

09.20.04

1 EXXON VALDEZ OIL SPILL
2 TRUSTEE COUNCIL
3 Public Meeting
4 Tuesday, May 23, 2006
5 8:30 o'clock a.m.
6 441 West 5th Avenue, Suite 500
7 Anchorage, Alaska

8 TRUSTEE COUNCIL MEMBERS PRESENT:

9 STATE OF ALASKA - DEPARTMENT MR. McKIE CAMPBELL
10 OF FISH AND GAME: Commissioner
11 (CHAIRMAN)

12 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE
13 U.S. Department of Interior

14 STATE OF ALASKA - MR. DAVID W. MARQUEZ
15 DEPARTMENT OF LAW: Attorney General

16 STATE OF ALASKA - DEPARTMENT MR. KURT FREDRIKSSON
17 OF ENVIRONMENTAL CONSERVATION: Commissioner

18 U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for
19 National Marine Fisheries Svc: MR. JAMES W. BALSIGER
20 Administrator, AK Region

21 U.S. DEPARTMENT OF AGRICULTURE, MR. JOE MEADE
22 U.S. FOREST SERVICE Forest Supervisor

23 Proceedings electronically recorded, then transcribed by:
24 Computer Matrix Court Reporters, LLC, 3522 West 27th,
25 Anchorage, AK 99517 - 243-0668

1

STAFF PRESENT

2

3 MICHAEL BAFFERY

Executive Director

4 KIMBERLY TRUST

Science Director

5 CHERRI WOMAC

Administrative Officer

6 BARBARA HANNAH

Administrative Officer

7 MICHAEL SCHLEI

Analyst Programmer

8 CARRIE HOLBA

ARLIS Librarian

9 HEATHER BRANDON

ADF&G

10 CAROL FRIES

ADNR

11 DEDE BOHN

U.S.G.S.

12 JIM BODKIN

U.S.G.S.

13 GINA BELT

Department of Justice

14 STEVE ZEMKE

U.S. Forest Service

15 PETE HAGEN

NOAA

16 DOUG MUTTER

Department of Interior

17 LARRY DIETRICK

ADEC

18 LESLIE PEARSON

ADEC

1	TABLE OF CONTENTS	
2		
3	Call to Order	04
4	Approval of Agenda	06/33
5	Approval of Trustee Council Meeting Notes	07/34
6	Public Advisory Comments	07
7	Public Testimony	
8	Ross Mullins	29
9	Executive Director's Report	32
10	Herring Workshop	61
11	FY07 Invitation	74
12	Monitoring Projects	141
13	PAC Charter	223
14	Small Parcel Program	227
15	Trustee Travel Funds	236
16	Adjournment	241

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

(Anchorage, Alaska - 5/23/2006)

(On record - 8:42 a.m.)

CHAIRMAN CAMPBELL: Okay. We re going to go ahead and get started. Drue is in a teleconference and she will join us shortly before we take any formal actions. Let me ask first, we have the consent agenda and the approval of the agenda. Do we have a motion to approve the agenda?

MR. O CONNOR: So moved.

MR. MARQUEZ: Second.

CHAIRMAN CAMPBELL: Any objection?

(No audible responses)

CHAIRMAN CAMPBELL: It s approved. And then approval of Trustee Council meeting notes.

MR. FREDRIKSSON: Mr. Chair?

CHAIRMAN CAMPBELL: Yes.

MR. FREDRIKSSON: If I could ask for just a minor amendment to the agenda, I would propose that since the real heart of today s meeting is on the 07 invitation, what I propose is that we move what is item number 8 on the agenda, the FY07 invitation, up to follow the Executive Director s report. We have a number of subsequent agenda items, including the monitoring project, the herring workshop, the small parcel program, that will all have a

1 bearing on how we deal with the 07 settlement fund
2 investment. So I would just propose amending the agenda to
3 bring up the 07 invitation after the Executive Director s
4 report.

5 CHAIRMAN CAMPBELL: I think that makes
6 sense. Is there a second?

7 MR. O CONNOR: Second.

8 CHAIRMAN CAMPBELL: Any objection? The
9 agenda is so amended. We next have approval of Trustee
10 Council meeting notes. Did anyone have any problem with
11 that?

