

09.19.06

1 EXXON VALDEZ OIL SPILL

2 TRUSTEE COUNCIL

3 Public Meeting

4 Wednesday, September 21, 2005

5 10:10 o'clock a.m.

6 441 West 5th Avenue, Suite 500

Anchorage, Alaska

7 TRUSTEE COUNCIL MEMBERS PRESENT:

8 STATE OF ALASKA - DEPARTMENT MR. McKIE CAMPBELL  
9 OF FISH AND GAME: Commissioner  
(Chairman)

10 STATE OF ALASKA - DEPARTMENT MS. 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 (Telephonically) Administrator, AK Region

15 STATE OF ALASKA - MR. SCOTT NORDSTRAND  
16 DEPARTMENT OF LAW: Assistant Attorney General  
17 State of Alaska

18 U.S. DEPARTMENT OF AGRICULTURE, MR. JOE MEADE  
19 U.S. FOREST SERVICE Forest Supervisor  
20 Forest Service AK Region

21 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE  
22 U.S. Department of Interior

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

3 MS. GAIL PHILLIPS	Executive Director
4 CHERRI WOMAC	Administrative Officer
5 DR. RICHARD DWORSKY	Science Coordinator
6 PAULA BANKS	Administrative Manager
7 ROB BOCHENEK	Data Systems Manager
8 MICHAEL SCHLEI	Analyst Programmer
9 CAROLYN ROSNER	Research Analyst
10 BRETT HUBER	ADF&G
11 STEVE ZEMKE	U.S. Forest Service
12 MICHAEL BAFFREY	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 JENIFER KOHOUT	U.S. Fish & Wildlife Svc.

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P R O C E E D I N G S

(Anchorage, Alaska - 9/21/05)

(On record - 10:10 a.m.)

CHAIRMAN CAMPBELL: Let's see, it appears everybody is here. We're going to go ahead and get started. Before we get started -- let's see, why don't we just start with -- well, we have -- identifying the folks who are here and then we'll go out online and identify the people who are out there for sure.

MR. FREDRIKSSON: Kurt Fredriksson, Commissioner of Alaska Department of Environmental Conservation.

MS. PEARCE: Drue Pearce, Department of Interior.

CHAIRMAN CAMPBELL: Joe.

MR. MEADE: Joe Meade, Chugach National Forrest Trustee.

CHAIRMAN CAMPBELL: McKie Campbell, Commissioner, Department of Fish and Game. And online?

DR. GERSTER: This is John Gerster, the PAC Chair.

MR. NORDSTRAND: Scott Nordstrand, Deputy Attorney General. Larry Detrick's here.

MR. DETRICK: Yeah.

MS. STUDEBAKER: Stacy Studebaker, Vice

1 Chair, PAC.

2 MS. JACOBS: I'm Lucinda Jacobs, Intregal

3 Consulting.

4 MR. HAGEN: Pete Hagen, National Marine

5 Fishery Service, sitting in for Jim Balsiger.

6 MR. KOPCHAK: R.J. Kopchak, PAC.

7 MR. ROYER: Tom Royer, Co-Chair of STAC.

8 MR. MEACHAM: Chuck Meacham, interested

9 public.

10 CHAIRMAN CAMPBELL: I'm sorry, could you

11 repeat your name?

12 MR. MEACHAM: Yeah, Chuck Meacham.

13 CHAIRMAN CAMPBELL: Oh, Chuck. Hi.

14 MR. MEACHAM: Hi there.

15 CHAIRMAN CAMPBELL: Okay. Anyone else

16 out.....

17 MR. ZEINE: Ed Zeine, PAC.

18 MS. TOLLHOUSE: Jennifer Tollhouse, Fish

19 and Wildlife Service.

20 MR. MULLINS: Ross Mullins.....

21 MR. LAVIN: Pat Lavin, PAC.

22 MR. MULLINS: .....public.

23 CHAIRMAN CAMPBELL: Okay, we had two folks

24 there. We heard Mr. Mullins. The second person?

25 MR. LAVIN: Pat Lavin.

1                   CHAIRMAN CAMPBELL: Okay. Anyone else out  
2 there?  
3                   MR. KUBER: Andy Kuber, PAC.  
4                   CHAIRMAN CAMPBELL: Anyone else out there?  
5                   (No audible responses)  
6                   CHAIRMAN CAMPBELL: If not, we'll go ahead  
7 and start. I believe the next thing on the agenda is  
8 public comment. And do you we have members of the public  
9 who wish to.....  
10                  MS. PEARCE: We actually need to adopt the  
11 agenda, which isn't on here but.....  
12                  MR. CAMPBELL: Do we need to -- yeah.  
13 Thank you.  
14                  MS. PEARCE: .....I would move that we.....  
15                  CHAIRMAN CAMPBELL: Gail is going to keep  
16 me straight here as we go through here and I'm going to  
17 need the help.  
18                  MS. PEARCE: I move we adopt the agenda,  
19 which I think -- what I have is a 9/20, 2:35 p.m. draft.  
20 Is that the latest and greatest?  
21                  CHAIRMAN CAMPBELL: Oh, I have a 10:00 a.m.  
22 draft.  
23                  MS. PEARCE: From today?  
24                  CHAIRMAN CAMPBELL: Is there a difference.  
25                  MS. PHILLIPS: That's the one -- that

1 should be the one that you have also.

2 MS. PEARCE: Okay. I don't.

3 CHAIRMAN CAMPBELL: Okay.

4 MS. PEARCE: So -- but it's -- oh, the  
5 2:30, okay. Yeah, it's the same.

6 CHAIRMAN CAMPBELL: Same.....

7 MS. PEARCE: So the 9/20 -- mine is the  
8 2:35.....

9 CHAIRMAN CAMPBELL: Yeah.

10 MS. PEARCE: .....draft.

11 CHAIRMAN CAMPBELL: Yeah. We're okay.

12 MR. MEADE: I'd second.

13 CHAIRMAN CAMPBELL: Okay. Moved and  
14 seconded. Are there any objections?

15 (No audible responses)

16 CHAIRMAN CAMPBELL: Hearing none, the  
17 agenda is adopted. The next item on the agenda is public  
18 comment. Do we have members of the public who wish to  
19 comment? We'll go first to the room and then out onto the  
20 teleconference. Is there anyone here in the room who  
21 wishes to comment?

22 (No audible responses)

23 CHAIRMAN CAMPBELL: No. Hearing none, let  
24 me go out on the teleconference. Are there members of the  
25 PAC or the public or others who wish to comment?



1 MS. STUDEBAKER: Well, is this the time for  
2 the PAC to comment or should we wait 'til the other -- this  
3 is Stacy Studebaker.

4 CHAIRMAN CAMPBELL: Stacy, I.....

5 MS. STUDEBAKER: Should we wait for the  
6 other agenda item for PAC/TC dialogue?

7 CHAIRMAN CAMPBELL: Our next item is PAC/TC  
8 dialogue and that will be coming up next and so we'll go to  
9 that but is there any member who wishes to comment now?  
10 Any member of the public who wishes to comment?

11 MR. ROYER: This is Tom Royer, Co-Chair of  
12 the STAC. I had a couple of comments to make.

13 CHAIRMAN CAMPBELL: All right. Go ahead.

14 MR. ROYER: First of all, I want to let you  
15 know that I'm the co -- or I'm the Chairman of the National  
16 Research Council Committee that's reviewing the AYK  
17 sustainable salmon initiative. And I cannot speak as in an  
18 official role for that committee because we're in the --  
19 still developing our report. But I would say that it's  
20 very favorable that we support the idea that the AYK folks  
21 depend on someone else to do their data management and peer  
22 review process. And we've encouraged them to approach  
23 other agencies to do that. So it has the support, I  
24 believe, of that committee although the official word is  
25 not out on it.

1                   Another comment that I wanted to make is as  
2 -- a little bit of my background -- was that as a graduate  
3 student at Texas A&M, I was supported to do long-wave  
4 modeling. And this was supported by the Corp of Engineers  
5 and we were doing long-wave modeling for the Gulf of  
6 Mexico, which included storm surgers. And the point I want  
7 to make with that was that I think that the models that the  
8 Corp of Engineers used that were successful with regard to  
9 Katrina -- and I'm sure they're cranking on them right now  
10 -- are an outgrowth of that work that I did in the last  
11 century.

12                   And I think that the costs saved by these  
13 models far exceeds the cost of the research done in the  
14 decades that's followed. And I use this to illustrate the  
15 point that we need to know pre-spill conditions before the  
16 next oil spill and we have to have a knowledge of how the  
17 system operates and so that -- I'm advocating continued  
18 monitoring to not only determine the status of injured  
19 species but also pre-spill conditions for the next  
20 incident.

21                   And that's the end of my comments.

22                   CHAIRMAN CAMPBELL: All right. Thank you  
23 very much. Other members of the public under public  
24 comment?

25                   MR. MULLINS: Mr. Chairman, this is Ross

1 Mullins in Cordova. I would respectfully request that I be  
2 able to reserve my comments to the end of the meeting today  
3 because I haven't had the opportunity to see an agenda and  
4 really would find it hard to comment on certain issues  
5 until the end. Thank you.

6 CHAIRMAN CAMPBELL: Mr. Mullins, the agenda  
7 is six or potentially seven items -- and this is for anyone  
8 out there who perhaps has not seen an agenda -- call to  
9 order, public comment, Public Advisory Committee dialogue,  
10 cooperative effort between Arctic Yukon Kuskokwim  
11 sustainable salmon initiative and EVOS, Intregal's revised  
12 proposal, FY 2006 administrative budget, and executive  
13 session, if necessary. There may be -- while there's a  
14 potential for rearrangement of some of those items, that is  
15 it now. If you wish to reserve comments till after the  
16 budget, I'd ask the Trustees, is there any objection to  
17 reopening public comment briefly after our discussion  
18 or.....

19 MS. PEARCE: I don't have an objection.

20 CHAIRMAN CAMPBELL: No.

21 MS. PEARCE: No.

22 CHAIRMAN CAMPBELL: Okay. With no  
23 objection, we.....

24 MR. FREDRIKSSON: So McKie, just for point  
25 of clarification, so you're suggesting that there might be

1 a public comment period item number 7? Because I would  
2 imagine, at least for personnel issues, we may want to take  
3 advantage of that executive session as necessary.

4 CHAIRMAN CAMPBELL: Right. I am saying  
5 that -- I was asking Trustees -- Joe.

6 MR. MEADE: I would suggest, just so that  
7 we create a sense of convenience for the public, that we  
8 might angle that to be ahead of the potential of an  
9 executive session so that in that context those that want  
10 to stay around for our formal closure of the executive  
11 session can do so but others wouldn't need to hold on that  
12 extra duration of time for that opportunity of public  
13 comment.

14 CHAIRMAN CAMPBELL: Right. I believe we're  
15 all saying the same thing. The potential of an item number  
16 7 before a potential executive session in which there could  
17 be brief public comment. Is there any objection from Scott  
18 or Pete?

19 MR. HAGEN: No.

20 MR. NORDSTRAND: No objection.

21 CHAIRMAN CAMPBELL: Okay. Hearing none, we  
22 will allow brief public comment -- not debate, but brief  
23 public comment as an item number 7 before an executive  
24 session, if we use one.

25 MR. MULLINS: Thank you, Mr. Chairman.

1                   CHAIRMAN CAMPBELL: Other public comment?  
2                   (No audible responses)  
3                   CHAIRMAN CAMPBELL: Okay. Hearing none,  
4 John, did you wish to make a report on behalf of the Public  
5 Advisory Committee before -- to start us into the PAC  
6 dialogue?  
7                   DR. GERSTER: Not right now.  
8                   CHAIRMAN CAMPBELL: All right. In that  
9 case, if I could open the floor to any PAC member for  
10 comments.  
11                  MS. STUDEBAKER: Well, I guess I'll step in  
12 here. This is Stacy Studebaker. I'm the Vice Chair of the  
13 PAC. And I'm very sorry I couldn't be up there today.  
14 Instead I'm sitting in my office looking out at the sea.  
15 And I'd just like to make a few comments. I sent in my  
16 comment via e-mail just a little while ago and hopefully  
17 the hard copy of my comments are circulating around so that  
18 you have those for the public record.  
19                  CHAIRMAN CAMPBELL: Okay.  
20                  MS. STUDEBAKER: Whether by intent or poor  
21 administrative planning, the Public Advisory Committee  
22 seems to once again being excluded from the most recent  
23 aspects of the restoration process.  
24                  I didn't receive any of the final documents  
25 that will be decided on today until 5:00 last night, you

1 know, after work. And that's tough, you know. In the  
2 past, there has been ample time for the PAC to review,  
3 discuss as a group, and make recommendations on important  
4 items concerning the restoration process. In sending all  
5 these documents via e-mail for consideration less than one  
6 day before important decisions are made is not what I'd  
7 really call meaningful public participation. The Trustee  
8 Council is required to have advice from the PAC as a whole,  
9 not on an ad hoc basis from individuals. This does not  
10 qualify for public involvement in my mind.

11                   Particularly troubling is the decision  
12 document that was one of the attachments sent last night  
13 that will be signed off today by the Trustee Council which  
14 states that the latest version of the Jacobs's Intregal  
15 proposal was reviewed by the STAC, PAC, and liaisons.  
16 Though I want to go on public record to say that the PAC  
17 has not really had time or opportunity to review this  
18 document as a group and discuss it and make any group  
19 recommendations on it. Therefore, I request that the PAC  
20 be struck from the second paragraph of the document before  
21 it's approved to reflect the truth.

22                   Further, on Monday this week, I also  
23 requested a teleconference phone number so that I could  
24 participate in the meeting today via phone and myself nor  
25 any other members of the PAC were not provided with the

1 number until this morning. The process has gotten to be so  
2 -- excuse the term but -- seat-of-the-pants -- and  
3 exclusive to only certain people that the public has no way  
4 to even minimally participate. The PAC used to meet prior  
5 to the Trustee Council decision-making meetings on  
6 important items of the restoration process, and we were  
7 given briefings by the staff, and then allowed time to  
8 discuss and make recommendations. I just really wonder  
9 what happened to those protocols that were established by  
10 the previous administration and why the public is being  
11 circumvented time and time again?

12               The PAC has also been excluded from working  
13 on the present version of the budget. A budget was  
14 prepared for the EV -- for -- by the EVOS staff and  
15 presented at the last August 10th Trustee Council meeting.  
16 And that budget was rejected by the Trustee Council and  
17 sent to an ad hoc budget committee comprised of Trustees,  
18 liaisons, two EVOS staff -- no PAC members included.

19               And I'm still very concerned about the way  
20 the present work plan -- now called the Interim Guidance  
21 Document, IGD -- was adopted at the August 10th meeting.  
22 And I've eluded the action was illegal. As you'll recall,  
23 the PAC had been sent another document called the Interim  
24 Action Plan, IAP, before the meeting. This is the document  
25 the public were led to believe the Trustee was going to

1 adopt. And instead, at the last minute, another version  
2 prepared by the liaison staff was abruptly and very  
3 awkwardly substituted for the IAP and decided on despite  
4 protests from members of the public and PAC and the  
5 audience. Even Gail and her staff hadn't seen the  
6 substituted version before it was decided on.

7                   So Trustee Council members assured us then  
8 that there were not fundamental differences between the two  
9 documents and that the new version had just been tightened  
10 up. But after having time to review them following the  
11 meeting, I really don't agree. I think there were big  
12 differences between the two work plans. And the glaring  
13 difference is the removal of the PAC from important  
14 committees charged to evaluate the state of restoration  
15 activities.

16                   The IGD written by the Trustee Council  
17 staff excludes the PAC and STAC from the evaluation process  
18 of lingering oil.

19                   Neither the STAC nor PAC is included in the  
20 steering group, which is to be composed of only the Trustee  
21 Council, executive director, and Trustee representatives.

22                   Neither the PAC nor STAC are mentioned as  
23 being included in the working group on injured resources or  
24 the subcommittee on lingering oil in the IGD.

25                   Public participation is not included in any



1 of the IGD action points whereas it is included as number 5  
2 on page 3 of the Interim Action Plan and on action item  
3 number 5 on page 4.

4                   The IAP is much more responsive to the EIS  
5 as it references the ecosystem approach. It also expresses  
6 the need to support services necessary to support local  
7 people. The IGD has no reference to the ecosystem at all.  
8 Also, the IAP states: The obligation to consider the  
9 status of injured resources and services to determine  
10 whether or not restoration has been achieved, or even it  
11 can be achieved, is critical. This is omitted in the IGD.

12                   Normal agency activities in the IAP on page  
13 3, number 5. Agency based projects will not be funded that  
14 would not have been conducted had the spill not occurred.  
15 This is not in the IGD and that's troubling that that  
16 particular line, that significant line, was struck from the  
17 present work plan.

18                   As vice-chair of the PAC, I request that  
19 you allow the PAC to have meaningful participation in the  
20 restoration process or disband it.

21                   And finally I'd like to thank the STAC, all  
22 the members of the STAC, for rallying this weekend at the  
23 very last minute to review the Jacobs contract at such  
24 short notice. And sorry, we didn't get it till just the  
25 other day but I really appreciate them coming through on

1 that.

