today on the updated information
25 on the projects that are outdated and out-due. And Carolyn

1 will make the report on this.

2 MS. ROSNER: Good morning everybody. I'm
3 Carolyn Rosner, the program manager here at EVOS and I'm
4 here to give an update on the status of our final reports
5 that we talked about in June. At the June meeting in
6 Cordova, we were asked to work with the liaisons to come up
7 with ways to streamline the final reporting process because
8 so many are in limbo for what turned out to be fairly minor
9 technical formatting reasons. So we met with liaisons in
10 July and discussed a couple of ideas. One of them was to
11 alter the peer reviewing procedure because we have 32
12 reports that we have but that have not been peer reviewed.

13 The other idea was to take in-house
14 responsibility for final formatting, printing, and
15 distribution of final reports -- meaning me -- would handle
16 that. I would handle that. What happened at the meeting
17 was that the overhauling of the peer review procedure met
18 with mixed review at best. So that was tabled. But the
19 in-house coordination of final report production was
20 unanimously seen as a good move. So the section of
21 procedure before you today concerns just that part of the
22 reporting process. We think this set of options will make
23 life easier for PI's. They can submit a final report and
24 in most cases be done with it and move on. It will make
25 the process easier and research will get to the public

1 realm where it belongs a lot sooner. It will also reduce
2 the time required to move from project and to actual
3 publishing and additionally save staff and liaison time.
4 Because the liaisons have spent a lot of time just tracking
5 these things down. Tracking down PI's who have moved on,
6 PI's who have left the state, et cetera.

7 So what we're really offering as an option
8 here is that the major change is that the processing be
9 handled here in this office. So reports would be submitted
10 to us and any formatting that would need to happen would
11 just be done here. It would go back to the PI. It
12 wouldn't require them to do anything other than to just
13 submit the report on time, which will still be required, of
14 course. We're hoping to make this easier by spelling out
15 the reporting requirements more clearly up front. And I
16 have a couple ideas on how to do that. We would position
17 the requirements better on the website. Right now they are
18 somewhat buried. We could also reiterate the requirements
19 maybe in an approval letter when a proposal gets funded and
20 then send them reminder emails maybe six months out. We
21 can auto-generate these from our database. So hopefully
22 when we receive reports they will need little to no final
23 formatting.

24 So as you can see from the chart I handed
25 out, we have -- can I borrow yours, Gail?

1 MS. PHILLIPS: Uh-huh.

2 CHAIRWOMAN PEARCE: And is this the chart
3 that was handed out -- oh no, never mind. The one you just
4 handed out, got it.

5 MS. ROSNER: This one speaks to Kurt's
6 earlier comment that 78 reports have gone missing and
7 actually I count 77. So that's very close. My good news
8 is that we have 63 of them. They just need formatting and
9 printing. They've been reviewed and they're just hanging
10 out. So again, our proposal today is just for us to take
11 that in hand, the onus would be on this office to handle
12 that. The remaining 14 reports are another issue. We
13 haven't yet received them. Some of them are not that old.
14 So that's all I have on that. And did you have any
15 questions?

16 MS. PHILLIPS: And I just might say, this
17 will be an action item a little later for whether or not
18 you will agree to make this change. And I'll have a dollar
19 figure as to how much it probably will require for us to do
20 this in-house.

21 CHAIRWOMAN PEARCE: Okay. Mr. Nordstrand
22 first and then Mr. Meade.

23 MR. NORDSTRAND: That was the question,
24 what is the cost of that. I assume that this cost of final
25 printing, et cetera, was borne by the.....

1 MS. PHILLIPS: PI's.

2 MR. NORDSTRAND:PI's themselves

3 before.

4 CHAIRWOMAN PEARCE: Right.

5 MS. PHILLIPS: Right. Right.

6 MR. NORDSTRAND: And it would have been

7 built into the amount of the price that was being paid for

8 these reports, I would assume. And so this would be

9 essentially transferring that cost from.....

10 MS. PHILLIPS: To this office.

11 MR. NORDSTRAND: To this office.

12 CHAIRWOMAN PEARCE: Mr. Meade.

13 MR. MEADE: Two part. One is I gather this

14 recommendation is not addressing the peer review piece.

15 MS. PHILLIPS: No.

16 MR. MEADE: That will be addressed

17 differently or later.

18 MS. PHILLIPS: Correct. That's right.

19 MR. MEADE: And then secondly, are we only

20 talking about his approach for those delinquent individuals

21 who have not been responsive to redeeming their social

22 responsibility or shall I take it more than social? We're

23 not modifying for the future here are we? We're going to

24 have expectations in future that reports are submitted on

25 time to format as specified with better clarity as to what

1 those requirements are as you've highlighted?

2 MS. ROSNER: Correct.

3 MR. MEADE: So you're just talking about
4 helping those to redeem themselves by getting the reports
5 in and allowing EVOS to subsidize their projects?

6 MS. ROSNER: Right. We're dealing with
7 this backlog first.

8 MR. MEADE: Yeah.

9 MS. ROSNER: And then as a second part to
10 that, trying to just -- I've trying to look at the -- or we
11 tried to look at the whole process and just see where, if
12 anywhere, it had broken down because.....

13 MR. MEADE: How to make it more clear to
14 any.....

15 MS. ROSNER: Right.

16 MR. MEADE:in the future what their
17 explicit responsibilities are.

18 MS. ROSNER: Right.

19 MR. MEADE: Good.

20 MS. ROSNER: They're not terribly stringent
21 responsibilities but somehow they got overlooked. And then
22 added to that was the extra burden of back and forth with
23 the library and PI's just moving on. So we're just trying
24 to make it easier for people to get this work into us.

25 MR. MEADE: You bet.

1 CHAIRWOMAN PEARCE: Mr. Nordstrand and then
2 Commissioner Fredriksson.

3 MR. NORDSTRAND: So just to clarify, this
4 would apply to all future reports then as well?

5 MS. ROSNER: Right.

6 MR. NORDSTRAND: This is a permanent change
7 in policy. This is not just to get the delinquent folks in
8 the door.

9 MS. ROSNER: Yes. It would -- yeah, I
10 guess I didn't answer Joe's question very.

11 MR. NORDSTRAND: And do we actually do -- I
12 understand the printing function and it would seem that the
13 printing function would be pretty simple to deal with. I
14 mean, copy service, send them the copy and they send it
15 back. The PI's wouldn't necessarily be doing that
16 themselves anyway. Are you talking -- is there a lot of
17 formatting issues here, like making the word processing
18 kind of stuff that we'll be taking on as well?

19 MS. ROSNER: Not really. I don't expect
20 and I don't want to have to be altering a scientific
21 report. Most of the -- I've spoken with Carrie Holba about
22 this and the main problems seem to be title pages, with all
23 their elements present; cover page additionally, a non-
24 discrimination that usually needs to be there; proper
25 citation format. It's very editorial. And that would be

1 all I would hope to have to do, is maybe add a title page
2 if it wasn't there. As far as the data and the scientific
3 parts, that would hopefully have been taken care of by the
4 time we get it.

5 MR. NORDSTRAND: It seems extraordinary
6 that they can't just do that. If this will help the
7 process, I suppose that's a good idea.

8 MS. ROSNER: Yeah. Yes, that's what we're
9 hoping also. And so that's really what we're asking about
10 today, is just that we take over that instead of having
11 PI's do it.

12 CHAIRWOMAN PEARCE: Commissioner
13 Fredriksson.

14 MR. FREDRIKSSON: Madam Chair. I don't
15 envy you, your work. But it's critically important because
16 this really is at the heart of the Council actions, is the
17 reports that we buy and the information from those reports.
18 And I know we're going to take an action later, Gail, but
19 this is kind of the information item. And I'm just kind of
20 now glancing at this chart for the first time, so maybe you
21 can help me kind of walk through.

22 MS. ROSNER: Sure.

23 MR. FREDRIKSSON: Because in Cordova we
24 had a spreadsheet that had all the projects listed and at
25 that time there were 93. So if I'm capturing this

1 correctly, since Cordova, we've discovered six more
2 delinquent reports?

3 MS. ROSNER: I don't think they're
4 delinquent, I just think the list has been updated. And
5 I've done a lot more digging and I've also received some
6 reports. So that list has since changed. Well, of course,
7 but.....

8 MR. FREDRIKSSON: And lists are -- boy,
9 I'll tell you that lists -- any time you start getting into
10 lists.....

11 MS. ROSNER: They're so slippery.

12 MR. FREDRIKSSON:and doing counts.
13 Do we know right now how many reports in total the Exxon
14 Valdez Trustee Council has funded since.....

15 MS. ROSNER: Since the beginning.

16 MR. FREDRIKSSON:we began?

17 MR. BOCHENEK: We can find out.

18 MS. ROSNER: We can find that out very
19 easily. I don't have that number.

20 MR. BOCHENEK: I mean, I should -- I can
21 probably get it to you.....

22 MR. FREDRIKSSON: That's -- I think what I
23 would like to see and kind of as we go down this path -- I
24 think we're going to go down this path, I don't expect you
25 to have all the answers today. But what the EVOS office

1 did produce in 2002 was what was called a summary of
2 restoration strategies and projects, federal fiscal year
3 '92 to '02.

4 MS. ROSNER: Uh-huh.

5 MR. FREDRIKSSON: And at that time there
6 was 185 projects listed. And that to me is an excellent
7 list to start off.

8 MS. ROSNER: Sure.

9 MR. FREDRIKSSON: Of course now everything
10 since that report, I don't know where we're at. But it
11 would be very helpful if the EVOS staff could capture from
12 '02 the additional reports that at least we've funded.
13 Because that to me is the universe of what we're talking
14 about. Within that universe then we have various degrees
15 of accomplishment and failure.

16 MS. ROSNER: Right.

17 MR. FREDRIKSSON: And if I look at the
18 chart that you just provided us today, you're saying of
19 that 99 potential failures, you're able to do some
20 corrective action and at least retrieve and print and save
21 63.

22 MS. ROSNER: Uh-huh.

23 MR. FREDRIKSSON: That's good. And then
24 that leaves 36 that are still failures that we're going to
25 have to do something about. And at least the numbers I

1 have there -- or if I'm incorrect, correct me.

2 MS. ROSNER: Well, actually there are 32 of
3 the 63 that still need peer review. We have them but they
4 haven't been peer reviewed. And that's a whole other
5 issue. But pulling lists of reports I think will be -- and
6 that's something we're working on right now with Rob and
7 Mike is -- that's all part of data management. That's
8 having all this in a good solid robust database that we can
9 generate all kinds of reports from. And that's still in
10 transition because we have so many reports from 1992 -- or
11 '92 to '95, I don't know, just earlier things that just
12 aren't in there yet. So it's really hard to pull accurate
13 lists of things right now.

14 MS. PHILLIPS: We have an update from
15 Carrie on the reports that are at ARLIS.

16 MS. ROSNER: Oh, Carrie has 231 final
17 reports at ARLIS and 214 annual reports, for a total 445 to
18 date.

19 MR. FREDRIKSSON: Which is an impressive
20 number which I have no context of. Because I don't know
21 what the universe is. And only really the EVOS office can
22 provide us that.

23 MS. ROSNER: Right.

24 MR. FREDRIKSSON: But as we move down this
25 path, what I'd also like to have a sense is -- because

1 ultimately I guess the number -- if I go to the extreme of
2 the scale, what this tells me is that we have still -- oh,
3 how many have we not received anything from -- or we have
4 heard from all PI's then?

5 MS. ROSNER: We.....

6 MR. FREDRIKSSON: We have reports in some
7 stage of development from everybody.

8 MS. ROSNER: We're missing actually 14 and
9 one of those is a website. And there's another one that's
10 from 2004. So it's not here yet but it's not outrageously
11 overdue. So you could make that 12 reports that we just
12 haven't gotten anything on. We got.....

13 MR. FREDRIKSSON: And at some point and
14 what the '02 report did provide was it provided the title
15 and the number for tracking purposes of the report but I
16 had no sense of -- and ultimately I think it will play some
17 part of our consideration -- is the investment in those
18 reports.

19 MS. ROSNER: Oh.

20 MR. FREDRIKSSON: So we may not -- you
21 know, maybe there was a website that wasn't produced but at
22 some point I think it would be very helpful to know what
23 was the Council's investment in that website that wasn't
24 produced.

25 MS. ROSNER: Right.

1 MR. FREDRIKSSON: If it was 500 bucks,
2 perhaps that's not nearly as serious as if it was 500,000
3 bucks.

4 MS. ROSNER: I actually did make a little
5 report on money spent on reports not yet received and I
6 think.....

7 MR. NORDSTRAND: We have it here.

8 MS. ROSNER: You guys have those.

9 MS. PHILLIPS: Yeah.

10 MS. ROSNER: Okay.

11 MR. NORDSTRAND: It was right
12 underneath.....

13 MS. ROSNER: It's this little thing here.

14 MR. NORDSTRAND: that revised process.

15 MS. ROSNER: Fourteen. And I pulled these
16 numbers.....

17 MR. FREDRIKSSON: And that's in our
18 packages, Scott?

19 MR. NORDSTRAND: It was on our table.

20 MS. ROSNER: I think they were extra this
21 morning.

22 MS. PHILLIPS: Yeah, we.....

23 MR. FREDRIKSSON: Oh, it's on the table.

24 MS. ROSNER: And these numbers came from
25 the final work plans, I just went back and found approved

1 funding figures. And I know that one of them, the third
2 one down, Kennedy's report, it apparently is done. Brett
3 has talked with Kennedy about this but we just haven't seen
4 it. So they say they're done but we don't have them.

5 MR. FREDRIKSSON: And I think that's --
6 well, and I don't know if this is the action on it, but
7 those are -- this is helpful. If it's complete, would be
8 my question, but obviously we've got -- I think as we were
9 talking with the PAC earlier about administrative costs of
10 500,000 for liaisons or administrative costs; I -- and then
11 I'm just -- when I see harbor seals, which is a topic of
12 concern, there's -- is that -- am I reading this correctly?
13 So we have not heard any -- we have no report on this
14 interaction of harbor seals yet we invested two million
15 dollars? Is that -- am I reading that correctly?

16 MS. ROSNER: According to what I was able
17 to find, we just haven't gotten a report. A final report.
18 We may have other types of reports, annual reports or
19 probably publication.

20 MR. FREDRIKSSON: But the.....

21 MS. ROSNER: Peer reviewed publications
22 but.....

23 MR. FREDRIKSSON: Okay. Okay. Thank you.

24 CHAIRWOMAN PEARCE: Mr. Meade.

25 MR. MEADE: I guess I'm struggling, Gail,

1 with a bit of lack of knowledge. Kurt kind of just got at
2 it. You know, my mind is wildly running around data that
3 must be handed out on the table. Are we looking at reports
4 of two million dollars in value that we didn't get input
5 on? So I guess I would either prefer to table the
6 discussion to where we can -- or provide a summary of the
7 data that's there that I need to bite into. Because right
8 now, I'm just hearing.....

9 MS. PHILLIPS: That wasn't -- the report
10 that Carolyn is just referring to is an additional little
11 piece of information she put together yesterday. And she
12 and I can work on that and do more -- a little more
13 refining on it and we'll just send it out to you. It
14 wasn't necessarily a part of this action item that we need
15 to discuss, it was just another piece of information she
16 had put together.

17 MR. MEADE: Well, I think her work is
18 excellent, I just was not feeling like I had.....

19 MS. PHILLIPS: Yeah.

20 MR. MEADE:access to whatever -- you
21 know, I too, I think like Kurt, am very concerned and
22 probably my purposeful words earlier kind of spoke to my --
23 when we're paying for products to get produced, they should
24 get produced. They should get produced to the results or
25 to the quality that EVOS has established. And so I'm

1 reticent to give folks in the past amnesty for not having
2 done their work. If that's what we need to do though to
3 get it done, I think you're recommending a good approach.
4 But we need to be real clear about the expectations for the
5 future.

6 MS. ROSNER: Sure. And like I said, we
7 have 63 reports in hand, so people have done their job. I
8 don't want to blacklist anybody except we have got some
9 that are rather outstanding but for the most part it's good
10 news. We do have most of them. And the system seems to
11 work.

12 CHAIRWOMAN PEARCE: While I understand that
13 Mr. Meade does not have your Excel spreadsheet that you
14 gave us this morning, Joe, there's a column called revised
15 due date and the harbor seal project that Commissioner
16 Fredriksson commented on is shown with a revised due date
17 of the 1st of September of this year, which we're obviously
18 not to -- is that a revision by whom?

19 MS. ROSNER: That revised due date is what
20 I have plugged into our database and that will trigger an
21 auto-generated email, for what it's worth.....

22 CHAIRWOMAN PEARCE: Okay.

23 MS. ROSNER:that will go out.....

24 CHAIRWOMAN PEARCE: Okay.

25 MS. ROSNER:saying hello, we would

1 still like this report.

2 CHAIRWOMAN PEARCE: Okay.

3 MS. ROSNER: One of the neat features of
4 our database is that we can generate these emails that go
5 out and bug folks.

6 CHAIRWOMAN PEARCE: And then I know that in
7 the past our USGS liaison has spent time and trouble trying
8 to get reports in and has come to us and reported on a
9 couple of those. I assume you have asked each agency
10 responsible to work with you on trying to get those
11 reports?

12 MS. ROSNER: Uh-huh.

13 CHAIRWOMAN PEARCE: Great. Commissioner
14 Fredriksson.

15 MR. FREDRIKSSON: Yeah, I guess for full
16 disclosure here, I jumped to the harbor seals and I see
17 there's -- DEC is actually listed in the second category as
18 2.1 million for a Kodiak Island Borough master waste
19 management plan. Having some familiarity with that
20 project, I think that was for scrap metal removal, which to
21 me -- I guess what I'm hoping to accomplish here -- and
22 again, I don't think we're there today so I know I'll be
23 speaking for additional time. But I want to get to where
24 we -- we may need to blacklist. I don't want the EVOS
25 staff to feel, well, we sent out an email and, you

1 know.....

2 MS. ROSNER: Yeah.

3 MR. FREDRIKSSON: And I know that may be
4 all the tools you have right now but I want to get to the
5 point where we can bring closure as we -- as our synthesis
6 brings closure, if you will, to an update. I think we owe
7 it to the public to be able to speak to those studies that
8 we funded. And if the email isn't working, when do we get
9 the bill collectors out? I mean I think we need to
10 entertain that. I really want to get to that point.

11 MS. PHILLIPS: Madam Chairman. There is --
12 one of the very delinquent projects, I have turned it over
13 to our attorneys and asked them to review and see if
14 there's any kind of legal action we could take on that. So
15 we will get that information on those that are very
16 delinquent.

17 MR. MEADE: And perhaps even in our annual
18 report we need to identify delinquent reports.

19 MS. PHILLIPS: I'd love to do that.

20 MS. ROSNER: I would love to find if
21 there's information I'm missing and if the PI's step
22 forward and say, hey, I submitted this, you guys have it,
23 I'd love to find that out. But I'm still trying to get a
24 handle on where all these things are at. It's on ongoing
25 process.

1 CHAIRWOMAN PEARCE: If we don't do any more
2 ADF.....

3 MS. ROSNER: It's only part of my job here.

4 CHAIRWOMAN PEARCE: If we don't do any more
5 ADF&G, ADEC, DOI, or NOAA projects, that leaves the Forest
6 Service. And Mr. Meade, you'll be very busy. Mr. Attorney
7 General.

8 MR. NORDSTRAND: I was just going to say,
9 could we add to this report a column that says when the
10 report was originally due. I mean I presume that there is
11 an original due date.

12 MS. PHILLIPS: Yes.

13 MS. ROSNER: Uh-huh.

14 MR. NORDSTRAND: And I think that would be
15 very helpful. I know in sort of pushing forward the
16 revised due date and generate an email, it seems like we
17 could send the email now, we wouldn't have to September 1,
18 but.....

19 MS. ROSNER: Right.

20 CHAIRWOMAN PEARCE: I think we're going to
21 find there aren't any here that are surprises and I know
22 that a number of these we have had both public discussions
23 but also.....

24 MS. PHILLIPS: In the past, yes.

25 CHAIRWOMAN PEARCE:discussions with

1 the liaisons working on trying to get the final reports.
2 And so a lot of work has been done and people will be able
3 to brief you on those.

4 MR. NORDSTRAND: And can we look at a
5 funding issue. I don't know, it's not on the agenda here.
6 I don't know if it's the appropriate place, but the a
7 question of whether or not we fully fund these things until
8 we get a report. Can we look to issues like withholding 10
9 percent or 20 percent until we get a report or something
10 like that?

11 CHAIRWOMAN PEARCE: That discussion will
12 come under the action item for the preparation and
13 distribution of reports because there was a question about
14 due dates and timing.....

15 MR. NORDSTRAND: Okay, I just.....

16 CHAIRWOMAN PEARCE:that feeds into
17 that.

18 MR. NORDSTRAND: I just thought that this
19 was the only action item.

20 MR. HAGEN: We're not yet to the action
21 item.

22 CHAIRWOMAN PEARCE: Well, the whole report
23 is, not just that page. But the whole report is the action
24 item as I understand it. There are other things in there I
25 think that are unclear, that's my understanding.

1 MR. HAGEN: Drue. I've got another
2 question.

3 CHAIRWOMAN PEARCE: Sure.

4 MR. HAGEN: Maybe it's not related to these
5 reports but it might be -- I think it may be worth
6 maintaining in the future again -- there used to be a list
7 that was out of journal references that were -- I mean, a
8 lot of times a report is submitted and the author will go
9 and submit journal articles based on that report. And I
10 don't know if that's something that ARLIS I know probably
11 would try to track. There used to be a list that was out
12 and I think it was like 800 or something, it was an
13 enormous amount of journal articles that were produced
14 based on EVOS funds. And they weren't necessarily part of
15 the report, because they were -- you know. So there's a
16 list that has been out there. It probably would be worth --
17 on the long list of tasks, of maybe looking at again and
18 updating and stuff. Because I think that would certainly
19 capture a lot of the research that's been done with EVOS as
20 well, so.....

21 MS. ROSNER: Sure. That's something Brenda
22 Norcross mentioned too, is having some way of cross-listing
23 these reports with the journal.....

24 MR. HAGEN: Yeah.

25 MS. ROSNER:references so you could

1 go to the period literature also.

2 MR. HAGEN: I know there's a Word document
3 that's probably about four or five years that had a list of
4 those and it might be worth looking at as time allows again
5 to automate.

6 MS. ROSNER: That would be good.

7 MR. HAGEN: Yeah.

8 MS. ROSNER: Part of what I see my position
9 here as is outreach, and that's -- to me that falls under
10 outreach. Is just getting the word out in various ways
11 about what this -- what has been done for projects and so
12 that comes under chasing after reports and printing
13 publications, website design -- just using those tools to
14 help the whole process along and just show what EVOS is
15 doing.

16 CHAIRWOMAN PEARCE: Other comments?
17 Commissioner Fredriksson.

18 MR. FREDRIKSSON: Madam Chair. Just a
19 comment because you brought it up but I couldn't agree with
20 you more. When we talk about data management, to me our
21 fundamental data management need is right here. If we
22 can't have data management program that tracks the reports
23 we produce, we will never be able to get to the point of
24 integrating or overlaying the actual information in those
25 reports. So.....

1 MS. ROSNER: Absolutely.

2 MR. FREDRIKSSON: Thank you.

3 MS. ROSNER: That will be the biggest tool
4 we have. Thank you.

5 MS. PHILLIPS: Thank you, Carolyn. I'll
6 call you back up when we have the action item. The next
7 item under my reports are the quarterly financial
8 statements ending June 30th. They're under the
9 miscellaneous items of information and they're for your
10 perusal. Next item is our Public Advisory Committee
11 resignations. We have two members from the Public Advisory
12 Committee that we need to replace. Chuck Meacham has
13 officially resigned. He's living out of state now. And
14 one of the new persons that we put on the committee in
15 January has not responded to any of the meetings, has not
16 responded to certified mail sent to him, nothing. We have
17 heard nothing from him since he was appointed, after he
18 agreed to serve. So it's time that we replace him also on
19 that, on the PAC. And we will come up -- that will be an
20 action item a little bit later in the agenda.

21 I would like Carrie to come forward and do
22 a brief update on the security cameras for ARLIS at the
23 university.

24 MS. HOLBA: Good morning, I'm Carrie Holba.
25 I'm the Trustee Council funded librarian at Alaska

1 Resources Library and Information Services, ARLIS. I have
2 provided you with a detailed written report on ARLIS in its
3 new location and, you know, results of the first year. So
4 I'm just going to touch on the highlights of this past
5 year.

6 With a few exceptions, most of the post-
7 move problems have been resolved. We are still waiting for
8 some repairs, some of the new furniture, and interior
9 signage.

10 CHAIRWOMAN PEARCE: Excuse me, Carrie.
11 Could you speak a little louder, please?

12 MS. HOLBA: Sure.

13 CHAIRWOMAN PEARCE: Thank you.

14 MS. HOLBA: Do you want me to start over?

15 CHAIRWOMAN PEARCE: No.

16 MS. HOLBA: Okay. The biggest problem in
17 the new location has been security. Because ARLIS does not
18 have doors into its space or the funding to staff the
19 library all the hours the building is open, the ARLIS
20 collection is vulnerable to theft or damage. Locking high
21 density shelving was provided by the ARLIS founder's board
22 to house those items that are unique, rare, and
23 irreplaceable. The shelving is locked when ARLIS closes
24 each day while the rest of the collection remains
25 accessible to patrons all the hours the Consortium Library

1 is open. Between September 2004 and February 2005 this
2 special collection shelving was broken into seven times and
3 there were several incidents of tampering with the visitor
4 counters at each of our four entrances. The ARLIS
5 management team upgraded the lock mechanisms on the
6 shelving three times and the current system seems to be
7 working.

8 To improve security, the Trustee Council
9 approved \$30,000 in the ARLIS FY05 budget for a security
10 camera system that could be monitored at the ARLIS
11 reference desk, the UAA circulation desk, and the
12 university police department. The procurement process for
13 this system has been protracted by numerous delays and is
14 not yet complete. UAA requires standardized equipment
15 capable of -- compatible with the existing UPD systems and
16 the university audio/visual network. It restricts the use
17 of outside contractors to do cabling in university
18 buildings and will not service what it has not purchased or
19 installed. These requirements made it necessary for the
20 procurement of the camera system to be done through UAA
21 rather than ADF&G's bid process. In my report I've
22 provided details of the delays we encountered in dealing
23 with UAA's IT services, procurement, and grants and
24 contracts departments. Most of the issues have been
25 recently resolved.

1 UAA will purchase and install the equipment
2 and cabling and bill ARLIS for these services. We will
3 forward the invoices to ADF&G for payment. The camera
4 equipment was finally ordered earlier this week and UAA IT
5 services assures me that the installation of equipment and
6 cabling will take place before September 30th. When it
7 became apparent that procurement of the security system
8 would not take place quickly, the management team purchased
9 two simulated security cameras as an interim measure to
10 deter further vandalism. The cameras are mounted to the
11 ceiling on each side of the special collection shelving and
12 are easily visible to anyone in that area.

13 While the interim cameras may have deterred
14 further vandalism in our special collection shelving, they
15 are not a solution for the rest of the library. During the
16 weekend of July 23rd, someone took a report to the back of
17 the library, sliced off the covers, and took the contents.
18 The management team is hopeful that the presence of cameras
19 visible throughout the library will prevent future theft
20 and vandalism. To provide a staff presence in ARLIS after
21 hours, the UAA circulation staff and students now provide
22 four patrols through ARLIS each evening and four to six
23 patrols on Saturdays and Sundays.

24 In the near future the Consortium Library
25 will open an entrance on the north side of the building to

1 provide more convenient access from the north parking lot.
2 The management team expects the new entrance to bring
3 increased traffic through the ARLIS east entrance and we
4 will monitor the design phase of the north entrance for
5 impacts.

6 In other updates on ARLIS, until recently,
7 patrons with overdue ARLIS books were not charged fines
8 because ARLIS did not have a mechanism to take in money.
9 On August 4th, the Anchorage Municipal Libraries and the
10 UAA library began charging fines on ARLIS books that are
11 overdue. The implementation of fines has corrected a
12 problem that resulted when ARLIS and other libraries in
13 Anchorage own copies of the same books. People were
14 checking out ARLIS copies rather than copies from UAA or
15 AML because there were no fines on ARLIS books and they
16 would keep them much longer than they were entitled.

17 A similar situation exists with patron
18 printing from computers and microfilm reader/printers. The
19 university charges its patrons for printing from its
20 reader/printers and computers while ARLIS does not charge
21 for printing from ARLIS equipment. Consequently UAA
22 students will use ARLIS equipment free of charge for
23 research unrelated to the ARLIS mission. This results in
24 increased usage of equipment, toner cartridges, and paper.
25 To resolve this problem, ARLIS will eventually install

1 UniPrint, the same system that the university uses to
2 charge students for printing. Founding agency patrons will
3 still print at ARLIS free of charge while non-founders will
4 be charged the same per page cost as the university.

5 On August 4th, ARLIS migrated to a new and
6 improved integrated library software program called Sirsi,
7 which is shared with UAA and the Anchorage Municipal
8 Libraries. This system is used for the public access
9 catalog, circulation, cataloging, acquisitions, and
10 management of periodicals. With the exception of some
11 minor glitches, the transition has been fairly smooth.
12 Changes resulting from SIRSI are behind the scenes and the
13 public will not notice anything different about the catalog
14 except improved functionality.