12 MR. FREDRIKSSON: Mr. Chairman, just on the
13 meeting notes that are dated in our book March 29th,
14 there s just one item that I understand Cherri actually
15 corrected in a subsequent addition, but I would note, after
16 number 5, where we went into an executive session, when we
17 came out of the executive session, we had an approved
18 motion where we had a motion to approve appointment of
19 Michael Baffrey as the Executive Director of the EVOS
20 Trustee Council office. And with that correction, I d move
21 to approve the meeting notes.

22 MR. MARQUEZ: Second.

23 MR. O CONNOR: I have a request from
24 Michael that we reconsider that decision.

25 CHAIRMAN CAMPBELL: Denied.

1 MR. O CONNOR: Oh, okay.

2 MR. BAFFREY: Actually I ve been doing that

3 the whole time.

4 MR. O CONNOR: Yeah, that s all right.

5 CHAIRMAN CAMPBELL: Any objection to the

6 meeting notes?

7 MR. O CONNOR: None.

8 CHAIRMAN CAMPBELL: If not, they re

9 approved. That brings us to the Public Advisory Committee

10 comments. And do we have -- either here or online?

11 MS. STUDEBAKER: Good morning.

12 CHAIRMAN CAMPBELL: Good morning.

13 MR. O CONNOR: Good morning.

14 MS. STUDEBAKER: Can you hear me okay?

15 CHAIRMAN CAMPBELL: Yep, we can.

16 MS. STUDEBAKER: All right. I m Stacey

17 Studebaker. I guess I m the acting chair of the Public

18 Advisory Committee. And I have some comments to you this

19 morning from the Public Advisory Committee. And first I

20 would like to commend you on your choice of Executive

21 Director of the EVOS Trustee Council. The PAC is very,

22 very happy about Michael Baffrey being a permanent

23 Executive Director as of May 9th rather than interim and we

24 hope that his title will be changed on the website from

25 interim to permanent. We like that. It shows a commitment

1 of the Trustee Council to some continuity, which is badly
2 needed and has been for the last couple of years. And so
3 we really appreciate that and the train or restoration
4 program in our view seems to be getting a little better
5 back on track and a lot of that is due to Michael s
6 leadership. There s much improved communication between
7 the Trustee Council office and the Public Advisory
8 Committee. We have a much better idea of what s going on
9 thanks to Michael s openness and good ability to
10 communicate with the public.

11 We know our function is advisory but we
12 need to be at the table. That is, we need to be included
13 in all steps and facets and we do need to meet two times a
14 year as stated in the new charter and it has been
15 previously in the charter. We haven t had a meeting yet
16 this year but I ll kind of get to that later.

17 The second item today on your agenda is the
18 revised and update PAC charter which all the PAC members
19 have read over and gotten back to me with their comments.
20 The main change I think is the downsize from 20 to 14
21 members. And I don t know if this is the right time for me
22 to make my comments on this, it you re going to have this
23 as an agenda item or.....

24 CHAIRMAN CAMPBELL: Well, why don t you
25 save and make those specifically on the agenda item. But

1 we ll make sure you have the opportunity.

2 MS. STUDEBAKER: Okay. So I ll get to come
3 back up here and.....

4 CHAIRMAN CAMPBELL: Yes.

5 MS. STUDEBAKER: Okay. All right. So I ll
6 save all my comments on that until you get to that in the
7 agenda. All right. So I will skip over to the four
8 monitoring projects that have been deferred by the Trustee
9 Council for many months now. The PAC urges you to approve
10 them today. The PAC stands by its continued support of
11 monitoring and especially these projects in the
12 continuation of a modified GEM program that these kind of
13 represent. These four projects are supported by the PAC,
14 the STAC, the staff, the EVOS scientists and scientific
15 community, they re supported by the general public, and
16 virtually everybody in the universe except for some of the
17 trustees. So we really don t understand why -- we re not
18 quite sure about why they ve been deferred for so long.
19 Anyway, we urge you to support them today.