2                   And that concludes my comments this  
3 morning. Are there any questions?

4                   CHAIRMAN CAMPBELL: Stacy, thank you very  
5 much. At least upon my quick review of the emails that  
6 I've received, it appears you are receiving things at the  
7 same time the Trustees are. I would ask the executive  
8 director if that's correct. And I do see a lengthy series  
9 of emails back and forth between you and the executive  
10 director, talking about that the Intregal proposal was sent  
11 out to the PAC last Wednesday. But I -- for better or  
12 worse, I think you're getting things exactly the same time  
13 we are. The executive director is nodding.

14                  MS. STUDEBAKER: I'm talking about the most  
15 recent final versions the documents.

16                  CHAIRMAN CAMPBELL: Me too.

17                  MS. STUDEBAKER: Not the draft documents  
18 but the most recent final versions that I didn't get until  
19 yesterday.

20                  CHAIRMAN CAMPBELL: I am as well. Are  
21 there other -- are there questions from the Trustees for  
22 Ms. Studebaker?

23                  MR. MEADE: I just might add -- and I have  
24 elevated the interest as well so that I have adequate time  
25 to digest information ahead of the Trustee meetings.

1 Stacy, I think the point you make on the administrative  
2 elements of being sure that the information is out in  
3 advance so that the PAC can adequately be able to review  
4 and then afford us the insights you can bring is well  
5 stated and I think an element that we will need to be  
6 taking some steps to be able to insure that opportunity  
7 occurs as well as the adequate review time on behalf of the  
8 Trustees.

9 MS. PEARCE: You know, and I would just say  
10 to -- back to Joe on that particular point, we knew at the  
11 last meeting, because of the executive director's travel  
12 schedule and also death -- unfortunate death in the family  
13 and just the ability for what we had said we wanted to see  
14 in the proposal, by the time it got back to us, it was  
15 going to be late in the game. And I think all of us  
16 expected to not see documents until right before this  
17 meeting. But we also knew we were pushed for time.

18 It is not a surprise to me that I was  
19 getting documents late. What seemed pushed toward the  
20 meeting, and I know it was -- I presume it wasn't -- in  
21 fact I know it wasn't a surprise to the STAC that they saw  
22 it late too. We walked into this because we asked for the  
23 changes, knowing that it was going to be. And so I don't  
24 think it's inappropriate to act, knowing ahead of time that  
25 we're going to get these things and have a very short

1 amount of time to act on them, if we want to have the  
2 project completed in a timely manner.

3                   And so I would love to have adequate time  
4 myself and have everybody have a long time to look at  
5 everything but it doesn't always work that way.

6                   MR. MEADE: Good clarification, Drue. I  
7 don't disagree as to, you know, what we knew as far as our  
8 last meeting and specifically the things we needed to  
9 achieve for this meeting.

10                  CHAIRMAN CAMPBELL: All right. Okay.  
11 Kurt.....

12                  MS. STUDEBAKER: Well, I'm not talking so  
13 much -- excuse me -- this is Stacy again. I'm not talking  
14 so much about the Intregal contract but some of the other  
15 items that were sprung on us at the very last minute. In  
16 the past, you know, things like the budget and the work  
17 plan and all these things, we have had meetings, we have  
18 set up -- there was scheduled meetings in a very well  
19 planned out sequence in the work plan through the years  
20 where the PAC would meet as a group somewhere, usually in  
21 Anchorage, prior to your decision-making meetings on these  
22 important items. And we would be briefed by the staff and  
23 discuss them. And sometimes even vote on things. And we  
24 just aren't even given that opportunity anymore. And I'm  
25 just trying to figure out why.

1 MS. PEARCE: Mr. Chairman. I would just  
2 point out that the decision before us today on the budget  
3 is to adopt a two month status quo continuation budget  
4 while we have the time -- so that we have the time to do  
5 exactly what Ms. Studebaker is talking about.

6 CHAIRMAN CAMPBELL: Yeah.

7 MS. PEARCE: So as far as I'm concerned,  
8 we're being extremely responsive to her concerns.

9 CHAIRMAN CAMPBELL: Yeah. I appreciate  
10 both of your clarifications. We all realize and realized  
11 at the last meeting we were going to be working on a tight  
12 time line. I think all of us, as a normal course of  
13 business, want to have stuff as far out as we can but we  
14 knew we were going to be working on a tight time line for  
15 this meeting. As you said, the issue before us right now  
16 is a continuing resolution for two months and we'll assume  
17 that that will be -- give everyone adequate time.

18 And just I guess the other thing is the PAC  
19 and everyone else is getting things at the same time we  
20 are. There is -- you know, we're just dealing with the  
21 realities and proceeding as expeditiously as we can.

22 Are there other people, other PAC members  
23 who would like to comment?

24 MR. LAVIN: Yeah, this is.....

25 UNIDENTIFIED SPEAKER: This is -- oh, go

1 ahead.

2 MR. LAVIN: I'm sorry, this is Pat Lavin.  
3 I just quickly -- I don't disagree with anybody in the  
4 prior conversation about the PAC notification not really  
5 being there but that was a function of -- at least to some  
6 extent -- of the -- with the -- at least with the Jacobs  
7 thing and we knew we were going to be up against a time  
8 line to get that sort of restructured or reshaped.

9 On the substance of that, I -- and you  
10 know, as Stacy says, I haven't had a chance to read all the  
11 way through the revised proposal but at a glance it appears  
12 to be responsive to what the STAC and the PAC and the  
13 reviewers were saying, it's brought -- seems to have  
14 brought in a lot of the local experts and still retained  
15 kind of an outside expert to oversee the whole thing. So  
16 it looks like we were able to work with them to have their  
17 proposal reflect those concerns. So I'm happy to see that  
18 and maybe this other component is in there. Again, I  
19 haven't read it all the way through but following along  
20 Stacy's line of kind of PAC involvement, this project is  
21 sort of the last hurrah of restoration in trying to bring  
22 finality to the extent it can be brought to what has  
23 recovered and what hasn't. I would really urge if the  
24 proposal we're funding doesn't already make this clear,  
25 that the PAC and the public be a prominent part or at least

1 given ample opportunity within sort of the meeting schedule  
2 and time lines for this project to be involved and not have  
3 meetings where people can't come and things like that. And  
4 it may be that broad public discussion is maybe not  
5 possible given the time line that the project people are  
6 going to be on, but some opportunity certainly to attend  
7 and maybe brief public comment periods and such, building  
8 in a public opportunity to see what's going on, see what's  
9 under discussion as that discussion is happening and not  
10 rely on, you know, reports later and things like that. So  
11 I would strongly urge that.

12                   And then the other just last thing, I did  
13 see that there's a July 1st sort of project due date. And  
14 for reopener purposes, that's better than it was. It's  
15 still not all the way back. So I'd just note that. I  
16 imagine you guys are thinking about that but the reopener  
17 clause talks about a 90 day notice before a payment that  
18 would happen on no later than September 1st. So you're  
19 talking about a June 1st, approximately, date to notify.  
20 And with a July 1st project date, you'd probably be relying  
21 on the draft and such to make your decision. But in any  
22 event, I just wanted to flag that and thank you.

23                   CHAIRMAN CAMPBELL: Pat, thank you very  
24 much for your comments. Kurt.

25                   MR. FREDRIKSSON: Yeah, I'd like to follow

1 up on Pat's comments because I think it is important.  
2 Where we were a short time ago was we had approved the FY  
3 06 documents, the work plan. We directed Intregal to go  
4 back and make some modifications based on some  
5 recommendations by the PAC and STAC. I appreciate, Pat,  
6 your comments with respect to that. We have had a  
7 situation here with the executive director's mom passing  
8 away. I think we were in a situation where we had a  
9 difficult schedule. We were not getting informa --  
10 everybody was getting the same information at the same  
11 time. There wasn't anybody getting information ahead of  
12 that. But we're also in a sequence of meetings where we  
13 aren't' here today to, if you will, start afresh on a whole  
14 new work plan and what have you.

15 I also appreciate -- Rob had sent out an  
16 email, I think to everybody. These lists, these two lists  
17 are very long. It looks like all the PAC members got this.  
18 And as Pat mentioned, there's a project milestones in that  
19 that lays out -- the time frames that we're looking at were  
20 -- I also like, Pat, your reference to the last hurrah. To  
21 bring some conclusions to our restoration work and the  
22 update of our injured -- the status of our injured species  
23 list.

24 So I would just encourage the PAC to take a  
25 hard look at that. We do want PAC input. We -- I know



1 Gail and her staff are going to work to get these documents  
2 out well in advance so there is the kind of review and  
3 information sharing, Pat, that you're talking about. And I  
4 think that project milestones kind of lays out a nice  
5 schedule and calendar for that and kind of provides, at  
6 this point in time, a heads-up to everybody as to the kind  
7 of key milestones that we're all going to be targeting on.

8 MR. LAVIN: Thanks, Kurt. This is Pat  
9 again. I appreciate that. I had not yet seen that. I'm  
10 sure it's in my email from Rob. Could I ask if that -- is  
11 that responsive to my question about the Jacobs -- the  
12 Intregal proposal itself providing opportunity for public  
13 involvement?

14 MR. FREDRIKSSON: Yeah, well Pat -- this is  
15 Kurt -- as I read the modification to the Intregal  
16 proposal, there's going to be a number of workshops that  
17 clearly are going to have public involvement. In fact I  
18 think they're being -- one of them is being held in  
19 conjunction with the symposium this year, where there is  
20 literally a cast of hundreds. I have Richard in the back  
21 holding up four fingers. So he may.....

22 MR. DWORSKY: They were positive fingers.

23 MR. FREDRIKSSON: You may know of more  
24 opportunities, four opportunities I guess, so.....

25 MR. DWORSKY: They suggested four

1 workshops.

2 MR. FREDRIKSSON: So I think there's going  
3 to be a number of workshops on the Intregal's specifically  
4 in terms of that work plan. But in the document that Rob  
5 had shipped out to everybody -- and I know this is still  
6 draft and Rob's basically asking input from the PAC and  
7 from the Trustee Council for any changes or ideas on this.  
8 But at the back is a schedule -- I'll just draw everybody's  
9 attention to it, it's on page 11 of his document -- with  
10 project milestones. And it seems to me a very  
11 comprehensive but very readable to do list that EVOS staff  
12 have laid out for us here, including the results of the  
13 subcommittee on lingering oil, the results of the committee  
14 work on injured resources and services, what deadlines, the  
15 preparation of the publication of the FY 07 draft work  
16 plan. So we've got some real good targets laid out here.  
17 As we sit here in September, we can look ahead.

18 And I trust we're going to have that  
19 opportunity for information sharing and public input. And  
20 I think Rob has provided us a good opportunity. If there's  
21 any question about whether that's sufficient for people to  
22 be aware of what's coming down the pike and how to  
23 interface, that would be the opportunity to get back to the  
24 EVOS office with those kind of comments.

25 MR. LAVIN: Great. Thanks for pointing

1 that out.

2 DR. GERSTER: This is John Gerster. I just  
3 want to again emphasis the role of the PAC in injured  
4 resources and lingering oil. If we can definitely be  
5 involved in that.

6 MR. FREDRIKSSON: Yeah, absolutely, John.  
7 Like I say, I think it's laid -- it couldn't be laid out  
8 any clear to me anyway. And I would just ask you and  
9 perhaps to make sure all the PAC members have a copy of  
10 this. And if you see where there's some confusion or some  
11 additional opportunities that need to be provided, I'd  
12 encourage you to get back to Rob on that.

13 DR. GERSTER: I certainly will.

14 CHAIRMAN CAMPBELL: Other Trustee comments?

15 (No audible responses)

16 CHAIRMAN CAMPBELL: Other PAC comments?

17 MR. KOPCHAK: Yes. This is R.J. Kopchak in  
18 Cordova. And I appreciate the opportunity to tune in with  
19 you this morning. I know all of you are very, very busy  
20 individuals with agencies to manage. I'm sure all of the  
21 PAC members who dialed in are also very busy individuals.

22 I'd like to just make a couple of quick  
23 observations. Number 1 is, appearances are reality. And  
24 all of the great intents of all of us aside to meet our  
25 obligations on schedules and distribution of data and

1 information. It has lately, over the last several months,  
2 had the appearance that the PAC has been marginalized  
3 somewhat intentionally. And whether that's the reality or  
4 not, that is the appearance and appearance is reality to  
5 many of us on the outside, which I am. And this has come  
6 about, in essence, in not distributing things that have  
7 been available to the PAC in a timely fashion.

8 I am fairly well assured that the  
9 substituting planning document that was approved at the  
10 last minute at the last meeting had to have been available  
11 24 hours, if not 48 hours in advance of that meeting. And  
12 it would have behooved the Trustees to make sure that that  
13 substitute was available.

14 Now I know that my opinion is often  
15 contrary to what the conclusion of the Trustees might be.  
16 And I give you the authority and you have the authority to  
17 do the business that you feel appropriate, however, I  
18 should be consulted and have the opportunity to  
19 participate, irregardless of whether my comments are taken  
20 by the Trustees or not. And I don't feel that that has  
21 been maximized, I don't even feel that it has been used in  
22 appropriately marginal fashion. I think that instead that  
23 it has been almost swept away.

24 Again, this is the appearance and to me the  
25 appearance is my reality. So we need to have a lot better

1 focus on scheduling and PAC participation so that that  
2 appearance changes some so that the reality changes some.  
3 And I would appreciate you folks all giving that some extra  
4 effort. As a commercial fisherman and as a representative  
5 of my commercial fishing fleet and my communities in the  
6 Sound, I can truthfully say that we are tremendously  
7 concerned about the opportunity of reviewing and making  
8 perhaps a pitch for a reopener to continue restoration. I  
9 know that that's also a focus of the Trustees, but again,  
10 it does not appear that the process is inclusive enough to  
11 give us all assurances that our voices are being heard.

12               So you folks are challenged right now and  
13 that challenge is, I think, a severe one. And I would love  
14 to see you address that through a more focused campaign to  
15 get us involved. And I think the word needs to go from the  
16 Trustees to their liaisons as well who are currently  
17 working in a complete vacuum. Do a little bit of outreach  
18 and make sure that their efforts are timely enough as  
19 liaisons to provide not only their information to you,  
20 their employers, but to us, the PAC. And thank you for  
21 this opportunity to comment.

22               CHAIRMAN CAMPBELL: Thank you, R.J. Any  
23 questions or comments from Trustees? Joe.

24               MR. MEADE: I just might put my voice,  
25 R.J., behind your advocacy and let you know as a Trustee I

1 -- and have been through the couple -- two and a half years  
2 I've been here -- wholly committed to the Public Advisory  
3 Committee and your active engagement and will continue to  
4 nudge, to encourage, and to be sure our processes are very  
5 transparent and very open. And I'll also share on behalf  
6 of the Trustees on a whole, that is the same conversation I  
7 hear from each Trustee. So we perhaps have some process,  
8 some procedure to be sure we're not letting lag behind that  
9 ability, but the passion and the interest and the  
10 dedication is firm and there.

11 CHAIRMAN CAMPBELL: Thank you. Kurt.

12 MR. KOPCHAK: Thank you, Joe.

13 MR. FREDRIKSSON: R.J., this is Kurt  
14 Fredriksson. I echo what Joe said but there is a point of  
15 clarification. I just want to make it clear to the PAC  
16 members that you will not be hearing from the Trustee  
17 Council on reopener. You will be hearing from the Trustee  
18 Council on restoration. And that is just a matter of the  
19 legal design of the settlement agreement. The reopener is  
20 by the governments, it is not by the Trustee Council. The  
21 Trustee Council duties are very specific to restoring the  
22 damaged resources and services and I just -- I don't want  
23 to -- and I say that and maybe your emphasis wasn't on the  
24 reopener but I just want to make it real clear that that's  
25 the business we're in, is restoration, not reopener.

1                   MR. KOPCHAK: Thank you for that, Kurt.  
2 Yeah, my assumption would be that a restoration plan would  
3 require additional assets, would be the trigger for the  
4 reopener. But yeah, thank you for that clarification.

5                   MR. FREDRIKSSON: Okay. Good. Thanks.

6                   CHAIRMAN CAMPBELL: Scott or Pete, any  
7 comments?

8                   MR. HAGEN: Yeah, this is Pete. Yeah, I  
9 just confirm, I guess, what Kurt reiterated. The reopener  
10 is not really subject for a Trustee Council decision  
11 process or -- I guess it's in the background, in folks'  
12 minds but this is not the venue to be addressing that. So  
13 -- and probably isn't helpful to keep bringing it up in  
14 some ways.

15                   And I also want to note too -- and I agree  
16 with the difficulties in communication. Perhaps -- and has  
17 been noted by the others -- you know, it has to do with a  
18 compressed schedule right now. I'd also like to note this  
19 particular dialogue that's taking place with PAC members is  
20 something new for this set of Trustees and it hasn't been  
21 there in the past. And it does provide an opportunity, I  
22 guess, to speak directly to the Trustees by the PAC  
23 members. And as I recall, that hasn't been available  
24 previously.