15 The digitizing project funded by an FY03
16 Department of Interior appropriation is nearing completion.
17 Soon the 75 Outer Continental Shelf Environmental
18 Assessment Program final reports, OCSEAP reports, will be
19 available full text at the ARLIS website. If additional
20 funding becomes available through another Interior
21 appropriation, the OCSEAP annual and quarterly reports will
22 be digitized.

23 As part of ongoing efforts to provide our
24 founders with more electronic access to resources from
25 their desktops and more convenient inter-library loan

1 requesting, ARLIS now provides 170 electronic journal
2 subscriptions and migrated to a new inter-library loan
3 management software program in December. This program
4 makes it easier and quicker for our founders to request
5 books and articles and receive the articles electronically.
6 This spring ARLIS staff implemented open URL, which allows
7 patrons to request from any of our index databases or
8 electronic journals without re-entering the citation.

9 As might be expected, usage of ARLIS has
10 changed in the new location. The number of visitors has
11 more than doubled over FY04 due in part to increased
12 university usage and the availability of the collection
13 during evenings and weekends. The total number of
14 reference requests increased by 37 percent. This is 16,137
15 requests. And the number of EVOS related reference
16 requests increased by 22 percent to 1,154, including
17 increased interest in reopener related information. Both
18 on-site and off-site requests from our founders have
19 increased. Additionally, use by university staff and
20 students has tripled from FY04 levels. Although the
21 increase in usage represents a significant increase in
22 staff workload, the ARLIS management team is extremely
23 pleased that library users are responding to the increased
24 availability of the ARLIS collection. Thank you.

25 CHAIRWOMAN PEARCE: Are there any questions

1 for Carrie?

2 MR. NORDSTRAND: I was just wondering, you
3 were going to -- the bill for the camera is going to be
4 submitted to Department of Fish and Game?

5 MS. HOLBA: Yes. That's where the money
6 came through from the Trustee Council.

7 CHAIRWOMAN PEARCE: Normal.

8 MR. NORDSTRAND: So we pay -- would we pay
9 the whole thing or a portion of it as a function of being
10 one of the agencies?

11 MS. HOLBA: No, this was -- last year the
12 Trustee Council funded \$30,000 for the entire system.

13 MR. NORDSTRAND: Okay.

14 CHAIRWOMAN PEARCE: Other questions?

15 (No audible responses)

16 CHAIRWOMAN PEARCE: Thank you very much.

17 MS. HOLBA: Thank you.

18 MS. PHILLIPS: Thank you, Carrie. The last
19 item under my report is the list -- during the retreat you
20 requested that we provide information for the list of
21 Prince William Sound organizations that have received
22 funding and the amount of that funding for the last 10
23 years. And that will be -- that is found under your
24 miscellaneous reports tab. And you'll see the 10 year
25 recap of money that EVOS has provided for these various

1 organizations. To date that total contribution is
2 \$25,601,900.

3 MR. HAGEN: It looks to me like it's --
4 that list has -- I'm not so sure it has Kodiak as a
5 recipient on it.

6 MS. PHILLIPS: Yeah, City of Kodiak.

7 MR. HAGEN: Yeah, was that -- is this the
8 spill area versus Prince William Sound? Is that what
9 it's.....

10 MS. PHILLIPS: Oh, it's.....

11 MR. HAGEN: It's supposed to be the spill
12 area and not just.....

13 MS. PHILLIPS: Right. Right.

14 MR. HAGEN:the Prince William
15 Sound.....

16 MS. PHILLIPS: Right.

17 MR. HAGEN: Okay.

18 MS. PHILLIPS: Correct. It was all the
19 organizations.....

20 MR. HAGEN: Oh, okay.

21 MS. PHILLIPS:that we have
22 contributed to.

23 MR. HAGEN: Okay. That's fine.

24 MS. PHILLIPS: Joe.

25 MR. MEADE: I think that list might have

1 been added to the binder since I got my CD. I would just
2 like to ask to maybe get an email version of that list.

3 MS. PHILLIPS: You bet. You will.

4 MR. MEADE: Thank you.

5 CHAIRWOMAN PEARCE: Any other questions?

6 (No audible responses)

7 CHAIRWOMAN PEARCE: Is lunch here?

8 MS. PHILLIPS: Yes, it is here.

9 CHAIRWOMAN PEARCE: Okay.

10 MS. PHILLIPS: My final item was lunch is
11 here.

12 CHAIRWOMAN PEARCE: We will break, grab our
13 sandwiches, and come back and reconvene. We will move to
14 the Public Advisory Committee nominations, the Anchor River
15 parcels, and the project reporting procedural change, back
16 to that again. We will not move to the Interim Action Plan
17 and the rest of the agenda before 1:00 o'clock, I doubt
18 that we'll get that far. But any of you who want to leave
19 and don't care about advisory group, blah, blah, blah, but
20 want to be back for that, if you're back by 1:00, you'll be
21 fine.

22 MR. CAMPBELL: They won't miss the action.

23 CHAIRWOMAN PEARCE: Huh?

24 MR. CAMPBELL: They won't miss the action.

25 CHAIRWOMAN PEARCE: Yeah. And with that,

1 we'll recess for as long as it takes us each to fill
2 plates.

3 (Off record - 12:10 p.m.)

4 (On record - 12:27 p.m.)

5 CHAIRWOMAN PEARCE: Let's come back to
6 order. Our Trustees are all present. We are back on
7 teleconference. The Executive Director is with us. Others
8 are joining us. We are now at Item 6 on our agenda, which
9 is the Public Advisory Committee nominations. We have Doug
10 Mutter here from DOI as a resource. Doug, you can -- why
11 don't you come forward and if we have any questions -- and
12 the Executive Director told us that we've had the
13 resignations so now, Gail, why don't you tell us about the
14 proposal you have.

15 MS. PHILLIPS: Thank you, Madam Chairman.
16 We do have two names to offer to fill these two vacancies.
17 Both of these people had put their applications in for our
18 overall solicitation of new -- of members before the
19 January selection and they -- so we still have their
20 applications on file. We would appreciate your
21 consideration of them to fill the two vacant slots. And
22 they do fit into the categories that we have listed for
23 them.

24 CHAIRWOMAN PEARCE: And have you spoken
25 with them and.....

1 MS. PHILLIPS: Yes.

2 CHAIRWOMAN PEARCE:confirmed their
3 continued interest?

4 MS. PHILLIPS: They have confirmed that
5 they would be very willing to serve if so appointed.
6 They.....

7 CHAIRWOMAN PEARCE: And what -- I'm sorry.

8 MS. PHILLIPS: They are Kurt Eilo -- and he
9 would be filling the sport hunting and fishing seat, and
10 Vern McCorkle for the public at large.

11 CHAIRWOMAN PEARCE: And what's the name of
12 the person who put on the PAC but who has been non-
13 responsive?

14 MS. PHILLIPS: Bob Patterson.

15 CHAIRWOMAN PEARCE: With a P?

16 MS. PHILLIPS: P-A-T-T-E-R-S-O-N.

17 CHAIRWOMAN PEARCE: Got it. Okay.
18 Commissioner Campbell.

19 MR. MUTTER: So he needs to be removed.

20 CHAIRWOMAN PEARCE: I understand. Did you
21 have a question?

22 MR. CAMPBELL: I was just going to ask,
23 it's my understanding from what you said, we haven't done
24 any additional solicitation for names or.....

25 MS. PHILLIPS: No.

1 MR. CAMPBELL: any fresh solicitation.

2 CHAIRWOMAN PEARCE: But you had indicated

3 to us at our last meeting that you had planned to ask the

4 folks who had been part of the pool.....

5 MS. PHILLIPS: Right.

6 CHAIRWOMAN PEARCE: of their interest.

7 MS. PHILLIPS: Right. Rather than going

8 back out for a full solicitation.

9 CHAIRWOMAN PEARCE: It's my understanding

10 that the -- because the actual appointments to the PAC are

11 made by the Secretary of Interior, the proper motion, the

12 first motion, would be to request that the Secretary remove

13 Mr. Patterson from the PAC. And the second correct motion

14 would be to request that the Secretary add the two

15 individuals to the PAC and one of those contingent upon

16 removal of Mr. Patterson. Am I correct.

17 MS. PHILLIPS: And there would be a third

18 component also, request the Secretary to accept the

19 resignation of Chuck Meacham.

20 CHAIRWOMAN PEARCE: Oh, sorry. Well, if

21 he's resigned.....

22 MR. MUTTER: Usually the Secretary hasn't

23 done that.

24 CHAIRWOMAN PEARCE: I don't know that

25 she has to actually.....

1 MS. PHILLIPS: Okay.

2 CHAIRWOMAN PEARCE:accept that. So

3 any questions of either Mr. Mutter or of the Executive

4 Director? Mr. Fredriksson first.

5 MR. FREDRIKSSON: Yeah, Madam Chair -- and

6 if we could just, you know, maybe pursue some questions

7 foregoing an actual motion. I guess in terms of the

8 removing Mr. Patterson, I'm looking at the -- and really

9 only my recent observations of PAC attendance. And I know

10 of one individual who is a personal friend who's on the PAC

11 but hasn't been in attendance for a number of recent

12 meetings. Does the PAC have -- or do we -- have any

13 criteria for how many -- what the lack of attendance would

14 be that would then trigger a removal?

15 MR. MUTTER: Well, before you do a two year

16 cycle, we issue -- Cherri and I get together and we issue

17 an attendance report on all the members so that you can see

18 who's been involved and who hasn't. In this particular

19 case, not only has Mr. Patterson not attended, we haven't

20 been able to contact him in any way. I mean it's -- he's

21 sort of disappeared.

22 MR. FREDRIKSSON: But then.....

23 MR. MUTTER: So -- but no.

24 MR. FREDRIKSSON:we don't have

25 anything in terms of attendance?

1 MR. MUTTER: No.

2 MS. PHILLIPS: We do the attendance report

3 so that at the next time that they would maybe express

4 interest to be reappointed to that seat, we would have that

5 information in front of us as we consider.

6 MR. FREDRIKSSON: Now the attendance

7 report, is that -- because in our package right now, we've

8 had two recent PAC meetings and we have the attendance

9 report. Is there something other than those?

10 MS. PHILLIPS: Yes. Yes.

11 MR. MUTTER: We do a summary table.....

12 MS. PHILLIPS: A summary.

13 MR. MUTTER:before you do appointees

14 for the next PAC. It runs for two years. It runs for two

15 years. So you get a table of all the meetings and all the

16 members and then you can see who's been active and who

17 hasn't. And you can use that information in whatever want

18 to but there's no criteria set.

19 MR. FREDRIKSSON: And do we know when Mr.

20 Patterson's term would normally expire?

21 MR. MUTTER: A year from January.

22 MR. FREDRIKSSON: So he's a year into it

23 and then he has a year to go?

24 MR. MUTTER: Right. So one option -- and

25 we talked about this one option was just to leave the seats

1 vacant. But if you want a full membership, you're halfway
2 through the process.

3 CHAIRWOMAN PEARCE: Mr. Hagen, did you have
4 a question?

5 MR. HAGEN: Well, I was just wondering
6 then, so the normal process is every two years. Is there --
7 because this is mid-cycle then to call -- to go out to the
8 public again to solicit additional names would be -- may
9 not be worth it just for that.

10 MR. MUTTER: That's what our.....

11 MR. HAGEN: I see, that's the reason for
12 bringing these other ones up?

13 MR. MUTTER: Correct.

14 MR. HAGEN: Okay. Okay.

15 CHAIRWOMAN PEARCE: Mr. Campbell, did you
16 have additional questions? No. This side? Any questions?

17 MR. NORDSTRAND: Do we have any kind of
18 solicitation at all? I mean, is there any.....

19 MS. PHILLIPS: We do every two years at the
20 new.....

21 MR. NORDSTRAND: Oh, I understand but I
22 mean just for these two positions and.....

23 MS. PHILLIPS: No, we didn't because it
24 takes.....

25 MR. NORDSTRAND: Nobody would even know

1 they were open until they heard that we were making this
2 recommendation.

3 MS. PHILLIPS: We would put the information
4 on the website, so if anybody had been interested.....

5 CHAIRWOMAN PEARCE: And we.....

6 CHAIRWOMAN PEARCE:or paying
7 attention, they would have known.

8 MR. MEADE: Would it be appropriate to also
9 say that -- I mean, following the same logic, these are
10 people that applied prior, so they went through due
11 process, they weren't selected, now they're being
12 recommended to finish out the term for two people that were
13 unable to complete their term for two people who that were
14 unable to complete their term.

15 MR. MUTTER: Correct.

16 MR. MEADE: Would that be.....

17 MS. PHILLIPS: That would be correct.

18 MR. MEADE: So there really has been a very
19 appropriate public process. They've applied, they were
20 applicants in.....

21 MR. MUTTER: Correct.

22 CHAIRWOMAN PEARCE: Mr. Fredriksson.

23 MR. FREDRIKSSON: Madam Chair. And in
24 particular, when I look at sport hunting and fishing, for
25 example, when we did the solicitation, did the solicitation

1 specifically go out to those stakeholders and ask for
2 members or -- I guess we are so -- we're so interested with
3 developing a PAC and having an effective dialogue -- and
4 there was quite an interesting exchange in terms of the PAC
5 not being a consensus but having the diverse views of the
6 individual or groups that they represent. Are we
7 solicitating specifically within those interest groups?

8 MR. MUTTER: Correct. There's a broad
9 public announcement in newspapers, the federal register,
10 and I think the staff has a mailing list and they solicit
11 and sometimes telephone different groups and say, we're
12 looking for people who want to be -- commercial fishermen
13 that would like to sit in and represent, for example. You
14 don't always get someone who's put forward by an organized
15 group to represent that seat.

16 CHAIRWOMAN PEARCE: And we have in the past
17 moved people to different slots, if you will, when they
18 fit.....

19 MR. MUTTER: That's correct. This.....

20 CHAIRWOMAN PEARCE:a compartment
21 better.

22 MR. MUTTER: Right. In fact you did that
23 last year.

24 CHAIRWOMAN PEARCE: Mr. Fredriksson.

25 MR. FREDRIKSSON: In terms of the

1 stakeholders they represent, is there if not rules or
2 expectations that the communication be two-way, that as
3 they engage and provide advice to the Trustee Council on
4 matters like sport hunting, that they communicate back.
5 Are we getting -- do you -- and Doug, I know you kind of
6 deal with this group on an ongoing base, other duties as
7 assigned, I'm sure -- but do you get a feeling that there
8 is that two-way communication, that it's going back to
9 those user groups?

10 MR. MUTTER: Well, I think in some cases it
11 may but not in all cases. And you're not having those
12 people with that specific assignment. In fact, when the
13 PAC was first formed, there was a suggestion that the PAC
14 ought to go out and hold public meetings on their own too.
15 And the Trustee Council said no, you're here because you
16 represent certain viewpoints and we want to hear your mix
17 of viewpoints. So they're one element of reaching out to
18 the public but not the only one. They wouldn't be
19 necessarily the conduit to reach all sport fishermen or all
20 commercial fishermen.

21 MR. FREDRIKSSON: So just to follow up, the
22 PAC member who -- sport hunting is probably more -- I'm a
23 sport hunter, I'd like to participate on the PAC and share
24 my views as opposed to any expectations to any expectations
25 that we've placed on them to be, if you will, a conduit to

1 sport hunting groups.

2 MR. MUTTER: Correct. They could be a
3 conduit but they don't have to be.

4 MR. FREDRIKSSON: But that's not how it's
5 been designed.

6 MR. MUTTER: Right. Right. Except for the
7 one science slot which Brenda fills, which is a STAC
8 member.

9 MR. FREDRIKSSON: Okay.

10 MR. MUTTER: That's a requirement for that
11 position.

12 MR. FREDRIKSSON: Thank you.

13 CHAIRWOMAN PEARCE: Other questions or
14 comments?

15 (No audible responses)

16 CHAIRWOMAN PEARCE: The chairman would
17 entertain a motion to ask -- to request that the Secretary
18 remove Mr. Patterson from the PAC.

19 MR. NORDSTRAND: I would so move.

20 CHAIRWOMAN PEARCE: We have a motion. Do
21 we have a second?

22 MR. CAMPBELL: Second.

23 CHAIRWOMAN PEARCE: We have a second. Is
24 there discussion?

25 (No audible responses)

1 CHAIRWOMAN PEARCE: All those in favor,
2 signify by saying aye.
3 IN UNISON: Aye.
4 CHAIRWOMAN PEARCE: Anyone opposed?
5 (No audible responses)
6 CHAIRWOMAN PEARCE: I would entertain a
7 motion for requesting that the Secretary appoint to the
8 Public Advisory Committee -- we will see whether we get a
9 motion for both or one -- either one -- would be
10 entertained.
11 MR. HAGEN: I put forward a motion to both
12 names.
13 CHAIRWOMAN PEARCE: So the motion is to
14 request the Secretary to appoint Mr. Kurt Eilo and Mr. Vern
15 McCorkle to the Public Advisory Committee. Is there a
16 second?
17 MR. FREDRIKSSON: I'll second.
18 CHAIRWOMAN PEARCE: We have a second. Is
19 there discussion?
20 MR. NORDSTRAND: I'm just wondering, did
21 anybody else apply? There's just two other names that were
22 not used?
23 MS. PHILLIPS: We didn't have any more than
24 that.
25 MR. NORDSTRAND: So we're.....

1 MS. PHILLIPS: We were very lucky to get
2 those.

3 MR. NORDSTRAND: Okay. So everybody else
4 has to hang on now.

5 MS. PHILLIPS: Yes.

6 CHAIRWOMAN PEARCE: Mr. Campbell.

7 MR. CAMPBELL: Just a question. When will
8 these folks come on for specific terms? You were
9 saying.....

10 MR. MUTTER: They'll come on with the same
11 term to finish out the vacant term. So they aren't on for
12 two full years, they'll be just a little over a year.

13 MR. CAMPBELL: A little over a year. And
14 is there -- I guess, is there a particular -- I mean, the
15 PAC doesn't operate with a quorum, am I correct?

16 MR. MUTTER: We do. We do.

17 MS. PHILLIPS: Yes.

18 MR. CAMPBELL: What is it?

19 MS. PHILLIPS: Eleven.

20 MR. MUTTER: Thank you.

21 MR. CAMPBELL: Eleven, okay. Under twenty.
22 Is there a particular rush? I guess those seem like good
23 folks. I have.....

24 MS. PHILLIPS: Because.....

25 MR. CAMPBELL: I feel some uneasiness about

1 not going out to the constituent groups.

2 MS. PHILLIPS:there was still over a
3 year left and it's a good -- you know, sometimes we barely
4 have a quorum of the PAC. So because there is over a year
5 left, we figured that it would be beneficial.....

6 MR. CAMPBELL: Yeah.

7 MS. PHILLIPS:to replace them at this
8 time.

9 MR. CAMPBELL: I mean, they must seem like
10 good folks but I have to admit, I'm having a great deal of
11 uneasiness not going back out to the various constituent
12 groups, to the outdoor Council, the Kenai fishermen, the
13 others to ask them.

14 MS. PHILLIPS: They didn't respond in the
15 original solicitation. If they were interested in the
16 original solicitation we would have had a list of names and
17 we don't have them.

18 MR. CAMPBELL: That's why we ask every
19 couple of years.

20 CHAIRWOMAN PEARCE: And that was done just
21 in November?

22 MS. PHILLIPS: In January.

23 CHAIRWOMAN PEARCE: Oh, just this past
24 January.

25 MS. PHILLIPS: Yeah.

1 MR. MUTTER: Yeah.

2 CHAIRWOMAN PEARCE: January of '05.

3 MR. MUTTER: So we're less than a year into
4 these appointments.

5 CHAIRWOMAN PEARCE: Okay. So we're less
6 than a half year -- yeah -- and a half year. Commissioner
7 Fredriksson.

8 MR. FREDRIKSSON: Yeah, Madam Chair. I
9 approach this much like Commissioner McKie I think, coming
10 in today. I was thinking we needed to go out for a public
11 solicitation. And it is not to speak in any way about
12 these two individuals. These two individuals kind of stand
13 in their own right. But I was -- I have been sensitized.
14 I have heard from the PAC and the desire for greater
15 linkage but -- and in fact, I've seen emails circulated
16 about where there has been a suggestion that the members of
17 this Council aren't sensitive to public interest. That we
18 are just sitting up here as politicians somehow numb or
19 ignorant of what the public interest is.

20 When I see a PAC group that kind of
21 identifies people -- commercial fishing, sport hunting --
22 kind of identifying an affiliation if you will with a
23 group, my thoughts coming in here early today before
24 hearing now your clarification, Doug, was that we should go
25 out for a solicitation. We should extend out to those

1 interest groups and those stakeholders to query whether or
2 not people are interested. It sounds as though we've
3 really established one -- I guess maybe I've been under a
4 mistaken impression -- that really this is a PAC of
5 interested citizens who may have -- I may be a commercial
6 fisherman so I'll fit into that category. I'm a sport
7 hunter or I'm a sport fisherman so I can at least -- I'm an
8 Alaskan, so I can be on the PAC.

9 MR. MUTTER: And some people list several
10 categories that they fit in.

11 MR. FREDRIKSSON: I would imagine. And I
12 guess what I'm also hearing is that we've kind of -- we go
13 out for a periodic solicitation so we get this bucket of
14 names which then as openings appear we can select from that
15 bucket for those that are still interested.

16 MR. MUTTER: Well, yeah we can, that's what
17 we're suggesting this time because this happened so soon
18 into the term. A lot of times you might have somebody
19 leave part way through and you don't fill the slot. But
20 since there's two and there's a year and a half left -- and
21 we're pretty aggressive when we do the solicitations about
22 contacting people. The further away you get from March
23 1989, the less interest there is, I think.

24 CHAIRWOMAN PEARCE: I would add that there
25 is a review -- the whole PAC charter gets reviewed at the

1 OMB level actually in Washington D.C. because it is a
2 federal FACA charter group and we go through that review
3 process. If we don't have an active and viable PAC in
4 terms of membership and full participation by the members,
5 that is a check mark in some ways against the continuation
6 of the group. So we just want to be cognizant of that so
7 that when a charter comes back up again, we don't run into
8 a problem that we've caused. So these FACA groups I'm
9 finding out are very strictly overseen, much more seen than
10 we ever guessed.

11 MR. MUTTER: And balanced membership is one
12 of the keys.

13 CHAIRWOMAN PEARCE: Oh, I'm sorry, Joe.
14 Mr. Meade. I apologize.

15 MR. MEADE: I was just going to offer that
16 we've had quite a bit of dialogue -- and it's good but I
17 also know we have a full agenda. Unless we're going to
18 stretch our timing to tomorrow -- and I would challenge us
19 to be efficient with that time so that we can be efficient
20 with the public's expenditures that we're collectively
21 occupying. To me, we ought to move forward and let these
22 positions get filled. It's an expression of interest
23 that's been recent in time. And I say that in due respect.

24

25 I also -- I'm where Kurt is, I wish we were

1 actually able to go out and target key organizations,
2 groups, and individuals for filling those venues but that's
3 a change from where we currently are. So if we want to
4 consider that, I think we should think of it at an
5 alternative time from today. But take advantage of the
6 fact that we've got two individuals that are interested
7 that have recently applied and move forward with the rest
8 of the agenda.

9 CHAIRWOMAN PEARCE: We have a motion with a
10 second on the table. Yes, Mr. Nordstrand.

11 MR. NORDSTRAND: Yes, I'd note that in
12 terms of whether it's recent in time, both of these
13 applications are more than a year old. They were dated
14 July 20, '04 and August 3rd, '04.

15 MR. MUTTER: Yeah, that's an indication of
16 how long this process takes from the time you do the
17 solicitation till we get a letter out of the Secretary. It
18 takes that long. That's one reason we were reluctant to
19 start that process again.

20 MR. MEADE: Drue can't fast track that for
21 you?

22 (Laughter)

23 CHAIRWOMAN PEARCE: No, these actually --
24 these applications actually go to the White House liaison
25 and have to go to the White House for approval. And we

1 spend a heck of a lot of time explaining Alaska.

2 MR. NORDSTRAND: What I'm saying is that
3 the original response to our solicitation was over a year
4 ago. So it wasn't January that this was asked. It was --
5 had to have been July of last year.

6 MR. MUTTER: July and August last year was
7 the solicitation.

8 MR. NORDSTRAND: Okay.

9 CHAIRWOMAN PEARCE: And their appointments
10 were in January.

11 MS. PHILLIPS: Appointments in January.

12 MR. MUTTER: Yeah.

13 MR. NORDSTRAND: Right. Okay.

14 CHAIRWOMAN PEARCE: But the previous
15 members served until the new appointments, correct? Or not
16 in those two cases? Did the previous members serve until
17 appointment of the new members?

18 MR. MUTTER: No, there's -- they're usually
19 over October 31st.

20 CHAIRWOMAN PEARCE: At the end of the
21 fiscal year. Okay.

22 MR. MUTTER: Right. And we can't --
23 actually we -- there are times when you have a gap and you
24 have no Public Advisory Committee because they can't
25 legally meet until they've officially been appointed.

1 CHAIRWOMAN PEARCE: Until the charter is
2 appointed. Okay. We have a motion on the table. We have
3 a second. We've had discussion. Is there further
4 discussion? Are we ready for the question?
5 (No audible responses)
6 CHAIRWOMAN PEARCE: Those in favor of the
7 motion, signify by saying aye.
8 IN UNISON: Aye.
9 CHAIRWOMAN PEARCE: Anyone opposed?
10 (No audible responses)
11 CHAIRWOMAN PEARCE: The two members, we
12 will request that the Secretary remove Mr. Patterson and we
13 will request that the Secretary appoint Mr. Eilo and the
14 Mr. McCorkle. That takes us to -- thank you, Mr. Mutter.
15 I might ask, Mr. Mutter, that you would look at the charter
16 and be prepared to come back, either verbally or written,
17 whichever makes the most sense, to let us know at
18 subsequent meeting whether within the confines of the
19 charter that we have we could be more specific about the
20 participation of the PAC member in terms of representing
21 the group that he or she purports to come from. Does that
22 make sense?
23 MR. MUTTER: Yes. Then that will involve
24 talking to the department ethics and the people back in
25 Washington because there's a line you cross where you're --

1 all of the sudden you've created a pseudo federal employee.

2 So.....

3 CHAIRWOMAN PEARCE: We don't need more of
4 those.

5 MR. MUTTER:don't want.....

6 (Laughter)

7 CHAIRWOMAN PEARCE: We have 81,000 in my
8 department.

9 MR. FREDRIKSSON: But thank you, Drue.

10 That addresses what I was looking for.

11 MR. MEADE: You spoke quite softly though.
12 I didn't hear if that was a subsequent meeting or a secret
13 meeting.

14 (Laughter)

15 MR. FREDRIKSSON: Pseudo federal.....

16 MR. NORDSTRAND: Subsequent secret meeting.

17 CHAIRWOMAN PEARCE: Yeah. Anchor River
18 parcels. I know we have Mr. Powers from The Nature
19 Conservancy. Why don't you come ahead and come forward.
20 And Gail, did you want to introduce the topic?

21 MS. PHILLIPS: Thank you, Madam Chairman.
22 Attached you have request from The Nature Conservancy for
23 EVOS to fund two small parcels on Anchor River. The total
24 project costs for these parcels is \$540,000, of which 67.7
25 percent will be funded by an approved federal coastal

1 wetlands act grant and private donations. The remainder of
2 the purchase price, \$175,000, is being requested from EVOS.
3 Although the current small parcels program is in the
4 process of being revised, it is still in existence and you
5 can -- the small parcels program is still in existence and
6 you can approve these funds for the parcels if you so
7 desire. We have purchased other lands along Anchor River
8 in the past. And I've asked Kenny to come forward and give
9 you an overview of the request and answer any questions.

10 CHAIRWOMAN PEARCE: Mr. Powers.

11 MR. POWERS: Madam Chairman, members of the
12 Council, thank you very much for letting me come today and
13 also thank you and staff for lunch, which was an unexpected
14 treat, and also for putting me so soon on the agenda after
15 lunch that we're not all drowsy yet. So this is a great
16 opportunity for the Trustee Council to do, as Commissioner
17 Fredriksson just mentioned, be sensitive to the public
18 interest. And as Commissioner Campbell indicated earlier,
19 to serve the fish, wildlife, and human needs in areas
20 impacted by the spill.

21 Just a little background on Anchor River
22 itself, this is 20 years or more in the making that the
23 Alaska Department of Fish and Game and Department of
24 Natural Resources have been trying to acquire this parcel
25 because of its important habitat for anadromous fish, in

1 particular, the barrier beach at the mouth of the Anchor
2 River. Very productive salmon spawning -- excuse me,
3 rearing habitat. And of course it's got extremely high
4 public use. It's one of the most popular fisheries on the
5 Kenai in Southcentral Alaska with the coho king salmon
6 runs, steelhead, dolly varden. It also hosts some of the
7 highest concentrations of over-wintering sea birds and
8 shore birds in the Cook Inlet.