20 On the new website, that is wonderful, by
21 the way, created by staff member Carolyn Rosner. It makes
22 a big deal of the program, the restoration program s
23 commitment to monitoring and GEM. And I don t know if
24 you ve had a chance to look at how well that s organized
25 but there s on whole big section on the website about

1 monitoring and GEM. And GEM s goal is to provide -- it
2 says on the website, GEM s goal is to provide a better
3 understanding of the complex processes in the ocean, an
4 understanding that will help us enjoy the great
5 productivity and bio-diversity of Alaska s oceans for
6 generations to come. But ironically there s no monitoring
7 currently going on. And so if -- the PAC, you know, urges
8 you that if you re not going to support any monitoring,
9 then you need to reflect that on the website so that you re
10 being honest and up front with the public. So if no
11 monitoring is truly going on and you don t intend to do or
12 fund monitoring, then, you know, that needs to be reflected
13 so the public isn t led to believe that monitoring is going
14 on.

15 The PAC believes that monitoring and long
16 term data sets of baseline information about the Gulf
17 ecosystem give us the big picture and the understanding
18 that will help us to make predictions, to better manage our
19 resources. And without this data, scientists can only stab
20 in the dark. You cannot foretell a catastrophic event like
21 an oil spill or a Katrina. Baseline data from long term
22 monitoring is the best insurance policy that we can have in
23 the event of another catastrophic event. So please vote
24 today to fund these four studies.

25 The next item here is that the PAC commends

1 the work of the lingering oil committee and appreciated
2 being included in that committee and being at the table and
3 we would hope that that continues. We don t know when the
4 next meeting is scheduled but we want to be at the table at
5 the next meeting as well.

6 The PAC also recognizes the success of the
7 herring workshop, a multi-stakeholder approach, problem
8 solving approach, which is a really good model for planning
9 and this should be continued. It s really the best way,
10 the most open way to include the public. And please
11 support funding for the 75,000 for a six to eight person
12 committee to craft a herring restoration plan. We think
13 that s a -- I got really good feedback from that idea from
14 the PAC members.

15 And lastly, the PAC would like to meet. We
16 haven t had a meeting and there is no meeting scheduled. I
17 know there are a lot of things kind of in flux but the PAC
18 needs to meet and we need to discuss the Integral report,
19 which is still not completed, much to our chagrin. The PAC
20 believes that the Integral report needs to be peer
21 reviewed. We also need to meet to review the 07
22 invitation, which is going to be on the agenda today and
23 discussed. But we would like to meet to review that after
24 it has been fully vetted and reviewed by the STAC, which is
25 usually the way things have been done in the past, is the

1 STAC approves things and then the PAC looks at the STAC
2 recommendations. It usually goes along with the STAC.
3 We want to review the short term herring
4 projects and the long term restoration plan. We want to
5 discuss the continuation of GEM and monitoring. And we d
6 like to discuss the future of community involvement as a
7 piece of the restoration plan. So we need to schedule a
8 meeting and would request a schedule of upcoming events,
9 dates and meetings. I know this is difficult but we --
10 several PAC members have asked me what s going on and when
11 our next meeting is so that they can plan their lives and
12 be sure that they can make arrangements to be at a meeting.
13 So I ll be here all day today and be available for the
14 agenda item of the PAC charter when it comes up.
15 CHAIRMAN CAMPBELL: Great.
16 MS. STUDEBAKER: Any questions?
17 (No audible responses)
18 CHAIRMAN CAMPBELL: Joe.
19 MR. MEADE: Just for clarification, Stacey,
20 you mentioned the PAC needs to be, and you highlighted
21 several areas. Were you there mentioning the PAC needs to
22 get a PAC meeting within themselves established or were you
23 -- was that a request the PAC again meet with the trustees
24 on those issues? I m just looking for clarification in
25 what you re -- so I interpret it correctly.

1 MS. STUDEBAKER: Well, I think the PAC has
2 in the past had separate meetings, you know.....

3 MR. MEADE: Yeah, okay.

4 MS. STUDEBAKER:just PAC meeting
5 and.....

6 MR. MEADE: Yeah. So you re just looking
7 to schedule the next PAC meeting.

8 MS. STUDEBAKER: Exactly. Yeah.

9 MR. MEADE: Yeah. Thank you.

10 MS. STUDEBAKER: And after things have been
11 kind of settled today, I think -- and discussed today, I
12 think that will give us a little more direction or a little
13 -- better idea of where you re going so we can discuss our
14 work.