25                   So there are -- there is a, I think, a

1 concerted effort to try to hear the public and we do need  
2 to do a better job and perhaps we didn't do a good enough  
3 job on trying to address this Interim Guidance Document.  
4 But I think there's really room to bring a lot of continued  
5 dialogue back into it. That's all.

6 CHAIRMAN CAMPBELL: Thank you, Pete. Are  
7 there any other members of the PAC who would like to make  
8 comments?

9 MR. NORMAN: Hi, this is Pat Norman in Port  
10 Graham.

11 CHAIRMAN CAMPBELL: Okay. Go ahead, Pat.

12 MR. NORMAN: Just on one thing, several  
13 other of the PAC members have brought up the question of  
14 this document that was adopted without being available to  
15 the PAC members and I haven't heard an answer from the  
16 Trustee Council specific to that question. Is there any  
17 way you can address why that happened and -- so we can move  
18 past that?

19 CHAIRMAN CAMPBELL: Kurt.

20 MR. FREDRIKSSON: Well, I might -- and Pat,  
21 again, this is Kurt Fredriksson. I guess I might just  
22 speak to the comments that Stacy made earlier in terms of  
23 the IGD and the IAP. There really were two documents out  
24 there, and those documents, the bottom line is, there has  
25 been a lot of concern, for a good year and a half anyway,



1 as to what is it the Trustee Council wants to get done.  
2 What is the direction the Trustee Council is taking with  
3 respect to the restoration program. There's been a lot of  
4 concern that the Trustee Council had not been clear in  
5 articulating exactly where it was headed and where it  
6 wanted to take this program. When I voted for the IGD,  
7 it's because that document, more than any other document  
8 that's been produced, captures -- at least where I sit in  
9 terms of directing the restoration program as we move  
10 forward here.

11                   So it's -- you know, whether or not one  
12 document had all the language of another document to me is  
13 not as important as the fact that it really is the IGD that  
14 lays out the direction that I subscribe to for purposes of  
15 moving forward and getting some conclusions brought to the  
16 status of the injured species list and moving forward on  
17 restoration to the extent we can bring restoration forward.

18                   So I hope that helps a little, Pat.

19                   CHAIRMAN CAMPBELL: Other Trustees?

20                   (No audible responses)

21                   CHAIRMAN CAMPBELL: No. Pete or Scott?

22                   (No audible responses)

23                   CHAIRMAN CAMPBELL: No. Okay. Pat, any  
24 other comments?

25                   MR. NORMAN: No, I don't. Thanks. Thanks

1 there.

2 CHAIRMAN CAMPBELL: Thank you very much.

3 Any other members of the PAC like to speak?

4 (No audible responses)

5 CHAIRMAN CAMPBELL: Okay.

6 MR. HAGEN: Yeah, McKie?

7 CHAIRMAN CAMPBELL: Yes.

8 MR. HAGEN: Yeah, this is Pete Hagen. Just  
9 to get back to the last speaker, in my mind there really  
10 wasn't, I guess, the degree of difference between the  
11 documents that was eventually adopted and the one that the  
12 PAC looked at. I know Stacy ran through a bunch of -- a  
13 list of differences and I think -- anyway, I would, I  
14 guess, disagree a little bit about the emphasis on some of  
15 those. And just note, you know, that I guess the process  
16 the Trustees are under are operating through consensus.

17 And I really don't think a lot of the  
18 points she raised are out the door, I guess, in the sense  
19 of public involvement and also touchstones to where we're  
20 going with the restoration plan. And I'd just like to note  
21 it is an interim guidance document and that's really what  
22 we're looking at right now, is just an interim approach.  
23 So we need to have continued dialogue on where we're going  
24 to go in the long term but this just lays out, I guess in  
25 the short term, where we're headed. And again, I just

1 wanted to iterate that. So that's all.

2 CHAIRMAN CAMPBELL: Appreciate that, Pete.  
3 Unless there are any other comments from the PAC, we will  
4 move on to cooperative effort between the Arctic Yukon  
5 Kuskokwim sustainable salmon initiative. PAC, going once,  
6 going twice.

7 We have a staff report from Rob, it  
8 appears. Rob.

9 MR. BOCHENEK: Rob Bochenek, data  
10 assistance manager for Exxon Valdez Oil Spill Trustee  
11 Council.

12 Before you, you have a motion to approve a  
13 request to create a cooperative agreement between EVOS data  
14 management and the AYK sustainable salmon initiative. In  
15 your packet, you have a series of documents, and I'm going  
16 to really quickly kind of walk you through those and give  
17 you a background. You have a memo from me detailing some  
18 of the specifics of the agreement in addition to providing  
19 some justification and kind of time line in which we're  
20 working.

21 Besides that, you also have a proposal that  
22 was submitted to the AYK SSI, which was written by AYK  
23 staff, kind describing the effort in addition to the work  
24 scope that's going to be utilized in the potential  
25 agreement. This proposal was written from the vantage

1 point of AYK and does not provide the background nor the  
2 benefits that EVOS will reap from this cooperative  
3 agreement. This just kind of provides kind of a contextual  
4 background as to what are the stipulations of the agreement  
5 and why AYK would be interested.

6 In addition to that, there is a letter of  
7 support from the chairman of the AYK SSI steering  
8 committee, Dr. John White. All these documents pretty much  
9 detail and just provide some background information as to  
10 the agreement.

11 I was hoping to talk to the Council today  
12 and provide a little bit of a background as to how this  
13 potential cooperative agreement came to be. In addition, I  
14 would like to describe how this agreement is going to  
15 positively affect data management here in the EVOS office.

16 As listed in our DPD, we have some of the  
17 tasks listed there which are described, the redevelopment  
18 of a peer review database. In the past, we've used this  
19 peer review database to assign peer reviewers in an  
20 automated fashion and to harvest these peer reviews online.  
21 In addition, we've also been able to create a metadata key  
22 word scheme which is utilized to search and provide gap  
23 analysis on the research that we perform on an annual  
24 basis. What we've discovered is that this keyword scheme  
25 is not really sufficient in order to describe the full

1 spectrum of research we do. In addition, the key word  
2 scheme isn't descriptive enough in order to really make  
3 matching of potential peer reviewers to proposals very  
4 efficient.

5                   So we were looking to redevelopment this  
6 key word scheme and expand it some. Key word descriptors  
7 in addition provide some more in-depth kind of key word  
8 description of the proposals in addition to the peer  
9 reviewers on our system.

10                   After we drafted and framed this work we  
11 were going to be doing in 2006, EVOS data management was  
12 contacted by the Arctic Yukon Kuskokwim staff to discuss  
13 their utilization of the same system. Their administrative  
14 cycle is very analogous to ours in which they have an RFP,  
15 they put money out on the street, and they generally get a  
16 response of, you know, 30 to 40 proposals. This year, AYK,  
17 I think, is putting about five million dollars out on the  
18 street and they're expecting to receive somewhere around 90  
19 to 100 proposals.

20                   The standard for peer reviews is generally  
21 three peer reviews per proposal, which is a pretty large  
22 task of acquiring 300 independent peer reviewers for their  
23 potential proposal load. Our system is highly scalable in  
24 that it makes assigning and managing and monitoring the  
25 peer reviews of a large array of proposals very, very

1 efficient and automated.

2                   Speaking with them, we decided that it  
3 could be a very beneficial act by cooperating with their  
4 agency and EVOS. While we redevelop the peer review  
5 database, we would need to include key word descriptors  
6 which describe their area of study, specifically,  
7 anadromous salmon. And by doing that, we would increase  
8 the strength of key word scheme in which we utilize here in  
9 the EVOS office in addition to provide them a solution to  
10 their problem.

11                   Overall, the cooperative agreement involves  
12 us providing in-kind support to them in terms of the  
13 development of the system and creating an interface for  
14 them to access the system. Their -- I want to try to get  
15 the correct word -- their support in the cooperative  
16 agreement is going to be shown in covering the cost  
17 associated with redeveloping the workshop. They're going  
18 to -- I mean, redeveloping the database. They're going to  
19 pay for the workshop in addition to any hardware or  
20 software required for the redevelopment to the extent of  
21 \$25,000.

22                   In terms of additional workload that is  
23 foreseen by EVOS staff, we're looking at probably an  
24 addition of 10 percent -- a 10 percent increase in work  
25 compared to just developing the peer review data --

1 redeveloping the peer review database for EVOS agency. We  
2 basically need to recreate the data structure and then  
3 recreate the interface. In order to port this to AYK, it's  
4 very simple. The templates are already made and the  
5 information is there. So it's not going to require that  
6 much additional effort from our staff to supply them access  
7 to it. But we reap a large series of benefits, including a  
8 decrease overall administrative cost for EVOS data  
9 management FY06.

10                   We are going to have a better key word  
11 descriptive scheme product by incorporating other agencies  
12 and making them stakeholders in the process. In addition  
13 we're going to generate a key word scheme that is very  
14 definitive and descriptive, describing anadromous science  
15 in the Arctic region, which will be able to be utilized by  
16 various agencies and so forth. That's basically -- you  
17 have the motion before you, I believe.

18                   CHAIRMAN CAMPBELL: Questions from the  
19 Trustees?

20                   (No audible responses)

21                   CHAIRMAN CAMPBELL: Scott? Pete? Drue.

22                   MS. PEARCE: Well, I just have a question  
23 about allocation of time. I know that in the budget that  
24 you sub -- that was submitted to us that we're presently  
25 looking at for next year, you've asked for some additional

1 resources and I understand that AYK would be providing us  
2 with funds that I believe are for workshops and then some  
3 for supporting your efforts. Are there enough hours in the  
4 day.....

5 MR. BOCHENEK: Well.....

6 MS. PEARCE: .....for you to be able to  
7 complete this additional task?

8 MR. BOCHENEK: In terms of the way the  
9 database is set up, porting an interface to AYK is going to  
10 be very minimal in terms of the amount of work expended.  
11 The primary workload is going to be based around the  
12 redevelopment, and the redevelopment is going to occur if  
13 AYK -- if we're cooperating with AYK or if we're not  
14 cooperating with AYK. But if we do cooperate with AYK, we  
15 foresee maybe -- if it takes us a month to redevelop the  
16 database and redevelop the interfaces to it, supplying a  
17 interface to AYK should literally take a few days. I mean,  
18 I would say two, two days, three days. Maybe during the  
19 peer review process, a few additional days of support and  
20 training on their staff.

21 The way it's set up is basically so that  
22 the responsibilities of entering the data and associating  
23 the documents of the proposals with the system in addition  
24 to assigning the peer reviewers and monitoring the peer  
25 reviewers is completely on the staff who are performing.



1 In EVOS, it would be our science staff. Either our science  
2 director or our science coordinator. In their case it's  
3 going to be their equivalent of that. I don't foresee a  
4 very large amount of increased workload for data management  
5 staff.

6 CHAIRMAN CAMPBELL: Joe.

7 MR. MEADE: Rob, I too share Drue's same  
8 apprehension. You're a highly talented skill here at EVOS  
9 and we see you get stretched and stretched and we see the  
10 quality of the work you do. I really commend the  
11 collaborating environment you're creating here. I think  
12 it's excellent to find the ability to collaborate the  
13 database and the technology that you're pioneering and find  
14 ways that it can help benefit a broader spectrum of  
15 application.

16 With that though I think it is important  
17 that we keep focus too that we're not inviting new and  
18 additional work to EVOS but we're taking -- and insure the  
19 presentation focuses on the collaborating environment that  
20 we're taking advantage of here. And I don't know to what  
21 extent maybe it would be appropriate ahead of this  
22 cooperative agreement to actually have an MOU in place with  
23 the said parties so that we kind of frame that intent and  
24 purpose.

25 I don't know if that would be of added

1 value or not, but I myself value the collaborating approach  
2 you're taking. But I think it's important that we are  
3 clear we're not looking to add work to what it is that our  
4 principal mission is, but we're making the investments made  
5 here available in a collaborating environment to help  
6 foster that access by other agencies and to enhance the  
7 database for our own application.

8 CHAIRMAN CAMPBELL: Kurt.

9 MR. FREDRIKSSON: Yeah, unless Rob --  
10 unless you want to respond to Joe's comment there.

11 MR. BOCHENEK: No, I have no response.

12 MR. FREDRIKSSON: Let me, if I might. For  
13 those on the phone, Kurt Fredriksson. I guess when I saw  
14 this -- and Rob, we -- I don't even know what meeting long  
15 ago we had, but when you were kind of showing us what  
16 assets really the EVOS program has built that other people  
17 could take advantage of or we could actually promote  
18 elsewhere, I raised some real concerns. And my concerns  
19 are, I want us to focus on our mission, our duties, our  
20 geography, our oil spill. In doing that, there are all  
21 sorts of other opportunities that we can imagine or others  
22 can imagine as to how the work of EVOS could compliment  
23 what they're doing. But I have apprehensions in going into  
24 that path.

25 I have no apprehensions about making our --

1 what we learn available so that people -- everything you do  
2 as far as I'm concerned -- for the most part -- public  
3 information. Unless it has some legal, confidential stamp  
4 on it, it's public information. It's available to the  
5 public. But about the time -- you have to invest time on  
6 that or energy on that. And that's where I start to get  
7 real concerned. When I look at -- and it's -- I just got  
8 this last night but it's a letter from the Arctic Yukon  
9 Kuskokwim sustainable salmon initiative, Dr. John White,  
10 the chairman of the steering committee. Right off the bat,  
11 I see where he speaks to the salmon initiative as being a  
12 program that's received some substantial congressional  
13 funding. It's got the active participation and membership  
14 of some Federal and State fish and wildlife agencies. And  
15 I'm -- I guess when I look at that, I'm just -- I'm  
16 wondering, so what is limiting their ability to just, if  
17 you will, hire a contractor to come over here and invest  
18 that time directly to pick from our files or to learn from  
19 us.

20 I'm just -- maybe you can help assuage my  
21 fears that what I might just generally term mission creep  
22 in this kind of a situation.

23 MR. BOCHENEK: So are you saying that this  
24 cooperative agreement does not fall within the scope of  
25 restoration activities?

1                   MR. FREDRIKSSON: Prince William Sound  
2 Exxon Valdez oil spill restoration activities, I don't see  
3 how applying our staff resources to the Yukon Kuskokwim  
4 fits into that framework.

5                   MR. BOCHENEK: Well, the way I look at this  
6 cooperative agreement is not that we're providing  
7 necessarily a service to AYK, but that we're producing a  
8 better key word scheme that can be utilized in the peer  
9 review database in addition to how we describe our  
10 proposals. We want a key word scheme that covers the  
11 entire spectrum of both physical, biological, and  
12 socioeconomic science that's being performed. By enlisting  
13 and collaborating with these other agencies who have their  
14 vantage points, I believe that we're going to better fill  
15 in that spectrum of key words than we would be able to do  
16 by ourselves.

17                   By doing that, then we can perform analyses  
18 on the research that we have performed to determine whether  
19 there's gaps in those research. We'll be able to find  
20 information and provide access to that information for  
21 these higher level syntheses and so forth. And generally,  
22 what I look at as the product of this collaboration is not  
23 necessarily a service being provided to AYK, I think the  
24 service is a very minimal aspect of the work. I believe  
25 that the product is going to be a better descriptive scheme

1 describing oceanographic and watershed research for the  
2 region.

3 MR. FREDRIKSSON: For the EVOS region.

4 MR. BOCHENEK: For the EVOS region or for  
5 -- it's something that could be utilized by other entities  
6 too. I mean, I'm.....

7 CHAIRMAN CAMPBELL: When I -- I appreciate  
8 your clarification on this. When I very first looked at  
9 this, my initial reaction is, AYK is long way from where  
10 any oil hit. And then as I've read more and have heard  
11 your explanation, my understanding is that we are not using  
12 any of the EVOS restoration funds to somehow provide a fund  
13 to an organization out of the area but rather simply  
14 entering into a cooperative agreement which will enable us  
15 to better do our job for the spill area and for the  
16 restoration. Is that.....

17 MR. BOCHENEK: Yes. Yes.

18 CHAIRMAN CAMPBELL: Do I have that  
19 correctly?

20 MR. BOCHENEK: The final product, which is  
21 the key word scheme, which I look to as being the actual  
22 product of these workshops and redeveloping the database,  
23 will allow us to vet our scientific proposals to a higher  
24 degree in addition to provide more in-depth metadata  
25 describing those proposals and just more functionality in

1 terms of performing gap analyses and so forth.

2 MR. MEADE: And as a taxpayer, I appreciate  
3 it. We don't need another agency going out and developing  
4 a data structure similar to what has already been developed  
5 in this context.

6 And if we can enhance, through  
7 collaboration and application that benefits multiple  
8 parties, as public servants, I really feel that's a  
9 critical role and responsibility we should fulfil. That's  
10 why I very much value your collaborative nature to this. I  
11 do agree though to insure we don't have that mission creep,  
12 you know, providing a service, collaborating a qualitative  
13 product that enhances our application and prevents another  
14 entity from needing to repeat what's already been  
15 constructed with public funds all makes good sense. But I  
16 also agree with Kurt's caution to not allow mission creep  
17 to occur. We need to keep focused with our purpose and  
18 mission and I think that's the constraint you see this in.