9 So it's got everything that you want when
10 you're looking at habitat protection. It also fits clearly
11 within the habitat protection and acquisition program that
12 the Exxon Valdez Oil Spill Trustee Council has set up. It
13 will aid in the recovery of and enhance long term health
14 and viability of the species injured by the spill,
15 including both tourism and recreational resources -- which
16 I would rank the highest given this particular parcel --
17 but also the anadromous fish. Dolly varden are a
18 recovering species, not yet determined -- this extent of
19 the recovery. So it fits squarely within the criteria that
20 currently exists that were adopted by this Council in 2002
21 for habitat protection and acquisition.

22 And I'll just mention that I got a chance
23 to read through the memorandum that you'll be looking at
24 later in the agenda and it fits the proposed criteria as
25 well very easily in terms of aiding and recovery of injured

1 species. As the benefits report that you have in your
2 packet shows, there's a significant threat from unregulated
3 public use, which has been the prime motivation for
4 acquisition of this parcel, to prevent damage to the
5 riparian habitat from unregulated public use and the
6 possibilities of spills from vehicles. Also RV's damaging
7 the sensitive habitat.

8 Another threat that's quite real is, that
9 I've been dealing with the owners of course, is the
10 subdivision and sale of the parcels, which they have
11 repeatedly threatened to do and have moved quite a ways
12 towards doing. Which could not only damage the resources
13 but also pose a serious threat to continued public use of
14 the resource, depending upon what the new owners would
15 choose to do with the parcels. State management of this
16 parcel will distinctly provide for better conservation and
17 for better -- and guaranteed public access by protecting
18 the resource. It's got universal support. The U.S. Fish
19 and Wildlife Service, Department of Interior supplying the
20 lion's share of the money here, \$310,000 of a federal grant
21 that was given to the Department of Fish and Game and
22 applied for in 2001, granted in 2002. That money will go
23 away if we don't spend it soon. There's very substantial
24 private money involved as well between The Nature
25 Conservancy and its partners, Kachemak Heritage Land Trust,

1 Ducks Unlimited, and a lot of individual fishermen who are
2 putting up, you know, 50, a hundred dollars, a thousand
3 dollars, to help protect, including some of the public
4 comments that you got earlier today I know personally have
5 benefitted -- have donated money for this project.

6 We're asking for \$175,000 from the EVOS,
7 that's a combination. The lion's share of that is due to
8 appraisals coming in gratefully higher than were projected
9 in the federal grant which has allowed us to do this deal.
10 And that we -- so that the federal grant, the Fish and
11 Wildlife Service grant, projected a total project cost of
12 \$415,000 and it's quite a bit higher than that, given the
13 higher appraisals. And there's also been a higher than
14 expected cost in terms of having to do appraisals more than
15 once and so forth.

16 So I'm here to answer questions. It looks
17 like a win/win/win situation with state and federal and
18 tremendous public support. The oil spill Trustee Council
19 would be contributing about 30 percent of the costs which
20 would -- a lion's share which would go towards this -- the
21 cost that the state actually pledged as match in the grant
22 proposal. So anyway, if you have questions, I'm here to
23 answer them.

24 CHAIRWOMAN PEARCE: Questions or comments
25 by Council members. To who will these lands -- the lands

1 go to the state, to whom? The parks? DNR?

2 MR. POWERS: What was the question?

3 CHAIRWOMAN PEARCE: To whom will the lands
4 eventually -- who will manage them? Parks -- state parks?

5 MR. POWERS: Well, who will manage it will
6 be -- is under discussion right now but it's the Department
7 of Parks and Recreation and Fish and Game likely will be
8 doing cooperative management of it and their -- the title
9 will actually go to DNR, which is the case with all state
10 lands. The title goes to DNR. Fish and Game is the moving
11 force here. And of course parks, because they have an
12 existing presence in that area on the Kenai, it will likely
13 be involved in the management.

14 MR. NORDSTRAND: Is there park land right
15 near there or just state land?

16 MR. POWERS: Yeah. If you look at the map
17 that was attached to the benefits report, the state --
18 basically the blue state land I think is shown on your map
19 so -- is all managed by Division of Parks and Outdoor
20 Recreation. There's campgrounds and visitor facilities
21 further upstream in that whole -- in the, you know, bottom
22 half mile of the Anchor River.

23 MR. NORDSTRAND: Have we had any sense from
24 DNR what they intend for this property? Do they have plans
25 for it if they receive it?

1 MR. POWERS: Quite honestly, you know, this
2 is an opportunity that has arisen through a lot of hard
3 work on everyone's part, but -- so we wanted to seize the
4 opportunity to get the title and I know those discussions
5 are ongoing as to what the exact management will be and the
6 form it will take.

7 CHAIRWOMAN PEARCE: Mr. Campbell.

8 MR. CAMPBELL: Fish and Game and DNR have
9 been having discussions. You know, the exa -- we do
10 envision title residing in DNR. We do envision our being
11 involved in some way in cooperative management, as he said.
12 But while the exact terms are not fleshed out, we
13 definitely envision it being able to continue to be used
14 for access by people to -- in areas to access this fairly
15 critical fishing area that is also an area where we have a
16 very sensitive habitat.

17 So we want to think about how, maybe with
18 boardwalks and some other things, we can do some channeling
19 of that activity in ways that do not hurt the activity. In
20 the past I've been fairly harshly critical of some land
21 purchases, of paying people to do something that they --
22 not to do something they weren't going to do anyway. In
23 this case I think if we do not act, the landowners
24 definitely do have other, you know, means and would proceed
25 to do other things and it would be lost to the people of

1 the area and also the habitat, the fishing area. It meets
2 my criteria of helping the injured resources.

3 CHAIRWOMAN PEARCE: Are there questions?
4 Were the appraisals done by either approved fellow
5 appraisers or as part of the grant process or approved
6 by/looked at by -- whatever by.....

7 MR. POWERS: Yeah. That's been an
8 interesting aspect of the work that I've been doing. The
9 appraisals were done by Julie Derry & Associates on the
10 Kenai, who is an approved federal appraiser. And the Exxon
11 Valdez Oil Spill Trustee Council has used her services in
12 the past. They have already been reviewed. Those
13 appraisals were reviewed by a Fish and Wildlife review
14 appraiser and in one case approved and in the other case,
15 he knocked the value back \$60,000, which did not make for
16 easy negotiations on my part. But both the information and
17 the prices that have been offered and accepted are reviewed
18 and approved -- based upon reviewed and federally approved
19 appraisals under the grant standards.

20 CHAIRWOMAN PEARCE: Can you come to work
21 for the Park Service? I take back what I said about no
22 more new federal employees. Okay.

23 MR. MEADE: I'd make a motion.

24 MR. NORDSTRAND: Do we have a motion?

25 CHAIRWOMAN PEARCE: Yes, we are ready for

1 the motion.

2 MR. MEADE: I'd make a motion.

3 CHAIRWOMAN PEARCE: Have a motion to
4 purchase. Mr. Meade.

5 MR. MEADE: I'd make a motion in strong
6 support of the purchase and appreciation to The Nature
7 Conservancy for their leadership in helping to bring this
8 tenure of advocacy together and bring it to the Trustee
9 board.

10 MR. NORDSTRAND: I would second.

11 CHAIRWOMAN PEARCE: Second. We have a
12 motion and we have a second. Any further discussion? Mr.
13 Fredriksson.

14 MR. FREDRIKSSON: Madam Chair. I am going
15 to vote in favor of this motion. I want to make it clear
16 at least why I do that. As I look at the damage resources
17 and services from the Exxon Valdez, it's clear that we have
18 had tourism and recreational sport fishing damaged by the
19 Exxon Valdez. And as I look to the most recent information
20 and status of the damaged resources that we have before us,
21 we still have that service in a recovering status. It has
22 not recovered. And so I look at this piece of property and
23 I can see where the benefit to restoring that damaged
24 service, i.e. tourism and recreation, can be provided by
25 this parcel. I'm persuaded by the resource values of this

1 parcel.

2 I would also just kind of note for the
3 record that I also believe that the settlement was there to
4 provide for the purchase if you will of individual rights,
5 which we're purchasing here. We're purchasing private
6 property, an individual's right to access that property.
7 We're purchasing so as to promote that restoration. And
8 that is an important element in my thinking on this, that
9 we are using settlement monies to purchase either the
10 access to or the restriction to that public resource. Or
11 putting it into a public resource that was an individual
12 resource. So with that said, I'm prepared to vote.

13 CHAIRWOMAN PEARCE: Mr. Nordstrand.

14 MR. NORDSTRAND: I'd like to just add that
15 I agree with what Kurt said but I'd also like to suggest
16 that if there is infrastructure that could benefit that
17 property in terms of boardwalks and that sort of thing,
18 that funding would be desirable for, that I would like to
19 see proposals made to the Trustee Council to help protect
20 the property that we're helping purchase here as well on an
21 ongoing basis. Because I know we've done that in other
22 places.

23 MR. MEADE: I'd, as a Trustee, be strongly
24 in support of that, hearing McKie's interest and concerns
25 to be able to expedite the recovery needed and not to hand

1 off a burden to the state. I think it would be a very
2 important investment as well.

3 CHAIRWOMAN PEARCE: Any further discussion?
4 (No audible responses)

5 CHAIRWOMAN PEARCE: All those in favor,
6 signify by saying aye.

7 IN UNISON: Aye.

8 CHAIRWOMAN PEARCE: Anyone opposed?
9 (No audible responses)

10 CHAIRWOMAN PEARCE: Congratulations and
11 thank you.

12 MR. POWERS: Thank you very much.

13 MR. NORDSTRAND: Thank you.

14 MR. MEADE: Thank you.

15 MR. POWERS: Well, you're very welcome and
16 you've just made a lot of people very, very happy.

17 MR. MEADE: I think you did that.

18 MS. PHILLIPS: Thank you, Kenny.

19 CHAIRWOMAN PEARCE: Field trip to the
20 Anchor River.

21 MR. CAMPBELL: We try to do that at least
22 once a meeting.

23 MR. HAGEN: Usually adjourn is what does
24 it.

25 CHAIRWOMAN PEARCE: Maybe our next PAC

1 field trip should be the Anchor River. Okay. Proposed
2 project reporting procedure change. So Carolyn, if you'd
3 come back. Gail, I would note that we had a lot of
4 different things on the table this morning that I didn't
5 have in my packet and I'm a little confused about which
6 ones I'm supposed to be looking at. And so for not just my
7 benefit but everyone's benefit, particularly if there's
8 some things Joe doesn't -- didn't have on his disk, can you
9 walk through.....

10 MS. PHILLIPS: Sure.

11 CHAIRWOMAN PEARCE:what you want us
12 to look at?

13 MS. PHILLIPS: The only pages that we want
14 you to address and look at today was -- Carolyn, it was in
15 the original packets when -- Item D.

16 MS. ROSNER: It's the printing and
17 distribution.....

18 MS. PHILLIPS: Yes.

19 MS. ROSNER:of final reports?

20 MS. PHILLIPS: Yes.

21 MS. ROSNER: Right.

22 MS. PHILLIPS: Yes.

23 MS. ROSNER: So I think.....

24 MS. PHILLIPS: If you would look into the
25 material that's in your packets under heading D,

1 unfortunately these didn't have any page numbers on them.
2 But the page is printing and distribution of final reports.
3 CHAIRWOMAN PEARCE: And that's the --
4 literally the only page you want us to look at today.
5 MS. ROSNER: Right. What's in here is the
6 whole procedure section but.....
7 MR. NORDSTRAND: What is the blue? Is
8 that.....
9 MS. PHILLIPS: Those are items that we are
10 looking at changing in the procedures but we're not
11 bringing those forward at this time. The only procedure
12 that we are bringing forward at this time is the printing
13 and distribution of final reports procedure. We still need
14 to do more work with the liaisons to make the change -- all
15 the other changes that we're looking at making.
16 MR. NORDSTRAND: And from what I can tell,
17 this D page with the yellow is effectively the last page of
18 that document, right?
19 MS. ROSNER: Not quite.
20 MR. NORDSTRAND: No?
21 MS. ROSNER: It's in the binders. I think
22 it's what would be the bottom of page 8. I couldn't get
23 the page numbers to appear, it's a Microsoft Word issue.
24 MR. MEADE: And it basically is what you
25 described earlier, the reformatting and editing of those

1 cover pages/title pages and things and having the capacity
2 at EVOS to do that. Is that in summary what.....

3 MS. ROSNER: Correct.

4 MR. MEADE: And what's the associated
5 expenses to do that?

6 MS. PHILLIPS: We estimated that an
7 additional amount of \$6,500 would be required to do all of
8 the reports. We're looking at -- we have to do 25 copies
9 per report and the average size of the reports is about a
10 hundred pages at three cents a page and we have 63 reports
11 that we could get off of the outdated list and into
12 publication. And that would amount to about.....

13 MR. NORDSTRAND: What's the annual cost
14 then.....

15 MS. PHILLIPS:6,500. The annual cost
16 on this is all included in the project reports -- I mean in
17 the budgets from the PI's. So this would be.....

18 MR. NORDSTRAND: But if we're doing the
19 printing then we're paying for it now and.....

20 MS. PHILLIPS: Right. That's what.....

21 MR. NORDSTRAND:what would be -- the
22 ongoing annual would be something.

23 CHAIRWOMAN PEARCE: Well, we'd no longer
24 pay them.

25 MS. PHILLIPS: Well, it depends on how many

1 projects we would have and that type of thing.

2 MR. NORDSTRAND: And what about the staff
3 costs?

4 MS. PHILLIPS: We don't assess that into
5 this cost. We're eating.....

6 MR. NORDSTRAND: What -- I would say it is
7 -- there is a staff cost.

8 MS. ROSNER: Staff costs in my time?

9 MR. NORDSTRAND: Yes.

10 MS. ROSNER: I would -- gosh. Probably
11 half my time would be spent. A third to a half just while
12 dealing with the backlog but then I think it would go down
13 once new reports starting coming in and we had a system in
14 place. So.....

15 MR. NORDSTRAND: So half of your report,
16 maybe a third or something of your time would be spent in
17 the process of -- just this that we're taking on. We're
18 taking on formatting and printing of reports. It seems
19 like that's an awful lot of.....

20 MS. PHILLIPS: No, that -- she's referring
21 to the work that's she's doing for the entire.....

22 MS. ROSNER: Right.

23 MS. PHILLIPS:outdated projects list.
24 All the work she's doing for that.

25 MR. NORDSTRAND: Well what I'm trying to

1 get to is the delta cost change here. In other words,
2 we've got -- we're going from them doing the final reports,
3 them taking care of being sure it's properly formatted, to
4 us doing it. And that's the costs that we're assuming.
5 I'm just curious if we know what that is.

6 MS. PHILLIPS: Right now, for 63 projects
7 that Carolyn could take in hand and do, we estimate \$6,500.
8 In future years, it won't be anywhere near that because we
9 will have these off the list and our -- the number of
10 projects that we have on annual basis is quite a bit
11 smaller than.....

12 MS. ROSNER: I think he's asking though how
13 much time would it require for me to deal with these. And
14 once these -- the backlog is taken care of, I would
15 estimate a minimal amount of time. Probably 10 hours a
16 week or so, just receiving reports electronically and
17 getting them into the database and then getting them to the
18 duplication service.

19 MR. NORDSTRAND: That's a quarter of your
20 time. Twenty-five percent of your job would then be doing
21 this.

22 MS. ROSNER: That's part of what this job
23 involves. And I would hope it would be even less than
24 that. How many projects are proposed for 2006?

25 MS. PHILLIPS: Eleven.

1 MS. ROSNER: Eleven.

2 MS. PHILLIPS: So.....

3 MS. ROSNER: So it may be even less than

4 that. It's hard to say because I haven't -- this is --

5 we're just proposing it now. But it will be certainly

6 worthwhile to track the time, just to see.

7 CHAIRWOMAN PEARCE: Mr. Campbell.

8 MR. CAMPBELL: Madam Chair. And I'm sorry,

9 I'm a little confused. When I had seen the agenda in the

10 initial report, I thought we were being asked to approve

11 the entire thing. I know understand -- if I understand

12 correctly, we're now only being asked.....

13 MS. PHILLIPS: Just for that.

14 MR. CAMPBELL:to approve the changes

15 in yellow.

16 MS. PHILLIPS: Right.

17 MS. ROSNER: Correct.

18 MS. PHILLIPS: Right.

19 MR. CAMPBELL: Is there a kind of urgent

20 need for -- I did think we were going to have at this

21 meeting the entire report, you know, that had been worked

22 out with the liaisons, et cetera, for our approval. I

23 thought that that was what we had asked for. But is there

24 an urgent need for us to approve these changes now as

25 opposed to waiting and just do it all at once when we get

1 the whole report done?

2 MS. PHILLIPS: The sooner you approve this
3 today, the sooner we can get these into Kurt's hands so he
4 isn't still looking for 77 reports.

5 MR. CAMPBELL: Okay.

6 MS. PHILLIPS: And they have been so long
7 now.....

8 MR. CAMPBELL: Okay.

9 MS. PHILLIPS:trying to get that
10 information out. And the sooner you do it, the more -- the
11 sooner that information is available for those people
12 needing this information for the synthesis studies.

13 MR. CAMPBELL: Yeah. I would say -- and I
14 do have some concerns on the costs -- but I'm willing to
15 vote for this, but I would very much hope that you all can
16 continue to work on the full report.....

17 MS. PHILLIPS: We definitely are.

18 MS. ROSNER: We plan to, yeah.

19 MR. CAMPBELL:work very closely with
20 the liaisons and have that for us at our next meeting.

21 CHAIRWOMAN PEARCE: Mr. Mead.

22 MR. MEADE: I would just offer, we're
23 talking about pennies on the margin here and I would
24 advocate that should be in the discretion of the Executive
25 Director just to get done. The interest to me is the

1 larger procedural component. And so to me, it just
2 warrants getting on with getting these things done. It
3 gets 60-some products in and completed and formatted
4 correctly and so I don't know that it weighs -- we're
5 spending about as much value in debating too much.

6 MS. ROSNER: It would be nice if this was a
7 minimal part of this position, to track this down. Because
8 there are a lot of other important and valuable things that
9 I can be doing as well with my time, so.....

10 CHAIRWOMAN PEARCE: Commissioner
11 Fredriksson.

12 MR. FREDRIKSSON: Madam Chair. And Joe, I
13 always appreciate your comments and your desire to keep us
14 watchful of the time, so I apologize for maybe belaboring
15 some of this a little bit too long but the production of
16 these final -- the publication, if you will, the printing
17 of these final reports is something that is in the future
18 normally the responsibility of the PI, is that correct?

19 MS. ROSNER: Correct. It had been.

20 MR. FREDRIKSSON: And in this case, just
21 for the sake of getting these completed because the PI's
22 have failed to do that printing, we want the EVOS staff
23 just to take that on, is that a fair statement?

24 MS. ROSNER: Correct.

25 MR. FREDRIKSSON: I have no problem with

1 that given these unusual -- or well, maybe not so unusual --
2 but given our current circumstances -- but I can't
3 understand why we're then producing five copies for the
4 PI's.

5 MS. PHILLIPS: That is a question that we
6 have also. But apparently it is part of a scientific --
7 the scientific protocols that are done. We could do any
8 number for the PI's or none. They've requested -- we've
9 already had requests from the PI's.

10 MR. FREDRIKSSON: Well, Madam Chair, I have
11 real -- you know, to me if the obligation was on the PI's
12 to produce the reports, because of their failure to do
13 that, we're jumping in there to take it off the list, to
14 then reward them for their bad behavior by producing five
15 copies for those PI's, I just don't unders -- I would
16 suggest that they go to the web page that you're going to
17 publish or they can go to the ARLIS library.

18 MS. ROSNER: I don't know that the five
19 copies would even apply to these old reports. It could
20 apply to the future process as a courtesy to them.

21 MR. FREDRIKSSON: But it does apply to
22 these reports. I mean.....

23 MS. ROSNER: Not the five copies for them.
24 Those we could just do the old way. And we could choose to
25 just not do any.

1 MR. HAGEN: It would have to be part of a
2 motion I guess, if you wanted.....

3 MR. FREDRIKSSON: Okay.

4 MR. HAGEN: Yeah.

5 MR. MEADE: Well, I would at least submit
6 them the bill for the reformatting.

7 CHAIRWOMAN PEARCE: Mr. Nordstrand.

8 MR. NORDSTRAND: I'd like to suggest that
9 we just.....

10 MS. ROSNER: We just don't see it as very
11 much money ultimately.

12 MR. NORDSTRAND: I'd like to suggest that
13 we just change this for purposes of the old reports. I'm
14 not that comfortable in doing this on an ongoing basis.
15 From what I can see from the prior pages here, essentially
16 what we're doing is substituting their obligation for ours.
17 It says they're supposed to do it in proper format. It
18 says they're supposed to put the title page. It says
19 they're supposed to put the EOC thing. They don't do it,
20 and then the last page here, it's essentially we'll do it
21 for you if you don't.

22 Let's just get the old reports out, that's
23 a legitimate problem, get them published, and then come
24 back with an overall proposal that addresses all these
25 issues, including as I said earlier, maybe holding some of

1 the money back until they produce a good product.

2 CHAIRWOMAN PEARCE: Is there a motion?

3 MR. MEADE: I'd like to make that motion.

4 CHAIRWOMAN PEARCE: Mr. Meade, please.

5 MR. MEADE: Just what he said.

6 CHAIRWOMAN PEARCE: Is there a second?

7 MR. HAGEN: Second.

8 CHAIRWOMAN PEARCE: So we have a motion and

9 a second. What I think the motion is, to state it for the

10 record, is that we will request that staff deal with the

11 overdue reports in the manner laid out on this page that

12 you gave us.

13 MS. ROSNER: Okay.

14 CHAIRWOMAN PEARCE: Except we're not giving

15 them five copies. So you will -- those that you have

16 available, you will go through and do all the proper things

17 and get them to ARLIS and get them on the website and do

18 all of that, but we will not adopt this as part of a future

19 adoption of a revised whatever it's called.

20 MS. PHILLIPS: Policies and procedures

21 until we come back with a.....

22 CHAIRWOMAN PEARCE: Yeah.

23 MS. PHILLIPS:with a whole revised

24 one.

25 CHAIRWOMAN PEARCE: Policies and procedures

1 for the distribution of reports. We will come back and as
2 part of the motion, we're asking staff to continue working
3 with the liaisons on a draft to bring to us soon. Is that
4 it? Got all that?

5 MS. PHILLIPS: Got it.

6 CHAIRWOMAN PEARCE: Okay. We have motion
7 and we have a second. That was a great motion, Mr. Meade.
8 All those in favor, please signify by saying aye.

9 IN UNISON: Aye.

10 CHAIRWOMAN PEARCE: Anyone opposed?

11 (No audible responses)

12 CHAIRWOMAN PEARCE: Hearing none, the
13 motion has passed. And I assume -- no, I don't assume
14 anything. Never mind.

15 MS. ROSNER: Thank you.

16 MS. PHILLIPS: Thank you, Carolyn.

17 CHAIRWOMAN PEARCE: That brings us to the
18 proposed Interim Action Plan which we moved up to be the
19 new number 9. Mr. Meade. Mr. Meade.

20 MR. MEADE: Yeah, before we progress to the
21 next topic, just to be sure, back on the Anchor Point --
22 the land acquisition.

23 CHAIRWOMAN PEARCE: Yes.

24 MR. MEADE: Am I -- in getting prepared for
25 the discussion today, I thought there was also yet to be a

1 decision or a discussion around appropriately and
2 adequately compensating The Nature Conservancy for the
3 work.

4 CHAIRWOMAN PEARCE: That is correct.

5 MR. MEADE: Is it.....

6 CHAIRWOMAN PEARCE: However we moved the
7 Interim Action Plan to -- just previous to that item on the
8 agenda.

9 MR. MEADE: Okay. So.....

10 CHAIRWOMAN PEARCE: So that will be next
11 after the interim.....

12 MR. MEADE:that we shouldn't have to
13 discuss that at the same time that we made the decision
14 associated.....

15 CHAIRWOMAN PEARCE: They weren't
16 together.....

17 MR. MEADE: Okay.

18 CHAIRWOMAN PEARCE:so we're
19 following.....

20 MR. MEADE: Thank you. I just needed to
21 track what it was.

22 CHAIRWOMAN PEARCE: But we -- it is indeed
23 on.....

24 MR. MEADE: Thank you.

25 CHAIRWOMAN PEARCE:the agenda and we

1 will indeed get there God willing. So that brings us to
2 the proposed Interim Action Plan, which had been Item 11
3 and is now Item 9. And we have in our books, we have a
4 proposal. Madam Executive Director, do you want to speak
5 to this?

6 MS. PHILLIPS: Yes. We've given you
7 several action plans over the past year. A science plan, a
8 revised science plan, and now an Interim Action Plan. I'm
9 going to ask Richard to come forward and we -- just kind of
10 give an overview of the activities that we have taken --
11 undertaken to get to this point, meeting with the liaisons
12 and working to put together this plan for your
13 consideration. And then when Richard is done, I would like
14 to talk about additional budget items to implement the
15 plan. And you have a memo dated July 28th from me
16 regarding this.

17 CHAIRWOMAN PEARCE: You have the floor,
18 Richard. Go ahead.

19 DR. DWORSKY: There are few things worse
20 than putting your slides into paper and then trying to
21 figure out where you're at on the draft. My name is Dick
22 Dworsky, I'm the science coordinator for the Trustee
23 Council. At the January meeting, there was a request to
24 defer the GEM science plan update and the words that were
25 used were a restoration science plan -- a short term

1 restoration science plan. That over time morphed into a --
2 for any number of reasons and combinations -- into the
3 Interim Action Plan. You have that, you've seen that. I
4 don't think it's important for me to go back through line
5 by line on all these, on all the points of it, but except
6 to say two things, there's a very direct tie between the
7 Interim Action Plan and our work plan and our synthesis
8 document. For example, in two of the major proposals for
9 synthesis, they have essentially said we expect the Trustee
10 Council to fund anywhere up to a hundred thousand dollars
11 in meeting with the experts and meeting with the public. I
12 have that, if I can read it for you. For example, in the
13 Jacobs proposal, their funding request was for \$501,000 but
14 in the end of it, they have another \$99,000 that would be
15 eaten by EVOs to execute this plan. So their plan is
16 really \$600,000, okay, but their proposal is for five. To
17 account for that, we put together a project -- an injured
18 species work group that could help two things. It could
19 help the selected proposal for the synthesis document and
20 at the same time, it could provide assistance and help for
21 the Interim Action Plan. We have requested in our work
22 plan, funds to accomplish that mission.

23 The second thing that is of note in the
24 Interim Action Plan is the acknowledgement and recognition
25 of broad public participation and public input into this

1 process. Our sense is, is that yes, the liaisons and the
2 Council and Trustees -- or the Trustees and the science
3 staff will in fact come up with a list of the
4 documentation. But we think it's very important for the
5 public to be involved, not as a veto but as a information
6 sharing body.

7 So what you have is an action document with
8 five items: determine the fate and impact of lingering
9 oil; determine the status of injured resources and
10 services; and update the list. Now that is consistent with
11 what number 1 -- the synthesis document will do and number
12 1 is very -- is consistent with the lingering oil proposals
13 that we've already funding. So we're using this as a
14 vehicle to tie a bunch of that information together so we
15 can provide the Trustee Council adequate information for
16 your decisions.

17 We have want to determine the status and
18 future of the large parcel acquisition program. And we
19 want to determine the status of the future of the small
20 parcel acquisition program. In that, the two items that
21 we're suggesting is, yes, we want to finalize the maps. We
22 want to finalize our program. And we want to prepare
23 options for you the Trustee Council to think about where
24 you want to go for the future. You'll notice that we
25 didn't use the word alternatives. We're just saying

1 options, there are a number of options. We think the use
2 of alternatives gets us into a fairly tough situation. If
3 you didn't pick the appropriate or appropriate alternative,
4 then there's always questions on how you made that
5 decision. And we want to make that broadly public.

6 We heard any number of times that we wanted
7 to enhance the data management system. That's also in our
8 annual work plan. We think it's important for a number of
9 reasons, most of which have already been said today. And
10 we wanted just an action item with no funding in this
11 document of how to best convey this information to the
12 public. So this is the action plan that you have in your
13 folders.

14 MS. PHILLIPS: Madam Chairman.

15 CHAIRWOMAN PEARCE: Yes, ma'am.

16 MS. PHILLIPS: Many of the items in the
17 action plan are integrated into our administrative budget
18 and we can cover those under the administrative budget.
19 But if the action plan is implemented, it will take
20 additional costs for publications, and I've broken those
21 publications down on the cover sheet and the total amount
22 for that would be \$47,000, which would include publishing --
23 creating and publishing public information and pamphlets
24 and summaries on the injured resources and species list.
25 Publication and printing for the creation of public

1 information pamphlets outlining the results of the
2 synthesis studies, lingering oil studies, Integral's
3 evaluation, the herring studies and the Michel study.
4 Technical writing contracts if -- that is necessary if we
5 don't have a science director on line. If we have a
6 science director on line, that money would probably not be
7 necessary. And then the last one that is included in the
8 plan is the habitat acquisitions catalog, which the Trustee
9 Council did request that we come up with an idea there.
10 And the estimated cost for that is 22,000, two months of
11 staff time plus \$5,000 for printing.

12 So for putting out the publications
13 associated with the Interim Action Plan, we're looking at a
14 budgetary item of additional \$47,000 that is not in the
15 budget today.