15 MR. MEADE: And I assume that s at your
16 auspices of getting this meeting slated, scheduled and --
17 so it s not something you re asking of us, it s just
18 letting us know the PAC sees that need to get that meeting
19 underway.

20 MS. STUDEBAKER: Right. If we need to meet
21 a minimum of two times a year, then you know, we re -- we
22 need to get a meeting sometime, you know, this summer or
23 before too long.

24 MR. O CONNOR: One of the -- excuse me, Mr.
25 Chair. One of the questions I had of a similar vein, you

1 were mentioning the PAC participating with the lingering
2 oil committee and the herring committee, if we put it
3 together.

4 MS. STUDEBAKER: Right.

5 MR. O CONNOR: Are you looking at these as
6 additional meetings beyond us having you attend the
7 meetings of the lingering oil committees and the herring
8 committee or.....

9 MS. STUDEBAKER: Well, those meetings just
10 involve like a couple of PAC members that are asked to be
11 on those committees. So those aren't full PAC meetings.

12 MR. O CONNOR: Okay.

13 MS. STUDEBAKER: And what I'm requesting is
14 an opportunity for the whole PAC to meet, which is in the
15 charter. And what we've done in the past is we've had full
16 meetings scheduled two times a year. Yeah. In person, you
17 know, here in Anchorage.

18 MR. O CONNOR: Gotcha. Okay.

19 MS. STUDEBAKER: Yeah. Yeah.

20 MR. O CONNOR: Meetings of the whole.

21 MS. STUDEBAKER: Yes, meetings of the
22 whole.

23 MR. O CONNOR: Yes, okay. Okay.

24 MS. STUDEBAKER: All 20 of us at this
25 point.

1 MR. O CONNOR: And there was -- can I ask a
2 couple of questions with regard to the support of the PAC
3 for the monitoring studies.....

4 MS. STUDEBAKER: Sure.

5 MR. O CONNOR:that we have before us?
6 Are there some specific attributes of those studies that
7 are of particular concern to the members or is it just a --
8 sort of a general we need to support the idea of monitoring
9 and maintaining an information flow and an understanding of
10 what s going on in the ecosystem in Prince William Sound?
11 Or there s specific.....

12 MS. STUDEBAKER: I d say yes to all of the
13 above.

14 MR. O CONNOR: All of it.

15 MS. STUDEBAKER: Yes, uh-huh. I think
16 these four projects are kind of the king pin data sets that
17 are seen as really important oceanography aspects to
18 monitor. To be able to put your finger on the pulse of
19 what s going on in the ecosystem. And they ll be some
20 other comments today from Brenda Norcross about
21 specifically how that data, especially from GAK1 in the
22 Gulf, has contributed to our understanding of predictions
23 of big trends and also predictions of things like where the
24 oil was going to go during the oil spill. Because we had
25 that information of current flow, temperature, scientists

1 knew where the Exxon Valdez oil was going to end up.
2 Without that information, we couldn't have alerted the
3 communities down current and gotten them in place, gotten
4 them ready. And so it's huge. You know, it's multi-
5 faceted but it's like, you know, going and, you know, it's
6 like taking the vital signs of the ecosystem constantly and
7 if you don't take the vital signs, you don't know what the
8 health or what the ecosystem, what the organism is doing.

9 MR. O'CONNOR: Did you, in your
10 deliberations, did you see any gaps in monitoring -- and I don't
11 want to talk about GEM or whatever GEM is all about, I'm
12 just wondering if you guys saw any gaps in the monitoring
13 that we should be looking at beyond those four projects.

14 MS. STUDEBAKER: I think those four
15 projects are a really good start and once in place -- I
16 know the PAC has greatly supported coastline mapping to
17 continue. The mapping that was started in the Kodiak
18 Archipelago that was conducted by Gretchen Saupe. And that
19 along with monitoring, you know, knowing inch by inch by
20 inch what the coastline looks like in Prince William Sound
21 would be of huge value in the event of another catastrophic
22 event. Yeah.