19 CHAIRMAN CAMPBELL: Kurt.

20 MR. FREDRIKSSON: Yeah, I think -- and Rob,  
21 what I would appreciate, is if it is the advice of staff  
22 that you need to do the -- or you need to develop this key  
23 word scheme -- and I don't know the details, I trust your  
24 judgment on this, you're our staff -- but if you feel this  
25 is a path that you need to go down to advance our knowledge

1 in restoration of Prince William Sound and the resources  
2 impacted by the Exxon Valdez oil spill, I can live with  
3 that.

4 I don't think we need to -- to me that's an  
5 investment we should be making. That's why we had  
6 settlement funds. I don't think we need to take funds from  
7 other people to do that. In fact, I think that taints it.  
8 I think that makes it sound as if we're soliciting funds or  
9 we have people coming to us saying, well, this would not be  
10 a priority of yours unless we provided you with funds.

11 MR. BOCHENEK: Well the -- you know, there  
12 has been some criticism of the EVOS admin budget and there  
13 has been some questions raised about the workshops that  
14 data management was planning on holding when one of those  
15 workshops was the redevelopment of this peer review  
16 database. And we looked at it as a solution to reducing  
17 those costs which seem to have been voiced by some liaisons  
18 to be not worthwhile. And so if we were able to subsidize  
19 those costs, or have those costs absorbed by another  
20 program who is interested in utilizing our system, we  
21 thought that this would be something that would.....

22 CHAIRMAN CAMPBELL: Pete or Scott?

23 MR. HAGEN: Yeah, this is Pete. Yeah, I  
24 just want to speak in support of a motion to go forward  
25 with this agreement to work with AYK SSI. And I'll use a

1 buzz word I usually don't like to use, and that is synergy.  
2 Essentially what the EVOS -- for any science based program  
3 that we're going to have, we need to drop on a limited  
4 resource, which is the scientific community, to conduct our  
5 peer review requirements.

6                   And the more entities and more people you  
7 can bring into this, the better pool for researchers we'll  
8 have. I think Rob mentioned that, you know, anadromous  
9 scientists in the Arctic area. Anadromous scientists  
10 aren't restricted to the Arctic area where the AYK SSI are,  
11 these -- the entities and the researchers that will be  
12 responding to AYK SSI initiative are also the -- frequently  
13 will be the people that could be responding to the EVOS  
14 proposals as well.

15                   And I think by kind of bringing additional  
16 entities in and forming these kind of cooperative  
17 approaches, we'll be able to draw a bigger pool of talented  
18 researchers into kind of the needs of the EVOS program and  
19 we'll draw upon those. So I think it's really a win/win  
20 situation and if we can get our costs covered by another  
21 entity which has Federal funds, then that's fine as well.  
22 That's all.

23                   CHAIRMAN CAMPBELL: Joe.

24                   MR. MEADE: I was just going to add to  
25 Rob's side or point because I think I was one of the



1 Trustees that cautioned the increasing amount in the  
2 administrative budget, particularly when Rob had made a  
3 proposal associated to this. I commend the fact that  
4 you've gone out and found a way to help bring collaborators  
5 in to help address some of the costs associated to being  
6 able to host the meetings that we had constrained your  
7 budget from the capacity to do.

8                   So, you know, Kurt, I take a bit of  
9 responsibility there in that I supported constraining the  
10 administrative budget growth. And I work for an agency  
11 that looks to partnerships, cooperative relationships, and  
12 collaboration to find others that will come and help  
13 accomplish that outcome or that goal.

14                   So with that interpretation and if I'm  
15 accurate in that interpretation, Rob, I commend that you've  
16 gone out and found a collaborator that's going to help you  
17 achieve your purpose and goals as you had intended with the  
18 constrained funds that we challenged you to do it within  
19 in.

20                   CHAIRMAN CAMPBELL: Drue.

21                   MS. PEARCE: I'm wondering if,  
22 Commissioner, you'd feel more comfortable if we went  
23 forward with this, however, with the request that we  
24 develop an MOA so that we have a clear construction of what  
25 this project is and what the parameters are so that we --

1 so that mission creep can't come into the picture. Because  
2 I think Joe is right, I think at least on the Federal  
3 level, we seem to do MOA's for everything. But it's nice  
4 to have it laid out. Here's what we're doing and here's  
5 why we're working with the other group.

6                   And it since it does reach -- although  
7 salmon seem to go where they want to, when they want to --  
8 but we are getting -- certainly AYK gets somewhat outside  
9 the spill area but also somewhat inside. So I think it's a  
10 good idea to have it on paper no matter what, because we  
11 are kind of reaching beyond our boundaries a little bit.

12                   MR. FREDRIKSSON: If I might -- because I  
13 don't think we have motion on the table -- so if I might  
14 just.....

15                   CHAIRMAN CAMPBELL: In fact, I would just  
16 ask for one.

17                   MR. FREDRIKSSON: .....throw a motion on  
18 the table and then we could maybe pursue the discussion.  
19 But I would move to approve the request to create a  
20 memorandum of agreement between EVOS data management and  
21 the Arctic Yukon Kuskokwim sustainable salmon initiative  
22 over the utilization of the peer review data system located  
23 at the EVOS office. And that would be my motion.

24                   MR. NORDSTRAND: I'll second.

25                   REPORTER: Was that Pete?

1                   CHAIRMAN CAMPBELL: A question from the  
2 chair.

3                   MR. FREDRIKSSON: That was Scott.

4                   CHAIRMAN CAMPBELL: That was Scott. A  
5 question from the chair. It was, I take it, your intention  
6 to leave out the second part of the motion about funding  
7 from AYK?

8                   MR. FREDRIKSSON: At this point, at least  
9 for discussion, I would.

10                  CHAIRMAN CAMPBELL: Okay. For discussion  
11 purposes, I would say I am interested in having AYK provide  
12 the funds because what I'm particularly concerned about is  
13 later down the road -- even though this is a benefit to us  
14 -- if they're not paying and covering their portion of the  
15 costs, it appears we've used restoration funds to provide  
16 an uncompensated service to an organization outside of the  
17 spill area.

18                  I'd fee. much more comfortable if we had a  
19 trail where, while it's a cooperative agreement, there's  
20 benefit to both parties to the extent that it is caused us  
21 any additional work, those funds have been covered and  
22 we're not using restoration funds for that.

23                  Joe.

24                  MR. MEADE: I was just going to lend to the  
25 discussion. I think that the wisdom of Commissioner

1 Fredriksson there puts the horse in front of the cart. I  
2 think I would be fully in favor of the motion and I would  
3 follow with -- I would suggest then in discussion, followed  
4 with a motion that once that is in place, to also concur  
5 with the execution of the cooperative agreement. I think  
6 the cooperative agreement then nicely tiers to the  
7 memorandum of agreement which spells out that framework  
8 that the Trustees have with the said entities. To me they  
9 can go in tandem but I think that Kurt puts in priority the  
10 right process ahead of having a cooperative agreement.

11 CHAIRMAN CAMPBELL: And in your view, does  
12 the cooperative agreement include funding?

13 MR. MEADE: Yes.

14 CHAIRMAN CAMPBELL: Okay.

15 MR. MEADE: I do believe in the same light  
16 as you. I think that when individuals want to take  
17 advantage of utilizing an investment that the EVOS has,  
18 that that should be at their cost. I would even wonder if  
19 there shouldn't be some prorata increase in that  
20 contribution but I wasn't going to go there.

21 MR. FREDRIKSSON: We may have to.

22 CHAIRMAN CAMPBELL: Scott or Pete?

23 MR. HAGEN: Well, I guess if we're talking  
24 about starting with a memorandum of agreement with the AYK  
25 SSI in terms of a blanket thing, you might consider leaving

1 it open for additional signatories to come in. I guess I'm  
2 thinking most directly the North Pacific Research Board  
3 which is actually making use of the current database in a  
4 rather informal way right now. But anyway, that's just one  
5 suggestion on it.

6 CHAIRMAN CAMPBELL: Drue.

7 MS. PEARCE: I think we already have an  
8 MOA/MOU or something with the NPRB.....

9 MR. HAGEN: Yeah, does it.....

10 MS. PEARCE: .....that is broader probably.  
11 Allows them to.....

12 MR. BOCHENEK: It's specific to device.  
13 It's to a computer device, a server, not specific to.....

14 MS. PEARCE: I thought we had a.....

15 MR. BOCHENEK: Oh, yeah there's probably --  
16 excuse me.

17 MS. PEARCE: There's a fairly broad one.

18 MR. HAGEN: Yeah, I guess there is an MOA  
19 with the Trustee Council and NPRB and University of Alaska  
20 that kind of describes coordinating research, as I  
21 understand.

22 MS. PEARCE: Right.

23 MR. HAGEN: And maybe this falls in under  
24 it and asking AYK SSI to sign in, maybe that would cover  
25 things.

1                   CHAIRMAN CAMPBELL: A question to staff.  
2 In this motion, do you need a specific approval from us  
3 from us for costs or if we simply approve the motion as  
4 stated, is it then within staff's ability to work out  
5 issues on covering costs? My only concern, I want to be --  
6 I'm happy to be a cooperative person here -- but I just  
7 want to make sure down the road there's never a question  
8 that we used restoration funds to benefit other  
9 organizations or purposes other than the restoration of the  
10 spill area.

11                  MS. PEARCE: And I would think that we need  
12 to take the action specifically and I also think the MOU  
13 should be specific to this particular activity.

14                  CHAIRMAN CAMPBELL: The motion right now is  
15 for.....

16                  MR. FREDRIKSSON: For the memorandum of  
17 agreement.

18                  MS. PEARCE: For this project.

19                  MR. FREDRIKSSON: For this project  
20 specifically.

21                  MS. PEARCE: Okay.

22                  CHAIRMAN CAMPBELL: Okay. We have in front  
23 of us right now a motion that's been seconded for this  
24 specific activity, a sharing -- excuse me, an MOU or an  
25 MOA, excuse me, between EVOS and AYK SSI for sharing of

1 data. Right now we do not have a further amendment or  
2 anything further on cooperative agreement or costs.

3 MR. FREDRIKSSON: Correct. And I might  
4 suggest that we treat that as a separate item.

5 CHAIRMAN CAMPBELL: In that case, is there  
6 any further discussion on our original motion?

7 (No audible responses)

8 CHAIRMAN CAMPBELL: Is there any objection?

9 (No audible responses)

10 CHAIRMAN CAMPBELL: If not, the motion  
11 carries. Is there then -- is it your intent to make that  
12 additional item as a separate motion at this meeting or a  
13 subsequent meeting?

14 MR. FREDRIKSSON: Joe had his hand up but  
15 let me.....

16 CHAIRMAN CAMPBELL: Oh, I'm sorry.

17 MR. FREDRIKSSON: .....jump in there.  
18 Because I am getting now, when dealing with dollars, and I  
19 think our -- one of our -- it's not our next agenda item,  
20 it's the agenda item after that, we're going to be talking  
21 about money. And I would assume that this is going to fall  
22 into the budget that we have yet to approve for the EVOS  
23 program. Is that correct, Rob?

24 MR. BOCHENEK: Yes, in essence it covers  
25 the cost of some of the budget items under the data

1 management section.

2 MR. FREDRIKSSON: So whether we treat it as  
3 a separate motion now or create it in the context of the  
4 budget, I don't know what the preference of the Council  
5 would be.

6 CHAIRMAN CAMPBELL: Your preference.

7 MR. FREDRIKSSON: I am looking forward to  
8 the discussion on just cost recovery, I guess. You know  
9 our policies on cost recovery to me is what is of concern  
10 to me.

11 CHAIRMAN CAMPBELL: Joe.

12 MR. MEADE: I was simply going to, as I  
13 noted earlier, put forward a motion that we implement the  
14 cooperative agreement, again, second to the motion that's  
15 been established performing and approving the MOA so that  
16 we can move forward with a project that I think is very  
17 time sensitive for the partner's interest and serves strong  
18 mutual benefit to our data structure. So I am in support  
19 of the motion as was in our package with the umbrella MOA  
20 having been approved and identified ahead of it. So my  
21 motion, though I can't pick up a piece of paper and read  
22 it, would be basically to be in support of the motion for  
23 cooperative agreement as it's been put forward.

24 CHAIRMAN CAMPBELL: Okay. So Joe, the way  
25 the paper reads would be, excuse me, AYK SSI would provide



1 EVOS data -- enter into a cooperative agreement with EVOS  
2 data management and will provide -- let's see, SSI will  
3 provide up to \$25,000 for the cost of the peer review  
4 database redevelopment effort. Does that.....

5 MR. MEADE: Yes. And again, it would be  
6 subject to and tiered from the MOA that was already  
7 approved.

8 CHAIRMAN CAMPBELL: All right. Do we have  
9 a second on that motion? Is there a question of what the  
10 motion is because I did not really state it well, but do we  
11 have -- and if not, it's to approve the cooperative  
12 agreement and the funding.

13 MR. FREDRIKSSON: If I might just make --  
14 I'll make the motion.

15 MS. PEARCE: Wait. Oh.

16 MR. MEADE: Well, Joe has made a motion  
17 that's on the floor.

18 MS. PEARCE: Go ahead. Go ahead.

19 MR. FREDRIKSSON: Okay. I'm sorry.

20 MS. PEARCE: We've got a motion on the  
21 table.....

22 MR. MEADE: Well, I can withdraw the  
23 motion.....

24 MS. PEARCE: .....but we don't have a  
25 second.

1                   MR. MEADE:   .....to leave you that  
2 latitude.

3                   MS. PEARCE:  Can we have an at ease?

4                   MR. FREDRIKSSON:  I'm sorry, Joe.  If.....

5                   CHAIRMAN CAMPBELL:  We've been asked for a  
6 brief at ease.  A very brief at ease.

7                   (Off record - 11:25 a.m.)

8                   (On record - 11:26 a.m.)

9                   CHAIRMAN CAMPBELL:  We're going to come  
10 back to order.  We're going to come back to order and as I  
11 understand Joe's motion -- Joe please correct me if I'm  
12 wrong about this -- it is, EVOS data management will  
13 provide in-kind support to AYK staff and the utilization of  
14 the system and AYK will in turn provide funds up to \$25,000  
15 for the cost of the peer review database redevelopment  
16 effort that is scheduled to take place between October 1st  
17 and December 30th, FY06.  Is that.....

18                  MR. MEADE:  That's accurate.

19                  CHAIRMAN CAMPBELL:  That is accurate.

20                  MR. MEADE:  The one caveat that this is  
21 then -- this cooperative agreement is agreement is approved  
22 as tiered to the MOA, which was already made in the form of  
23 a motion and approved.

24                  CHAIRMAN CAMPBELL:  Absolutely.  Is there  
25 second?

1 MS. PEARCE: I will second.

2 CHAIRMAN CAMPBELL: There's a second on  
3 that motion. Is there any further discussion on that  
4 motion?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: Is there any objection  
7 to that motion?

8 (No audible responses)

9 CHAIRMAN CAMPBELL: Kurt.

10 MR. FREDRIKSSON: Further discussion. And  
11 maybe I'll address this to Gail. Gail, in terms of our --  
12 because we have some -- or Rob, EVOS staff. We have signed  
13 agreements with I believe North Pacific Research Board and  
14 we've signed agreements with the Alaska Ocean Observing  
15 System. Has there been, as part of those agreements, has  
16 there been any funding provided to EVOS as a result of the  
17 work under those agreements?

18 MR. BOCHENEK: There's, I believe, a shared  
19 server, a device that's shared between North Pacific  
20 Research Board and EVOS for development purposes. It's I  
21 believe a shared resource. I don't know -- that's all I'm  
22 aware of.

23 MR. FREDRIKSSON: Okay.

24 MS. PEARCE: I remember that the big joint  
25 MOU is just cause for collaborative efforts and there are

1 others other than just the University and NPRB.....

2 CHAIRMAN CAMPBELL: Yeah.

3 MS. PEARCE: .....I believe that are  
4 associated with that.

5 CHAIRMAN CAMPBELL: Let me just mention  
6 what Mr. Tillery has just brought to my attention, is Scott  
7 is going to have to leave at noon to catch an airplane. He  
8 is probably the critical member we have for our budget  
9 discussion. So just -- while I do not wish to discourage  
10 debate, I would just ask folks to think carefully if they  
11 really need to say something and we should perhaps move on  
12 more expeditiously.

13 MS. PEARCE: And is Mr. Tillery deputized  
14 to become the.....

15 CHAIRMAN CAMPBELL: I think that's what  
16 will happen but I do.....

17 MS. PEARCE: .....Trustee? Okay.

18 CHAIRMAN CAMPBELL: Yeah. But I do think  
19 it would be advantageous to.....

20 MS. PEARCE: I understand.

21 CHAIRMAN CAMPBELL: .....have him.....

22 MR. FREDRIKSSON: And maybe just to move  
23 this item along, just make a decision on this, but I would  
24 like -- and perhaps we could ask staff, Gail, at our next  
25 meeting to bring before the Trustee Council a discussion of

1 cost recovery and reimbursement. We deal with a lot of  
2 reports here. I think we had not too long ago -- in fact I  
3 think it was handed out, a SEA grant book that we had some  
4 talk at that time about whether the funds that would be  
5 recovered from that book would be returned to the EVOS  
6 Trustee Council or not. And I would just like to -- I  
7 would like to have a better handle on how we deal with  
8 those kind of monies coming to the Trustee Council or how  
9 we might charge for services or products provided through  
10 the Trustee Council.