16 CHAIRWOMAN PEARCE: Questions? Comments?

17 MR. CAMPBELL: Madam Chair. I
18 understand.....

19 CHAIRWOMAN PEARCE: Commissioner.

20 MR. CAMPBELL: Thank you. Let's see, I
21 understand why you have the draft Interim Action Plan and
22 then with staff and the liaisons working together, we now
23 have the Interim Guidance Document that is also in front of
24 us, you know.

25 MS. PHILLIPS: The only thing that we have

1 in front of us at this time is the draft interim action
2 plan that's in your book.

3 MR. CAMPBELL: Okay. In that case, there
4 exists a draft Interim Guidance Document that was also
5 worked on. And my understanding of the differences in
6 that, between the guidance document and the action plan,
7 were one, the recitation of the performance areas from the
8 Restoration Plan had been removed because this document is
9 not replacing the Restoration Plan but rather providing
10 short term guidance to accomplish the specific task within
11 the existing plan.

12 Two, the expansive working group on injured
13 species proposed in the interim action -- IAP was returned
14 to the smaller policy level body proposed in the IGD draft
15 with language to clarify that role in relationship to
16 Trustee and corresponding authorities.

17 That the action items on data management
18 and public information added in the action plan were
19 removed and the preamble language was inserted that
20 clarified that the Interim Guidance Document does not
21 preclude the continuation of these and other core
22 activities.

23 MS. PHILLIPS: Madam Chairman. Could I
24 just interrupt for a moment. We don't have a document like
25 that before us.

1 MR. CAMPBELL: I'm about to put it before
2 you.

3 MS. PHILLIPS: Okay. I would really
4 appreciate having a copy of that if we are going to be
5 considering that. I have not seen it and it's not
6 something that staff has worked on.

7 MR. CAMPBELL: Okay. Madam Chairman.
8 These are some -- and I apologize, didn't realize you
9 didn't have this but.....

10 MS. PHILLIPS: I have not even seen it
11 and.....

12 MR. CAMPBELL: Okay. But.....

13 MS. PHILLIPS:staff was not involved
14 with that.

15 MR. CAMPBELL:what I would say is,
16 these are -- what I'm describing are specific amendments to
17 the guidance document -- excuse me, to the proposal and
18 these are specific things that we are going -- suggesting
19 that would be specific amendments.

20 MS. PHILLIPS: If you have amendments, are
21 they to the Interim Action Plan that's in your packet?

22 MR. CAMPBELL: Yes.

23 MS. PHILLIPS: Okay. I would like to have
24 copies of those amendments.

25 MR. CAMPBELL: Yeah, we'll do that. Could

1 we perhaps take.....

2 CHAIRWOMAN PEARCE: Sure.

3 MR. CAMPBELL:a quick break for
4 copying.

5 CHAIRWOMAN PEARCE: We can.

6 MR. CAMPBELL: I apologize.

7 CHAIRWOMAN PEARCE: And I don't know who's
8 got the master, so we'll stand at ease while we get copies
9 made.

10 MR. CAMPBELL: Yeah.

11 MR. MEADE: I guess I would ask if we're
12 going to get into a detailed discussion, just making copies
13 is not going to help me being actively engaged in the
14 discussions, so I don't know how best to orchestrate. Do
15 we want to -- is this something we need to make a decision
16 on today? Is this something we can have a discussion group
17 work on? But just making copies is not going to help me
18 participate in being informed and in the discussion.

19 CHAIRWOMAN PEARCE: Joe, I believe that
20 Steve can explain.....

21 MR. MEADE: Well, I've read the interim
22 plan, so I understand what's there but if we've got
23 detailed discussions to amendments within it, is the forum
24 here today the right forum for that, I guess is what I'm
25 asking.

1 MR. CAMPBELL: There are six general
2 changes, which is what I was going through. But I don't
3 have the markup.

4 CHAIRWOMAN PEARCE: I just -- I don't know
5 what amount of opportunity the liaison has had to talk to
6 Mr. Meade about the liaison proposed changes.

7 MR. CAMPBELL: I don't know either.

8 CHAIRWOMAN PEARCE: I just -- I don't know
9 the answer. So why don't we take a break, we'll find out.
10 When we come back.....

11 MR. CAMPBELL: Make copies.

12 CHAIRWOMAN PEARCE:if it's
13 appropriate to continue the discussion, we will. If it's
14 not, we will wait until you've had an opportunity.....

15 MR. MEADE: Well, I have been briefed by --
16 both I've read the document and been briefed by Steve, so
17 if it's in the nature of what's been discussed prior then I
18 do feel.....

19 MR. CAMPBELL: It is.

20 MR. MEADE: Oh good.

21 CHAIRWOMAN PEARCE: Okay. We will take a
22 break and we will put the teleconference on mute and I
23 don't know how long this will take so please just standby.

24 (Off record - 1:29 p.m.)

25 (On record - 1:52 p.m.)

1 CHAIRWOMAN PEARCE: We'll come back to
2 order. Trustees and Executive Director are back. Mr.
3 Campbell.

4 MR. CAMPBELL: Thank you. Madam Chair.
5 Thank you. I think it was probably obvious from the
6 confusion, I believe we were under the impression that this
7 draft Interim Guidance Document was out and available and
8 had been and we apologize that it hadn't. My understanding
9 is what this document -- which hopefully you do have
10 available to you now -- represents is in effect what we in
11 the legislative circles would refer to as a committee
12 substitute for the Interim Action Plan. The vast majority
13 of changes in that document I believe were minor changes,
14 grammatical changes, a variety of things like that. But
15 the net result of all those changes was it was winding up
16 on a markup basis extremely, you know, a difficult document
17 to read. And rather -- because we had limited time here,
18 et cetera -- and rather than go through line by line and
19 simply offer amendments, we had come up with a -- basically
20 a committee substitute.

21 You can, if you wish, take this document
22 and the draft interim guidance plan and go back and forth
23 and I think what you'll find is almost all the -- or
24 actually anything other than the grammatical changes, et
25 cetera, that are in here, we believe are also referred to

1 already under liaison comments in the copy that's out in
2 the book. I don't believe there will be any surprises
3 there. The major changes between the two documents, I'm
4 going to attempt to summarize, and they're actually in six
5 areas.

6 The first, as I was starting to say before,
7 is the recitation of the performance areas.....

8 CHAIRWOMAN PEARCE: You should make a
9 motion.....

10 MR. CAMPBELL: Yeah, yeah.

11 CHAIRWOMAN PEARCE:before you do
12 this.

13 MR. CAMPBELL: Yeah, excuse me. So having
14 said that, I will make a motion that the Trustees adopt the
15 draft Interim Guidance Plan, 8/9/05, time 2:21 p.m., that I
16 believe is before us all.

17 MR. NORDSTRAND: I'd second that.

18 CHAIRWOMAN PEARCE: There's a motion and a
19 second. We're in discussion.

20 MR. CAMPBELL: Okay. I was saying that the
21 six.....

22 CHAIRWOMAN PEARCE: And I'll object for
23 discussion.

24 MR. CAMPBELL: Yeah, thank you, Madam
25 Chair. The six major items of difference are one.....

1 CHAIRWOMAN PEARCE: Can you go to the page?

2 Do we have the page?

3 MR. CAMPBELL: No.

4 CHAIRWOMAN PEARCE: Okay. We'll find it.

5 MR. CAMPBELL: The recitation of the
6 performance areas from the Restoration Plan have been
7 removed because this document does not replace the
8 Restoration Plan but rather instead simply provides short
9 term guidance to accomplish specific tasks that already
10 exist within the existing Restoration Plan.

11 Two, the expansive working group on injured
12 species proposed in the IAP was returned to a smaller
13 policy level body as proposed in the interim guidance
14 document draft with language to clarify the role and
15 relationship to TC staff and corresponding authorities.

16 Three, the action items on data management
17 and public information added in the IAP were removed and
18 the preamble language was inserted that clarified that IGD
19 does not preclude the continuation of these and other core
20 activities. In other words, these activities are already
21 existing, they are ongoing, they will continue to on-go,
22 there is nothing about this Interim Guidance Document that
23 replaces or causes them to cease. I think that's probably
24 a major point to make in connection with this. And the
25 motivation there was simply that the document be as concise

1 as possible, only address the additional actions necessary
2 to carry out the short term priorities articulated by the
3 Council

4 Four, the timeline was removed simply
5 because we felt the way it was laid out was confusing and
6 inconsistent.

7 The title was changed from interim action
8 plan to Interim Guidance Document, which we felt more
9 accurately described the document.

10 And then six, there were several passages
11 that seemed to draw premature conclusions about continuing
12 projects, the '07 invitation, the habitat programs, et
13 cetera. And those items were deleted.

14 And then there were a number of small
15 changes made for consistency and simple editing without
16 changing meaning. Those are the six, I believe, major
17 areas of difference. As I've said by going back and forth,
18 I think you'll find all of those that are already referred
19 to in the various comments in the earlier plan that you
20 had. That's all.

21 CHAIRWOMAN PEARCE: Questions? Comments?

22 MR. HAGEN: Well, I guess maybe I'll speak
23 to a little bit on some of the changes to -- and I can
24 speak from my own perspective I guess as someone that was
25 trying to work with versions of this document and trying to

1 accommodate what I felt were things that needed to be
2 included but also accommodating the sense I had from others
3 that the document needed to be tighter and more specific.
4 And I think that was a major motivation for some of the
5 changes here:

6 And my own personal comments, I do think
7 the recitation of the 1994 kind of guidance things is
8 valuable. I think that's something that should be front
9 and center of how we craft a long term Restoration Plan.
10 This is just a short term document. But just to show, you
11 know, those items included in ecosystem approach,
12 competition, efficiency, scientific review, public
13 participation, injuries addressed by restoration and a list
14 of things. They just didn't quite fit in this particular
15 action item document. I mean they're valuable and I think
16 we always need to keep that in mind as we kind of go
17 forward in the short term and the long term.

18 When it came to taking the specific action
19 items and reducing from five -- which was in the draft,
20 which is in our book here -- down to three, certainly it
21 was difficult for me as well to deal with the issues of --
22 particularly the public participation as an action item --
23 as a distinct action item that would be part of this. In
24 addition there was the data management as well. What we
25 wanted to convey as a means to just keep it with three

1 actions items -- is what McKie I guess reiterated a little
2 bit -- to tighten it up, we wanted to make sure we covered
3 everything that the Trustee agency does already, which is
4 public outreach and communication, and to continue the data
5 management and development. They need to be done and they
6 need to be part of how this goes forward.

7 So there's a new section, it will be on
8 page 2 of the handout, it says how this plan will be
9 implemented. And that's just a renaming of what was in the
10 document in there. The first paragraph is the same. We're
11 going to tend to, you know, follow the EVOS annual work
12 plan procedures and schedules and changes will be announced
13 at the earliest opportunity to the public. We also added
14 this sentence, and it states, what this plan does not do is
15 preclude routine Council activity such as public outreach
16 and it gives sort of examples of various things. ARLIS,
17 program develop of data management -- you know, continued
18 things. It states these activities and others as described
19 in the administrative work plan remain important to Council
20 activities and are necessary to maintain program continuity
21 and are expected to help provide a bridge to the next phase
22 of Council activities. So I think it -- you know, we -- I
23 certainly feel strongly that we need to maintain the
24 outreach and the various public participation that's
25 currently underway. And we need to continue to develop a

1 program to go forward. So I think we put that in there in
2 a sense to make it clear that that continues but this
3 document just addresses the three -- what was felt to be
4 the three urgent issues to deal with the short term plan
5 and those haven't changed.

6 So I think those were the major things I
7 wanted to address. The intent wasn't really to substitute
8 something that was going to be of a different nature, it's
9 really the same nature, it just became a difficult process
10 at the last moment to try to -- to put together amendments
11 that would fit into a, you know, into a motion I guess. So
12 as you indicated, as substitute document and I have -- I'm
13 comfortable with this. I hope the Trustee Council staff is
14 comfortable with. If they're not comfortable with it, then
15 I think we'll need to go forward and change that.

16 And one other thing to note too, and this I
17 think is real critical as well, and McKie focused --
18 mentioned it. And that was the change from what we're now
19 proposing to call a steering group. And that's under
20 future action under page 6. And that steering group on
21 injured resources and services is basically there as McKie
22 mentioned, it's a bit of a policy level. And there's -- we
23 felt that a -- and the steering group can, with the
24 Executive Director who is part of that steering group,
25 establish working groups. Working groups to address

1 specific issues.

2 But we felt such things as assisting in an
3 iterative report and constructing responses, synthesis
4 package things. There's various policy implementation and
5 other things that a steering group might at first take
6 first crack at it. And then through the Executive
7 Director's office, working groups can be established with a
8 specific task in mind.

9 So I don't think it's to substitute at all
10 the sort of encompassing approach, including a lot of
11 participation. It's simply that at this point, I don't
12 know if we're at all sure because we haven't adopted an '06
13 work plan yet, what we need to do as we go forth to
14 implement this. And we just need to have some mechanism in
15 place to do that. Provide some flexibility and
16 adaptability while continuing to involve public and PAC and
17 participation. So anyway, that's my take on it and I guess
18 I'll support it since I was involved with trying to put
19 something together that I felt was still meeting the needs
20 of the Trustee Council and the public. So.....

21 CHAIRWOMAN PEARCE: Any questions or
22 comments? Mr. Meade and then Mr. Fredriksson. Joe.

23 MR. MEADE: Well, one -- I don't know how
24 to frame this quite the way I want -- and interim --
25 really, I'm in support in what's captured in the interim

1 guidance and I'm in support of the friendly amendments that
2 McKie has summarized. I'll go back to the actual title,
3 and if I am correct in my understanding, the reason frankly
4 that we've identified this interim focus is to insure that
5 we're getting synthesis of data that is needed by us to
6 provide to counsel to be able to help address the questions
7 in front of the reopener.

8 And there are -- as we heard in Cordova in
9 past public comments to our meetings -- there is interest
10 and concern and lack of thorough understanding of what the
11 reopener really means to a lot of folks. So I wonder --
12 and this is just pondering -- and there may be as many
13 reasons to not as there are to consider -- but I wonder if
14 that should simply be considered or titled a reopener
15 interim guidance. Or a reopener -- a focus on key
16 synthesis for reopener. So it's clear to everybody why --
17 in fact I think in the public comments this morning, the
18 question was why a year plus ago did we begin to put into
19 motion a refocusing of some important interim information.
20 Maybe something in the title that speaks to that in itself
21 would help address the question.

22 CHAIRWOMAN PEARCE: You're before.
23 Commissioner Fredriksson.

24 MR. FREDRIKSSON: Go ahead. No, go ahead,
25 McKie.

1 MR. CAMPBELL: I was just going to suggest
2 though I don't disagree with the reasoning, Joe, that you
3 offered, since we are not the body that makes any decisions
4 on reopeners but.....

5 MR. MEADE: Right.

6 MR. CAMPBELL:rather the respective
7 appropriate state and federal officials, I would be
8 somewhat concerned about putting that in the title and
9 perhaps creating mis -- or furthering the misapprehensions
10 that already exist out there among the public about our
11 role in the reopener.

12 MR. MEADE: And I could agree with that
13 completely so -- but Interim Guidance Document just doesn't
14 tell many people what the purpose is for.

15 CHAIRWOMAN PEARCE: Commissioner
16 Fredriksson.

17 MR. FREDRIKSSON: Yeah, Madam Chair. Joe,
18 I hear you and McKie as well. I think we venture into the
19 reopener issue at great risk because we sit here as an EVOS
20 Council that really has not.....

21 MR. MEADE: No say.

22 MR. FREDRIKSSON:reopener authority.
23 That is reserved unto the governments. And to me the
24 interim is real important and I think you have to open up
25 the document and you have to read the purpose for the

1 document to really see that we are talking about a very
2 discreet period of time, a very important period of time
3 within the EVOS restoration program. I appreciate Pete's
4 comments because I don't see a large material difference
5 between the two documents. And let me -- I did this in
6 Cordova but there are people here today who were not with
7 us in Cordova, so I will share with the assembled members
8 what I shared with the PAC in Cordova and the STAC in
9 Cordova and those that attended in Cordova.

10 I consider this to be our Bible. It is the
11 1994 Restoration Plan. It is my touchstone in carrying out
12 my duties as a member of this Trustee Council. This
13 Restoration Plan went through intensive review and it also
14 went through a NEPA review. There was a record of decision
15 issued on this document by the federal members of this
16 Trustee Council. This Restoration Plan -- within this
17 Restoration Plan are 21 policies. There is a mission
18 statement, there are policies, there is an interim process
19 for determining the status of injured resources and what
20 our restoration objectives are, what our end points are,
21 how we measure accomplishment to achieve those end points.
22 There is much good direction in this Restoration Plan. My
23 fear -- well, my concern -- not my fear, my concern with
24 what we had in the Interim Action Plan was an attempt to
25 synthesis, summarize what is a stand alone restoration

1 plan.

2 So when I look at this document and then I
3 look at the Interim Action Plan, what I saw was 21
4 restoration policies turned into nine performance areas. I
5 don't want nine performance areas. I want 21 policies. If
6 we want to change the 21 policies to make it nine
7 performance areas, we should entertain that. But I'm very
8 wary about confusing things any more than -- we are dealing
9 with a lot of history, a lot of documents. And I think the
10 Restoration Plan can stand in its own right. And if we
11 referenced the restoration in the Interim Guidance Document
12 as I think we have -- I think the Interim Guidance Document
13 makes proper reference to the Restoration Plan. I'm very
14 wary about trying to synthesis our Restoration Plan in an
15 Interim Action Plan. So I think it is appropriate to not
16 try and replicate in our annual plan, I think as Ms.
17 Studebaker had mentioned earlier today, our interim annual
18 work plan, something that stands in its own right.

19 The other items that were in the interim
20 action plan that caused me concern and I thought were not
21 necessary at this point in time, had to deal with the data
22 management elements and the -- I think it's characterized
23 as the public information at the end. I think we have in
24 the Restoration Plan adequate provisions and a well
25 established process through the interim management process

1 for our public information and facilitation. I don't think
2 we need to confuse that. I don't think we need to
3 replicate in an annual Interim Work Plan.

4 And the data management, as we talked
5 earlier today, I'm quite comfortable with getting our hands
6 around some of our data management needs, particularly in
7 capturing on a database all those reports that are still
8 outstanding, that seem to be missing in action. If we can
9 get a data management plan as a first step to synthesis our
10 reports, that would be a good thing. I think what's
11 envisioned in the Interim Action Plan was far greater than
12 that and I think would take us off target.

13 So I think what we have here in the interim
14 guidance document is not inconsistent with the interim
15 action plan but I do think it puts us right on target. I
16 think it's on target with the Restoration Plan. I think it
17 allows us to move forward to focus our resources through a
18 focused deliberative process and characterizing and
19 updating the status of our injured resources while
20 maintaining the very things we were talking about earlier
21 today and we've discussed with the Science and Technology
22 Advisory Committee, and that's the involvement of the STAC
23 and the PAC in any actions that this Council takes.

24 MR. HAGEN: I do have one other.....

25 CHAIRWOMAN PEARCE: Other comments. Pete.

1 MR. HAGEN: Yeah, I just want to add, I
2 mean, in my own thinking, one big unknown we have out
3 there, and there's certainly several unknowns, is that is
4 the science director position. And I think -- certainly
5 would hope that when that position is filled a lot of the
6 functions or a lot of the, you know, responsibility, I
7 guess, for carrying this out would be certainly with the
8 science director and Gail and her staff as well. And it's
9 not -- at least it's certainly not in mind an effort by
10 agency liaisons or Trustee agencies to try to do anything
11 other than putting together some guidance about how to
12 proceed, just so there's a clear road ahead. It's not to
13 take on responsibilities that does fall with the Trustee
14 Council staff to address. So.....

15 CHAIRWOMAN PEARCE: Other comments?

16 (No audible responses)

17 CHAIRWOMAN PEARCE: Gail? No comments?

18 (No audible response)

19 CHAIRWOMAN PEARCE: What's the wish of the
20 committee? Or the Council -- whatever we are.

21 MR. CAMPBELL: We have a motion in front of
22 us.

23 CHAIRWOMAN PEARCE: We do have a motion in
24 front of us. Are we ready for the question?

25 MR. HAGEN: Sure.

1 CHAIRWOMAN PEARCE: All those in favor,
2 signify by saying aye.
3 IN UNISON: Aye.
4 CHAIRWOMAN PEARCE: Anyone opposed?
5 (No audible responses)
6 CHAIRWOMAN PEARCE: The motion carries. So
7 we have adopted a draft interim -- or an interim guidance
8 document -- it's no longer a draft -- for August 2005
9 through December 2006 to guide us through the next 18
10 months. That brings us to the small parcel acquisition
11 program. Gail.
12 MS. PHILLIPS: Madam Chairman, there was
13 one other issue with the.....
14 CHAIRWOMAN PEARCE: Oh, I'm sorry.
15 MS. PHILLIPS:Interim Action Plan.
16 Do you want to look at the budget now or do you want
17 to.....
18 CHAIRWOMAN PEARCE: Do you want to roll
19 that into the budget?
20 MR. CAMPBELL: Yeah.
21 CHAIRWOMAN PEARCE: We'll wait and do the
22 budgets all at once. I think it's probably easier for
23 the.....
24 MS. PHILLIPS: Okay. Just can't forget it.
25 CHAIRWOMAN PEARCE: Okay. We won't

1 MS. PHILLIPS: Okay.

2 CHAIRWOMAN PEARCE: Promise.

3 MS. PHILLIPS: The next item on the agenda
4 is a small parcels update. And when we had our last -- the
5 last time we presented the small parcels program to the
6 Trustee Council, they requested that we delay adoption of
7 it until this meeting to try to get an answer that -- from
8 a question Drue asked regarding the value of the
9 appropriations the Trustee Council had made in the past as
10 far as restoration, et cetera, of the parcels. You have
11 the response from Carol Fries in your packet and I'm going
12 to ask Carol to come forward and she will help walk us
13 through the plan.

14 You've -- it is something that has been in
15 your packets before. I have to apologize from taking it
16 off the informational piece and putting it in an action
17 item. That was my fault. I thought it was an action item.
18 It definitely was always going to be an action item. The
19 working group has already agreed on all the parts. We made
20 one little change after you were originally presented with
21 that, and that was we had tried to coordinate all the
22 federal parcels to be purchased by one entity, that didn't
23 work. We changed it to every one of them. So basically
24 that was the only difference between what you saw in the
25 previous meeting and this one.

1 CHAIRWOMAN PEARCE: Okay. Carol.

2 MS. PHILLIPS: And Carol will walk you
3 through.

4 MS. FRIES: The small parcel packet that is
5 in your binder contains several documents that have been
6 worked on by the small parcel group. The habitat
7 protection and acquisition resolution that was adopted by
8 the Trustee Council in July of 2002 essentially set the
9 stage for the discussions that took place regarding the
10 small parcel program. This second document is a document
11 entitled Small Parcels Policies. It has recently been
12 brought to my attention that the version in the packet that
13 you have in front of you is an older version than the one
14 that was presented in February of 2005. And so we would
15 like to be able to send that version around to you later.
16 And.....

17 CHAIRWOMAN PEARCE: Even though it says
18 July 9th?

19 MS. FRIES: Yes, there's a question -- the
20 item at issue is the small parcel program funding and
21 essentially the version in February did not specify a fixed
22 annual cap as this language does. And I think we need to
23 come back with language that was included last February.

24 MS. PHILLIPS: Carol, I have the 7/26
25 version.

1 MS. FRIES: 7/26.....

2 MS. PHILLIPS: '05 version.

3 CHAIRWOMAN PEARCE: Bottom right hand

4 corner. Look at the bottom of the page.

5 MS. PHILLIPS: At the bottom of the page.

6 MS. FRIES: Correct. But the language --

7 and I did print some -- well, I thought I did. Oh, wait,

8 it's right in front here. The language that was included

9 in the February version reads, an annual spending

10 authorization will be established by the Trustee Council

11 for the small parcel acquisition program and shall be

12 allocated 50 percent to the state and 50 percent to the

13 federal governments. The restoration office will develop

14 an annual funding recommendation for consideration by the

15 Council based upon a 4.5 percent four year average percent

16 of market value to be applied to the funds remaining within

17 the habitat fund. This annual recommendation is a

18 guideline and does not prevent the Council from considering

19 a parcel or parcels that exceeds the amount established

20 should the Council find that circumstances warrant such

21 consideration. In addition, should the state or federal

22 government choose not to expend the authorized funds in one

23 year, these funds may accrue within the habitat fund for

24 future use by that government.

25 And that is -- and I apologize, I realize

1 it's hard for you to get a handle on that without seeing it
2 in front of you.

3 CHAIRWOMAN PEARCE: Okay.

4 MR. NORDSTRAND: So will we be actually
5 acting on this today and approving it without the.....

6 MS. FRIES: Perhaps what we could consider
7 is approving the policy portion of this at a subsequent
8 meeting and if we could go over and get your concurrence on
9 the process that it described. The following document, the
10 small parcel process, essentially was prepared in order to
11 give direction and guidance to the public, NGO's,
12 individuals who might wish to bring parcels forward for the
13 Council's consideration. And essentially it is explaining
14 that all acquisitions need to be tied to injured resources
15 and associated services. And it explains the basic
16 criteria that a parcel must meet. In other words, it must
17 be within the spill area, there must be a willing seller.
18 And these are essentially the same essential threshold
19 criteria that have been in place for quite awhile.

20 We've described the sponsoring agencies.
21 We have described criteria or things that the proposer
22 should consider in describing the benefits of the parcel to
23 the restoration of injured resources and services and
24 provided a format for a proposal. In other words, just to
25 try to provide guidance so that there was some consistency

1 and people weren't going through a lot of effort for no
2 apparent reason. Describes desired attachments, which are
3 pretty self explanatory. I won't read through all of
4 those. And a process whereby the Council would authorize
5 and agency acting in -- acting upon an acquisition that was
6 brought forward, to proceed with negotiations, perform due
7 diligence consistent with state and federal requirements,
8 and then come back to the Council to approve by resolution
9 the purchase or the acquisition of a parcel if appropriate
10 or reject the proposal. And a list of the documentation
11 that typically has been required by the Council and the
12 agencies in order to close a document.

13 There is a flow chart attached that
14 basically summarizes the process. And a nomination form,
15 just to provide guidance and direction for people
16 submitting proposals..

17 CHAIRWOMAN PEARCE: Is this document new
18 from what we deferred previously or was this a part of the
19 package?

20 MS. FRIES: This essentially was a part of
21 the package with a few minor changes that.....

22 MS. PHILLIPS: The changes on.....

23 MS. FRIES:Gail did -- just
24 previously mentioned.

25 CHAIRWOMAN PEARCE: Just the -- okay fine.

1 MS. FRIES: So essentially it is not --
2 it's not new.

3 CHAIRWOMAN PEARCE: Okay.

4 MS. FRIES: But I would recommend that we
5 review the previous version of the policies.

6 CHAIRWOMAN PEARCE: Other questions or
7 comments?

8 (No audible responses)

9 CHAIRWOMAN PEARCE: I would just comment
10 that trying to adopt something that has names attached to
11 the different sponsoring agencies is probably not wise
12 because of the staff turnover. I would say we adopt
13 agencies without the names, and I think we could take care
14 of that certainly in a much.....

15 MS. PHILLIPS: On page 2, under sponsoring
16 agencies?

17 CHAIRWOMAN PEARCE: No, at the end, small
18 parcels.....

19 MS. FRIES: The attachment.

20 CHAIRWOMAN PEARCE:program.

21 MS. PHILLIPS: Oh.

22 CHAIRWOMAN PEARCE: That is a part of what
23 you just described, correct?

24 MS. PHILLIPS: Okay.

25 MS. FRIES: Yeah, the agencies themselves

1 are just listed.

2 CHAIRWOMAN PEARCE: Right.

3 MS. FRIES: You know, Department of the
4 Interior, in the body of it.

5 CHAIRWOMAN PEARCE: But this is for the
6 public.

7 MS. PHILLIPS: This is.....

8 MS. FRIES: This can -- yeah.

9 CHAIRWOMAN PEARCE: It's just trying to
10 keep it up to date.

11 MS. FRIES: Yeah. We could just.....

12 CHAIRWOMAN PEARCE: Maybe title, not
13 name.....

14 MS. PHILLIPS: Yeah, this is.....

15 CHAIRWOMAN PEARCE:to give it to the
16 public.

17 MS. PHILLIPS:the one with the names
18 on it, the small parcels working group.

19 CHAIRWOMAN PEARCE: Yeah.

20 MS. FRIES: Yeah.

21 MS. PHILLIPS: Yeah. That's the small
22 parcels.....

23 CHAIRWOMAN PEARCE: No. No, not.....

24 MS. PHILLIPS:working group.

25 CHAIRWOMAN PEARCE:the working group.

1 MR. HAGEN: The sponsoring agencies.

2 CHAIRWOMAN PEARCE: I'm talking about the

3 small parcel sponsoring agencies. This is to give.....

4 MS. FRIES: Right.

5 CHAIRWOMAN PEARCE:with this packet

6 to the public so they'll know to whom.....

7 MS. PHILLIPS: And just take off the names.

8 CHAIRWOMAN PEARCE:to send -- maybe

9 even title rather than name. Just so.....