23 MR. O'CONNOR: Thanks.

24 MS. STUDEBAKER: Yeah.

25 CHAIRMAN CAMPBELL: Anyone else? Kurt.

1 MR. FREDRIKSSON: Yeah, just a comment in
2 terms of meeting with the PAC. And just for purposes of
3 discussion, this is isn't an action item necessarily but
4 maybe directed more at you, Michael. As I look on your
5 schedule, and I know this is a tentative schedule in the
6 07 invitation, but it looks around the first part of
7 August is when we might actually -- if we go out with a
8 June 1 invitation for public review, it will be around the
9 first part of August that those proposals would come back.
10 I would think if the Council, and I sure would support
11 having a Council/PAC meeting, but if the PAC is going to
12 meet and bring all the members together, it might be best
13 to do that in conjunction with a Trustee Council meeting
14 where we can have kind of back to back. And I would just
15 suggest that around that time frame, after the invitation
16 proposals come in, might be a time we might look at when we
17 could have that. I'd just throw that out just as a
18 suggestion.

19 MS. STUDEBAKER: I don't think August 1 is
20 going to be a real popular date.

21 MR. FREDRIKSSON: No dates are.

22 MS. STUDEBAKER: Yeah, but.....

23 MR. FREDRIKSSON: But being responsive to
24 your request.

25 MS. STUDEBAKER: Right. Right.

1 MR. BAFFREY: With regards to the update to
2 the injured resources and services, there s two -- there s
3 public involvement in that process. And the two windows
4 that we looked at is, you know, early to mid-July and late
5 August to the 1st of September to try to get, you know, to
6 not totally interrupt the fishing season. So that may work
7 towards the end of August.

8 CHAIRMAN CAMPBELL: One additional question
9 on monitoring. We ve expressed to a number of the
10 scientists a request for a hierarchal list of what needs to
11 be monitored and details and costs, where, when, the length
12 of monitoring, et cetera. And if the PAC has, you know,
13 thoughts on that at a later date, we d be very interested
14 in that.

15 MS. STUDEBAKER: Okay.

16 CHAIRMAN CAMPBELL: And this goes to the
17 issue of, that we re talked about it many times up here,
18 that we expect monitoring needs to continue for a much
19 longer period than we expect the EVOS Council to continue.
20 And therefore the question is, if we are going to in effect
21 contract out long term monitoring obligations, whether it
22 be -- and many institutions get mentioned -- whether it be
23 North Pacific Board or the University or Prince William
24 Sound Science Center or others I m not naming or a
25 combination of all of those, we need to come down with what

1 that is and the cost as we then look at other obligations
2 with the money. So we d be very interested in that.

3 MS. STUDEBAKER: So you want a priority
4 list?

5 CHAIRMAN CAMPBELL: A hierarchal list.

6 MS. STUDEBAKER: A hierarchal.....

7 CHAIRMAN CAMPBELL: Yes.

8 MS. STUDEBAKER:list, including the
9 four projects that are up for funding today?

10 CHAIRMAN CAMPBELL: Yeah.

11 MS. STUDEBAKER: Okay. All right.

12 CHAIRMAN CAMPBELL: Okay. Thanks.

13 MS. STUDEBAKER: Any other questions?

14 CHAIRMAN CAMPBELL: No. Thank you.

15 MR. O CONNOR: Let me.....

16 CHAIRMAN CAMPBELL: Yeah.

17 MR. O CONNOR: Could we go back for just --
18 that brought up an issue in my mind. There s monitoring
19 and there s monitoring. Okay, now what I m hearing McKie
20 talk about is sort of looking into the future and keeping
21 track of what s been accomplished by way of restoration and
22 the recovery of the resources injured by the spill. What
23 I m hearing your emphasis is to be prepared to understand
24 the ecosystem in the event of another event.

25 MS. STUDEBAKER: Exactly.

1 MR. O CONNOR: Which is a different type of
2 monitoring or a different type of scientific focus. Being
3 prepared for the next event is not necessarily the same
4 thing as seeing how we did with this event and the
5 resources, their status, and how the system is responded to
6 the efforts that we put in. Whether the system has
7 recovered and been fully restored is our responsibility.

8 MS. STUDEBAKER: Right.

9 MR. O CONNOR: Are we talking about two
10 different things here?

11 CHAIRMAN CAMPBELL: I think we re talking
12 about two parts of the whole overall.....

13 MS. STUDEBAKER: Of the restoration
14 program.

15 CHAIRMAN CAMPBELL:and I think
16 ultimately, you know, we re going to have to look at the
17 entire list and make some decisions.