11 CHAIRMAN CAMPBELL: With that  
12 understanding, is there any additional discussion on the  
13 motion on the floor?

14 (No audible responses)

15 CHAIRMAN CAMPBELL: Is there any objection  
16 to the motion on the floor?

17 (No audible responses)

18 CHAIRMAN CAMPBELL: If not, it is adopted.

19 MS. PEARCE: Mr. Chairman. It's my intent  
20 later in the meeting to go back and rescind our earlier  
21 motion on the MOA because we need to change who it's  
22 between. But I will put that aside until.....

23 CHAIRMAN CAMPBELL: A technical  
24 wording.....

25 MS. PEARCE: .....sometime later.

1                   CHAIRMAN CAMPBELL:   .....adjustment.

2                   MS. PEARCE:   Right.

3                   CHAIRMAN CAMPBELL:   Okay.   Let me ask the

4 -- if I could -- how long the expected staff presentation

5 on Intregal proposal is roughly supposed to be?

6                   MS. PHILLIPS:   It should be very short.

7                   CHAIRMAN CAMPBELL:   Okay.

8                   MS. PHILLIPS:   And Intregal is online, if

9 you have any questions.   Tom Royer is online, if you have

10 any questions regarding the STAC recommendations.   So I

11 think that one should be very short and we'd like to -- I'd

12 like to get that out of the way first, if we can.

13                   CHAIRMAN CAMPBELL:   Okay.   In that case, is

14 -- Richard seems to have left?

15                   MS. PHILLIPS:   Oh.   Cherri, would you

16 please get him?   If you don't have anything more for Rob

17 then he'll be re -- he'll step back, thanks.

18                   CHAIRMAN CAMPBELL:   Thank you.

19                   MS. PEARCE:   Thank you, Rob.

20                   MR. MEADE:   Thank you, Rob.

21                   MR. FREDRIKSSON:   Thanks, Rob.

22                   MR. DWORSKY:   And we always bring our cups

23 of coffee up here in the expectation we're going to be able

24 to drink them but it doesn't appear to be the case.

25                   CHAIRMAN CAMPBELL:   We'll try to keep it

1 brief.

2 MR. DWORSKY: I'm Dick Dworsky, the Science  
3 Coordinator. Let me -- let me find the right page here.  
4 Let me give you a little chronology on the Intregal  
5 proposal. Also on the line is Lucinda Jacobs and Tom  
6 Royer, in case you want to ask them questions.

7 DR. NORCROSS: And Brenda Norcross.

8 MR. DWORSKY: And Brenda. You're there.  
9 Intregal was supposed to have sent us their revision on the  
10 17th. They sent it to us on the 15th, which was Wednesday.  
11 Wednesday we sent it to the STAC and the liaisons for  
12 comments. On Friday, the 17th, it was sent to the PAC. So  
13 they've had it since last week. We received the STAC  
14 comments on Tuesday and so see time is very -- moves along  
15 very quickly.

16 Intregal did revise their proposal. They  
17 did add a little bit more money than we initially had  
18 authorized. The comments that the PAC made are in your  
19 text and the science coordinator and the executive director  
20 comments are also attached. Our suggestions is simply that  
21 -- and I have discussed this with the Intregal folks -- is  
22 simply to just take each of the topics that were identified  
23 by the STAC and probably just say, you know, we intend to  
24 do this, we intend to do that. We intend to cooperate  
25 here. We think that this will just be a simple addendum to

1 their existing proposal, it should include -- this probably  
2 could be concluded in a single one page letter.

3 As a result of that, we have a decision  
4 document. Unless there are questions you want to discuss,  
5 I would like to read you the recommended decision that.....

6 CHAIRMAN CAMPBELL: Excuse me, Rich. Joe.

7 MR. DWORSKY: Yeah.

8 MR. MEADE: A question. You had mentioned  
9 the one-pager. Would that -- are you implying that that  
10 would then be identifying to the contractor that we look to  
11 follow to the full extent the comments provided by the  
12 STAC?

13 MR. DWORSKY: Yes, I think what we're just  
14 asking the contractor to say is look, we've looked at these  
15 comments and we intend to address in the following manner  
16 or cooperate in the following manner or to do this based  
17 upon the budget and time requirements we have. And  
18 probably more as an explanation of how they intend to  
19 manage the program. So I.....

20 MR. MEADE: I guess to be clear, I full -- I  
21 read each -- I really appreciated the input from the STAC  
22 and I would like the implementation of the STAC's  
23 recommendations to be followed to the fullest. Is that  
24 what you're implying?

25 MR. DWORSKY: Yes.



1 MR. MEADE: Okay.

2 MR. DWORSKY: Yes.

3 MR. MEADE: That helps me, thank you.

4 MR. DWORSKY: The recommend -- I probably

5 didn't do this in the appropriate way but our

6 recommendation to you is the Trustee Council approves for

7 funding the Intregal proposal with a new recommend level of

8 \$565,000 plus -- and change. The project will be completed

9 by July 1 as indicated in their proposal. Intregal needs

10 to provide a letter to respond to the STAC comments as

11 applicable.

12 And I'll take any questions or any

13 additions.

14 MR. ROYER: Yeah, this is Tom Royer. Can I

15 make a comment?

16 CHAIRMAN CAMPBELL: Go ahead, Tom.

17 MR. ROYER: Hello?

18 CHAIRMAN CAMPBELL: Go ahead, Tom.

19 MR. ROYER: Can you hear me?

20 CHAIRMAN CAMPBELL: Yes, we can. Go ahead.

21 MR. ROYER: I just wanted to comment that

22 we did -- all the members of the committee did participate

23 in the review and we did get that -- we did have a

24 teleconference on Monday about this. We didn't feel that

25 the changes were that significant from what we originally

1 saw and that they had made minimal changes. But they have  
2 identified experts and they've given us a meeting schedule.  
3

4                   And we had some concerns about whether they  
5 knew the difference between a bibliography and a synthesis  
6 and they really need to focus on making this a synthesis  
7 and not just a list of references. And we provided some  
8 idea of a step by step method by which they could entrain  
9 the input from the expert side in the workshops and then  
10 for them to write the synthesis and then it be reviewed.  
11 We felt that the review by the experts and outside  
12 reviewers was especially important and would be a valuable  
13 product for EVOS to have.

14                   We were also a little -- somewhat concerned  
15 as to who owned the property rights on the bibliography  
16 once it was produced. So we emphasized that it should go  
17 into the EVOS data management and the website.

18                   But I think one of the problems we still  
19 see with this is that the compensation for the expert  
20 reviewer or experts that they're going to depend on. This  
21 is going to be a pretty short fuse on the time line. And  
22 they're concerned that they're going to get commitment and  
23 adequate funding for the experts. So that was one reason  
24 why we put that in as a bullet.

25                   And in the discussions today, I would like

1 to add another bullet, if I could, in that there needs to  
2 be some method by which the PAC and the STAC participate in  
3 this process of review. There -- in the proposal there is  
4 not mention of STAC and PAC participation.

5 And I'll be glad to entertain any  
6 questions.

7 CHAIRMAN CAMPBELL: If we don't have any  
8 questions, do we have other questions for Mr. Dworsky?  
9 Trustees?

10 (No audible responses)

11 CHAIRMAN CAMPBELL: Okay. Do we have a  
12 motion on the floor?

13 MR. FREDRIKSSON: Could we -- before we get  
14 into a motion, I guess I'd be curious to hear -- have we  
15 now heard from the STAC? I heard Brenda was on. Brenda,  
16 was Tom speaking on your behalf as well?

17 DR. NORCROSS: Yes, he is. Thank you.

18 MR. FREDRIKSSON: Okay. And then I was  
19 thinking, before we get into our discussion or having a  
20 motion, I'd like to hear from Intregal if they have any  
21 comments.

22 DR. JACOBS: No comments. Appreciate the  
23 additional feedback we're getting here and particularly the  
24 perspective from the PAC and the STAC.

25 CHAIRMAN CAMPBELL: Okay.

1 MR. FREDRIKSSON: I'd be happy to make a  
2 motion.

3 CHAIRMAN CAMPBELL: Please.

4 MR. FREDRIKSSON: I'd move that the Trustee  
5 Council approves for funding the Intregal proposal at the  
6 new recommended level of \$565,312.46. The project will be  
7 completed by July 1, 2006. That would be my motion.

8 CHAIRMAN CAMPBELL: Okay. Is there a  
9 second?

10 MS. PEARCE: Second.

11 CHAIRMAN CAMPBELL: We have a second.

12 MR. MEADE: Discussion.

13 CHAIRMAN CAMPBELL: Is there discussion on  
14 the motion?

15 MR. MEADE: I have a concern that that  
16 discussion constrains or does not recognize that in the  
17 execution of the motion the STAC recommendations will be  
18 followed explicitly, including the last bulleted item that  
19 engages a direct requirement that both the STAC and the PAC  
20 are engaged through the synthesis review process.

21 MR. FREDRIKSSON: If I might. And this is  
22 Kurt Fredriksson speaking. I guess as I've looked at the  
23 Intregal process in the context of our FY06 work plan, I  
24 think we've come a long ways. I was very impressed  
25 actually by what Intregal came back to us with in terms of

1 responding to our concerns. As you recall at our last  
2 meeting, in fact it was a number of the scientists that  
3 were asking Intregal to engage through this peer review  
4 proc -- this actively engaged in the peer review process  
5 and the development process, many of those very same  
6 investigators the STAC had concluded weren't responsive to  
7 our requests and had not really done a very good job in  
8 their initial FY06 work plans. But nevertheless, they have  
9 long term experience and information that's critical to us  
10 bringing some conclusion to our -- to the question of  
11 lingering oil and to the question of remaining injured  
12 resources.

13 I see here four workshops. I see engaged a  
14 technical panel that includes many of the experts we would  
15 expect to be engaged in that technical review panel. And  
16 then I see a resources services work group that then  
17 enlists the additional people that we would hope to see  
18 involved in a review and comment capacity. I for the life  
19 of me am kind of lost in terms of what has been recommended  
20 by staff that Intregal provide a letter that addresses the  
21 concerns as applicable. I don't know what that means.

22 I'm also very concerned that having just  
23 reviewed a document, another synthesis document, at least  
24 the introductory section, I'm wondering to what extent  
25 we're holding some of our investigators to a higher

1 standard of performance than others. And I'm referring to  
2 the Dr. Spies synthesis.. And the review that it seems to  
3 be going through is different than what I'm seeing we're  
4 holding Intregal accountable to. So I guess I'm feeling  
5 like this work is so critical that we get this done. I  
6 think they've been responsive. I think we have the long  
7 term scientists that have been engaged in developing the  
8 EVOS work. I just don't really see what the problem is.

9 CHAIRMAN CAMPBELL: Joe.

10 MR. MEADE: I guess I might -- this is a  
11 different contract so I'm not able to compare it to a  
12 contract that was engaged prior to my being on the board.  
13 I have heard clearly both STAC and PAC concerned about time  
14 frames and I've heard both the PAC and STAC speak clearly  
15 about their interest and need to fulfill the expectations  
16 to their duties and responsibilities.

17 And I gave very careful review to the STAC  
18 comments for that reason. And I've heard again today the  
19 concerns from the PAC. I don't know that we're looking at  
20 that much more of a laborious process to insure STAC and  
21 PAC are tied in and that that STAC recommendations are  
22 followed explicitly.

23 I feel it's very important because I do  
24 feel having senior scientists' participation that have been  
25 engaged in this process for the tenure is very important.

1 And in a half of a million dollar plus contract, and  
2 especially when you look at the per day charges for the  
3 services being provided, I think the expectation and can  
4 fully -- engage senior scientists and fully follow the  
5 recommendations of the STAC and that the proposals are  
6 quite close. And that the added caveat that STAC and PAC  
7 can be literally sought and engaged, rather than just  
8 assumed in the established meeting structure would be  
9 important.

10 Perhaps it's something we should delay. I  
11 know we're pushing the time when one of the commissioners  
12 are going to be able to make available for the budget  
13 discussion so I don't know if it's.....

14 CHAIRMAN CAMPBELL: Scott or Pete?  
15 Comments? We have a motion on the floor.

16 MR. HAGEN: No comment. Again, just of  
17 brevity and the need to proceed, I'm fine with it.

18 CHAIRMAN CAMPBELL: We have a motion on the  
19 floor. Are there any amendments or further discussion?

20 (No audible responses)

21 CHAIRMAN CAMPBELL: If not, is there  
22 objection to the motion.

23 MR. MEADE: At this point, without clarity  
24 to the issues I've discussed, I would need to abstain from  
25 my consensus.

1                   CHAIRMAN CAMPBELL: Let me ask, just  
2 for.....

3                   MR. FREDRIKSSON: Maybe.....

4                   CHAIRMAN CAMPBELL: Yeah.

5                   MR. FREDRIKSSON: .....if I might, just for  
6 purposes of discussion, maybe we even need to, for -- in  
7 terms of timing, you may want to consider tabling and go to  
8 budget. But when I look at -- I want to avoid any future  
9 confusion -- but when I look, for example, at the STAC  
10 recommendation, one of the bullets is, Intregal needs to  
11 exhibit adequate funding for and commitment by the experts.  
12 And they will now be, if we were to require that to be  
13 demonstrated to EVOS staff, what comes to my mind is, would  
14 that have to be then vetted through the PAC and the STAC  
15 and what would be the standard of review for such a thing.  
16 I've looked at what Intregal has provided. I think they've  
17 got the adequate funding and I can't help but expect that  
18 if they've said that they've got commitments from the  
19 scientists that they claim that they have, I don't know  
20 what more proof we would expect of them.

21                  DR. NORCROSS: This is Brenda Norcross. Do  
22 you want me to answer that, Kurt?

23                  CHAIRMAN CAMPBELL: Brenda, go ahead  
24 please.

25                  DR. NORCROSS: All right. The issue that



1 STAC has is that when we very carefully -- and I might note  
2 that we spent a lot of time on this -- when we very  
3 carefully went through it and added up the best we could  
4 tell from the budgets of how much time there was that  
5 Intregal was paying the experts to go to meetings. We want  
6 the experts to do some work instead of just sitting at a  
7 meeting.

8                   So it's -- you know, however Intregal can  
9 do that is fine but that's why there's also that other line  
10 in there that specifically states that if the synthesis is  
11 being written by Intregal, it will be reviewed and  
12 validated by the experts. It is impossible to do that if  
13 all you're doing is sitting in a meeting listening to  
14 someone speak.

15                   MR. FREDRIKSSON: Brenda, if I might follow  
16 up, I've got 17 pages of budget documents here that show  
17 more than just travel for investing in the agencies for  
18 this project. Have you seen those?

19                   DR. NORCROSS: Yes, I got those, and I  
20 didn't mean just the travel, I meant literally the hours it  
21 takes to sit in a meeting. Part of the problem was that we  
22 had wanted them -- Intregal provided number of hours  
23 committed total for their scientists, their mid-level  
24 scientist, their techs. They didn't provide number of  
25 hours committed for the expert scientist. It could be that

1 that will fulfill it and no these issues that we put was  
2 not something -- we thought that it was pretty simple,  
3 straightforward. The staff can just look at it say, yeah  
4 fine. We did not think this was going to be vetted again  
5 through the STAC, the PAC, or the Trustee Council.

6 MR. FREDRIKSSON: Okay.

7 DR. JACOBS: This is Lucinda. Can I  
8 address that question?

9 MR. FREDRIKSSON: Please.

10 DR. JACOBS: Or that issue.

11 CHAIRMAN CAMPBELL: Please.

12 DR. JACOBS: Yes. We had added -- we  
13 provided the revised budget -- the revised proposal and we  
14 also added what we put together as a scope of work for the  
15 experts. And I'm not sure if all of that got circulated to  
16 everybody but it went beyond the requirements from our  
17 follow up and it explicitly defines the scope of work in a  
18 general way for the experts, which certainly goes beyond  
19 attending meetings and also specifies the hours for the  
20 expert. So for those involved in just the work group, it's  
21 about 72 to 76 hours total. And for those involved on that  
22 technical review panel, it's about 130 hours.

23 And we went back and forth with several of  
24 the experts on, you know, what's sufficient and how do we  
25 balance number of experts versus number of hours for

1 experts. And, you know, we were trying to come back with a  
2 total budget that would be responsive to the concerns about  
3 the budget total and also provide the maximum number of  
4 hours and experts and still be possible to do.

5                   So there was a scope of work included in  
6 our original email submittal that perhaps people didn't see  
7 or got lost but I think it addressed most of the STAC  
8 concerns.