10 MS. PHILLIPS: Okay.

11 CHAIRWOMAN PEARCE: I mean if you send

12 something to our building with the name of somebody who's

13 left, who has left service, it doesn't necessarily ever get

14 opened by anybody.

15 MS. FRIES: Okay. That sounds fine.

16 CHAIRWOMAN PEARCE: In fact, probably

17 doesn't. So.....

18 MR. HAGEN: It gets lost there.

19 CHAIRWOMAN PEARCE: Questions? Comments?

20 Commissioner Campbell.

21 MR. CAMPBELL: Just to put on the floor, I

22 would recommend we adopt the small parcel process paper --

23 portion of the paper that is in front of us with the

24 exception of the specific individual names listed in front

25 of the agencies.

1 CHAIRWOMAN PEARCE: Is there a second?

2 MR. FREDRIKSSON: I'll second.

3 CHAIRWOMAN PEARCE: We have a motion and a
4 second. Is there discussion or additional questions?

5 MR. FREDRIKSSON: Just a comment.

6 CHAIRWOMAN PEARCE: Mr. Commissioner.

7 MR. FREDRIKSSON: Madam Chair, we just --
8 we adopted an Interim Guidance Document that speaks to
9 habitat acquisition and the important role it has and it
10 may continue to play in the EVOS restoration program. I
11 think what Carol has presented here is a real rational,
12 straightforward approach for -- to kind of kick start the
13 process, to guide the process. I think we are still in
14 great need of synthesis information to know what the
15 acquisition program, which is the largest investment that
16 this Council has made to date in the restoration arena,
17 what it has produced. And I think the interim guidance
18 document provides the necessary direction to bring about
19 that assessment, that synthesis and assessment so that we
20 can move forward.

21 We had a small parcel here earlier today
22 which on its own merits we saw kind of met the test and we
23 approved. And I think there are future -- even in the
24 interim while we're doing the synthesis, I think those
25 small parcels can come forward and be measured on their own

1 merit. But I endorse the approach but I wanted to make
2 clear that this is not to say that we don't need to do a
3 lot of homework to find out what the habitat acquisition
4 program has produced before we go too much farther down
5 that path. Thank you.

6 CHAIRWOMAN PEARCE: We have a motion and a
7 second. Do we have other discussion?

8 (No audible responses)

9 CHAIRWOMAN PEARCE: Ready for the question.
10 All those in favor, signify by saying aye.

11 IN UNISON: Aye.

12 CHAIRWOMAN PEARCE: Anyone opposed?

13 (No audible responses)

14 CHAIRWOMAN PEARCE: The motion carries. We
15 have adopted the small parcel process. Is it fair to
16 assume that this will go up on the website along with being
17 publicly available?

18 MS. PHILLIPS: Yes.

19 MS. FRIES: Yeah, we can write that.

20 CHAIRWOMAN PEARCE: And we will have the
21 other document, the corrected one.....

22 MS. FRIES: Yes. Do you want me to just
23 distribute that to the.....

24 MS. PHILLIPS: Come here because I think I
25 have the correct one in my book and I don't know why you

1 don't have it.

2 MS. FRIES: I don't know.....

3 CHAIRWOMAN PEARCE: We'll take a moment at

4 ease.

5 MS. PHILLIPS: Okay, if we could have just

6 a moment.

7 CHAIRWOMAN PEARCE: Yes. We're at ease for

8 just a moment.

9 (Pause - off record conversations)

10 MS. PHILLIPS: Madam Chairman.

11 CHAIRWOMAN PEARCE: Yes, ma'am.

12 MS. PHILLIPS: If it would be acceptable,

13 we would like to meet and just reiterate and maybe

14 restructure the funding proposal mechanism a little.

15 CHAIRWOMAN PEARCE: Okay.

16 MS. PHILLIPS: Send it back to the Trustees

17 and ask for your concurrence via email.

18 CHAIRWOMAN PEARCE: That's fine.

19 MS. PHILLIPS: Great.

20 CHAIRWOMAN PEARCE: Because we have -- the

21 present policy.....

22 MS. PHILLIPS: Right.

23 CHAIRWOMAN PEARCE:is in place.....

24 MS. PHILLIPS: Right. Right.

25 CHAIRWOMAN PEARCE:if a perfect piece

1 of property comes up in the next couple of weeks, we have a
2 mechanism to deal with it.

3 MS. PHILLIPS: Great, thanks.

4 CHAIRWOMAN PEARCE: That brings us to the
5 2006 draft work plan, the administrative budget, and the
6 ARLIS budget. And I would suggest, just for efficiency
7 sake, would the Trustees be willing to go ahead and do the
8 ARLIS budget first so that Carrie doesn't have to sit
9 through.....

10 MR. CAMPBELL: Yeah. Yes.

11 CHAIRWOMAN PEARCE:the entire
12 discussion.

13 MR. NORDSTRAND: Yes.

14 CHAIRWOMAN PEARCE: Carrie. We're going to
15 get Mr. Nordstrand while he's soft.

16 MS. HOLBA: Thank you very much. For the
17 record, I'm Carrie Holba. Project 6550 [sic] represents the
18 Trustee Council's continuing contribution to ARLIS. The
19 coun.....

20 CHAIRWOMAN PEARCE: We need you to speak a
21 little more loudly, please.

22 MS. HOLBA: Oh, sorry. Project 060550
23 represents the Trustee Council's continuing contribution to
24 ARLIS. The Council, as one of the founding agency
25 partners, has supported ARLIS since the library was

1 established in 1997. ARLIS supports the research efforts
2 and information needs of the EVOS Trustee Council staff,
3 the principal investigators, resource managers, and the
4 general public through reference service, document
5 delivery, and acquisition of relevant materials. ARLIS
6 also provides reliable permanent access to EVOS restoration
7 and GEM program information and materials for local, state,
8 national, and international users.

9 And just a couple of notes about recent
10 usage. ARLIS tracks detailed statistics on how the library
11 is used, including the number of visitors, reference
12 questions, books circulated, and inter-library loan
13 transactions. Requests for information pertaining to EVOS
14 are up 22 percent from FY04, with 1,011 off-site and 143
15 on-site requests. This is about 96 questions a month or
16 four to five a day. EVOS related inter-library loan
17 transactions are up 53 percent from last year to 530. This
18 is about 45 items a month and includes requests from EVOS
19 staff and researchers and requests from other libraries for
20 EVOS materials.

21 Circulation of books and other library
22 materials is tracked by the affiliation of the person
23 checking them out. Consequently circulation of EVOS
24 materials, those numbers only reflect the check outs of
25 EVOS staff and not the check outs of EVOS materials by

1 other library users and the general public. Through FY04,
2 ARLIS has received an average of about 21,000 visitors a
3 year. In our new location, ARLIS now has multiple
4 entrances and we track visitors at the two main entrances.
5 The collection is now open evenings and weekends and the
6 number of visitors has more than doubled in FY05.

7 And on-site usage of EVOS materials. What
8 is not captured in our usage statistics is the number of
9 on-site patrons who use EVOS materials without requesting
10 assistance from library staff. We know this happens often
11 by the number of EVOS related items that have to be
12 reshelfed each day but it is too labor intensive to track
13 these statistics.

14 In FY05 we began receiving requests that
15 are directly related to the reopener. Most were within the
16 average range of time we spend on reference questions,
17 which is between 15 minutes to several hours. However one
18 of these requests was quite large and required 42 hours of
19 my time. We anticipate receiving more reopener related
20 requests in FY06. Funding for project 060550 will support
21 1.25 FTE librarians to meet the ongoing information and
22 research needs of the Trustee Council staff, the Public
23 Advisory Committee, researcher, resource managers, and the
24 general public, and the increase in workload resulting from
25 the reopener clause.

1 With the large increase in university usage
2 of ARLIS we have seen this year, EVOS related usage now
3 accounts for about eight percent of the total founder usage
4 of the library. Project 060550 would provide seven percent
5 of the total ARLIS budget, which is the same percent as
6 provided in '05. Thank you.

7 CHAIRWOMAN PEARCE: Questions? Comments?

8 (No audible responses)

9 CHAIRWOMAN PEARCE: Do we have a motion?
10 Commissioner Campbell.

11 MR. CAMPBELL: I'd move the ARLIS budget.

12 CHAIRWOMAN PEARCE: Do we have a second?

13 MR. HAGEN: Second.

14 CHAIRWOMAN PEARCE: We have a second. Any
15 questions? Are we ready for the question?

16 (No audible responses)

17 CHAIRWOMAN PEARCE: All those in favor,
18 signify by saying aye.

19 IN UNISON: Aye.

20 CHAIRWOMAN PEARCE: Anyone opposed?

21 (No audible responses)

22 CHAIRWOMAN PEARCE: Leave quickly.

23 MS. HOLBA: Thank you.

24 MS. PHILLIPS: Thanks, Carrie.

25 MR. HAGEN: Run for your life.

1 CHAIRWOMAN PEARCE: Okay. Work plan.
2 Fiscal year 2006 work plan. We talked about this a couple
3 of times today. And I have just -- it's not even a
4 procedural question. In my book, draft work plan, on page
5 3 and 4, table 2, three of the projects appear to have the
6 -- I'm going to mispronounce this I'm afraid -- Saupe or
7 Saup (ph).
8 DR. DWORSKY: Saupe.
9 MS. PHILLIPS: Saupe.
10 CHAIRWOMAN PEARCE: And Willette and Walker
11 aren't showing on my table. Where did they go?
12 DR. DWORSKY: I can explain that.
13 CHAIRWOMAN PEARCE: Okay, please. I'm just
14 -- is that part of your presentation?
15 DR. DWORSKY: Yes.
16 CHAIRWOMAN PEARCE: Okay, fine.
17 DR. DWORSKY: Well, I'm Dick Dworsky for
18 the second time. What I want to focus on particularly is
19 the invitation which I think is -- I think that's the thing
20 we want to deal with but first let me make a note that said
21 through some really hard work our data folks of today will
22 put together the annual work plan, which is a real time
23 work plan on the computer. So whenever you want to find
24 out real time money or real time expenditures or real time
25 projects, you can go right to our website and find that so

1 we won't be giving up reports after reports after reports
2 for you. We think that will make everybody's collective
3 life a little bit easier.

4 When we sent out the invitation, we had one
5 particular mission in mind, and that was to have a document
6 that synthesized the status and organization and
7 information on the injured resources and services. We sent
8 out our document, we had 11 responses and a further six
9 that we called modifications or new data. I think the task
10 before you -- let me -- my task today I think is to at
11 least identify the proposals to you and make a suggestion
12 or not make a suggestion on how you want to pick the
13 specific project.

14 Three projects and modifications you dealt
15 with in Cordova, Honnold, Irvine and Bodkin. You approved
16 Irvine, which is simply an extension because she was sick.
17 The other three, Susan's, Coowe Walker's and Mark Willette
18 were not brought forward for a number of reasons. Susan's
19 was what we considered a new project although it was the
20 same project she had been working on, it was in a brand new
21 area and for over several million dollars. Mark's project
22 was not sent forward because the STAC and certainly I
23 thought it was just a continuation of agency -- a program
24 that should be done by them. On the other hand, this
25 particular project, if it came to the Council with a long

1 term strategy of monitoring for their research and a longer
2 time period, I think would be an advisable topic or study
3 to bring forward. I don't remember exactly -- maybe I'll
4 check my notes -- we thought the Walker project was simply
5 just new research so we did not address that either. We
6 were talking about modification so in some we have -- we
7 think that you've dealt with the six modifications.

8 On the other hand, we have a number of
9 projects that have gone through STAC, PAC, science
10 coordinator, Executive Director decisions. You have seen
11 these, your liaisons have seen these. I presume you've
12 been briefed. We can do one of two things. We can go back
13 through each of them with you, that will take probably 45
14 minutes or an hour. Even if Brenda talks really fast, it
15 may take some amount of time. We think you've seen this,
16 all of the recommendations have been sent to you at least a
17 month and a half ago. We do need some TC decisions. None
18 of the projects, save Bickford, was recommended for funding
19 directly. All the rest were to modify.

20 The concern we had not only with the STAC
21 and the PAC and myself and the Executive Director, was that
22 individuals proposed specific projects but we did not get a
23 synthesis of the entire list of species. The two that did
24 were Rusanowski and Jacobs from Integral Consulting. We
25 already know Jacobs, we have a project with them.

1 Rusanowski is an outfit that's in Utah but has done an
2 enormous amount of work for actually the federal government
3 writing environmental impact statements and changes to
4 EIS's and so we recommended that either of those be funded.

5

6 Last week you all received a package of --
7 I didn't hear very much so I sent out a note to Gail and
8 she apparently forwarded it to you -- well, she did forward
9 it to you, not apparently -- of some different options.
10 There's maybe six or so different options you can take. My
11 personal preference would be, as we had said in the
12 invitation, that we would take a project and work with that
13 consultant to include all the areas of concern we had. The
14 first option is just to take any project as is. The second
15 option is to take one of the projects and modify it within
16 the -- with -- using the staff and the Executive Director,
17 then we go on. I actually had thought about doing the
18 Cuban missile crisis plan where you put them all in a room
19 and they can't go to the bathroom unless they come out with
20 a unified plan. That was not accepted by the Executive
21 Director for some reason. I feel badly about that.

22 The option, which I think has merit, is to
23 take both the Integral and the Rusanowski proposal and give
24 them a 30-day period to come back in with a final product
25 and then make a selection in 30 days, which would be

1 essentially the 15th of next month. Which would not delay
2 us much since -- even if we pick one today, we're going to
3 be negotiating the changes. Attached to the options you
4 will see a list of words and definitions. Those are words
5 that were used by the STAC and the PAC. And you don't have
6 to go through them again but if I were to talk to one of
7 these firms I would say, look, you need to take a look at
8 all these words and if they apply to you, you need to
9 include them because they were raised somewhere. If you've
10 already included that, like funding, that's fine.

11 The concern that I have that you need to be
12 aware of is both of these, the larger studies, the Integral
13 and the Rusanowski, assume that EVOS will pick up 100,000
14 in meeting costs. That was not included in their budget, I
15 mentioned that earlier. That moves these studies from
16 500,000 -- about, a little bit more, a little bit less in
17 one case -- to \$600,000. My recommendation to you is
18 either pick one that you want to negotiate with or two,
19 pick two and have them resubmit.

20 And I could take questions, we could go
21 back through the specifics with Brenda. I think at some
22 point however it is important that we have a Trustee
23 Council decision. That was a big concern last year, as you
24 remember, that the TC made decisions and they didn't say we
25 think this is good, we think this is bad, we want to defer

1 this, or any number of things. Somehow we need to get your
2 collective input into this so I can go back to the authors
3 and say, hey, here's what went on, we want to make sure we
4 keep that linkage in place. I'm.....

5 CHAIRWOMAN PEARCE: Okay. Before we do
6 questions or comments, shall we go to Brenda and to Gail
7 and then have everybody?

8 (No audible responses)

9 CHAIRWOMAN PEARCE: Okay. Good enough. I
10 think it's fair to say that all of us have read through or
11 listened to all of the proposals. So if we could have a
12 synthesis.

13 MS. ROSNER: For 500,000 he could. Or 600.

14 DR. NORCROSS: That's what I was going to
15 give you, was a five minute version. Is the five minute
16 version all right.

17 CHAIRWOMAN PEARCE: Perfect.

18 DR. DWORSKY: Do you need the speaker to be
19 here or do you need to be here?

20 DR. NORCROSS: Can you hear me?

21 REPORTER: You're fine there.

22 DR. NORCROSS: Okay. Thanks. The first
23 thing I'd like to acknowledge is that all of the levels
24 that went for review realize that when we -- when the
25 invitation went out, the invitation specifically asks for

1 individual species, groups of species, or a total. All
2 right. So all of these answered to that. And then when we
3 looked at it, we realized that they all answered to it and
4 none of them was perfect and we were sort of going, oh
5 drat, we've changed what we need. Consequently, what we
6 ended up with going through all these, as Richard said, was
7 only one that was recommended to be funded, which was
8 Bickford, which would be -- it's something that's herring,
9 which is considered to be extremely vital and it would be
10 added to the herring synthesis work. Three that were
11 across the board, everybody said do not fund, Ben-David,
12 Bodkin, and Kiefer. And they're pretty straightforward why
13 not to fund them. And all the rest say modify. The most
14 unanimous -- the most important thing was, you'll notice,
15 all the decisions across the board are almost unanimous and
16 that every level expressed the concern that the best
17 product be given to the Trustee Council as opposed to
18 picking one of these that made the process of giving it out
19 the easiest.

20 So we think that the best product that's
21 going to give an answer of where restoration stands for the
22 Trustee Council and for the public is going to be based on
23 the best science. Because of that and looking at all of
24 these budgets, the basic feeling was if you -- if one
25 engages those who are experts in the field already, like if

1 you had someone who had been working for years on birds and
2 they did the birds and someone else did the fish and
3 someone else did commercial fishing, that would produce the
4 best. The objections to the proposals that were the large
5 consulting proposals that were out of state was neither of
6 those directly engage the people who have spent 16 years
7 working in these projects. And it seemed that they were
8 going to take someone else to do -- basically to read the
9 work of these other people and we all believed that someone
10 could summarize their own work in a third of the time you
11 could pay some unknown person to do it.

12 At the same point in time, all levels
13 really thought that an outside view is definitely needed.
14 That someone who hasn't been working on it for 16 years who
15 would say Norcross, you know, your work was missing
16 something over here, why didn't you consider this, was
17 needed. So that's how you ended up with modify all the way
18 down the line. I'm not sure in all of this if you ever got
19 the part where the STAC wrote an overall review -- okay --
20 that said we suggested you sort of put all these together
21 and look at it.

22 And basically that's the whole thing, that
23 an outside person who is putting this together and someone
24 who's dedicating time to it. Because one objection that
25 the STAC and the PAC had with the big proposals is neither

1 one of them had someone who was really devoting more than a
2 month and a half to it. And this is a huge project.
3 That's not enough to have somebody focused on it. And as a
4 person who is working half time as an interim science
5 director, I can tell you that it's too hard to go back and
6 forth like this. So we don't think the product would be as
7 good.

8 And from the PAC point of view and the
9 STAC, it would be a really bad perception if the whole job
10 went outside the state and they didn't -- it appears that
11 there would be no respect for any of the scientists who
12 have already done the work. Did I do it in five minutes?

13 CHAIRWOMAN PEARCE: Less.

14 MR. CAMPBELL: Less.

15 MR. FREDRIKSSON: Excellent.

16 MR. NORDSTRAND: Good job.

17 DR. DWORSKY: The option four in your
18 paper, select several proposals but have EVOS staff
19 coordinate the subcontract of appropriate pieces is the
20 summarization of the STAC recommendation on how they would
21 approach this project. Do you.....

22 DR. NORCROSS: That would require a science
23 director.

24 DR. DWORSKY: We could try to move past
25 that issue right now.

1 CHAIRWOMAN PEARCE: Gail.

2 MS. PHILLIPS: I don't have anything
3 further.

4 CHAIRWOMAN PEARCE: Okay. Questions?
5 Comments?

6 MR. CAMPBELL: I have a quick question.
7 Just procedurally, do we need to -- if we are not going to
8 fund a proposal, do we need to make a motion to fund it and
9 then vote that down or is -- well, if we don't make a
10 motion, does that in fact have the same effect of not
11 funding?

12 CHAIRWOMAN PEARCE: Well, procedurally I
13 think we can do whatever we want in terms of how we state
14 the motion however in the past we have had -- we have
15 filled in this column if you will with the decision for
16 each one. And if it was fund it was with an amount, if it
17 was don't fund, that's pretty obvious.

18 MR. CAMPBELL: Just for the sake of
19 expediency then, I would like to make a motion, having to
20 state it in the positive, that we fund Ben-David, Bodkin,
21 and Kiefer. I would urge no votes by all. I think that
22 was the unanimous recommendations that I heard from all
23 parties.

24 CHAIRWOMAN PEARCE: So you would move that
25 we would fund and ask for a.....

1 MR. CAMPBELL: No vote.

2 CHAIRWOMAN PEARCE: A no -- a vote

3 opposed.

4 MS. PHILLIPS: Ben-David, Bickford [sic],

5 and who else?

6 DR. DWORSKY: Kiefer.

7 CHAIRWOMAN PEARCE: Say the three again.

8 MR. CAMPBELL: The three, if I'm correct,

9 that I heard were Ben-David, Bodkin, Kiefer.....

10 MS. PHILLIPS: Correct.

11 MR. CAMPBELL:that I heard unanimous

12 do not funds.

13 MS. PHILLIPS: Correct.

14 MR. HAGEN: I would like to speak to one of

15 those though.

15A CHAIRWOMAN PEARCE: Well, we don't

16 have a second so.....

17 MR. FREDRIKSSON: Second for discussion.

18 MR. HAGEN: Okay.

19 CHAIRWOMAN PEARCE: Mr. Hagen.

20 MR. HAGEN: Yeah, I don't -- I just want to

21 speak to the Bodkin proposal a little bit. I don't -- I

22 agree with the Ben-David and I guess the other one, Kiefer.

23

24 MR. CAMPBELL: If I can.

25 MR. HAGEN: Is that -- yeah, what's

1 the.....

2 MR. CAMPBELL: Can I amend my motion and
3 simply take Bodkin out.

4 CHAIRWOMAN PEARCE: So what's in your
5 motion?

6 MR. CAMPBELL: So my motion is to fund Ben-
7 David and Kiefer.....

8 CHAIRWOMAN PEARCE: Just the two.

9 MR. CAMPBELL:and I urge a no
10 vote.....

11 CHAIRWOMAN PEARCE: Okay.

12 MR. CAMPBELL:and just get them off
13 the table.

14 MR. HAGEN: Okay.

15 CHAIRWOMAN PEARCE: Okay. So we have
16 before us a motion which is -- does the maker of the
17 second.....

18 MR. FREDRIKSSON: Absolutely.

19 CHAIRWOMAN PEARCE: Okay. So we have a
20 motion in front of us to fund Ben-David and Kiefer and it
21 has been seconded. Does everybody understand the motion?

22 MR. FREDRIKSSON: I'm sorry, I don't.
23 It's.....

24 CHAIRWOMAN PEARCE: You want to vote no.

25 MR. CAMPBELL: You want to.....

1 MR. FREDRIKSSON: Okay.

2 MR. CAMPBELL: Motions are -- motions.....

3 CHAIRWOMAN PEARCE: If you don't want to

4 fund them.

5 MR. CAMPBELL: Vote no.

6 MR. FREDRIKSSON: Thank you.

7 CHAIRWOMAN PEARCE: If you want to fund

8 them.....

9 MR. CAMPBELL: Motions are supposed.....

10 MR. FREDRIKSSON: I just wanted to make

11 clearer the motion.

12 MR. CAMPBELL: Motions are supposed to be

13 made in the positive.

14 CHAIRWOMAN PEARCE: Right.

15 MR. FREDRIKSSON: I got it. Thank you.

16 CHAIRWOMAN PEARCE: So we have a motion and

17 it has been seconded. All those in favor of the motion,

18 signify by saying aye.

19 (No audible responses)

20 CHAIRWOMAN PEARCE: All those opposed,

21 signify by saying nay.

22 IN UNISON: Nay.

23 CHAIRWOMAN PEARCE: Motion carries. We are

24 not funding Ben-David and the motion does not carry. We

25 are not funding Ben-David or Kiefer. Now those two are off

1 the table. Do we have any questions or comments for any of
2 the staff or acting staff?

3 MR. HAGEN: Yeah, I guess I'll -- well,
4 since Bodkin was the third one on that came up, should that
5 come forward as a motion then for discussion? Okay, so
6 I'll move to fund Bodkin proposal and entertain a second
7 just for discussion sake.

8 CHAIRWOMAN PEARCE: There's a motion to
9 fund Bodkin, is there a second?

10 MR. NORDSTRAND: Second.

11 CHAIRWOMAN PEARCE: There is a second.
12 Discussion.

13 MR. HAGEN: Okay. Just to speak to it, the
14 Bodkin proposal -- and this was brought up at the last
15 Trustee Council meeting in Cordova -- it was a proposal to
16 provide essentially contractual help for them to get data
17 that they're collecting, data that they have collected in
18 the past, and get that into a data management system that
19 the Trustee Council can begin to incorporate into their --
20 you know, into sort of a metadata and a data handling
21 thing.

22 I think my understanding from the previous
23 discussion was that the reason they didn't have that in the
24 original proposal was because there was an understanding
25 that the Trustee Council staff -- data management staff --

1 would be assisting in that project. And they would be
2 providing in kind resources. That turned out not to be the
3 case. It was more of a difficult task. So they put
4 together this modified proposal for them to hire a
5 contractor who would essentially work with a Trustee staff,
6 a programmer, to develop this data management protocol that
7 could be incorporated into it. Now it's not really a
8 synthesis project, which is why I'd agree that it maybe not
9 appropriate to fund here by itself.

10 However, I'd like to say that I think it's
11 still a critical need for data management and I don't know
12 where we are in that. If the Trustee staff is going to
13 incorporate in a budget request to -- or they were hoping
14 that this project may be funded or I'm -- certainly the
15 PI's would like to still have help for this data
16 management. And maybe that doesn't need to be addressed right
17 now but I think we need to get a handle on that issue in
18 the future and we need to get a handle on it fairly soon.

19 And so I'd be in support of this proposal
20 for that reason because I think it needs to be done. And I
21 guess it will come up again in some form or other for this
22 type of data management work, so.....

23 CHAIRWOMAN PEARCE: Commissioner Campbell.

24 MR. CAMPBELL: Just a quick question. Are
25 you urging that we urge that.....

1 MR. HAGEN: Well, I -- yeah, I'd like to
2 hear some.....

3 MR. CAMPBELL: You'd like to hear the
4 process of summ.....

5 MR. HAGEN: Yeah, some sort of -- maybe if
6 it's an in-house plan or a separate budget that staff could
7 come up with to hire a consultant that was going to be
8 hired under this Bodkin proposal. They weren't going to do
9 it themselves, they were going to hire a consultant who
10 would work with the Trustee staff. That's my
11 understanding. I might be wrong on this but -- anyway, I'd
12 just as soon, you know, something is addressed on this. I
13 will agree that it's not a synthesis project. The two
14 people in there are experts on the resources and so -- but
15 this particular project is not a synthesis project. So I
16 don't.....

17 CHAIRWOMAN PEARCE: Mr. Campbell, did you
18 have a -- okay.

19 MR. HAGEN: Could I ask -- a typewritten --
20 our request.....

21 DR. NORCROSS: What you're saying is
22 basically what the whole summary is of all the levels.....

23 MR. HAGEN: Yeah.

24 DR. NORCROSS:that went through.

25 MR. HAGEN: Except it comes out do not fund

1 and yet there's really good reason to fund it but perhaps
2 not.....

3 DR. NORCROSS: Right.

4 MR. HAGEN:in this context.

5 DR. NORCROSS: You mean the recommendation
6 was, put the database management person in the EVOS office
7 so that they had more responsibility.

8 MR. HAGEN: Or allow them to contract the
9 help out or somehow to help address this issue.

10 DR. NORCROSS: We're looking at it from a
11 fiscal point of view.....

12 MR. HAGEN: Yeah.

13 DR. NORCROSS:thinking \$68,000 in
14 this office would go further than the six months that they
15 wanted. That was the issue.

16 CHAIRWOMAN PEARCE: Commissioner
17 Fredriksson.

18 MR. FREDRIKSSON: Yeah, Madam Chair, I
19 would vote against the motion.

20 MR. HAGEN: Sure, yeah.

21 MR. FREDRIKSSON: And I would do so not
22 because I'm against data management.

23 MR. HAGEN: Okay.

24 MR. FREDRIKSSON: But I -- and I think what
25 I see is the PAC and the STAC taking their proposals and

1 their duties very seriously and recognizing this isn't a
2 synthesis report. And also recognizing the importance of
3 data management and turning to the EVOS office as a proper
4 place, whether in-house.....

5 MR. HAGEN: Yeah.

6 MR. FREDRIKSSON:contractual -- and
7 as we've spoken earlier today, I mean I see some real
8 fundamental management needs, not just in terms of the
9 content of the reports, but just the administrative
10 management of the reports. And we've spoken to that today.
11 So I would hope to see that they had a management issue
12 addressed within the administrative budget, if you will, of
13 the EVOS office.

14 MR. HAGEN: I'm thinking I'll probably vote
15 against this as well, just simply to resolve -- that's the
16 only one.

17 CHAIRWOMAN PEARCE: I have a budgetary
18 question. If we approve a budget that includes a data
19 management person that would take on this and other
20 activities to be described, when would be the first
21 possible moment that that person would exist in.....

22 MS. PHILLIPS: With the time frame that it
23 takes to get a position approved and such, it would
24 probably be a couple of months.

25 CHAIRWOMAN PEARCE: But it doesn't have to

1 wait for legislative approval?

2 MS. PHILLIPS: No.

3 CHAIRWOMAN PEARCE: Okay. All right.

4 Further questions? Further comments? Yes, Mr. Mead,
5 please.

6 MR. MEADE: Mine is just germane for
7 further discussion later, it's not to the proposal here.
8 But I know in Cordova we spoke about and turned down or
9 denied some database or data management proposals. Today
10 we've had a lot of discussion around the importance of
11 database. I heard that also in data management. I heard
12 that clearly from the Public Advisory Committee as well.
13 It seems, outside of this current discussion, we need to
14 perhaps ask for the Executive Director to help frame for us
15 an objective analysis of data management needs that are --
16 that are not a wish list but really effectively executing
17 the need -- the data needs on behalf of EVOS.