18 MR. O CONNOR: Okay.

19 MS. STUDEBAKER: But when I say monitoring,
20 I m talking about long term data sets of things like
21 salinity and surface temperature and current flow and
22 plankton productivity and, you know, primary productivity.
23 You know, things like that. Just really basic baseline
24 stuff that really pays off in the long run. If you have
25 long term data sets, you have a much better idea of

1 figuring out -- making predictions in the future and
2 figuring out where impacts will be if there is some kind of
3 switch in the system. Otherwise you don't have -- you
4 know, how do you know what's going on.

5 MR. O'CONNOR: Mr. Chairman, I think my
6 comments last time on this subject looked as well or looked
7 principally at the knowledge base that we need to have
8 today to make the decisions that we need to make as a
9 Trustee Council, particularly, for instance, with regard to
10 herring.

11 MS. STUDEBAKER: Yeah. Exactly.

12 MR. O'CONNOR: And I'm assuming that the
13 sense of the PAC is that these monitoring projects are
14 generating the kind of information that those of us with
15 responsibilities and those of us with academic interest or
16 engagement need to make those kinds of decisions. Is that
17 a fair characterization of -- okay.

18 MS. STUDEBAKER: Yeah. Exactly. You know,
19 like for instance, you know herring larva are planktonic,
20 you know, and where they end up has everything to do with
21 oceanography. And if you don't have the oceanographic
22 data, you know, you really can't understand what's going on
23 with the herring. And, you know, that's just one example
24 that.....

25 MR. O'CONNOR: Okay. Thank you.

1 MS. STUDEBAKER: Yeah.

2 MR. O'CONNOR: Thanks, Stacey.

3 CHAIRMAN CAMPBELL: Kurt.

4 MR. FREDRIKSSON: Well, I just wanted to

5 follow up on Craig's comment because I think it's an

6 important one. Monitoring is a very broad term.

7 MS. STUDEBAKER: Yes.

8 MR. FREDRIKSSON: When you say we haven't

9 -- we're not doing monitoring or we need to better

10 articulate through our web page what monitoring we are or

11 not doing.....

12 MS. STUDEBAKER: Uh-huh. (Affirmative)

13 MR. FREDRIKSSON:that's a very loaded

14 word. And I think, Craig, I appreciate your comments

15 because what -- the real issue is monitoring to serve what

16 objective. Are we monitoring to measure the recover of

17 injured resources from EVOS? Are we monitoring as part of

18 an oil spill preparedness so we're better prepared to deal

19 with oil spills in the future? Are we monitoring for just

20 good science? Are we monitoring for measuring the rate of

21 climate change? All those are different objectives. They

22 may all in some way be tertially [sic] related but they're

23 each kind of a different purpose. And it's very important,

24 I think, for us to have an understanding as to what the

25 purpose of our monitoring is and the restoration plan, I'd

1 just turn to the monitoring section. In fact, refresh my
2 memory, but it's very focused on monitoring the recovery of
3 the injured resource and to monitor the success of our
4 inter -- if we intervene, if we actually try to influence
5 the recovery rate for an injured species, the monitoring is
6 directed to measure the success of that intervention. And
7 so I appreciate your comments, Craig, and I would just say
8 as we move forward with the PAC, as we talk monitoring, we
9 need to have a real clear understanding what the objectives
10 are that was serve.

11 MS. STUDEBAKER: Good.

12 CHAIRMAN CAMPBELL: Stacey, because I want
13 to make sure we have Drue back before we get to the '07
14 invitation or otherwise we'll have to simply take a recess
15 and wait, I'm going to ask you to go ahead and make your
16 PAC comments now, it that's all right.

17 MS. STUDEBAKER: On the PAC charter?

18 CHAIRMAN CAMPBELL: Yeah.

19 MS. STUDEBAKER: Oh, okay.

20 CHAIRMAN CAMPBELL: Would that be all
21 right?

22 MS. STUDEBAKER: Okay. Fine. That sounds
23 good to me. Okay, as I said, the main changes, the
24 downsize from 20 members to 14, which I think in this
25 particular time in history that's probably a good idea as

1 we're kind of downsizing the whole restoration program. It
2 makes sense. And I understand that this would be our
3 charter for two years beginning in January, is that
4 correct?