9                   CHAIRMAN CAMPBELL: Let me.....

10                  MR. MEADE: If I may, this is Commissioner  
11 Meade. Would you feel confident in the concerns I've  
12 raised that Intregal will be very interested in working  
13 with the STAC to fully carry out the elements associated in  
14 their review?

15                  DR. JACOBS: That's the one issue that we  
16 haven't explicitly addressed and we would work to find the  
17 optimum way to include that participation based on our  
18 discussions.

19                  MR. MEADE: By the PAC and STAC?

20                  DR. JACOBS: Yes.

21                  CHAIRMAN CAMPBELL: Excuse me, I'm going to  
22 interject for just a moment on the scheduling. Scott, you  
23 need to leave at noon, is that correct?

24                  MR. NORDSTRAND: Yeah.

25                  CHAIRMAN CAMPBELL: All right. And

1 unfortunately you're probably the most vital Trustee to the  
2 budget discussion and subsequent discussions. Are you  
3 flying up here?

4 MR. NORDSTRAND: Yes, I'm flying up to  
5 Anchorage this afternoon. You know, it's a 1:30 flight or  
6 1:15, so I need to leave around noon.

7 CHAIRMAN CAMPBELL: Yeah. Is there -- and  
8 this is for all the Trustees -- is there a possibility that  
9 we might finish this item and then basically adjourn for a  
10 long lunch and reconvene here for the budget and possible  
11 executive session, Scott, with you here. Is that a -- what  
12 time do you get in?

13 MR. NORDSTRAND: Don't get in until 3:15,  
14 you know, assuming. God willing.

15 CHAIRMAN CAMPBELL: You're taking the milk  
16 run.

17 MR. NORDSTRAND: No, it's not the milk run.

18 CHAIRMAN CAMPBELL: No, a 3:15. Okay.  
19 Well, let me ask. Say if you got in at 3:15, if we could  
20 reconvene at 4:00 o'clock, is that a possibility for the  
21 other Trustees or the staff?

22 MR. FREDRIKSSON: It would be for me.

23 MS. PEARCE: I could.

24 CHAIRMAN CAMPBELL: Joe, would that be.....

25 MR. MEADE: I would just change some

1 afternoon plans, go back to my office and deal with a  
2 meeting that I had scheduled later in the day. So I can  
3 adjust my day to accommodate that.

4 CHAIRMAN CAMPBELL: Is it -- I'd be --  
5 Pete?

6 MR. HAGEN: Well, let's see, I've got an  
7 8:00 o'clock flight tonight to go up to Anchorage.

8 CHAIRMAN CAMPBELL: We will be through  
9 before then. If not we'll reconvene till you get here.  
10 Reconvene about midnight.

11 MR. HAGEN: Yeah. I've got another meeting  
12 at Fish and Game tonight on the Northern Fund and I suspect  
13 that's going to be running fairly long. But maybe 4:30  
14 might work a little better for me. Is that going to hamper  
15 anyone else?

16 CHAIRMAN CAMPBELL: I could call Dave and  
17 make sure the Northern Fund meeting is short.

18 MR. HAGEN: Yeah. Maybe you could do --  
19 that would help me a lot actually, so.....

20 CHAIRMAN CAMPBELL: Yeah.

21 MR. HAGEN: But I can shoot for 4:00, so if  
22 that's.....

23 CHAIRMAN CAMPBELL: Okay. Let me ask the  
24 collective wisdom of the Trustees and staff and others. If  
25 we -- I do think it's important for Scott to be here for

1 the budget discussion. Would that work if we finish the  
2 discussion on Intregal and then adjourn for a long lunch  
3 and reconvene at 4:00 o'clock? Okay.

4 MR. NORDSTRAND: It works for Scott.

5 CHAIRMAN CAMPBELL: Okay. If that would  
6 work for everybody, that is what we'll do and then let's  
7 return to the Intregal discussion. Kurt.

8 MR. FREDRIKSSON: And maybe I can speed  
9 this up as well. I was impressed by what Intregal came  
10 back with the direction we gave them. But I also feel a  
11 real need to get the work done. Obviously Richard's worked  
12 with -- as our EVOS staff, we would expect them to -- with  
13 Intregal, with the STAC, with the parties. And you've made  
14 a recommendation here that you feel would satisfy the  
15 concerns with this, Intregal needs to provide a letter to  
16 respond to the STAC comments as applicable. I don't want  
17 to jeopardize a yes agreement amongst all the parties if  
18 it's there but I would hate to see us basically have to  
19 revisit this in another month or two's time.

20 MS. PHILLIPS: Mr. Chairman and Kurt,  
21 Richard did talk with Intregal specifically about these  
22 recommendations yesterday and if I could ask him to report.

23 MR. DWORSKY: Yeah. I chatted with  
24 Lucinda. We discussed these. We think this could be  
25 handle simply as a letter, probably one page. Here's the

1 thing you raised, here's what we did, here's how we intend  
2 to deal with this. It does need a revisitation of the  
3 proposal. If you approve their project, this is just an  
4 addendum. It's just a little clarification that says here  
5 are some items that were raised, here's how we intend to  
6 handle it or here's how we had handled in the text. And I  
7 do not frankly believe it would take more than a page.

8 MR. FREDRIKSSON: And Scott, I think you  
9 had seconded my motion. I would amend my motion then to  
10 accept the staff recommendation to read the Trustee Council  
11 approves for funding the Intregal proposal at the new  
12 recommended level of \$565,312.46. The project will be  
13 completed by July 1, 2006. Intregal needs to provide a  
14 letter to respond to the STAC comments as applicable.

15 CHAIRMAN CAMPBELL: Do we.....

16 MR. NORDSTRAND: I would agree on the  
17 second.

18 CHAIRMAN CAMPBELL: Joe, would that address  
19 your concerns?

20 MR. MEADE: There are three things that  
21 have been of interest to me and I still feel that it's  
22 lacking. The three things are, more active engagement of  
23 credible scientists. That I think has been and I think  
24 would be. The second is that we have heard clearly the  
25 interest of the STAC and today clearly with the PAC to be

1 involved in the review process. I don't think it needs to  
2 be a laborious component but I think insuring that there is  
3 an invitation extended to the STAC and to the PAC to be  
4 engaged in the synthesis process would be a very important  
5 signal to both the STAC of our respect and value for their  
6 role and to the PAC that we do look to the Public Advisory  
7 Committee as an important advisory component and be invited  
8 and engaged in the review process of the synthesis would  
9 send that signal to me.

10 CHAIRMAN CAMPBELL: My understanding of the  
11 Commissioner Fredriksson's motion is that including STAC  
12 comments is applicable. That was one of the STAC comments  
13 and would be addressed.

14 MR. MEADE: Not in current written form but  
15 bulleted form today.

16 CHAIRMAN CAMPBELL: You're right. Correct.

17 MR. MEADE: And if that is inclusive of  
18 that bulleted comment today, I'd be in full support of your  
19 amended motion, Kurt.

20 MR. FREDRIKSSON: And if I might, for  
21 discussion purposes, I think there's -- I don't want to  
22 also shift the engagement of the PAC and STAC with respect  
23 to this Trustee Council in dealing with the report. It's  
24 not just their involvement or their review and comment on  
25 draft reports, but I think when that report's done -- and



1 I'll go back to what Pat Lavin said, is I think we may be  
2 approaching the last hurrah. And I think that last hurrah  
3 is going to be real important that the Trustee Council  
4 meetings have an active and a full engagement with the PAC  
5 and the STAC and what that last hurrah means.

6                   So to me having the opportunity to review  
7 and comment on a report is fine but I don't think that can  
8 substitute for the communication that has to occur between  
9 the Trustees and the PAC and STAC.

10                   MR. MEADE: I guess unless I'm hearing  
11 wrong from the STAC and PAC in their bulleted item -- and  
12 please, on the phone, correct me if I am -- I thought I  
13 heard the STAC identifying that they feel it would be a  
14 value to have the STAC and the PAC in the meetings  
15 associated to the synthesis that would be conducted under  
16 the Intregal contract over this next three-quarters of the  
17 year. So I think it's not just reviewing the report but  
18 being able to be engaged in that synthesis process.

19                   CHAIRMAN CAMPBELL: I should say, it's my  
20 understanding that it is involvement. I do want to  
21 distinguish the difference between involvement and veto  
22 power on this. You know, the.....

23                   DR. NORCROSS: This is Brenda Norcross.  
24 May I address that?

25                   MR. CAMPBELL: Yes, please.

1 DR. NORCROSS: All right. Nowhere was  
2 there an intention of veto power and I must apologize for  
3 the STAC that we did not catch the fact that the PAC wasn't  
4 involved. And I would be happy to work with Lucinda just  
5 to get this letter formed. And I'm sure Lucinda and I  
6 would have no problem doing this. But what my suggestion  
7 would be when I looked at it, would be that a STAC member  
8 be on their technical review panel and that a PAC member be  
9 put on their resources and services expert workshop panel  
10 because the PAC members are the ones who do have, some of  
11 them, the expertise to be in that capacity. And there is  
12 -- Intregal has a schedule, a public meeting -- there's a  
13 buzz on the line. I can't hear, can you?

14 MS. PEARCE: Yes, we can hear you.

15 DR. NORCROSS: I can't.

16 MR. MEADE: You're clear at this end.

17 CHAIRMAN CAMPBELL: We can hear you.

18 DR. NORCROSS: I can't hear a thing.

19 CHAIRMAN CAMPBELL: Brenda we can hear you.

20 DR. NORCROSS: Okay.

21 CHAIRMAN CAMPBELL: We heard you clearly.

22 DR. NORCROSS: All right. Intregal has on  
23 their schedule on April 16th, 2006, a public meeting. I  
24 think that it would be critical that the whole PAC is  
25 brought to that meeting spot and the STAC by EVOS so that

1 there is engagement, participation. And that is to review  
2 their draft proposal. That's before they do the final  
3 proposal.

4 CHAIRMAN CAMPBELL: I have a question, if I  
5 could, for legal staff. Do we have FACA issues in this  
6 level of involvement? Could you -- Gina, could you tell  
7 us? I see you nodding but could you -- if that's all  
8 right, could you address the FACA issues. And come forward  
9 where we can hear you.

10 MS. BELT: That would be inappropriate for  
11 me to do that, consult with my Federal Trustees separately.

12 CHAIRMAN McKIE: Oh, you can't. You can't  
13 talk to us?

14 MS. BELT: Well, it's not a State Trustee  
15 issue.

16 CHAIRMAN McKIE: Would you.....

17 MR. ROYER: This is Tom Royer. Can I make  
18 a comment?

19 CHAIRMAN McKIE: Yeah, well I'll tell you  
20 what, what we're going to do is we're going to take a brief  
21 at ease where other Federal Trustees can consult with their  
22 legal counsel about whether we have FACA problems here.  
23 And while you all do that, anybody else who wants to get  
24 water or go to the bathroom or whatever can do that.

25 Scott? Scott? Is Scott gone?

1                   MR. DETRICK: McKie, he stepped out. He's  
2 getting ready to leave. This is Larry here so -- here he  
3 is. He's back now, go ahead.

4                   MR. NORDSTRAND: Yeah.

5                   CHAIRMAN McKIE: Scott, the question is, as  
6 we finalize this issue, is Craig -- is your -- let's see,  
7 can Craig sit in for you as your alternate as we finalize  
8 this issue if you have to leave before we finish?

9                   MR. NORDSTRAND: Yeah.

10                  CHAIRMAN McKIE: All right. Thank you.  
11 All right. We're going to take a brief at ease where the  
12 Federal Trustees can consult with their legal counsel.

13                   (Off record - 12:00 p.m.)

14                   (On record - 12:30 p.m.)

15                  CHAIRMAN McKIE: .....reconvene. And what  
16 I believe is the Trustees intent to do is finish the  
17 Intregal proposal action item and then at that point we  
18 will recess until 4:00 p.m. At 4:00 o'clock we will  
19 reconvene and take up the budget and executive session.  
20 Also I should say, right after the -- after we finish the  
21 Intregal proposal but before we recess, I would like to  
22 have that opportunity for public comment then, so people,  
23 if they don't want to -- they're welcome back, but if they  
24 don't want to, they don't have to come back for the other  
25 stuff.

1                   Also, the other change is Craig Tillery is  
2 now sitting in for Scott Nordstrand for the Department of  
3 Law and is here at the table with us.

4                   So with that, we are back.

5                   MR. FREDRIKSSON: Mr. Chairman. If I  
6 might.

7                   CHAIRMAN McKIE: Sure.

8                   MR. FREDRIKSSON: This is Commissioner  
9 Fredriksson. I would like to rescind my last motion and  
10 return to the first motion.

11                  UNIDENTIFIED SPEAKER: Your fading out.

12                  MS. PEARCE: Here, turn your mike around.

13                  MR. FREDRIKSSON: Oh, I'll turn my mike  
14 around.

15                  REPORTER: No, that's not it. You're talk  
16 -- you're speaking right there.

17                  MR. FREDRIKSSON: Okay. Again, this is  
18 Kurt Fredriksson and I would rescind my last motion, which  
19 I believe was seconded by Department of Law, Scott  
20 Nordstrand. And I would like to return to my first motion.  
21 And just so that everybody is on the same sheet of music, I  
22 will read it. Again, my motion was that the Trustee  
23 Council approves for funding the Intregal proposal at the  
24 new recommended level of \$565,312.46 and the project will  
25 be completed by July 1, 2006.

1                   CHAIRMAN McKIE: Before speaking to your  
2 motion, is the second -- is that agreeable to the second?

3                   MR. TILLERY: That's agreeable.

4                   CHAIRMAN McKIE: Okay. Did you wish to  
5 speak to your motion?

6                   MR. FREDRIKSSON: Just to speak briefly and  
7 for purposes of discussion, kind of while we had that  
8 break, I, in thinking about some of our conversations here,  
9 I have looked at the Intregal report. I've noticed that  
10 not only are there a number of workshops but from April 1  
11 through June 30th of 2006, there will be a draft report  
12 prepared. There will be a presentation to the public.  
13 There will be public opportunity to review and comment.  
14 That will come after then what is slated at least at this  
15 point in time for January 22nd to the 25th, whenever the  
16 dates get nailed down to take advantage of the public  
17 involvement at the Alaska Marine Science symposium.

18                   And again, I want to re-emphasize that I  
19 believe it's real important that the relationship to the  
20 PAC is directly to Trustee Council. I think that is very  
21 important. I think that is the point where we really need  
22 to -- we, the decision makers, need to engage that  
23 particular advisory Council in addition to the general  
24 public. And with respect to the STAC, the STAC as I recall  
25 was created specifically to provide scientific advice on

1 the Gulf Ecosystem Monitoring program. And I'm very  
2 worried about expanding the STAC into now providing an  
3 advisory -- direct advisory capacity to our individual  
4 investigators. I think there's ample opportunity to advise  
5 the executive director, or to participate as public  
6 members. But I feel like what Intregal has provided here  
7 is a reasonable proposal.

8 CHAIRMAN McKIE: Okay. We have the main  
9 motion on the floor. We have the amendment to the main  
10 motion that was withdrawn. Is there further discussion on  
11 the main motion? Drue?

12 MS. PEARCE: Yes. I think I'm caught up.  
13 I would just like to put on the table an expectation, not  
14 in the form of a motion. But if people will refer to page  
15 18 of the Jacobs proposal which -- and just below the time  
16 line that Commissioner Fredriksson was just speaking to.  
17 The requirement in our RFP is that there be a community  
18 involvement and TEK component is something that I had asked  
19 for a couple of years back because I felt strongly that for  
20 the projects where we have people going out and doing  
21 scientific gathering of information, the more -- not  
22 synthesis projects but the scientific projects that we're  
23 doing out there that we weren't getting enough community  
24 involvement at the local level and the TEK.

25 This project doesn't lend -- or is

1 different. Somebody called it the last.....

2 CHAIRMAN McKIE: Last hurrah.

3 MS. PEARCE: .....or kind of the last  
4 hurrah for restoration. And I don't know that I'd call it  
5 the last hurrah but a huge project that is the synthesis of  
6 all that has come before. I think it's extremely important  
7 to have community involvement and TEK as a component here  
8 too and I commend the proposers and Intregal for having  
9 some specific ideas as to where they would bring the public  
10 community in.

11 So here are my expectations. First, I  
12 don't know on the list of scientists anyone who -- I think  
13 I don't know anyone with particular subsistence expertise,  
14 particular traditional rural or Native expertise. I would  
15 like to see them attempt to find somebody who would fit  
16 that particular category as part of the review process and  
17 part of the experts that they bring on board.

18 Secondly and just as importantly, in terms  
19 of community involvement, I would see that in this  
20 particular case the community is kind of everybody affected  
21 by spill, which is obviously a huge community. And to me,  
22 the PAC represents that larger community, although we  
23 certainly don't want to leave the larger community out. So  
24 if you don't mind my just reading the sentence that the  
25 proposer sent back to us. They say public communication is



1 anticipated at milestones. For example, when the recovered  
2 objectives and decision framework have been developed or  
3 when the draft recommendations regarding injury  
4 classification and restoration alternatives are developed.  
5 And then they say that the specific methods for bringing --  
6 for involving the community and for incorporating TEK will  
7 be determined during the initial meeting of the technical  
8 review panel and feedback from the Trustee Council. And I  
9 guess what I'm giving them is the feedback.