18 So I'm hearing more and more discussion
19 around it, including right in here within a project
20 proposal as well.

21 CHAIRWOMAN PEARCE: Are we ready for the
22 question? Okay. The motion is to approve Bodkin and to
23 fund Bodkin. All those in favor, signify by saying aye.
24

25 MR. NORDSTRAND: Aye.

1 CHAIRWOMAN PEARCE: All those opposed,
2 signify by saying nay.
3 IN UNISON: Nay.
4 CHAIRWOMAN PEARCE: We do not have
5 consensus.
6 MR. NORDSTRAND: I'll withdraw my aye.
7 CHAIRWOMAN PEARCE: Actually, if we don't
8 have consensus, we don't fund it but -- yes.
9 MR. CAMPBELL: I had just a quick question
10 if I could, sort of related. I understand we just voted
11 against Bickford [sic] because the fellow is non-responsive
12 and stuff but you mentioned that there.....
13 DR. NORCROSS: You didn't vote on Bodkin.
14 CHAIRWOMAN PEARCE: Bodkin.
15 MR. CAMPBELL: Bodkin, excuse me. There
16 were other proposals that you also judged non-responsive
17 but did not come forward to us, is that correct?
18 DR. DWORSKY: Right.
19 MR. CAMPBELL: And what was the basis on
20 differentiating that some proposals that were non-
21 responsive did come forward to us and other proposals that
22 were non-responsive didn't come forward to us, that we
23 didn't get to see?
24 DR. NORCROSS: I presented them all to the
25 PAC and they were reviewed by the STAC.

1 MR. CAMPBELL: Is there a reason that we
2 don't have them in front of us, just so we're aware of
3 them?

4 DR. DWORSKY: Well, some were considered
5 new proposals, some were considered we were not dealing
6 with new proposals outside of synthesis. Some were
7 proposals that were just existing projects that wanted more
8 money. Some were projects that needed more -- needed a
9 project rather than fund on an annual basis boat charges.
10 We thought that was not an appropriate use of money if the
11 state was in fact doing that. That probably the Willette
12 study and what I have recommended is that they put together
13 a comprehensive proposal rather than every year coming
14 forward to say we need X number of thousands of dollars to
15 run our boat.

16 MR. CAMPBELL: Dr. Norcross, did you have --
17 I'll just.....

18 CHAIRWOMAN PEARCE: Go ahead. Go ahead.
19 We've had a motion.

20 DR. NORCROSS: I have notes on all those
21 individuals but the three that you're talking about all
22 came in stating modification. And in the invitation, if
23 you recall, because of the February meeting when we dealt
24 with the Konar modification, we were very specific -- oh,
25 I'm sorry, I apologize. In the invitation we specifically

1 asked for modifications and perhaps we thought everyone
2 thought we were clear but the modifications were supposed
3 to be if I can't finish this because I need this much more
4 money for this, something unforeseen, all three of these
5 Saupe, Willette, and Walker came in at very large amounts
6 of money, like 200 and -- no, Willette was 68,000, the
7 others were around 200,000 or so for a one year project
8 that were really additional years of funding and they were
9 viewed to be not modifications. The STAC reviewed them all
10 and I have -- I can give you all of it and the PAC reviewed
11 them.

12 MR. CAMPBELL: Just.....

13 CHAIRWOMAN PEARCE: Go ahead.

14 MR. CAMPBELL: Madam Chair. Then I'll let
15 it drop, but just as an item, if -- being that every
16 proposal comes -- that does come forward, comes forward
17 with a recommendation, do not fund, fund, modify, et cetera
18 -- and it sounds like that I very well might have voted do
19 not fund on all of these as well, I don't know -- but I
20 would ask that all proposals that go to the STAC and go to
21 the PAC also come up to us with your recommendations.

22 DR. NORCROSS: I agree. Rob said he
23 couldn't figure out where to put it.

24 MR. CAMPBELL: Yes.

25 DR. NORCROSS: Would you ask Rob, please.

1 MS. PHILLIPS: Feel like calling -- please.

2 CHAIRWOMAN PEARCE: Sure. Come on in.

3 MR. BOCHENEK: This is Rob Bochenek, data
4 assistance [sic] manager. To clarify, the proposals that are
5 listed in the FY06 draft work plan are those proposals
6 which were determined to respond directly to the RFP. In
7 addition to those proposals we did receive some
8 modification requests which were in essence filed as if
9 they were an extension of existing project. Those
10 modifications did not go through peer review. They did go
11 through staff review and they were sent to the liaisons and
12 the Trustee Council but they're not included in the draft
13 work plan. You received the modification documents and the
14 Trustee Council -- I mean, excuse me, the STAC
15 recommendations concerning those modifications.

16 MR. HAGEN: So the distinction was the peer
17 review process?

18 MR. BOCHENEK: They were not peer reviewed.

19 MR. HAGEN: Oh.

20 MR. BOCHENEK: The idea being that if they
21 were an extension of existing projects that received
22 funding, they already were peer reviewed. And this is.....

23 MR. CAMPBELL: Well, but then they were
24 peer reviewed, right?

25 MR. BOCHENEK: Excuse me.

1 MR. CAMPBELL: Then wouldn't they be --
2 they had already been peer reviewed.

3 MR. BOCHENEK: Well, if the idea -- like it
4 was under my assumption that because they were
5 modifications, they were an extension of existing projects.
6 And later on down the line it was determined that
7 potentially these could be, because of the amount of money
8 they were requesting, considered as new projects. But they
9 were using the same methods that were previously listed in
10 their existing project.

11 MR. CAMPBELL: Madam Chair.

12 CHAIRWOMAN PEARCE: Yes.

13 MR. CAMPBELL: I don't want to belabor
14 this.

15 MR. BOCHENEK: Right.

16 MR. CAMPBELL: I can let it go but I just
17 wanted to make the point that if stuff's going to come up,
18 it's going to go to the STAC, it's going to the PAC, and I
19 welcome your recommendations. If you say do not fund, I
20 want the recommendations. But we'd like to see those.

21 MR. BOCHENEK: You did receive those.

22 MR. CAMPBELL: I'd like to see them in our
23 packet.....

24 MR. BOCHENEK: Okay.

25 MR. CAMPBELL:with this work plan.

1 MR. BOCHENEK: Yes.

2 MR. CAMPBELL: Okay. Yeah, thanks.

3 CHAIRWOMAN PEARCE: Okay. We have.....

4 MR. FREDRIKSSON: Madam Chair?

5 CHAIRWOMAN PEARCE: Yes.

6 MR. FREDRIKSSON: If I might, just along

7 that same theme, in the -- because we will be going through

8 this process yet again the '07, I would just like to make

9 us all conscious of this oddity when we are asking for new

10 proposals and we're overlaying modifications. I think when

11 we are asking for a time for greater clarity and better

12 communication with people, when we confuse things with

13 this, I would prefer us just going out for invitations that

14 ask for new proposals. We can have amendment procedures

15 for dealing with existing projects if needed, but to go out

16 with invitations that just invite that leave of confusion

17 just to me is -- we'd just hurt ourselves.

18 MR. BOCHENEK: I totally agree, so.....

19 CHAIRWOMAN PEARCE: Okay. We have

20 dispensed with three. Are there any further motions?

21 (No audible responses)

22 MR. FREDRIKSSON: Madam Chair.

23 CHAIRWOMAN PEARCE: Yes.

24 MR. FREDRIKSSON: I would offer a motion

25 and then for purposes for further discussion. So I would

1 move approval of the Jacobs project, number 060783, as part
2 of the FY06 work plan. This approval and corresponding
3 funding up to the amount of \$500,000 are contingent upon
4 the receipt of a revised proposal which satisfactorily
5 addresses the concerns raised during the scientific and
6 technical STAC review process. Specifically, the revised
7 proposal shall provide a more detailed plan to engage
8 contributing scientists that have expertise and experience
9 with the EVOS affected resources and location. This
10 revision will also include the identification of
11 appropriate experts as well as budget revisions that
12 provide for adequate compensation and a plan for necessary
13 coordination.

14 MR. MEADE: I'd second it.

15 CHAIRWOMAN PEARCE: We have a motion and a
16 second. Discussion?

17 MR. FREDRIKSSON: Yeah, Madam Chair, I mean
18 I've -- in fact I thank Brenda for her nice, concise
19 summary. I think it's probably best that you best stated
20 it as I have gone through -- and I trust the members of the
21 public and those in the audience appreciate what the
22 Trustee Council has before it, is the summaries, these
23 sheets that show less than full consensus amongst the
24 different groups that we seek advice from. We have nice
25 abstract summaries that convey to us in very simple terms

1 the thought process that the STAC and the PAC went through
2 and some of the recommendations they tried to convey.

3 And I think the staff has done a very good
4 job trying to capture that in ways that we can try and
5 digest and come to some conclusions. As I stand back and I
6 look at the proposals -- and I did look at both the
7 Rusanowski and the Jacobs proposals in particular -- it
8 struck me that those were the true over-arching outside
9 view synthesis that Brenda had talked about. And when I
10 looked at it actually I thought the Jacobs was better, I
11 think it had elements to it that were something that we
12 would be better served by.

13 But I was also persuaded by -- even though
14 it looks like the Jacobs group has enlisted the long time
15 EVOS science director Dr. Bob Spies, who is also -- I have
16 yet to see the chapters, but we'll get there -- of his
17 summaries. I was impressed by the comments made by the
18 STAC and the PAC in terms of making sure that some of the
19 other in-state, in-location scientists were brought into
20 that synthesis process.

21 And I was also taken by -- as I walked
22 through the specific summaries, if you will, of Esler and
23 Hoover and Miller and the folks that we have not funded --
24 but we've recognized that they really have major
25 contributions to make. That -- not only to make but have

1 made and they need to brought into this. And even though
2 they're proposals and if we went individually down each one
3 of those proposals, I mean I was kind of taken aback in
4 some ways by some of the findings from the STAC in terms of
5 maybe the less than lackluster proposals made by some.
6 Even though they had very species specific and long term
7 experience. Hence the reason for the motion, it's to take
8 advantage of that outside expertise that can bring about a
9 multi-species, true damage assessment synthesis yet capture
10 the talents and the disciplines of very specific species.

11 CHAIRWOMAN PEARCE: Gail, did we have a
12 second?

13 MS. PHILLIPS: No, not yet.

14 MR. NORDSTRAND: I'll second.

15 CHAIRWOMAN PEARCE: We have a motion and
16 a.....

17 MR. MEADE: I had already seconded.

18 MR. NORDSTRAND: Oh, I'll third it.

19 CHAIRWOMAN PEARCE: We did? Okay, we have
20 a motion and lots of seconds.

21 MR. NORDSTRAND: We're in discussion with
22 the second.

23 CHAIRWOMAN PEARCE: Okay. On Jacobs and
24 we're in discussion. I apologize, I lost the thread. But
25 I have a question in terms of timing. I note that the

1 Executive Director, in her recommendation, had recommended
2 that we modify and ask for modifications and still meet the
3 schedule of the August 10th meeting. Obviously that did
4 not work and do we have a time certain to have all this
5 happen because I think it's important and I just don't want
6 it hanging out there. On the other hand, I know Gail is
7 going to be taking some time away. So I assume we're
8 telling the Executive Director we want her to do something
9 and we're telling her when we want her to do it.

10 MR. FREDRIKSSON: Madam Chair. And I did
11 not include in what could have been a very long motion. I
12 wanted to get on the floor the motion that would approve
13 the work plan with the very specific conditions of
14 approval. I think there is direction we need to provide to
15 the staff in terms of working on those contingencies.
16 Whether that would be part of an amended motion or whether
17 we would do an independent.

18 CHAIRWOMAN PEARCE: Well does this have to
19 come back to us?

20 MR. CAMPBELL: Madam.....

21 CHAIRWOMAN PEARCE: Okay.

22 MR. CAMPBELL: Madam Chair.

23 CHAIRWOMAN PEARCE: I'll be quiet. You
24 talk.

25 MR. CAMPBELL: No, no. I don't know that

1 this needs to be part of motion but maybe simply expressed
2 as intent of the Trustees. Gail, you please tell us if we
3 need to come back to this as part of the motion. But I
4 think -- I would urge that it would be our intent that you
5 inform the proposer of the necessary contingencies that
6 must be met in order to proceed with the project and then
7 you in conjunction with the steering group on injured
8 resources and services review subsequent submittals to
9 determine if it -- those contingencies have been
10 satisfactorily addressed. And if they need additional
11 negotiations to address budget issues or project
12 implementation strategies, we'd like you, with the
13 concurrence of the other members of the steering group, to
14 act on our behalf, though negotiations requiring the
15 commitment of additional funds, we'd hope you'd bring back
16 to us. Is that fair? Does that need be part of the
17 motion?

18 MS. PHILLIPS: I think that's fair keeping
19 in mind there is that extra hundred thousand dollars that's
20 not included in their request here that's already on the
21 table.

22 MR. CAMPBELL: Right.

23 MS. PHILLIPS: And they may come back for
24 more.

25 MR. CAMPBELL: And that in part addresses

1 the timing issue and whether it comes back to us, I
2 believe, if only in part.

3 MR. MEADE: Madam Chair.

4 CHAIRWOMAN PEARCE: Mr. Mead.

5 MR. MEADE: The only clarification I guess
6 I would ponder, McKie, is if it would add more strength to
7 the contingencies if it was actually put forward in motion
8 form so it was explicitly clear that the Trustees expect
9 those contingencies to be met in the willingness to support
10 the proposal. I think because.....

11 MR. CAMPBELL: I'm wide open to that.

12 MR. MEADE:of the time frames being
13 as they are, it's essential that we get results or we'll be
14 funding a very significant project that's not going to yield
15 any benefit.

16 MR. CAMPBELL: Yeah.

17 CHAIRWOMAN PEARCE: I agree.

18 MR. MEADE: Or at least not be intended to
19 benefit.

20 MR. CAMPBELL: Yeah.

21 CHAIRWOMAN PEARCE: And I think calling for
22 any specific group to have to meet to do anything, just you
23 end up with a time constraint of trying to get all the
24 bodies in one place at one time. So that's what I'm
25 struggling with, trying to figure out how prescriptive it

1 should be but still have the direction and make sure we
2 have a product in a time certain.

3 MR. CAMPBELL: I'm making an effort to
4 delegate.....

5 CHAIRWOMAN PEARCE: I understand.

6 MR. CAMPBELL:as much as I can to the
7 Executive Director to address that, but I'm wide open on
8 any modifications.

9 MR. FREDRIKSSON: If it would be
10 beneficial.....

11 CHAIRWOMAN PEARCE: Mr. Fredriksson.

12 MR. FREDRIKSSON:to modify the motion
13 so as to provide that direction to staff, I would be happy
14 to provide that.

15 CHAIRWOMAN PEARCE: I'm thinking out loud
16 now. So I'm just trying to get to the comfort level that --
17 and if -- frankly if Gail is comfortable with it, I am.
18 Other discussion?

19 (No audible responses)

20 CHAIRWOMAN PEARCE: We have a motion and we
21 have a couple of.....

22 MR. HAGEN: If I could.....

23 CHAIRWOMAN PEARCE: Yes.

24 MR. HAGEN:something I guess.

25 CHAIRWOMAN PEARCE: Sure.

1 MR. HAGEN: Since you had mentioned comfort
2 level, there's -- this has been a difficult process to come
3 up with any type of comfort. I just want to -- I think
4 initially when the RFP went out, we knew it was sort of a --
5 we didn't know what would come back. We came back with
6 two basically horses to ride out on. And essentially
7 there's two groups that probably have the capability of
8 integrating a lot and bringing a synthesis together. And
9 we heard all the comments and -- but the process didn't
10 allow or wasn't -- didn't go forward to allow a
11 modification to be, you know, at -- an earlier
12 recommendation to modify was not incorporated -- you know,
13 the Trustees, I guess, made that decision or something.

14 CHAIRWOMAN PEARCE: We did.

15 MR. HAGEN: So we're at this point now and
16 we need to get the horse out of the barn and riding. I
17 think of the two proposals, similar to Kurt, looked at them
18 real carefully and consulted with people I know that were
19 familiar with the projects, familiar with the players as
20 well and felt -- and particularly with the availability of
21 Bob Spies who does bring a wealth of information as part of
22 the Jacobs package -- was a good starting point. So I
23 guess that's why I would I agree I guess to the motion.

24 CHAIRWOMAN PEARCE: Commissioner
25 Fredriksson.

1 MR. FREDRIKSSON: Madam Chair, this was a
2 hard decision I think for all of us in turn because of our
3 desire to get that quality product. And I would say, in
4 looking at our package -- and I would just draw the
5 Council's attention to page 12 of 55 in our packet, dealing
6 with this subject. That just made an impression on me as
7 we move forward on this synthesis. And it's there under
8 the STAC recommendation/justification, the third full
9 paragraph, right in the middle. It says development of the
10 synthesis is laid out in a reasonable order. It is good
11 that they begin with an early identification of the
12 necessary scientists.

13 The idea of a series of workshops -- a
14 series of work shops in Alaska is very good. But what I
15 saw -- when compared that, a series of workshops in Alaska,
16 to what I saw on the Rusanowski proposal was a workshop
17 three days before the product is due. That is what tilted
18 me towards the Jacobs. And so it's -- I just wanted to
19 further explain why I am leaning in that direction.

20 MR. MEADE: The.....

21 CHAIRWOMAN PEARCE: Is there still
22 comments? Mr. Mead.

23 MR. MEADE: I was just going to add, the
24 piece to me that seems of vital importance, I think what
25 Kurt has just underlined is of very high value. But for me

1 it's the request that we're making that goes back and asks
2 for them to incorporate actively the knowledge and the
3 science of individuals in Alaska that have been long
4 working with the spill area. So to me that, our request
5 back, is essential to my support behind the motion. Again,
6 I think to tiering time frames and results, outcomes
7 expected is very important to the motion because we need
8 those outcomes so that if we have important information
9 that we've put this interim plan that we discussed earlier
10 into process for.

11 CHAIRWOMAN PEARCE: Additional comments?
12 Questions? Yes, ma'am.

13 MS. PHILLIPS: Madam Chairman, I don't mean
14 to belabor the point but before you take a final vote, I
15 would appreciate an amendment to amend the dollar amount
16 associated with this project to 601 rather than 501.

17 MR. MEADE: Discussion.

18 CHAIRWOMAN PEARCE: It moves your motion.

19 MR. CAMPBELL: It was Kurt, Commissioner.

20 MR. FREDRIKSSON: It was my motion. Dare
21 you ask.

22 CHAIRWOMAN PEARCE: It was your motion.

23 And can.....

24 MR. FREDRIKSSON: That's right, we did an
25 amendment.

1 MR. MEADE: Discussion on that.

2 CHAIRWOMAN PEARCE: Mr. Mead. Do you.....

3 MR. MEADE: If I understand the proposal,

4 it was basically the 500,000 to carry out and conduct what

5 the -- what Jacobs had proposed. And the hundred thousand

6 contingency was associated to EVOS related support to that

7 work?

8 MS. PHILLIPS: Yes.

9 MR. MEADE: Okay. So by modifying this

10 proposals, are you modifying that 600,000 is made available

11 to the PI or are you requesting that 600,000 be

12 identified.....

13 MS. PHILLIPS: Be allocated.

14 MR. MEADE:available, including the

15 subdivision that's already been discussed?

16 MS. PHILLIPS: Be allocated for it.

17 MR. MEADE: But not in totality, to the PI.

18 MS. PHILLIPS: Not in totality to them.

19 And we don't know what they're going to come back with when

20 we ask them for a modification. So there might be a

21 different dollar figure then.

22 CHAIRWOMAN PEARCE: Ms. Norcross.

23 DR. NORCROSS: May I.....

24 CHAIRWOMAN PEARCE: Dr. Norcross, I'm

25 sorry.

1 DR. NORCROSS:point out that this --
2 oh, excuse me, Brenda Norcross or.....

3 CHAIRWOMAN PEARCE: No, no. I was
4 just.....

5 DR. NORCROSS: May I point out that the
6 STAC and PAC were quite concerned at the way this
7 particular proposal has a two line item just before the
8 budget that just slips in this business that puts all the
9 work of organizing the workshops on the staff and we do not
10 think that's responsible. And it's particularly written in
11 here. That's the hundred thousand that Gail is addresses.
12 And our recommendation would be it's Integral's job to do
13 it.

14 DR. DWORSKY: That's what it says. Can you
15 read it to them?

16 DR. NORCROSS: Fine with me.

17 MR. MEADE: I guess, Brenda, would it be
18 most efficient for the PI to do it or would it be most
19 efficient for the collaboration and engagement of the
20 science -- scientists that the Council would like to see
21 involved -- would it be most efficient and most cost
22 effective for the Council to do it. In the line of work
23 that I do, often a contractor needs to build in extra costs
24 for unplanned, unforeseen contingencies and issues. Would
25 be more efficiently and more expediently, working with the

1 STAC, be able to help create that forum in a more cost
2 effective manner?

3 DR. NORCROSS: To address that, I would say
4 that one of the big concerns both the STAC and the PAC had
5 was the budget on all of these, that we believed every one
6 of them -- except probably Short's who was 28,000 -- could
7 be less. This one was so heavy on people for Integral and
8 to, Mr. Mead, to do it the way you suggested is possible if
9 you recognize that it's more work for the staff to take on,
10 which would cause a dollar amount there. But the staff
11 could and should probably work with Integral and say, here
12 are the key people that you need. No one was recommending
13 that you get 23 different people for 23 species and
14 experts. So perhaps it could be done more effectively
15 through here, which is sort of a compromise of Richard's
16 option four and option three or two or.....

17 MR. CAMPBELL: Madam Chair.

18 CHAIRWOMAN PEARCE: Okay. Go ahead.

19 MR. CAMPBELL: Madam Chair. I would
20 recommend that one of the contingency modifications that
21 we've discussed, being to ask Integral to include the
22 public meeting process in their proposal for the \$500,000,
23 that staff would certainly assist in suggesting locations,
24 advise on timing, advise -- but that Integral themselves be
25 tasked with actually putting the workshops on. And I think

1 in that 500,000, they could be expected to do that.

2 MR. FREDRIKSSON: Madam Chair, if I might
3 just follow up on that for a second.

4 CHAIRWOMAN PEARCE: Yes.

5 MR. FREDRIKSSON: I also agree. I think we
6 should go back to Integral and ask them just to work within
7 the budget outline here. But there is one significant
8 workshop that the Council is engaged in and we appropriate
9 money to EVOS staff through their administrative budget,
10 and that's called the annual symposium. And I see no
11 reason why we couldn't use that as at least one venue for
12 one of these workshops and take advantage of the
13 significant investment. And I think as we heard earlier
14 today from some of the PAC members, the synthesis, we need
15 to use the synthesis to talk about the update of the
16 injured species.

17 So I think that's the contribution we make
18 to Integral, is what a wonderful forum for Integral to take
19 advantage of and then above and beyond that, they're on their
20 own.

21 CHAIRWOMAN PEARCE: So what is the amount
22 of the motion?

23 MR. FREDRIKSSON: My amendment was to
24 approve the Jacobs proposal as presented in our document,
25 which is \$501,400.44.

1 MS. PHILLIPS: For the record though, could
2 we have McKie's intent included as a friendly amendment to
3 that?

4 MR. CAMPBELL: I'd offer that as a friendly
5 amendment, that one of the modifications be that Integral
6 basically do the workshops.

7 MS. PHILLIPS: But we'll give them an
8 option for those.....

9 CHAIRWOMAN PEARCE: I think actually that
10 can be directed to staff doesn't sound too bad.

11 MR. MEADE: That Integral will do what now?

12 MR. FREDRIKSSON: That Integral is
13 responsible for putting on the workshops.

14 MR. MEADE: Yeah.

15 CHAIRWOMAN PEARCE: We have a motion. We
16 have a second. Any further discussion?

17 MR. MEADE: Further discussion. Time
18 frames. Did we actually articulate when we expect outcomes
19 from the 501,000.44 worth of work?

20 MS. PHILLIPS: I will contact them right
21 away.

22 CHAIRWOMAN PEARCE: Mr. Fredriksson.

23 MR. FREDRIKSSON: Madam Chair, I would be
24 hesitant to -- especially for our staff -- I don't want to
25 impose a rigid time frame. I know Gail is going to -- as

1 she just said, engage them as quickly as possible.....

2 MS. PHILLIPS: Uh-huh. (Affirmative)

3 MR. FREDRIKSSON:and we should just

4 move along expeditiously at our end. And I would assume

5 Integral, if they're interested, will do likewise. And if

6 not, that would be cause for reconsideration. But

7 otherwise, I think we just move ahead.

8 CHAIRWOMAN PEARCE: So we have a motion on

9 the table to approve the Jacobs Project 606783 as modified

10 in the motion by Commissioner Fredriksson and as seconded.

11 Any further discussion?

12 (No audible responses)

13 CHAIRWOMAN PEARCE: All those in favor say

14 aye.

15 IN UNISON: Aye.

16 CHAIRWOMAN PEARCE: Anyone opposed?

17 (No audible responses)

18 CHAIRWOMAN PEARCE: The motion carries and

19 that project is funded as modified. Are there any further

20 motions?

21 (No audible responses)

22 CHAIRWOMAN PEARCE: Do we want to take

23 affirmative action. We had started in that direction.

24 MR. NORDSTRAND: To make a motion to fund

25 the remaining projects? Can you do them all at once?

1 MR. CAMPBELL: Can we do them separately?
2
3 MR. FREDRIKSSON: Yeah, I might want to
4 speak to some.
5 MR. MEADE: Do we not need to do something
6 with the other second major synthesis proposal?
7 CHAIRWOMAN PEARCE: Yes. And I think we
8 need to act on each.....
9 MR. MEADE: Yeah.
10 CHAIRWOMAN PEARCE:one way or
11 another. I think it's best to have at least some
12 discussion on each one, other than just a blanket motion.
13 MR. NORDSTRAND: Do you want to do it one
14 at a time?
15 CHAIRWOMAN PEARCE: Sure. Or -- well, we
16 did two first. Those that fit in -- go ahead.
17 MR. CAMPBELL: I will make a motion and I
18 don't know how I'm going to vote on this one. But for
19 purposes of getting it on the floor, I will move Adams
20 commercial fisheries synthesis and modeling. And if
21 there's a second, I'd like to.....
22 MR. NORDSTRAND: Second.
23 CHAIRWOMAN PEARCE: We have a motion and a
24 second to approve Adams 060784. Yes, discussion please.
25 MR. CAMPBELL: If I could. My questions

1 are, I know there were mixed funding recommendations that
2 generally range from do not fund to modify, about evenly
3 among the different groups. And my question is, I am aware
4 of a number of the shortcomings -- is there a possibility
5 of through modification or some type of inner process
6 through this with the proposers that this could be made
7 into a good proposal and be worthy? And I'm asking.

8 DR. NORCROSS: All right. I'll speak to
9 that. I believe the answer is yes. The STAC
10 recommendation is based purely on the science aspects and
11 what was written. After my presentation in Cordova, I
12 spoke to the PI's and told them they skipped a few things
13 in their proposal, like telling us what they had done in
14 the past and what they intended to do in the future. And
15 we could only go on what was written, hence they had a
16 request for modification. As you know, the PAC very
17 strongly supports it. And so my judgment from speaking
18 with the PAC and the STAC would be, with modifications, it
19 could be fine.

20 CHAIRWOMAN PEARCE: And those modifications
21 would embody what they've done in the past and what they're
22 going to do in the future?

23 DR. NORCROSS: The modifications would be
24 that specifically they didn't tell us they had produced
25 anything in the past.....

1 CHAIRWOMAN PEARCE: Okay.

2 DR. NORCROSS:and therefore it's very
3 difficult to judge what one could do in the future when
4 funding has been given in the past, that we didn't feel
5 like they defined their budget very well because it
6 appeared to the STAC that they were only physically moving
7 a model from Maryland to Cordova but they never said they
8 were going to run the model or that something was going to
9 come out of it. It doesn't say how they're going to
10 implement it. We thought it was that it's expensive if
11 it's only an interim because there's no product that says
12 will be produced in one year. And the STAC believes that
13 it's definitely a multi-year effort and it would be
14 something the Trustee Council should buy into and recognize
15 it's a multi-year effort.

16 CHAIRWOMAN PEARCE: Additional comments
17 from the maker of the motion?

18 MR. CAMPBELL: I'm going to ask if the
19 maker -- or if my second would agree to withdraw my motion
20 and substitute a motion that we request staff, with the
21 inclusion of the STAC, to go back and talk to the makers
22 this proposal and see if they can make it into a -- if they
23 do feel it can turn into a proposal, you know, that would
24 be appropriate to bring to us. If not, please come back to
25 us with additional do not fund recommendation. But I think

1 it is worth of some further investigation.