5 MR. MUTTER: October.

6 MS. STUDEBAKER: October. Okay.

7 MR. MUTTER: We're on the Federal fiscal
8 year.

9 MS. STUDEBAKER: Okay. And so it would be
10 when the current terms are up?

11 MR. MUTTER: Correct.

12 MS. STUDEBAKER: Okay. So that no one
13 would need to be removed before their term has expired. I
14 think that was the biggest concern, is how you would do --
15 put that into motion. Is that the correct understanding?

16 MR. MUTTER: That's standard operating
17 procedure.

18 MS. STUDEBAKER: Yeah. Okay. So we
19 noticed that there is no specific spot for the liaison STAC
20 member, which was brought up by several PAC members in
21 email discussion when I put out the question. And I don't
22 know if this was intentional or an oversight but the PAC
23 feels that this representation is essential and it needs to
24 be continued, either by a designated 15th spot on the PAC
25 or by filling the science and tech slot with the STAC

1 representative. Does that make sense?

2 MR. BAFFREY: Doug, does that make sense to

3 you?

4 MR. MUTTER: You're suggesting that a STAC

5 member be also on the PAC?

6 MS. STUDEBAKER: Right. As we have now, we

7 have a STAC liaison who has been on the PAC. And we have

8 really appreciated having that link between the two

9 committees very, very much. It's good for communication so

10 we know what's going on and we would like to see that

11 continued either as a 15th designated spot on the PAC or by

12 filling the science tech chair with the STAC

13 representative. Either way.

14 MR. MUTTER: Do you want me to comment on

15 that?

16 MS. STUDEBAKER: Either way.

17 MR. BAFFREY: Ask these guys.

18 MS. STUDEBAKER: Yeah.

19 CHAIRMAN CAMPBELL: Yes, please.

20 MR. O'CONNOR: Depends on what you have to

21 say.

22 MR. MUTTER: I'll be good for you.

23 MS. STUDEBAKER: Here you go.

24 MR. MUTTER: I mean actually, you could

25 invite a STAC member to be at any PAC meeting, that's up to

1 Michael to do. They don't have to be a member. If they're
2 a member, then they get two votes on projects, as a STAC
3 member, as a PAC member. So, I mean, it's up to the
4 Trustee Council to select who the members are and whether
5 it's in the charter or not, they could say we're going to
6 pick somebody who's on the STAC. But if they aren't on
7 there, you can still have them come to every meeting and
8 give you advice.

9 MS. STUDEBAKER: Yeah.

10 MR. MUTTER: So I don't know that that's
11 crucial.

12 MS. STUDEBAKER: Right. And is it crucial
13 to have the STAC member a voting member of the PAC, that's
14 another question too, is -- I don't know. But anyway, we
15 would like to have STAC representation on the PAC, one way
16 or another.

17 MR. BAFFREY: Okay.

18 MS. STUDEBAKER: Okay. However we do it.

19 MR. O'CONNOR: Is that for infor -- that's for
20 information.

21 MR. FREDRIKSSON: Without stacking the
22 deck, so to speak.

23 MS. STUDEBAKER: Oh.

24 MR. FREDRIKSSON: I couldn't help it,
25 sorry.

1 (Laughter)

2 CHAIRMAN CAMPBELL: Severely out of order.

3 MS. STUDEBAKER: Next thing I wanted to
4 bring up about the charter is not limiting terms is also
5 supported by the PAC that I -- the ones that responded to
6 me. And members feel that PAC members with history are a
7 real asset and I assume the rationale for a term limit is
8 to insure that new people are cycled into the group, which
9 is a healthy thing for any organization or committee,
10 that's for sure. But in practice we've never had a problem
11 with that. We've had plenty of new people cycling onto the
12 committee, so a strict term limit seems unnecessary, an
13 unnecessary measure with the undeserved consequence of
14 preventing institutional memory.

15 And so we like the institutional memory,
16 it's important. This has been a -- especially the last few
17 years -- have really been in a bit of upheaval and so it's
18 nice to have people on the PAC who have some memory of the
19 very beginning, you know, as it is in any organization.
20 But it's also nice to have the new people cycling in. So a
21 good balance is what we're looking at. Yeah.