10                   My expectation is that at the first  
11 technical review panel meeting we ask the PAC to choose a  
12 couple of members, as we've done in the past as we've put  
13 our work -- as we started developing work plans, we asked  
14 the PAC to decide on a couple of members, not the entire  
15 PAC, but to come to that meeting and work with Intregal and  
16 staff on figuring out where we'll invite -- where exactly  
17 all these community benchmarks should be brought in.  
18 They'll be a part of that, not the only part, if other  
19 members of the community want to be involved. But they'll  
20 be at the table figuring out, I think, that the benchmarks  
21 that are in the proposal are good. I think then having an  
22 opportunity at the symposium and the other free  
23 opportunities are great, but it would just be good to have  
24 that discussion at this first meeting.

25                   So those are my expectations. That's my

1 feedback.

2 CHAIRMAN MCKIE: We have a motion on the  
3 floor. We have expectations expressed. Joe.

4 MR. MEADE: I think Drue's words of  
5 expectations frame very well what I was intending earlier  
6 in my expectations as well and when I made my comments  
7 prior to our at ease, I think was the term you referred to  
8 it as. Drue summarizes very well my hoped -- my  
9 expectations in -- and we took time to look more explicitly  
10 at the proposal. She frames very well my expectations as  
11 well for how we could see the PAC engaged in the community  
12 involvement/community engagement in this. So that would be  
13 an expectation I would share in common.

14 With the other that I might more -- be able  
15 to provide clarity to in my comments earlier as an  
16 expectation, I have had no contact with anybody in the  
17 STAC, nor should I as the STAC provides that advice to the  
18 executive director. In my comments earlier I was  
19 referencing the information provided to me by the executive  
20 director associated to the recommendations and the findings  
21 that the STAC has provided. So my expectation is -- and as  
22 I said earlier, I think Richard has summarized that in a  
23 one-pager they can affirm -- my expectation is that those  
24 recommendations, those findings by the STAC be incorporated  
25 and addressed as this project moves forward in the much the

1 same context as the science coordinator had identified that  
2 they would likely be able to do, capture that in a -- I  
3 think it was a one page memo that he had noted, carrying  
4 forward those elements that had been highlighted by the  
5 executive director.

6 So those both would be the expectations I  
7 would carry forward in the context of approving the motion.

8 CHAIRMAN McKIE: Okay. Pete, do you have  
9 any comments?

10 MR. HAGEN: No, no comments. I think  
11 everything said previously sounds fine. I agree with it.

12 CHAIRMAN McKIE: The motion is the Trustee  
13 Council approves for funding the Intregal proposal of the  
14 new recommended level 565,312.46. The project will be  
15 completed by July 1, 2006. Is there further discussion on  
16 the motion?

17 MR. MEADE: Okay. That motion would be  
18 inclusive with those expectations. Would that be  
19 appropriate to ask?

20 CHAIRMAN McKIE: There's been expectations  
21 put on the record but they are not part of the motion.  
22 They are part of the discussion and I think part of the  
23 record.

24 MR. FREDRIKSSON: And Joe, this is Kurt. I  
25 appreciate Drue drawing our attention to what is in the

1 Intregal proposal and I think as she so well stated, it  
2 speaks to how Intregal was looking for feedback from the  
3 Trustee Council. I can't imagine a better record of that  
4 than right here. I would just -- I would add, because I  
5 also appreciate Drue's focus on the subsistence and  
6 tradition uses, the TEK, and note that upon our follow up  
7 or our return from our Cordova meeting, I know all the  
8 Trustees received an email from the Native Village of Eyak,  
9 just thanking us for coming to the area and having the  
10 opportunity to comment. And I was very impressed with  
11 their comments and their concerns and their desire to work  
12 with the Council on just what we're talking about here. So  
13 I think Drue summarized it very well.

14 MR. MEADE: Thank you.

15 CHAIRMAN McKIE: Is there any further  
16 discussion?

17 MR. HAGEN: Yeah, this is Pete. I just  
18 want to note, on Intregal's list of experts, they do  
19 include Jim Fall with ADF&G, who's in, I believe, in the  
20 subsistence division. So they've got some expertise  
21 already listed on there, their list of experts.

22 CHAIRMAN McKIE: Okay. Thank you, Pete.  
23 Is there any further discussion on the motion?

24 (No audible responses)

25 CHAIRMAN McKIE: If not, is there any

1 objection to the motion?

2 (No audible responses)

3 CHAIRMAN McKIE: Hearing no objection, the  
4 motion passes. That concludes the Intregal action item.  
5 Then the last thing we have before us today before we  
6 recess until 4:00 o'clock for the budget hearing is the --  
7 as we indicated earlier, we would reopen the public  
8 hearing. Are there members of the public who have brief  
9 comments before we recess?

10 MR. MULLINS: Mr. Chairman, Ross Mullins  
11 from Cordova.

12 CHAIRMAN McKIE: Ross, go ahead.

13 MR. MULLINS: We thank you for this  
14 deferred opportunity to speak. I want to comment and  
15 reference our disappointment here in Cordova that we feel  
16 that the Adams-Mullins proposal as revised was not dealt  
17 with at this meeting. Our expectation was that the  
18 deadline for submission of September 16th that we met would  
19 allow a decision. We worked diligently over the past weeks  
20 to address the STAC and PAC comments and we appreciate the  
21 opportunity to submit a revised proposal, being one of two,  
22 that other one being the Jacobs proposal, to get that  
23 refined to a point where we could have it reviewed and  
24 acted upon.

25 The reason that I feel we need to get some

1 date certain for this proposal's either approval or  
2 disapproval is the fact that we have certain PI's that have  
3 expectations that if it is going to go ahead, they have to  
4 make some serious career commitments to the proposal as we  
5 have refined it. And those career (indiscernible -  
6 telephonic beep) at this point. So if there's anything  
7 that your group can do to expedite addressing the  
8 Adams-Mullins proposal as revised, it would be greatly  
9 appreciated. Because we -- our expectation was that it  
10 would come up at this meeting. We don't want to press  
11 anybody, we realize how short the time frame has been, but  
12 we have a real commitment to bringing the main investigator  
13 from the 1990 EVOS investment in the modeling of the  
14 ecosystem here in Prince William Sound to Cordova. And we  
15 were hoping to be able to give him a decision shortly as to  
16 whether or not this would be something that he would have  
17 to plan for.

18                   So if we could get a time certain perhaps  
19 to address this proposal in the future, we would be most  
20 grateful. And I thank you for your time allowed for this  
21 deferred presentation. Thank you very much.

22                   CHAIRMAN McKIE: Thank you. And I'll ask  
23 staff to correct me if this is not correct. My  
24 understanding that will be back in front of us in December,  
25 is that.....

1 MS. PHILLIPS: Well, my intention was to  
2 try to sit together -- set up another teleconference  
3 meeting.....

4 CHAIRMAN McKIE: Before then?

5 MS. PHILLIPS: .....before then so that we  
6 could.....

7 CHAIRMAN McKIE: Okay.

8 MS. PHILLIPS: .....address it ahead of  
9 time.

10 CHAIRMAN McKIE: Okay. Could you hear that  
11 Ross?

12 MR. MULLINS: Yes, I did. And I appreciate  
13 that. I hope it's sooner rather than later and we are  
14 looking forward to that discussion. Thank you very much.

15 MS. PEARCE: Can I just ask.....

16 CHAIRMAN McKIE: Drue.

17 MS. PEARCE: Has the revised proposal been  
18 shared yet with.....

19 MS. PHILLIPS: No. We just received it  
20 Friday.

21 MS. PEARCE: Okay.

22 MS. PHILLIPS: So we -- because of  
23 everything on this meeting, we haven't sent it out yet.

24 CHAIRMAN McKIE: Okay.

25 MS. PHILLIPS: You will get it. You'll get

1 it soon.

2 CHAIRMAN McKIE: Okay. Before.....

3 MS. PEARCE: Can I go ahead and do this?

4 CHAIRMAN McKIE: Yes.

5 MS. PEARCE: We need to change.

6 CHAIRMAN McKIE: Yeah, okay. Before we do  
7 that, let me just see if there -- is there anyone else  
8 either in the audience here or out on the teleconference  
9 who has any additional public comment?

10 MS. STUDEBAKER: Yes, this is Stacy  
11 Studebaker.

12 CHAIRMAN McKIE: Stacy.

13 MS. STUDEBAKER: Representing the PAC. PAC  
14 member, vice chairman. The motion that just passed on the  
15 Intregal contract is troubling. That certain Trustees  
16 resisted the idea of being more explicit about the PAC  
17 involvement in that -- in the review of the draft Intregal  
18 paper. And what I really think needs to be done is that  
19 Intregal needs to provide a letter to respond to the STAC  
20 and PAC's comments as applicable.

21 And, you know, expectations doesn't cover  
22 explicit involvement of PAC in the process. I would like  
23 to see that spelled out sometime between now and the end of  
24 the day some resolution of some kind to respect the  
25 involvement, the true involvement of the PAC in this



1 process. I'm afraid we're just going to get what we've  
2 gotten before, is the proposal emailed to us and expecting  
3 individuals to just ad hoc send in comments. That's not  
4 public -- that really isn't public participation. And such  
5 this is such a vital and important part of the restoration  
6 process, the PAC needs to be assured at this point from  
7 today on that we are going to be involved, that we are  
8 going to be asked to come to a meeting, to review the  
9 draft, where we can talk about the draft and make our  
10 collective comments and have them heard by the Trustee  
11 Council.

12                   And again, thanks for the opportunity to  
13 comment at this point in the agenda.

14                   CHAIRMAN McKIE: You're welcome. Are there  
15 any other public comments?

16                   (No audible responses)

17                   CHAIRMAN McKIE: Hearing none, I think we  
18 have one other housekeeping measure before we recess.  
19 Drue.

20                   MS. PEARCE: Thank you. The motion that  
21 was adopted approved that we create a memorandum of  
22 agreement between the EVOS data management and the Arctic  
23 Yukon Kuskokwim sustainable salmon initiative over the  
24 utilization of the peer review data system located at the  
25 EVOS office. And we actually should have that MOA be

1 between the Exxon Valdez Trustee Council and the Arctic  
2 Yukon Kuskokwim sustainable salmon initiative. Since we've  
3 already adopted, I think first we need a motion. I'll make  
4 a motion to rescind our adoption of the motion I just  
5 stated and ask for unanimous consent.

6 CHAIRMAN MCKIE: Okay. First, is there a  
7 second?

8 MR. FREDRIKSSON: I'll second.

9 CHAIRMAN MCKIE: Okay. Is there any  
10 objection?

11 (No audible responses)

12 CHAIRMAN MCKIE: No. Withdrawn.

13 MS. PEARCE: Okay. Then I'll just restate  
14 the motion. Or a new motion would be, I move that we  
15 approve the request to create a memorandum of agreement  
16 between the Exxon Valdez Trustee Council and the Arctic  
17 Yukon Kuskokwim sustainable salmon initiative over the  
18 utilization of the peer review data system located at the  
19 EVOS office.

20 CHAIRMAN MCKIE: Okay. Do we have a  
21 second?

22 MR. FREDRIKSSON: Second.

23 CHAIRMAN MCKIE: Is there any objection to  
24 that?

25 (No audible responses)

1                   CHAIRMAN McKIE: No objection. That  
2 passed. For everyone in teleconference, just so you  
3 followed that, that was simply a housekeeping measure  
4 changing the -- giving the proper name to the Trustees  
5 Council in the motion that had previously passed.

6                   So with that, we'll recess to a call of the  
7 chair at 4:00 o'clock. At that time, I expect us to take  
8 up the 2006 administrative DPD and budget. And following  
9 that, there may be an executive session. And with that, we  
10 are in recess.

11                   (Off record - 12:50 p.m.)

12                   (On record - 4:10 p.m.)

13                   CHAIRMAN McKIE: Okay. It appears that the  
14 gang is all here and so we're going to call our meeting  
15 back into order. When we last left it, we had one  
16 remaining agenda item, which was the budget. Do we have a  
17 -- what do we have? Do we have a staff presentation? A  
18 motion?

19                   MS. PHILLIPS: No.

20                   CHAIRMAN McKIE: No.

21                   MR. NORDSTRAND: Should I just talk?

22                   CHAIRMAN McKIE: Yes. Mr. Nordstrand. The  
23 floor is yours.

24                   MR. NORDSTRAND: When last we left this  
25 issue at the prior meeting, we were concerned, I think

1 collectively as a Trustee Council that we didn't -- weren't,  
2 that comfortable with the budget in its format that we had  
3 and we wanted to form a subcommittee to go and look at the  
4 budget separately, come back with some recommendations to  
5 the Council. And we've done that. We had myself and a  
6 number of representatives that the Trustees have met at  
7 least twice, maybe three times, over the last few weeks to  
8 try to come up with a more understandable budget and one  
9 that we're comfortable with, I think. Or we could  
10 hopefully become more comfortable with.

11                   What became apparent to us, I think, is  
12 that we were -- and I think to the credit of the staff, we  
13 were to move from one budget model to another. A model  
14 that, as I understood, was based -- sort of project based  
15 in the past and then it would divvy up costs within the  
16 project and so you might have one administration but it  
17 would be charged to different projects and it would be --  
18 it became difficult for us to find what the total cost of  
19 administration was for some particular thing because it had  
20 been split up. And so to their credit, I think they came  
21 back this year, and you saw originally, if you still have  
22 your budget documents, there was the budget justification  
23 document, which is what I've been using, sort of the  
24 primary tool going forward. Let me find it here. Here we  
25 go. The budget justification document, it begins -- you

1 can see what the staff costs and then it goes to the cost  
2 of project management and for travel, various things. And  
3 that was what, the tool we were using, to try to turn into  
4 a budget model that we could -- be more understandable.  
5 And to that end, I think we've made some progress. We are  
6 not there yet.

7                   What we're proposing as a committee I think  
8 today and I, I guess specifically, as the Trustee who was  
9 involved, I'm proposing to let the administrative division  
10 folks from Fish and Game work with Paula, Gail, and the  
11 staff here to come up with a list of categories and  
12 subcategories for the budget that track in a way that is  
13 easy to keep track of. And we've got an original -- we've  
14 got a proposal here that Paula put together which is -- and  
15 I don't -- I really don't think that the Trustee Council  
16 needs to be involved in setting up the categories,  
17 subcategories and all that.

18                   But just so you get a sense that we're  
19 working on five different basic categories. Personnel,  
20 travel, contractual, commodities, and equipment. These are  
21 the categories that the State system recognizes,  
22 understands. You can plug it in and out. And so -- and  
23 then what we're doing is trying to set up subcategories  
24 within each of those areas that relate to the activities of  
25 the Trustee Council, specific projects and events. It

1 might be, for example travel, we might have under travel we  
2 have PAC travel. And under -- subcategory under that might  
3 be annual field trip. And so we can actually see line by  
4 line what it adds up together.

5                   And then hopefully if we code this right,  
6 that's up to the budgeteers to figure out, we can even  
7 amalgamate information and so learn, for example, what is  
8 the total cost of the PAC field trip or the total cost of  
9 the annual symposium or all these as you gather them  
10 together into a single budget. So what we wanted to do  
11 today to start with was to talk about whether or not this  
12 concept works for the Trustee Council and to authorize us  
13 to go forward with a more detailed conclusion on these  
14 categories.

15                   Once the categories are set up, then what  
16 we want to do is to plug the numbers in and go back, take  
17 just to a large degree the information from that budget  
18 justification. Maybe a little bit more detail, maybe a  
19 little rearranging of the organization. But largely using  
20 that, plugging it in, and the -- and this is a little bit  
21 more tricky -- is to take the historical data to the degree  
22 we can and create at least a three year trend line on these  
23 categories. Now some of this data, you know, wasn't kept  
24 that way and the staff's been doing a good job, I think,  
25 particularly things like travel, trying to go back and

1 figure out what is the amount that would appropriately be  
2 in, for example, PAC travel for field trip or something.  
3 So we can go back and see, trend line, okay, it was \$5,000.

4

5                   And there are some anomalies we can see  
6 just in the spreadsheeting we've done thus far where there  
7 is fairly significant up and down movement year by year.  
8 And I don't know if it's because the spending is changing  
9 year to year or if the coding isn't precise enough. I  
10 mean, we haven't quite figured out exactly what goes in  
11 what category. But the idea would be to prepare at the end  
12 of the day a spreadsheet for the Trustee Council and, you  
13 know, one model that we've been looking -- and all of this  
14 is too small to read.

15                   CHAIRMAN McKIE: This is the 2 point font.

16                   MR. NORDSTRAND: Which is -- we need it  
17 bigger. But that being said, the idea would be to come up  
18 with a spreadsheet where you can literally look down the  
19 categories, look down the years, and in each year put  
20 budgeted and actual. Because the other thing we're finding  
21 is that there's a significant difference in some  
22 categories, in fact, in all the major categories there is a  
23 difference between budgeted and actual, usually with a  
24 significant lapse. And we have determined, for example,  
25 that the lapse in trend for the last three years -- I'll

1 give you just a sense of it -- in '03, there was 260,00 of  
2 personnel cost lapsed, 126,000 in travel cost lapsed,  
3 200,000 in contractual lapsed, and 12,000 in equipment, for  
4 a total of 607,000 of lapse.