2 MR. NORDSTRAND: I concur.

3 CHAIRWOMAN PEARCE: So the motion -- is
4 there anyone opposed to withdrawing the motion?

5 MR. MEADE: Well, I was trying to have
6 discussion on one of the two.

7 (Laughter)

8 CHAIRWOMAN PEARCE: Go ahead, Joe.

9 MR. MEADE: Well, am I having discussion on
10 the former motion or the amended motion that's now pending?

11 MR. CAMPBELL: Take your pick. Take your
12 pick.

13 CHAIRWOMAN PEARCE: The amended motion
14 that's pending.

15 MR. MEADE: I guess I need clarification.
16 I heard from the Public Advisory Committee this morning, I
17 think, that this proposal seems to have been singled out in
18 the final analysis and not been afforded opportunity for
19 such review and modification. Is that accurate, Brenda?

20 DR. NORCROSS: No, it was totally reviewed
21 like everything else but this.....

22 MR. MEADE: But given opportunity for
23 modification.....

24 DR. NORCROSS: Correct. None of them were
25 given opportunity for modification and this is one that I'm

1 certain you got a request for to ask if it could be
2 modified prior to this meeting that the staff and everyone
3 else thought it would expedite the process. And the answer
4 that was returned and that the proposers got was no
5 modifications prior to this meeting.

6 MR. MEADE: And then didn't we just approve
7 one at this meeting or several where we're going back and
8 asking for modification?

9 DR. NORCROSS: We did just do that with the
10 Jacobs one, yes.

11 MR. MEADE: So are we being consistent, I
12 guess is what I'm asking ourselves?

13 MR. NORDSTRAND: We funded one with a
14 contingency that there be changes made subject -- this
15 would be basically asking to change the proposal and bring
16 it back. I think there is a distinction.

17 MS. PHILLIPS: Madam Chairman. They had
18 requested the ability to make the change prior to this
19 meeting, so that their modified project would be before you
20 at this time. And the Trustee Council said they would not
21 want to have any modifications ahead of time.

22 CHAIRWOMAN PEARCE: What's our expectation
23 of our next meeting date?

24 MS. PHILLIPS: December 2nd. And I would
25 request that the motion be amended to allow for staff to

1 work out the modified project and contact you through a
2 teleconferenced meeting in order to address this, so we
3 don't have to wait till December.

4 CHAIRWOMAN PEARCE: The motion on the table
5 was actually to withdraw the motion, and.....

6 MR. MEADE: And I still had more point of
7 discussion prior to that amendment and prior to the
8 amendment.

9 CHAIRWOMAN PEARCE: And Mr. Mead.

10 MR. MEADE: The next query that I had was
11 do I also recollect that this proposal is based out of a
12 multi-year -- was out of a project that was funded in past
13 and with anticipation that it would continue into the
14 future?

15 MS. PHILLIPS: There was the anticipation
16 by the PI's that it would. It was funded as a one year
17 project with the anticipation that it would go on. And the
18 anticipation was on the part of the PI's who thought it was
19 going to be funded additionally.

20 MR. MEADE: Do we have other examples,
21 Gail, of projects that past Trustees had approved that had
22 expectations of multi-year funding.....

23 MS. PHILLIPS: No.

24 MR. MEADE:that did not get carried
25 through?

1 MS. PHILLIPS: This is the only one I know
2 about.

3 MR. MEADE: I guess I would come back and
4 urge -- well, I'll wait till we deal with all of our
5 amended motions before I offer an amended motion.

6 MR. CAMPBELL: Madam Chair. Can I
7 just.....

8 CHAIRWOMAN PEARCE: Okay. Yes.

9 MR. CAMPBELL: My previous -- the motion on
10 the table was two part. Let me, for sake of clarity, just
11 with -- as in mine, simply withdraw my motion and leave the
12 table clear if there's a better motion for someone to make.

13 CHAIRWOMAN PEARCE: Okay. So the motion is
14 to withdraw.

15 MR. NORDSTRAND: Agreed.

16 CHAIRWOMAN PEARCE: Is anyone opposed to
17 that?

18 (No audible responses)

19 CHAIRWOMAN PEARCE: Okay. The floor is
20 open for a motion. If anyone else -- Mr. Mead.

21 MR. MEADE: I'd like to propose a motion.

22 CHAIRWOMAN PEARCE: Please

23 MR. MEADE: I propose that we ask the Exxon
24 Valdez -- the staff to go back to the PI and seek
25 modification to the proposal that does tier to a multi-year

1 expectation that the PI's had and frame it to meet the
2 direct outcomes we're looking for in much more focused
3 content toward our interim plan.

4 CHAIRWOMAN PEARCE: In effect you're just --
5 well, do we have a second?

6 MR. HAGEN: Second.

7 CHAIRWOMAN PEARCE: Okay. Just to clarify,
8 to better understand, are you then suggesting that she
9 brings it back to us in a -- perhaps a teleconferenced
10 meeting.....

11 MR. MEADE: I think it should be
12 expedited.....

13 CHAIRWOMAN PEARCE:prior to December
14 2nd?

15 MR. MEADE:yeah, prior. Yes.

16 CHAIRWOMAN PEARCE: So it should be
17 expedited. Understood.

18 MR. MEADE: Yeah, I would be so bold in the
19 motion to say that if this past expectation that they had
20 of us, because of a multi-year expectation they designed
21 their original project around, if they can tier it directly
22 to the synthesis work that we need done, I would recommend
23 that we be funding it. So I guess in a sense, I'm
24 recommending that if the proposal can be modified to meet
25 our objectives and needs and be respectful of our past

1 commitments, I think as the Public Advisory Committee has
2 asked of us, that we would expect to fund this project.

3 CHAIRWOMAN PEARCE: Did you have a comment
4 beyond your second question? Comment, please.

5 MR. HAGEN: Comment. I guess I'm not so
6 sure if their proposal is a synthesis proposal.

7 MR. MEADE: So it doesn't meet our
8 interim.....

9 MR. HAGEN: Yeah, but.....

10 MR. MEADE:science needs. And so
11 it's more following through with.....

12 MR. HAGEN: But it is a multi-year need.

13 MR. MEADE:commitment we gave.

14 MR. HAGEN: And I'd also like to add, I
15 believe their current contract through NOAA ends in January
16 of this year. So possibility of a December meeting may
17 help in terms of a bridge funding. But anyway, I just -- I
18 think it needs to be a staged process and with the STAC
19 involvement to review the products as they come -- review
20 the plans as they come forward. So I could see some
21 interim funding maybe from this fiscal year to help keep
22 them going in an office. And also develop in a second
23 year plan, maybe an FY07 plan that addresses the needs.
24 Anyway, it's a budget issue I think as well.

25 MR. MEADE: Well, the hesitancy I have --

1 if I may, Madam.....

2 MR. HAGEN: Yeah.

3 CHAIRWOMAN PEARCE: Mr. Mead.

4 MR. MEADE: The hesitancy I have there is
5 we're not about funding organizations, we're about funding
6 work. The concern I have is the inconsistency in
7 expectations they had when they first put forward a
8 proposal, what, two years back.

9 MR. HAGEN: Yeah. Right.

10 CHAIRWOMAN PEARCE: Mr. Fredriksson --
11 Commissioner.

12 MR. FREDRIKSSON: Thank you, Madam Chair.
13 Two comments. One kind of maybe to follow up, Joe, a
14 little bit on the PI's expectations. It was real clear
15 what the Council did, was to provide funding for a one year
16 only. One year only, which in our decision document had
17 provisions for out years. In fact, we approved in the '05
18 -- I think it was '05 pro -- oh, this may have been an '04
19 project -- but at least the document that was in front of
20 the Council at the time, it had Adams and Mullins project
21 with '04, '05, '06. Or at least for a three year time
22 frame, and the proposal at that time was for only one year.
23 So the fact that afterwards -- and I've talked to Ken
24 Adams, he knows where I stand -- the fact that he thought
25 that he was going to get multi-year funding, that just is

1 not necessarily persuasive to me. The facts are what the
2 facts are.

3 Having said that, I think what you see in
4 the Adams proposal is very much what Pete mentioned. To me
5 it is not responsive to the synthesis. It is for
6 forecasting for pink salmon, pink salmon which by our
7 measure is a recovered species and by Mr. Mullins'
8 testimony today, is coming back in record number. Having
9 said that, I think it has a -- it may be a very valuable
10 management tool. Extremely valuable in forecasting and
11 something that, when we get to that threshold of what next,
12 after we've brought closure to our synthesis of the damaged
13 resources and we look around and we say to the people of
14 Alaska and particularly the people of the injured area,
15 what next, I would think the Adams proposal may have
16 tremendous merit and tremendous support of moving forward
17 at that time.

18 I will not be opposed to a motion that
19 seeks to at least continue dialogue with Adams but I don't
20 think we're ventur -- we've been trying to focus so much on
21 getting the injured list taken care of, while still kind of
22 attempting to build a bridge to the what next question. I
23 think the Adams project really fits into that what next
24 category.

25 MR. MEADE: If I may.

1 CHAIRWOMAN PEARCE: Commissioner Campbell
2 and then back to Mr. Mead, please.

3 MR. CAMPBELL: Just very quickly. And
4 first I should say I think I've been plain, I'm not arguing
5 in favor of funding this proposal at this stage. What I am
6 arguing in favor is, can we make it into a good proposal.
7 And my interest in this is, while I think pink salmon in
8 general are a recovered resource in Prince William Sound or
9 the whole spill area, I'd say fishermen are not. And
10 frankly it's fishermen as opposed to pink salmon that
11 benefit from a good forecast model. And so that's my
12 particular interest.

13 I would also offer, if staff and the STAC
14 are interested in it, I'll make available our -- anyone
15 from our research staff who is involved in forecasting, if
16 they can be useful to you in working with them on the
17 model.

18 CHAIRWOMAN PEARCE: Mr. Mead.

19 MR. MEADE: I think I guess to clarify my
20 motion, I think what Kurt -- I think actually all the
21 comments that have been stated are to the point of the
22 motion. I guess I would seek latitude for us to move
23 forward in a financial commitment with a modified proposal
24 that would achieve the aims of the ability to do that
25 forecasting within the sco -- what I don't have in front

1 of me is the scope of our current budgetary constraints
2 within our commitment so far this year. So I guess I'd
3 need further dialogue with Gail before I would know one,
4 the accurate cost of the -- well, I guess perhaps we just
5 need to seek a modified proposal and find out what that
6 cost is, so I don't know where I'm at.

7 I think we owe it to the project to keep it
8 moving forward, is I guess my bottom line. How we afford
9 that within our fiscally constrained refocus with the
10 interim guidance is the part I would need assistance on
11 from the Council.

12 CHAIRWOMAN PEARCE: What was or what is
13 the.....

14 MS. PHILLIPS: Amount that you.....

15 CHAIRWOMAN PEARCE:budget total that
16 you were working within bringing this forward?

17 MS. PHILLIPS: 600.....

18 CHAIRWOMAN PEARCE: You were certainly
19 mindful of that, I know.

20 MS. PHILLIPS: Was it 600 or 650?

21 MS. BANKS: It's -- what was the question
22 again?

23 MS. PHILLIPS: What was the total amount
24 that we were looking at for a project this year? Was it
25 600 or 650?

1 MS. BANKS: The total amount that you were
2 going to fund was 4.6 million dollars.

3 MS. PHILLIPS: No, just for the new
4 proposals. For the work for the new.....

5 MS. BANKS: Well, currently right now we've
6 got 2.2 million obligated from proposals that we funded in
7 '04 and in '05.

8 CHAIRWOMAN PEARCE: So for.....

9 MS. PHILLIPS: But it was either 600 or 650
10 that was associated with this invitation going out.

11 DR. NORCROSS: The invitation says 600.

12 MS. PHILLIPS: The invitation says 600.

13 CHAIRWOMAN PEARCE: 600, got it.

14 MR. MEADE: That's our discussion then.

15 MS. PHILLIPS: Right, uh-huh.

16 MR. MEADE: And how much have we committed
17 to so far?

18 MS. PHILLIPS: You -- 501.

19 MR. MEADE: And the Adams proposal at this
20 point?

21 MS. PHILLIPS: 108.

22 MR. MEADE: 108. And so I guess.....

23 MS. PHILLIPS: And the ARLIS budget would
24 be out of this for the work project.

25 CHAIRWOMAN PEARCE: Mr. Nords -- were you

1 finished, Mr. Mead?

2 MR. MEADE: Well, I was going to ask for
3 clarification perhaps from ourselves. I'm just not so
4 comfortable doing quite all this in such an open forum now.

5 (Laughter)

6 MR. MEADE: Adams today has asked of us to
7 give him opportunity to reconsider their proposal. Can we
8 -- is it within our latitude to provide some basic level
9 funding and ask of them over the period of time that we're
10 putting our interim guidance into place, to be able to
11 carry forward the conceptual development phase of the long
12 term benefit of their forecasting tool so we can reconsider
13 a more hardy proposal in time.

14 CHAIRWOMAN PEARCE: Mr. Nordstrand.

15 MR. MEADE: I guess I'm trying to get
16 around the concept earlier of funding an organization,
17 because I really don't believe we should be doing that.
18 But I do believe it's in our best interest to fund
19 continued work towards this outcome.

20 CHAIRWOMAN PEARCE: Mr. Nordstrand.

21 MR. NORDSTRAND: Is it my understanding
22 that there was no commitment by the Trustee Council to
23 funding out years at the time that the original commitment
24 was made?

25 MS. PHILLIPS: That is correct.

1 MR. NORDSTRAND: And that was clear to the
2 proposers?

3 MS. PHILLIPS: No, it wasn't. He was under
4 the impression that because the project was listed for
5 several years and the science director at that time had
6 told him that he wanted it to go several years.

7 MR. NORDSTRAND: But it's clear.....

8 MS. PHILLIPS: But the action taken by the
9 Trustee Council was only specifically one year funding.

10 MR. NORDSTRAND: And let me ask, is it
11 outside the norm of our process, elaborate process that we
12 have here, to go back to proposers without a commitment to
13 award or with subject to contingencies, I'm understanding
14 that, but have we done this before where we've gone back to
15 proposers and said, we kind of -- that's not exactly it.
16 You know, modify your proposal and send us something else
17

18 MS. PHILLIPS: I'd like Brenda to respond.

19 DR. NORCROSS: Yes, we've done that in the
20 past and specifically last year we did it to Konar and
21 Iken. They submitted a revised proposal and it wasn't
22 funded.

23 MR. NORDSTRAND: So we didn't actually
24 agree to fund, we simply asked -- did the Trustee Council
25 do this?

1 DR. NORCROSS: I would have to think about
2 that. I don't know if the Trustee Council did it or the
3 science director.....

4 MS. PHILLIPS: Science director.

5 DR. NORCROSS:did it. I could go
6 back through my notes and check.

7 MR. NORDSTRAND: And how would we -- I'm
8 just thinking out loud here -- how would we decided which
9 of the proposals that are submitted would be eligible for
10 do-overs, so to speak.

11 MS. PHILLIPS: Well, they would req.....

12 MR. NORDSTRAND: That's what concerns me
13 here.

14 MS. PHILLIPS: They would make a request to
15 the staff, we would send it to the -- and normally the
16 science director would be the one to analyze the request
17 and make the recommendation. I would go to the staff and
18 ask for their recommendation on that before I brought it to
19 the Trustee Council and said these folks have requested a
20 modification and additional funds, or et cetera, et cetera.

21 MR. NORDSTRAND: So isn't the STAC
22 recommending that rather than fund with a contingency the
23 model that we've used, that we, the Trustee Council, go
24 back to them and ask for a modified proposal that's more
25 consistent with the RFP or our desires?

1 DR. NORCROSS: That is not what the STAC
2 said because the STAC judged it purely on the science as it
3 appeared on paper. The STAC isn't opposed to that because
4 there are some reasons one would fund this that doesn't
5 look like pure science. For instance, Commissioner
6 Campbell stating that fishermen are an injured resource.
7 And they also would tell you from my point of view that
8 while this doesn't address the specific objectives you've
9 just put in the Interim Guidance Document, it is synthesis
10 in that it's building on the 20 million dollars that you
11 spent on SEA.

12 CHAIRWOMAN PEARCE: We had Mr. -- did you
13 have additional questions?

14 MR. NORDSTRAND: Well, I'm just concerned
15 about the precedent we're setting and whether or not we're
16 going to have these same requests coming from the rest of
17 the folks on the list. I mean if the only real difference
18 here is that there was an expectation of out year funding
19 that was not accurate but perhaps there, I'm not sure
20 that's enough of a distinction for me.

21 CHAIRWOMAN PEARCE: Commissioner
22 Fredriksson was first and then comes Mr. Campbell.

23 MR. FREDRIKSSON: Well, two things. First
24 of all, as Ken mentioned and McKie said it well -- but Ken
25 pointed out, I have in my notes, what he touched upon was

1 the lost economic opportunity that this forecasting could
2 provide in terms of restoring those services, those human
3 services, which is one of the toughest nuts to crack I
4 think in this game. And I was intrigued by that
5 forecasting link.

6 Having said that, I'd worry about the
7 slippery slope where we -- if some people come to the
8 science director or come to Gail or come to Brenda and say
9 hey, you know, if you didn't like that, I could surely
10 modify it to make it any way which way you might be happy.
11 Aren't we being selective then if maybe there are
12 individuals who walk away and say, well I didn't get
13 approved by the Trustee Council, I guess I'd better pack my
14 bags and I'm done for the day. But I worry about how we
15 announce this process by which if you don't get approval by
16 the Trustee Council, the game isn't over, you can come back
17 and make a modification and resubmit, if you will.

18 CHAIRWOMAN PEARCE: Go ahead, Mr. Campbell.

19 MR. CAMPBELL: Just very briefly.

20 CHAIRWOMAN PEARCE: Go ahead.

21 MR. CAMPBELL: And I was really trying hard
22 to talk less because I know we have a ways to go and a
23 relatively short time to get there. But I think it's our
24 job to be selective. And for me, the reason I'm
25 particularly interested in this, I don't know if

1 technically they can get there and stuff. I mean, that's
2 why I have to depend on these first recommendations. But
3 in terms of what they're trying to do, I think that's very
4 much -- that's very worthwhile.

5 So, I mean, frankly the way I'd love to see
6 the whole proposal process evolve is folks send us a, you
7 know, a one or two page email and says here's what we're
8 thinking of and we say, sorry we're not interested or yeah,
9 we might be very interested. Why don't you put in the time
10 necessary to develop that into a good proposal? Don't
11 worry, that's not a motion. But I do think that sort of
12 iterative process is very important. And I'm not concerned
13 about this proposal because there may have been some
14 expectation of funding, you know, that's not it for me. It
15 is if they could really do it, is it really worthwhile. If
16 they really could, I think it would be. And then I -- but
17 I need these folks to come back and say, yeah, we think
18 they have a proposal or don't have a proposal, they could
19 get there.

20 CHAIRWOMAN PEARCE: Well, I certainly
21 understand Commissioner Fredriksson's concerns about a
22 slippery slope. And I understand yours, Mr. Nordstrand.
23 On the other hand, we put out a call, we got back
24 proposals, most if not all were not totally responsive to
25 what we put out. There has to be some mechanism that we

1 have before or after we make a funding decision for some of
2 them to be able to talk to these people to see if we can
3 make the changes.

4 So, you know, setting aside as you did
5 expectations in the past, I think the process of having the
6 ability to go back is necessary. Now where we should put
7 that in the process in the future is totally up to us along
8 with the Executive Director and the STAC and the TC to
9 figure out. But we're sitting here today, I think that
10 this discussion is certainly in order and if we choose to
11 ask the Executive Director to go back, I don't see anything
12 wrong with that nor do I see it being a precedent that is
13 going to ruin our ability to deal with responsive -- either
14 responsive proposals coming in in the future not proposals
15 that need a little tweaking. Within the -- I think you
16 called the very kind of difficult work way that this
17 Council works, it's -- we have to give ourselves what
18 little flexibility we can. So.....

19 MR. NORDSTRAND: And I'd also.....

20 CHAIRWOMAN PEARCE: Go ahead, Mr.
21 Nordstrand.

22 MR. NORDSTRAND: And I would like to just
23 throw out, you know, what kind of legal obligations do we
24 have in this process. I mean we're spending state money,
25 we have a procurement process and I'm not a procurement

1 expert. I have some who work for me but, you know, how can
2 we change the process in the middle? And I think we should
3 try to find a way to make it work. I just want to make
4 sure that we're doing it in a way that's consistent with
5 the expectations of the RFP, what did the RFP say, what did
6 it say that the process was going to be.

7 Because I could see, you know, I mean
8 frankly others could complain and say why don't I get a
9 chance to do-over? I've got -- you know, there's eight
10 more of them here or whatever and those folks could easily
11 ask us the same thing. And one alternative might be, and
12 we've talked I think to some degree about -- at least I've
13 thought it's not necessary that the work of the Council all
14 be done, every bit of it, be done in this annual cycle.
15 That we could perhaps, if we wanted to do a supplemental
16 request for proposals that would be targeted to what -- you
17 know, if this is a good idea, we could do a request for
18 proposals about this good idea, then get a modification.
19 But not to muddy up this RFP with -- or process with
20 something that may not be responsive and that may in fact
21 invite, you know, protest from the others. That would be
22 my suggestion.

23 CHAIRWOMAN PEARCE: Mr. Mead.

24 MR. MEADE: I guess for further discussion,
25 since we heard strong advocacy from the Public Advisory

1 Committee and we hear that the STAC is not opposed, I feel
2 it would be appropriate to put forward a -- and I'll also
3 suggest because of the expectation from the science
4 director's past discussions, that this would be a multi-
5 year proposal. That helps me have traction on that
6 slippery slope that Kurt spoke about. We have a PI who
7 submitted a project proposal with earnest expectation from
8 the science director at that time that this would be a
9 project that looks to continue.

10 For all those reasons -- and I would
11 suggest these are state/federal funds to be expended
12 through EVOS, not through just the state system -- if to
13 the extent it is ethical and appropriate, I would advocate
14 that we ask Adams-Mullins for a modified -- a modification
15 to their proposal and fund this at a maintenance level to
16 be resumed as we -- it was already approved once as a
17 multi-year project, let's approve it in its second year at
18 a maintenance level until we're completed with the interim
19 guidance and then look to resume.

20 CHAIRWOMAN PEARCE: This is the third year.

21 MR. MEADE: This is the third, okay.

22 CHAIRWOMAN PEARCE: Okay, Mr.....

23 MR. MEADE: Thanks for the clarification.

24 CHAIRWOMAN PEARCE: Mr. Fredriksson.

25 Commissioner Fredriksson.

1 MR. FREDRIKSSON: I had nothing. Yeah,
2 we're through.

3 MR. CAMPBELL: If I ask.....

4 CHAIRWOMAN PEARCE: Go ahead.

5 MR. CAMPBELL: Do we have a specific motion
6 on the table right now?

7 MS. PHILLIPS: Yes.

8 CHAIRWOMAN PEARCE: Yes.

9 MR. CAMPBELL: Can somebody tell me exactly
10 what the motion is? Is it Mr. Mead's motion?

11 MS. PHILLIPS: Yes, Joe's and Pete's motion
12 that the staff get together with the STAC and be requested
13 to meet with Adams for a proposal to come back for -- to
14 come back to the Trustee Council with a modified proposal.
15 And I hear Joe's words right now, they need to come back
16 with a maintenance budget. If you want that, you need to
17 amend the motion.

18 MR. CAMPBELL: Could we add to that motion
19 as a friendly amendment that in the process of going out
20 and talking and doing stuff that we also have staff consult
21 with admin and procurement staff.....

22 MR. MEADE: Yes.

23 MR. CAMPBELL:and make sure we don't
24 have any problems in that and whether we -- you know, so
25 that we have a clean process.

1 MR. MEADE: As I even said earlier, to the
2 extent it's ethical and appropriate to do so, I would agree
3 completely.

4 MR. HAGEN: It's our contract they're
5 calling.....

6 MR. CAMPBELL: Huh?

7 MR. HAGEN: It's a NOAA contract that we --
8 EVOS funds through them and so the contract is good until
9 January and we could modify it, amend it, or whatever if
10 necessary. There's no procurement issue, it's a Trustee
11 decision, so.....

12 MR. CAMPBELL: Okay.

13 CHAIRWOMAN PEARCE: Mr. Fredriksson.

14 MR. FREDRIKSSON: If I might, Madam
15 Chairman. So NOAA is the sponsor of the existing Adams
16 project?

17 MR. HAGEN: We're the mechanism through
18 which they obtain EVOS funds.

19 MR. FREDRIKSSON: Okay. So this might be
20 then treated -- I was intrigued. While I hate to use the
21 word supplemental in the state language anyway, project
22 amendments are always more conducive to my attention
23 anyway. Is there a possibility that we could treat this
24 and perhaps provide guidance for staff to have -- engage
25 Adams and Ross Mullins in terms of an amendment to their

1 existing project, which we could then revisit as opposed to
2 a new project. I mean, I'm intrigued by what they did say
3 about the lost services and the fact that this lost
4 economic opportunity could be addressed through their
5 forecasting. I don't think that's -- I'm not sure that's
6 part of their existing project and if they might through a
7 project amendment process with NOAA, that might be an
8 appropriate way of doing it.

9 CHAIRWOMAN PEARCE: There is a request for
10 an at ease and while you don't usually do that when there's
11 a motion on the table, we've changed this so much I think
12 some discussion with perhaps the attorneys and the
13 Executive Director about past practices would be advisable.
14 So we will stand at ease with the motion on the table.
15 It's a live motion, we'll come back and it will still be on
16 the table. We're at ease.

17 (Off record - 4:00 p.m.)

18 (On record - 4:15 p.m.)

19 CHAIRWOMAN PEARCE: Order, please. Mr.
20 Mead. And Mr. Mullins?

21 MR. MULLINS: Yes.

22 CHAIRWOMAN PEARCE: I asked the maker of
23 the motion and we did not feel it necessary to have
24 additional discussion about the three year versus one year
25 versus two year. We're very familiar with the argument so

1 -- and we have -- well, I -- we have closed public comment,
2 we don't usually take.....

3 MR. MULLINS: Sure.

4 CHAIRWOMAN PEARCE:comments from the
5 proposers. So for the moment, we don't have any specific
6 questions for you. Mr. Mead.

7 MR. MULLINS: All right. I understand,
8 Madam Chairman. Thank you.

9 CHAIRWOMAN PEARCE: Thank you. Thank you
10 for offering. Mr. Mead.

11 MR. MEADE: I'd like to, one, withdraw the
12 motion that I had made because I think that there's just a
13 lot of lack of clarity at this point. And if it's agreed
14 to withdraw that motion, I propose a motion, and I think
15 we'll make it straightforward and simple.

16 CHAIRWOMAN PEARCE: Mr. Hagen, you made a
17 second. Would you.....

18 MR. HAGEN: Yeah, I agree.

19 CHAIRWOMAN PEARCE: Okay. Is anyone
20 opposed to moving the motion?

21 (No audible responses)

22 CHAIRWOMAN PEARCE: Hearing no opposition,
23 we have nothing on the table. Mr. Mead.

24 MR. MEADE: Well, I'd like to make just the
25 simple motion that we have been requested to consider

1 providing opportunity for Adams-Mullins to modify their
2 proposal and resubmit. And I recommend that we be
3 responsive to such request.

4 CHAIRWOMAN PEARCE: And is there a time --
5 do we have a second?

6 MR. CAMPBELL: Second.

7 CHAIRWOMAN PEARCE: We have a second. Is
8 there a time frame?

9 MR. MEADE: I think it's essential for the
10 purposes that it move expeditiously and that we coordinate
11 very closely with the STAC. As far as establish a hard
12 time frame, I would have to ask our -- ask Gail and/or the
13 STAC advisory as to how -- what the time frame should be.

14 MR. CAMPBELL: Before the next meeting.

15 CHAIRWOMAN PEARCE: Before the next
16 meeting.

17 MR. CAMPBELL: A question for staff is
18 would it be possible to do it before the next meeting?

19 DR. NORCROSS: In December?

20 MS. PHILLIPS: No, we could do it before
21 the next meeting.

22 DR. NORCROSS: Yeah.

23 MS. PHILLIPS: I think they have their
24 modification almost all done anyway, so.....

25 DR. NORCROSS: So true.

1 MS. PHILLIPS: And we could do it by
2 teleconference.

3 CHAIRWOMAN PEARCE: Okay. We have a motion
4 and we have second. Is there further discussion? Are
5 there additional questions? Yes, Mr. Nordstrand.

6 MR. NORDSTRAND: My preference, as I said
7 before, would be to have a separate proposal made, request
8 for proposals that would be consistent with this kind of
9 study and perhaps offer other folks an opportunity. Saving
10 that, I recognize the -- I can see the train leaving the
11 station here and that's okay. But I will say this, I'm not
12 going to oppose the motion but I'm not going to commit to
13 fund. And I'm not -- by this vote, I'm not suggesting in
14 any way that I will commit to fund. And one of the
15 considerations I will have upon receiving a modified
16 proposal is whether or not this process is appropriate.
17 And that sort of holding back judgment on whether or not
18 allowing modification in this way is appropriate and I'll
19 save that for the final vote.

20 CHAIRWOMAN PEARCE: Additional comments?
21 Are we ready for the question? The motion is to provide an
22 opportunity for Adams-Mullins to modify and bring their
23 proposal back to the Council, working with the Executive
24 Director, the STAC and the staff. All those in favor,
25 signify by saying aye.