5                   Now I don't have it in front of me what our  
6 budget -- our total administrative budget was for that year  
7 but the proposal for this year, for example, is 2.1 million  
8 total cost. So you're talking about a significant lapse in  
9 a two million dollar budget if it's in that ballpark. In  
10 '04, personnel was 120, travel 120, contractual 140,  
11 equipment 18. '05, personnel 199, travel 136, contractual  
12 108, equipment 19. And you know, we've talked about there  
13 being vacancies and the science director and how that might  
14 impact some of this but it's clear that -- and obviously  
15 that would impact traveling for the science director and  
16 related things -- but it's clear that we could be more  
17 precise, I think, as Trustees and as staff in budgeting  
18 too. But that requires coming up with some realistic costs  
19 for some of these things and adding it together in a way  
20 that makes sense.

21                   So that's the sort of overall plan. We  
22 couldn't get there yet, frankly. And so what we've  
23 proposed is something in the form of a continuing  
24 resolution to fund the EVOS Trustee Council operations for  
25 the next two months into the fiscal year at the end of



1 September 30, when the fiscal year ends. And we have a  
2 resolution here that's been prepared by I think Craig  
3 Tillery and others who -- you know, apparently this is what  
4 we need to do in order to get -- use the report funds, the  
5 settlement funds. And you should take a look at that. If  
6 everybody's got this, it's resolution 0603 and it should  
7 have with it attachments, two attachments -- well, you've  
8 got them. I can't find them right now. Oh, here we go. A  
9 and D attachments. The first one looks like this and the  
10 second one is this, the interim -- have you seen these,  
11 Joe?

12 MR. MEADE: Yes.

13 MR. NORDSTRAND: Okay.

14 MR. MEADE: Thank you.

15 MR. NORDSTRAND: So that's the method to  
16 get from here to there. And so then we've got to figure  
17 how -- you know, what do we do for the next two months in  
18 terms of getting this to final resolution. And I think, as  
19 I said, my goal is to just get, you know, a budget  
20 document, a working document that can help us see the trend  
21 lines and help us make decisions. And so, if for example  
22 say we see administrative costs are too high, what do we  
23 want to try to cut, what's a reasonable area to cut, and  
24 what's not being spent enough. There are areas that we've  
25 come across in the budget, you know, the issue about the --

1 I think the color copier. You know, there was just an  
2 error in terms of the costs there that's going to be very  
3 much significantly less than it was estimated. And there's  
4 some travel costs for the liaisons and stuff that I think  
5 need to be adjusted. Because for example, Joe and I are in  
6 Anchorage and generally don't need to have much travel cost  
7 associated with this. And so we can adjust some of those  
8 things down.

9                   The other thing we did, and I think this  
10 goes to our concerns that were expressed last time about  
11 the proposed increases for funding liaisons. And in fact,  
12 it's not just liaisons because, you know, we're talking  
13 about attorneys as well and they aren't liaisons actually.  
14 So it's beyond that. It became clear to us that we weren't  
15 -- we were proposing -- that project management was  
16 different than Trustee Council support as a concept. And  
17 calling it all project management was actually not  
18 accurate. And so what we're -- the other process we're  
19 going through is trying to get the liaisons and the  
20 attorneys that are proposed to be funded through this to  
21 describe specifically what their project costs will be.  
22 Not the -- I mean within general terms. But I mean not the  
23 one project equals one month of funding idea, which may or  
24 may not be accurate. But to say, okay, look forward, see  
25 the projects you're going to be managing, give us some kind

1 of an estimate of your time, and we'll put a real number in  
2 the budget.

3                   And then for your work in support of the  
4 Trustee Council that doesn't relate to a specific project  
5 -- which is what we are really proposing to add here,  
6 that's the new increment primarily. For that, make an  
7 estimate, and put a number on it. And we'll call them two  
8 different things. At least then people can argue about  
9 whether or not it's a good idea to fund Trustee Council  
10 support but at least we'll know what it is we're talking  
11 about and be able to have an intelligent debate about the  
12 cost.

13                   Let's see if there's anything else we --  
14 liaison costs -- that's about it. The one other thing  
15 we're working on is looking at personnel costs and what the  
16 trend line has been there specifically. And we don't have  
17 that put together yet but that will be another part of this  
18 discussion as well.

19                   So with that, I would move the resolution  
20 0603 be approved by the Trustee Council to effectuate this  
21 interim budget.

22                   CHAIRMAN McKIE: Do we have a second?

23                   MS. PEARCE: I'd second it.

24                   CHAIRMAN McKIE: We have a second.

25 Discussion? Drue.

1 MS. PEARCE: I just -- I have a question.  
2 So what we're doing with this motion is funding under the  
3 Federal system two months but I don't understand how that  
4 relates back to the State's system since the staff or State  
5 employees run through the State system. It's like, we send  
6 a budget that we're already halfway through to go through  
7 the budget process and I admit that, as the.....

8 MR. NORDSTRAND: It's odd.

9 MS. PEARCE: .....person who's been on the  
10 Council.....

11 MR. NORDSTRAND: For reason.....

12 MS. PEARCE: .....longest, I don't  
13 understand this, and I don't.

14 MR. NORDSTRAND: I know. For reasons I  
15 don't understand, while although the budgeting is done  
16 through the State system and bills are paid for through the  
17 State system.....

18 MS. PEARCE: Right. This is just a release  
19 of money?

20 MR. NORDSTRAND: .....EVOS is on the  
21 Federal budget calendar.

22 CHAIRMAN McKIE: It was to add a degree of  
23 difficulty.

24 MR. NORDSTRAND: It's just to make it  
25 harder, I think. You know, I don't know. But.....

1                   MS. PEARCE: So are the two months that  
2 this is releasing though already -- are they in the budget  
3 that the governor signed back in June or are they something  
4 that is going to get signed next year?

5                   MR. NORDSTRAND: As I understand it -- wait  
6 a minute -- well, maybe I should -- I don't understand it.  
7 We should ask our liaisons rather than get the wrong  
8 answer.

9                   MS. PEARCE: Who knows? I don't. Do you  
10 understand it, Gail?

11                  MS. PHILLIPS: I asked about that specific  
12 issue.

13                  MR. HUBER: For the record, Brett Huber  
14 with Department of Fish and Game. I've also been working  
15 with the budget subcommittee. Last year the operating  
16 budget was when the State budget that takes in the EVOS  
17 year was passed. So the next operating budget that comes  
18 forward will actually be the '07 EVOS budget.

19                  MS. PEARCE: Okay.

20                  MR. HUBER: The Federal fiscal year '07  
21 EVOS budget. So this budget already was approved through  
22 the State system in the last budget cycle. What this will  
23 do is just put the two months worth of money in the bank,  
24 so to speak, to be able to spend that and provide that  
25 authority to EVOS to spend it. The State's already okayed

1 the spending authority, now it's up to the Trustee Council  
2 to okay the spending authority for the EVOS office through  
3 the State system.

4 MS. PEARCE: Okay, so if I -- so are they  
5 -- when we look at numbers and approve a new budget, is  
6 that going to be what goes to be approved by the State  
7 system and we don't get around -- and it doesn't get funded  
8 until -- is it something that's going to start on October  
9 of '06 and we've already.....

10 CHAIRMAN McKIE: Yeah.

11 MR. HUBER: The way it will work actually  
12 is the piece -- this piece is part of what was approved.  
13 The remainder of the budget will be a portion of FY07 State  
14 and a portion of FY06 State. Because the Federal year  
15 passes through the two State years.

16 MS. PEARCE: So do we have to go back to  
17 LBNA if we make changes from one category to another?

18 MR. HUBER: No, really what you'd be doing,  
19 normally you'd be putting the whole bucket of money into  
20 the EVOS account, the GEFONSI account for the EVOS  
21 administration at this point. Now you're just adding two  
22 months of it and then the subsequent action will just drop  
23 the rest of the dollars.

24 MR. NORDSTRAND: Brett, through to July  
25 then. In other words, the next Council action would allow

1 spending through the State fiscal year '06 ending July 1?

2 MR. HUBER: Actually the State action  
3 allows the spending through the State fiscal year and the  
4 Council action allows the spending to expand those two  
5 State years in the Federal fiscal year in which EVOS  
6 operates.

7 MR. NORDSTRAND: Okay. So the next Trustee  
8 Council action would actually be then through the full  
9 fiscal year.

10 MR. HUBER: It would be through the  
11 remainder of the State fiscal year and the first three  
12 months of the next State fiscal year.

13 MR. NORDSTRAND: Okay.

14 MR. HUBER: See it's a nine and three month  
15 split, is what it works out. Which is, you know, one of  
16 the things that adds to the difficulty in tracking some of  
17 these things. Fitting this Federal year into the State  
18 system.

19 CHAIRMAN McKIE: Everyone clear on that?

20 (No audible responses)

21 CHAIRMAN McKIE: Is there other discussion  
22 of the motion? Pete, do you have anything?

23 MR. HAGEN: No, I think that's as clear as  
24 mud but I think I understand it.

25 CHAIRMAN McKIE: Okay.

1 MR. HUBER: Thank you, Pete.

2 CHAIRMAN McKIE: It was better here with  
3 the charts and stuff, Pete.

4 MR. HAGEN: Okay.

5 MS. PEARCE: Don't believe it.

6 CHAIRMAN McKIE: Craig.

7 MR. TILLERY: Yeah. Craig Tillery, the  
8 Department of Law. It looks -- I mean, there's one hole in  
9 here. I think there's probably a bunch of holes but  
10 there's one hole I notice. It's because of  
11 miscommunication. There is no money in here to pay for the  
12 agency personnel. And I think the intent or my intent,  
13 thought, was that you would put money in this budget to pay  
14 the agency personnel based on essentially one-sixth of what  
15 they got last year but not based on what the projected  
16 budget was for this year. So for example, for the  
17 Department of Law, where we didn't get paid anything last  
18 year but supposedly we were going to get paid some this  
19 year, you wouldn't put anything in for us. But for DNR or  
20 NOAA, whoever, you would go ahead and put in one-sixth, or  
21 two months worth of last year's budget. But that, through  
22 a miscommunication on my part, didn't get in here. So that  
23 if you adopt that approach, that needs to go in.

24 CHAIRMAN McKIE: Okay. Let me ask, would  
25 there be a friendly to add one-sixth of the agency's prior



1 year budget for all agencies to this continuing resolution  
2 from anyone?

3 MR. NORDSTRAND: That would be fine for me.

4 CHAIRMAN MCKIE: Okay. We have a friendly  
5 amendment. Do I have a second on that?

6 MR. MEADE: It would be friendly seconded  
7 by me.

8 CHAIRMAN MCKIE: All right. Good. All  
9 right. We have a motion and it is amended. Is there any  
10 other discussion?

11 (No audible responses)

12 CHAIRMAN MCKIE: In that case, is there any  
13 objection to the motion?

14 (No audible responses)

15 CHAIRMAN MCKIE: No. In that case, the  
16 continuing resolution for the budget passes. That  
17 concludes our regularly scheduled agenda and the -- then  
18 question we have executive session as needed. Excuse me.  
19 Oh, we did that. We did that when you were on the plane.  
20 I'm sorry. So let's see. Do we have a motion regard.....

21 MR. NORDSTRAND: I make a motion to go into  
22 executive session for personnel matters.

23 CHAIRMAN MCKIE: All right. And is it your  
24 understanding that we would simply adjourn out of session  
25 without coming in -- without emerging to take any action?

1                   MR. NORDSTRAND: There will be no action  
2 but we will have to come out of executive session and then  
3 formally adjourn.

4                   CHAIRMAN MCKIE: Right. But not action  
5 after.

6                   MR. NORDSTRAND: There will be no action  
7 after executive session.

8                   CHAIRMAN MCKIE: No action. So in that  
9 case, let's see, Pete.

10                  MR. HAGEN: Yes.

11                  CHAIRMAN MCKIE: I think the easiest thing,  
12 if I could ask you to just switch, if you'll go in my  
13 office, we'll just call you on my phone.

14                  MR. HAGEN: Okay. I should note that I had  
15 talked with Jim Balsiger earlier today and he might be  
16 available to get in on this call. I was going to try to  
17 reach him on his cell phone to see if he is.

18                  CHAIRMAN MCKIE: If so and you get us the  
19 number, we'll give him a call, call him in as well.

20                  MR. BALSIGER: This is Jim Balsiger, I've  
21 been lurking in the background.

22                  CHAIRMAN MCKIE: Jim, welcome.

23                  MR. MEADE: I appreciate the adjective.

24                  MR. BALSIGER: So, let's see, I guess will  
25 -- I have the code number from Pete Hagen from earlier, so

1 if it hasn't changed, I know how to dial in. Should we  
2 just go ahead and do that.

3 CHAIRMAN McKIE: No, I would suggest it  
4 would probably work better if we call you.

5 MR. BALSIGER: I can. It's 907-301-7777.

6 CHAIRMAN McKIE: 77. Okay, we'll do that.

7 And then let me also ask Trustees -- I believe we want the  
8 executive director with us and are there other staff or  
9 other liaisons that we wish to have in or not?

10 MS. PEARCE: I don't think so.

11 CHAIRMAN McKIE: No. Okay. So it will be  
12 just us and Gail if that's all right.

13 MR. HAGEN: And Jim -- is Jim going to sit  
14 in for me then on that? Am I relieved?

15 MS. PEARCE: No.

16 MR. HAGEN: Or do you guys want to meet in  
17 there as well just a bridge, I guess.

18 MS. PEARCE: Yes.

19 CHAIRMAN McKIE: Yes.

20 MR. HAGEN: Okay.

21 CHAIRMAN McKIE: Across troubled waters.

22 MR. HAGEN: Yeah. Okay. McKie, do you  
23 want me to go to your office then?

24 CHAIRMAN McKIE: Yeah, if you would. And  
25 I'll just call you in there.

1 MR. HAGEN: Okay. And your secretaries  
2 aren't going to bite me or anything?

3 CHAIRMAN McKIE: They're nice.

4 MS. PEARCE: Do we need the attorneys?

5 CHAIRMAN McKIE: We do need the attorneys?

6 MS. PEARCE: I don't know. That's a  
7 question.

8 CHAIRMAN McKIE: Do we?

9 MS. PEARCE: Do we?

10 CHAIRMAN McKIE: Do we need the attorneys?

11 MR. NORDSTRAND: Well, why don't we keep  
12 them here. If we need them and then we can eject them  
13 later.

14 MR. FREDRIKSSON: I think initially it  
15 would be helpful.

16 CHAIRMAN McKIE: So in that case we're  
17 going to ask the attorneys to stay as well. And in that  
18 case, we'll go ahead and recess for two minutes, give  
19 everybody a chance to break and then we'll readjourn in  
20 executive session.

21 Okay, and we will call you, Jim and Pete.

22 (Off record - 4:40 p.m.)

23 NOTE: The Council came out of executive session with a  
24 motion from Mr. Fredriksson, second by Mr. Nordstrand at  
25 6:44 p.m.

1           Commissioner Campbell reported that the Trustees  
2 were out of executive session during which time they  
3 discussed personnel matters and no action was taken.

4           There being no further business for the Council,  
5 Mr. Fredriksson motioned for adjournment, seconded by  
6 Mr. Nordstrand. The meeting was adjourned at 6:45 p.m.

7                               (END OF PROCEEDINGS)

1 C E R T I F I C A T E

2 UNITED STATES OF AMERICA )

3 ) ss.

4 STATE OF ALASKA )

5 I, Joseph P. Kolasinski, Notary Public in and for  
6 the state of Alaska and reporter for Computer Matrix Court  
7 Reporters, LLC, do hereby certify:

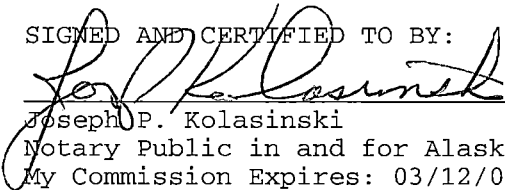
8 THAT the foregoing pages numbered 4 through 217  
9 contain a full, true and correct transcript of the Exxon  
10 Valdez Oil Spill Trustee Council's Meeting recorded  
11 electronically by me on the 21st day of September 2005,  
12 commencing at the hour of 10:10 a.m. and thereafter  
13 transcribed under my direction and reduced to print:

14 THAT the Transcript has been prepared at the  
15 request of:

16 EXXON VALDEZ TRUSTEE COUNCIL, 451 W. 5th  
17 Avenue, Suite 500, Anchorage, Alaska 99501;

18 DATED at Anchorage, Alaska this 30th day of  
19 September 2005.

20 SIGNED AND CERTIFIED TO BY:

21   
22 Joseph P. Kolasinski  
23 Notary Public in and for Alaska  
24 My Commission Expires: 03/12/08  
25