1 IN UNISON: Aye.

2 CHAIRWOMAN PEARCE: All those opposed?

3 (No audible responses)

4 CHAIRWOMAN PEARCE: The motion carries.

5 Mr. Campbell -- Commissioner Campbell.

6 MR. CAMPBELL: Madam Chair. This may not

7 work but in an attempt to move us on our way a little bit,

8 I am going to make another motion and urge a no vote. And

9 I would urge we would vote to fund -- excuse me. I would

10 move we would fund Bodkin's, Esler, Hoover-Miller, Irons,

11 Rusanowski, and Short and urge a no vote on all of those.

12 I believe by our previous vote on Jacobs for the synthesis,

13 then we rendered all these moot.

14 CHAIRWOMAN PEARCE: We already did Bodkin.

15 MR. CAMPBELL: Oh, so we did Bodkin's.

16 Okay. Take him out. All the rest.

17 MR. HAGEN: What about Short?

18 MR. CAMPBELL: I said Short.

19 CHAIRWOMAN PEARCE: You didn't do Bickford.

20 MR. CAMPBELL: No, I left Bickford out

21 specifically because you want to address that on a specific

22 motion.

23 CHAIRWOMAN PEARCE: So we have a -- just

24 restate your motion, please. Apologize.

25 MR. CAMPBELL: It would be to fund Esler,

1 Hoover, Irons, Rusanowski, and Short and urge a no vote.
2 CHAIRWOMAN PEARCE: Is there a second?
3 MR. HAGEN: Second.
4 MR. MEADE: Second.
5 CHAIRWOMAN PEARCE: A couple of them.
6 Discussion?
7 (No audible responses)
8 CHAIRWOMAN PEARCE: Are you ready for the
9 motion?
10 (No audible responses)
11 CHAIRWOMAN PEARCE: Okay, the motion on the
12 table is to approve Esler, Hoover-Miller, Irons,
13 Rusanowski, and Short. All those in favor of approving
14 those, please signify by saying aye.
15 (No audible responses)
16 CHAIRWOMAN PEARCE: All those opposed,
17 signify by saying nay.
18 IN UNISON: Nay.
19 CHAIRWOMAN PEARCE: The motion does not
20 carry. They are not funded. And would you please move
21 Bickford for me, Mr. Campbell?
22 MR. CAMPBELL: I would move Bickford for
23 funding.
24 CHAIRWOMAN PEARCE: I would second. And
25 I'll take the privilege of the chair and speak to Bickford.

1 While I recognize that the Bickford proposal for herring
2 was not specifically responsive to our requests in our
3 call, in my travels around the spill area, particularly to
4 Tatitlek, where we did the Wisdom Keepers Conference and
5 other of the Native villages. One of the species that we
6 have heard time and time again is that the folks in the
7 villages are gravely concerned about are the herring. And
8 it is a species that is not recovering.

9 The PAC, STAC, Executive Director, all
10 recommended that the project be funded without
11 modifications. Science coordinator recommended it not be
12 funded but we have a proposal before us that three of the
13 four recommended be funded, understanding that the thinking
14 was outside the box. We recognize that. I would just urge
15 the Trustees to think about funding this when it's
16 relatively modest in terms of price and it does go -- in
17 fact it was described by either the STAC or the PAC as
18 being kind of an exciting science. So I thought it was --
19 any time science is exciting, I like it. But -- and that's
20 a STAC recommendation. Just a moment. But I would just
21 recommend to the Council that we approve the Bickford
22 proposal.

23 DR. DWORSKY: The only reason I recommended
24 do not fund on that was because I did not believe it
25 complied with the invitation.

1 CHAIRWOMAN PEARCE: All right. I
2 understand.
3 DR. DWORSKY: I think it's a dandy project.
4 As projects go, that's good. It's got some pizazz to it.
5 That's not some new scientific word, so.....
6 DR. NORCROSS: Yeah, I put this in my
7 notes.
8 CHAIRWOMAN PEARCE: Further discussion.
9 DR. DWORSKY: What?
10 DR. NORCROSS: Dandy.
11 DR. DWORSKY: Dandy, yeah.
12 CHAIRWOMAN PEARCE: Mr. Mead.
13 MR. MEADE: What about the dandy project
14 caused it to not comply with the invitation?
15 DR. DWORSKY: I think the invitation called
16 for a synthesis. I consider this as maybe a little
17 synthesis but really collecting new information.
18 MR. MEADE: But really what?
19 DR. DWORSKY: Collecting new data.
20 MR. MEADE: New data.
21 DR. DWORSKY: It's a new project.
22 DR. NORCROSS: On samples that are
23 collected though.
24 DR. DWORSKY: Huh?
25 DR. NORCROSS: On samples that have been

1 collected previously under EVOS funding.

2 CHAIRWOMAN PEARCE: So it's to data sets we
3 already have.

4 MR. MEADE: And it sure relates to a
5 specific injured species.

6 DR. NORCROSS: The samples came from the
7 SEA program.

8 MR. HAGEN: I guess I'd wonder again on the
9 potential budget implications. I'm wondering if this is a
10 decision that could be deferred until the December meeting,
11 just to see where we come out or -- as opposed to funding
12 it right now. I guess I'd be in favor of it but I don't
13 see the -- necessarily the urgency. But anyway, that's the
14 only concern I guess I would have. It's not a large
15 project however there isn't much left to work with.

16 CHAIRWOMAN PEARCE: Just a question, we
17 won't lose the project by deferral, is that correct?

18 DR. NORCROSS: That's correct.

19 CHAIRWOMAN PEARCE: So the data is there.
20 Mr. Fredriksson?

21 MR. FREDRIKSSON: Well, I -- well, I think
22 you just answered my question. So this to basically test
23 or examine herring otoliths on existing samples?

24 DR. NORCROSS: Correct. And Fish and Game
25 had samples in their freezer in Cordova from 2004 that they

1 are willing to provide and Fish and Game collected fish for
2 them in 2005, which is what this proposal asks for. So the
3 samples exist.

4 MR. FREDRIKSSON: So this would be testing
5 that technique. So it's not time critical at this time.

6 DR. NORCROSS: Correct.

7 MR. FREDRIKSSON: And then assuming this
8 technique, this technique of examining these otoliths prove
9 successful, it would then provide Fish and Game with the
10 management tools and knowledge that would allow it to
11 better manage the herring?

12 DR. NORCROSS: That's correct.

13 MR. FREDRIKSSON: Which would then result
14 in a recovery?

15 (Laughter)

16 DR. NORCROSS: Well, you want me to do your
17 stock too?

18 MR. FREDRIKSSON: Well, I think right now
19 we do.

20 DR. NORCROSS: Which would provide another
21 technique to look at it because what this gets at is trying
22 to discern from this technique, and it should fit with Ted
23 Otis' project. If there is a physical location that
24 produces herring better than another, therefore then the
25 managers could say, don't fish right there.

1 CHAIRWOMAN PEARCE: Other comments? I
2 would just say we've heard a lot about injured resources
3 and one of those injuries being to the local people, the
4 fishermen and others. And I think that the Native
5 communities clearly were injured and continue to be
6 injured, particularly by the lack of herring, which was a
7 subsistence resource. So that's why I'm bringing it
8 forward. Mr. Fredriksson.

9 MR. FREDRIKSSON: Madam Chairman. Clearly
10 herring is one of the premiere unrecovered species. But as
11 I understand it, we also have no herring fishery in Prince
12 William Sound and have not had for some time. So I'm just
13 trying to reconcile if we are looking to -- if we are to
14 address that public concern about how can we get the
15 herring back, I'm trying to see how this tool could do
16 anything other than open up a fishery.

17 CHAIRWOMAN PEARCE: Mr. Commissioner,
18 before we go to -- he had a specific question. Mr.
19 Commissioner.

20 MR. FREDRIKSSON: Just real quick and
21 perhaps an answer there. If we have better management
22 tools that allow us to fish more specifically -- the more
23 we can know about the fishery, actually the sooner we might
24 be able to open up a fishery without -- otherwise we have
25 to be extremely cautious, postpone the fishery to try to

1 help the herring. So this actually might help that. We're
2 not going to open up one while we damage the herring
3 fisheries but the better tools we have, the sooner we could
4 to assure the fishermen.

5 I also, just briefly, should say I have no
6 problem breaking the cap. As I've said before, if we had
7 enough good projects, it would -- I'd spend it all right
8 now. So.....

9 CHAIRWOMAN PEARCE: Mr. Nordstrand.

10 MR. NORDSTRAND: I was just wondering, do
11 we have any reason to believe that this is the best kind of
12 a proposal or the best way we can spend \$50,000 on recovery
13 for herring? It seems to me if this is a -- basically as
14 it's described here, an unsolicited proposal on herring,
15 that all those other scientists out there who might have
16 another skookum idea, dandy idea on herring, didn't
17 participate in this, it's sort of a, you know, one shot
18 deal. Yours is about herring, we're worried about herring,
19 it looks like a good idea, let's fund it. And I'm
20 comfortable with that process here.

21 CHAIRWOMAN PEARCE: Yes. Dr. Norcross.

22 DR. NORCROSS: I could address that because
23 the issue has been -- there's been call for proposals for
24 herring work for the last multiple years and we've not
25 received any proposals, except for Ted Otis', which was

1 funded because it was herring.

2 CHAIRWOMAN PEARCE: Mr. Mead.

3 MR. MEADE: Well, with the exception that
4 this does deal with herring and I do know herring is a --
5 you know, a significantly important species of interest, if
6 you will, for us. With the exception of that though, I
7 don't see that this discussion is too much different than
8 the one we had just a short bit ago about the Adams-Mullins
9 forecasting proposal. There's a lot of parallels and I
10 think we need to be consistent.

11 CHAIRWOMAN PEARCE: Except it doesn't need
12 modification.

13 MR. MEADE: This is true. But it didn't
14 necessarily fit within the invitation. And it is about
15 forecasting of a sense for herring and where we might fish
16 or not fish. So I don't know the depth of the proposals,
17 so I can't speak to the proposal itself.

18 CHAIRWOMAN PEARCE: Mr. Commissioner.

19 MR. CAMPBELL: Madam Chair, if I could. I
20 think the difference between the two is that while the
21 Adams-Mullins forecasting goal is a very worthwhile goal, I
22 think it's worth pursuing to see if it can be made.
23 Basically on the scientific, technical level when it was
24 reviewed, everyone had serious questions. And what we've
25 said is, can you go back and modify and come up with good

1 science. In this case, at least the recommendations that
2 I've read, based on the science itself, everyone has said
3 we think this is outstanding science.

4 MR. NORDSTRAND: Dandy.

5 MR. CAMPBELL: Yeah. Dandy.

6 DR. NORCROSS: Dandy science.

7 DR. DWORSKY: This could -- a new lexicon
8 of words, I can see.

9 MR. CAMPBELL: Would have pizazz. And so
10 there we didn't -- at least I didn't see the need for -- I
11 don't know what I'd ask them to modify, frankly.

12 MR. MEADE: Thank you.

13 CHAIRWOMAN PEARCE: Any other discussion?
14 Questions? Mr. Fredriksson.

15 MR. FREDRIKSSON: A question. Madam Chair.
16 If I'm tracking this correctly, we are -- since we have
17 adopted such a conservative approach to the herring where
18 nobody can fish herring and we now have the potential for a
19 tool that might allow us to open up an area for herring
20 that would not otherwise jeopardize the herring stock or
21 its restoration capability, we are then really pursuing a
22 restoration project for the human service, that we are
23 damaging by being too conservative in our management
24 approach, is that.....

25 MR. CAMPBELL: That's correct. You said it

1 much better than I did.

2 CHAIRWOMAN PEARCE: Very well said plus it
3 is an important subsistence resource.

4 MR. HAGEN: Yeah, but actually, I mean, I
5 don't think you're going to open a fishery based on the
6 otolith chemistry and I think.....

7 MR. CAMPBELL: One tool.

8 MR. HAGEN: Yeah, it just helps to
9 understand maybe why recruitment hasn't been taking place
10 effectively. It may help understand why a larval retention
11 area that used to be there isn't anymore and that is
12 theoretically critical to strong year classes. I mean it's
13 a long ways away from allowing a fishery to take place but
14 it certainly would help understand herring a bit better.

15 CHAIRWOMAN PEARCE: And I'd just like to be
16 able to go to Tatitlek and say, we hadn't been getting
17 herring proposals, we got one, everybody thought it was a
18 great proposal and we're going to try it. It's \$52,000 and
19 it seems.....

20 MR. CAMPBELL: They're having trouble
21 hearing you in the back.

22 CHAIRWOMAN PEARCE: Pardon?

23 MR. CAMPBELL: They're having trouble
24 hearing you in the back.

25 CHAIRWOMAN PEARCE: And it seems well worth

1 trying for one of the non-recovering resources -- or a
2 couple of them, so -- further discussion?

3 (No audible responses)

4 CHAIRWOMAN PEARCE: So the motion is to
5 approve Bickford. All those in favor, signify by saying
6 aye.

7 IN UNISON: Aye.

8 CHAIRWOMAN PEARCE: Anyone opposed?

9 (No audible responses)

10 CHAIRWOMAN PEARCE: The Bickford proposal
11 has been funded. Thank you all very much. I appreciate
12 that. Yes, Mr. Campbell.

13 MR. CAMPBELL: I hate to prolong the agony.
14 Did Dr. Norcross have a paper for us on the other proposals
15 that we didn't see?

16 CHAIRWOMAN PEARCE: I was.....

17 MR. CAMPBELL: Oh, I'm sorry, am I out of
18 turn?

19 CHAIRWOMAN PEARCE: Well, no you're not out
20 of turn at all. But while she's handing that out, I
21 believe that historically, and if someone -- correct me if
22 I'm wrong, but I believe historically we have always
23 brought all the proposals that came in and were deemed
24 responsive in any way shape or form and some that weren't
25 to the Trustees and we voted them up or down. I think at

1 the December meeting, while I'm not ready to do it today
2 because I don't know the actual proposals, but at the
3 December meeting or at an earlier meeting if we have one
4 telephonically and we can get that information, I would
5 like the -- I apologize for my pronouncements -- Saupe,
6 Willette, and Walker to be before us. I don't think
7 historically we've ever just allowed some to evaporate
8 without them being brought forward and I think that
9 certainly what we should be doing.

10 MR. CAMPBELL: Exactly.

11 CHAIRWOMAN PEARCE: Am I way off base?

12 MR. CAMPBELL: Exactly on track. Just
13 exactly on track with where I was going.

14 CHAIRWOMAN PEARCE: Does anyone else feel
15 comfortable trying to deal with them today?

16 MR. FREDRIKSSON: No.

17 MR. CAMPBELL: No.

18 CHAIRWOMAN PEARCE: I don't. So we'd like
19 to have those -- I haven't seen them. Okay. Anything else
20 on the '06 funding -- work plan proposal?

21 (No audible responses)

22 CHAIRWOMAN PEARCE: So we'll have an Adams-
23 Mullins -- perhaps. We're providing them the opportunity
24 to make modification and so we will perhaps have something
25 back before us. Okay. That brings us to the -- let's just

1 take a -- are you ready, Joe?

2 MR. MEADE: Whenever you want.

3 CHAIRWOMAN PEARCE: Okay. So that brings

4 us to the admin budget and Gail.

5 MS. PHILLIPS: Madam Chairman, before we

6 leave the work plan.....

7 CHAIRWOMAN PEARCE: Yes.

8 MS. PHILLIPS:you need to adopt the

9 out years of the '04 and '05 projects, budget.

10 CHAIRWOMAN PEARCE: Okay. Thank you. And

11 that's page 52 of 55 or 51 of 55? Both.

12 MS. PHILLIPS: Both. 51 and 52.

13 CHAIRWOMAN PEARCE: Okay. So on page 51 of

14 55, fiscal table 3, fiscal year '04 projects receiving

15 funds in 2006, we need to approve the '06. And on fiscal

16 table '04, fiscal year '05 projects receiving funds in

17 2006, we need to approve the '06 column, not the '07

18 column. Okay. Do we have a motion?

19 MR. NORDSTRAND: So moved.

20 CHAIRWOMAN PEARCE: Second.

21 MR. FREDRIKSSON: Second.

22 CHAIRWOMAN PEARCE: We have a motion and a

23 second. Do we have discussion? Do you have your hand.....

24 MR. HAGEN: I assume this is fund

25 contingent on acceptable annual reports to the Executive

1 Director?

2 MS. PHILLIPS: Makes good sense to me.

3 MR. HAGEN: Yeah.

4 CHAIRWOMAN PEARCE: I assume that that is
5 true.

6 MR. MEADE: With the correct formatting.

7 CHAIRWOMAN PEARCE: Correct formatting and
8 cover pages. Any other discussion?

9 (No audible responses)

10 CHAIRWOMAN PEARCE: Is the motion correct?
11 Okay. All those in favor of the motion, signify by saying
12 aye.

13 IN UNISON: Aye.

14 CHAIRWOMAN PEARCE: Anyone opposed?

15 (No audible responses)

16 CHAIRWOMAN PEARCE: Motion carries. The
17 '06 funding for '04 and '05 projects has been approved.
18 Thank you for rectifying that mistake. Okay, now to your
19 admin budget. Mr. Campbell.

20 MR. CAMPBELL: Madam Chair. During the
21 Cordova meeting we raised a number of issues relative to
22 the admin budget. I think in this morning's testimony the
23 PAC committee members also raised a number of issues
24 relative to the admin budget. And I have to say, during my
25 reading through it, there are just quite a few things that

1 I had a question on, I know that other people have had some
2 questions on. I am concerned that the amount of time that
3 it would take to work through all those issues is something
4 beyond the available time we have left today.

5 What I'm going to recommend is that we
6 defer this item to subcommittee of Trustees and staff and
7 our representatives -- and we can talk about who would be
8 appropriate for that -- to work with staff and then come
9 back to us, either through -- preferably through
10 teleconference -- in the near future. I'm sure other
11 people might have something to say about that.

12 MR. NORDSTRAND: I would second the motion.

13

14 CHAIRWOMAN PEARCE: There's a motion and
15 second to send the admin budget to a subcommittee still to
16 be defined to bring back in the near future. Could you be
17 a bit more definite on that near future means?

18 MR. CAMPBELL: Within a month.

19 CHAIRWOMAN PEARCE: Okay. So I would like
20 to have it back within a month. So that would mean a --
21 that would mean the subcommittee would report back to the
22 full Trustee Council and.....

23 MR. CAMPBELL: By teleconference.

24 CHAIRWOMAN PEARCE:and we'd need to
25 have a telephonic meeting sometime in late September.

1 MS. PHILLIPS: When is -- what is the
2 deadline date for submission of the departmental budgets?

3 MR. CAMPBELL: We will have issues with
4 that and I will work with our admin director, Tom Lawson,
5 and have him work with you as well on the.....

6 CHAIRWOMAN PEARCE: Okay. Do we want to --
7 well, okay. So the motion is to the admin budget and the
8 subcommittee coming back to the full Trustee Council in
9 hopefully mid to late September. Any other comments or
10 questions?

11 (No audible responses)

12 CHAIRWOMAN PEARCE: We have a motion.....

13 MR. FREDRIKSSON: Just a discussion.
14 Should we identify who that subcommittee.....

15 MR. CAMPBELL: Yeah.

16 MR. FREDRIKSSON:might -- the members
17 might be.

18 CHAIRWOMAN PEARCE: Before the motion?

19 MR. CAMPBELL: Before we vote on it.

20 CHAIRWOMAN PEARCE: I don't know this will
21 make a difference but you can try.

22 MR. CAMPBELL: Have a separate motion.

23 CHAIRWOMAN PEARCE: I don't know that we
24 need that as part of the motion.

25 MR. FREDRIKSSON: Okay .

1 CHAIRWOMAN PEARCE: Because once you have
2 the subcommittee, we can all.....

3 MR. FREDRIKSSON: I'm prepared to.....

4 CHAIRWOMAN PEARCE:put up our hands.

5 MR. FREDRIKSSON: I endorse the idea of
6 having a subcommittee so I feel comfortable.

7 CHAIRWOMAN PEARCE: Okay. We have a motion
8 and a second. All those in favor of the motion, signify by
9 saying aye.

10 IN UNISON: Aye.

11 CHAIRWOMAN PEARCE: Anyone opposed?

12 (No audible responses)

13 CHAIRWOMAN PEARCE: Okay. So we do plan to
14 send the admin budget to a subcommittee to bring back to
15 the full Trustee Council by the -- mid to late September.
16 Do we have anyone who is volunteering?

17 MR. NORDSTRAND: I will.

18 CHAIRWOMAN PEARCE: Mr. Nordstrand
19 volunteers from the state's side. Any federal Trustees?

20 (Laughter)

21 CHAIRWOMAN PEARCE: I am virtually either
22 on vacation or out of the country on my Council activities
23 until the third full week in September. So unless you
24 trust our liaison.....

25 MR. HAGEN: So I'll ask my liaison to look

1 into it.

2 MR. FREDRIKSSON: Can I suggest that we can
3 go down to the liaison level?

4 MR. MEADE: Yes.

5 MR. CAMPBELL: What I would suggest is that
6 we either participate in person -- and if Mr. Nordstrand is
7 willing to do that, that is terrific -- or through a
8 designated representative.

9 MR. MEADE: I think that's an excellent
10 approach. I too have a lot of travel between now and mid
11 September. But I do think it's real important that we give
12 this a fair and equitable discussion and I think it does
13 need to engage both the state and federal
14 Trustees/liaisons, so.....

15 MR. HAGEN: I'll have to confer really with
16 Jim but, yeah.

17 CHAIRWOMAN PEARCE: Sure. Okay.

18 MS. PHILLIPS: Madam Chairman.

19 CHAIRWOMAN PEARCE: The attorneys are
20 looking eager.

21 MS. PHILLIPS: Madam Chairman.

22 CHAIRWOMAN PEARCE: Yes.

23 MS. PHILLIPS: I too will be gone until mid
24 September so toward the latter part of September would work
25 well.

1 MR. CAMPBELL: To do what?
2 (Whispered conversation)
3 MR. FREDRIKSSON: And I would assume we
4 could probably work to get information as.....
5 MS. PHILLIPS: Yeah, yeah, yeah.
6 MR. CAMPBELL: And I also volunteer Mr.
7 Lawson to assist in any way he can.
8 CHAIRWOMAN PEARCE: Gail, are you going to
9 be back, do you think, in the office before you leave and
10 then I'm not back until mid September?
11 MS. PHILLIPS: Oh, no.
12 CHAIRWOMAN PEARCE: Do you expect.....
13 MS. PHILLIPS: Yes.
14 CHAIRWOMAN PEARCE: Yes. So.....
15 MS. PHILLIPS: I'll be back in Monday,
16 yeah.
17 CHAIRWOMAN PEARCE: So.....
18 MS. PHILLIPS: And I'll be here for two
19 weeks before I go, yeah.
20 CHAIRWOMAN PEARCE: Okay. So we've got two
21 weeks that the liaisons and whatever.....
22 MR. CAMPBELL: Do it within that -- yes.
23 MS. PHILLIPS: Can get materials to me.
24 CHAIRWOMAN PEARCE: You, if you're in town,
25 can work and then you got the two weeks that you're gone

1 and then we're back.

2 MS. PHILLIPS: Yeah, yeah.

3 CHAIRWOMAN PEARCE: Okay.

4 MR. NORDSTRAND: Madam Chair, can I.....

5 CHAIRWOMAN PEARCE: That should work. Mr.
6 Nordstrand.

7 MR. NORDSTRAND: Just in terms of the size,
8 could I suggest perhaps two state representatives and two
9 federal then -- and Gail and whoever she would think
10 appropriate. I mean, I don't -- we have six plus -- and I
11 don't want -- it's going to be difficult to get everybody
12 scheduled and get them all together in my experience.

13 CHAIRWOMAN PEARCE: That's fair. It does
14 get very difficult. We might have those who are in
15 Anchorage take a first cut and then.....

16 MR. FREDRIKSSON: That would be my
17 preference. I think it's a lot easier if people here in
18 Anchorage could just get together to dig into this. Both
19 Larry and I, being at a distance, I think it doesn't
20 benefit the system. And I feel very comfortable with the
21 smaller work group on this with staff.

22 MR. HAGEN: Yeah, I mean and certainly this
23 work group will be working directly with Gail and so in
24 Anchorage that might be best. But we can look at it
25 electronically and.....

1 CHAIRWOMAN PEARCE: Sure.

2 MR. HAGEN:you know, can contribute

3 here and there. So I don't -- I assume it's not a big

4 issue, just a question of looking at a few items.

5 CHAIRWOMAN PEARCE: I think if.....

6 MR. HAGEN: I don't know.

7 CHAIRWOMAN PEARCE: Not only do we have PAC

8 specific recommendations but if any of us have specific

9 questions or specific requests, we need to get those to Mr.

10 Nordstrand and Gail before they have an opportunity to meet

11 next week so that we don't come back at the end of

12 September and say but we wanted you to do this or we'll

13 still be here this time next year without a budget.

14 MR. MEADE: Some discussion I'd contribute

15 in case I'm not able to engage in that earlier

16 conversation, I've made clear, I think, earlier my

17 perspective on looking objectively at support to federal

18 agencies -- federal and state agencies. So I won't rehash

19 that discussion this morning with the PAC group. But I do

20 think that's a very important piece and not to let

21 percentages that -- statistics can say one thing in facts

22 and reality and express another.

23 The other I'd ask of the task group though

24 is to not tie the hands of the Executive Director from

25 being able to be efficient and entrepreneurial. To go into

1 a line item and identify an element that must get cut from
2 a specific line item might create more inefficiencies. And
3 if we simply need a reduction in administrative costs, I'd
4 urge us to find ways to get the Executive Director
5 entrepreneurial latitude to achieve those efficiencies
6 without being micro-managed in a way that causes
7 inefficiencies within specific project areas, so.....

8 CHAIRWOMAN PEARCE: And would you, Gail,
9 send please by -- probably email is most efficient -- to
10 both the STAC and the PAC members if -- particularly PAC.
11 They made some specific -- they had some specific
12 questions. It wasn't necessarily recommendations. But if
13 any of them have specific recommendations for either areas
14 they see that should -- perhaps might create efficiencies
15 or anything that they want us to specifically look at, have
16 them please send those to us -- to you. Any other
17 discussion?

18 (No audible responses)

19 CHAIRWOMAN PEARCE: Okay. that brings us
20 to executive session, I think. Am I right -- yes -- for
21 which we need a motion. Do you want to take a short break
22 before or you want to go in?

23 MR. NORDSTRAND: Why don't we take a quick
24 break and folks -- I mean we need to move in executive
25 session, so.....

1 CHAIRWOMAN PEARCE: Right, we need to move
2 in.
3 MR. CAMPBELL: Yeah.
4 CHAIRWOMAN PEARCE: We can move in and then
5 take the break.
6 MR. NORDSTRAND: That would be good. I'd
7 make a motion we go into executive session for purposes of
8 discussion of personnel matters.
9 CHAIRWOMAN PEARCE: Do I hear a second?
10 MR. CAMPBELL: I would second and would it
11 be my understanding that we do not contemplate any action
12 during them or no action or announcements when were to
13 come. We'd simply come out and adjourn?
14 MR. NORDSTRAND: That would be the intent
15 of the motion.
16 CHAIRWOMAN PEARCE: Okay. All those in
17 favor of executive session, signify by saying aye.
18 IN UNISON: Aye.
19 CHAIRWOMAN PEARCE: Anyone opposed?
20 (No audible responses)
21 CHAIRWOMAN PEARCE: Okay. We will stand at
22 ease and move into executive session. I will be
23 terminating the teleconference at this time.
24 (Off record - 4:49 p.m.)
25 (EXECUTIVE SESSION)

1 NOTE: Upon the conclusion of the executive session, Mr.
2 Fredriksson moved for adjournment at 6:18 p.m. There being
3 no opposition, the meeting was adjourned.

1 C E R T I F I C A T E

2

3 UNITED STATES OF AMERICA)

4) ss.

5 STATE OF ALASKA)

6 I, Joseph P. Kolasinski, Notary Public in and for
7 the state of Alaska and reporter for Computer Matrix Court
8 Reporters, LLC, do hereby certify:

9 THAT the foregoing pages numbered 4 through 302
10 contain a full, true and correct transcript of the Exxon
11 Valdez Oil Spill Trustee Council's Meeting recorded
12 electronically by me on the 10th day of August 2005,
13 commencing at the hour of 9:08 a.m. and thereafter
14 transcribed under my direction and reduced to print:

15 THAT the Transcript has been prepared at the
16 request of:

17 EXXON VALDEZ TRUSTEE COUNCIL, 451 W. 5th
18 Avenue, Suite 500, Anchorage, Alaska 99501;

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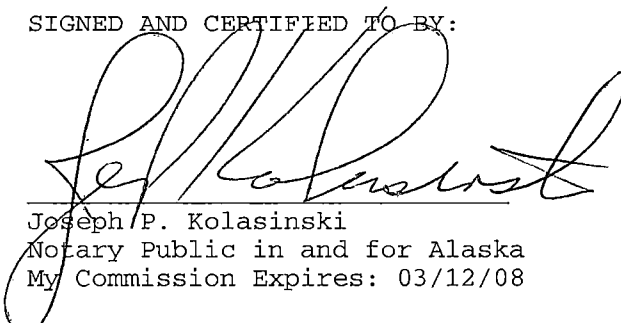
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Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08