22 And that's it. Any questions?

23 CHAIRMAN CAMPBELL: Thank you very much.

24 That concludes Public Advisory Committee comments. We now
25 have public comments. Is there anyone -- let me go to the

1 audience first. Is there anyone in the audience who'd like
2 to make any public comments? If not, do we have anyone
3 online who would like to make any comments?

4 MR. MULLINS: This is Ross Mullins in
5 Cordova. If I could, please.

6 CHAIRMAN CAMPBELL: This would be the time,
7 Ross.

8 MR. MULLINS: Thank you gentlemen and
9 ladies. This is a pretty important meeting today and I
10 think it appears at least to be putting a new direction, to
11 some extent, for the Trustee Council. We here in Prince
12 William Sound have felt for many years that the loss of our
13 herring resource has been one of the direct attributes of
14 the Exxon Valdez oil spill. And even though there was very
15 little science early on that would give us the data and
16 insights we need into the mechanisms, we do feel there is a
17 causal relationship and we're happy to see that the Trustee
18 Council is prepared to move toward a plan or evolve toward
19 a plan that will help us restore herring to its previous
20 levels prior to the oil spill.

21 There are many complicated issues involved
22 here which we need to learn a great deal more on before
23 success can ever be achieved in this realm, if ever.
24 However, the effort is worthy because herring sticks out
25 like a sore thumb in that it is a keystone species for

1 almost all of the other non-recovering elements in Prince
2 William Sound. If you bring back the herring through
3 whatever means, I think we're going to see a big
4 improvement in the overall ecosystem and the balance of
5 that ecosystem.

6 (Drue Pearce arrives)

7 I'd like to comment briefly on the
8 monitoring projects. One thing that stands out in my mind
9 is there are two kinds of monitoring, really. One we would
10 have to refer to as macro. Those projects that are listed
11 here are pretty much in that category. It's the attempts
12 to develop long time data series that will be useful to
13 those micro analysts who are -- for example, in Prince
14 William Sound, if we get a robust herring recovery plan in
15 place through the efforts of communities and the Council,
16 the micro monitoring that's going to be needed here for the
17 purpose of seeing your results, if an intervention is
18 actually planned, you have to be able to monitor for the
19 results of that intervention. However, the micro
20 monitoring depends to some degree on the characteristics of
21 the macro monitoring, and that's where it is important, in
22 the overall picture of the health of the environment in
23 terms -- I mean, fish live in the water, as we all know,
24 and to not know what their conditions in that environment
25 are like is like a blind man trying to describe an elephant

1 by grabbing onto its tail. You need a comprehensive, basic
2 picture of what's happening in the Gulf of Alaska, what's
3 happening with the nutrients in the Gulf, and all of these
4 things are interrelated to success of any, hopefully,
5 herring recovery.

6 I would like to applaud the Executive
7 Directors and Kim Trust, the Science Director's efforts in
8 pulling the herring workshop together. It was a very
9 successful gathering of most of the experts that have been
10 involved with herring in Prince William Sound. I myself
11 helped organize the herring fishermen stakeholders that
12 were part of the meeting and everyone came away feeling
13 like we're starting on a path here with some optimism that
14 the impact of this process will ultimately have major
15 beneficial effects.

16 So I encourage you to be open minded when
17 it comes to herring projects that are going to be in the
18 FY-07 invitation. The one thing that I've heard over and
19 over and I have uttered myself many times is that often
20 these single investigator projects funded for one year or
21 two do not give you the continuity and the integration you
22 need for a good solid interaction among the investigators.
23 We see this in the difficulty that we are having in
24 herring, in making a case that they were somehow
25 compromised by the Exxon Valdez oil spill.

1 Without the integration of all the life
2 stages and the other elements that go to make up this
3 complex life cycle of these fish and how they function in
4 the environment, without that integration you really cannot
5 have expectations of long term success. Granted, you may
6 get good insights on one aspect or another but really the
7 integration and the multi-disciplinary cooperation I think
8 is one of the key important elements. And that, to some
9 degree, is incorporated, as I understand it, in the FY-07
10 invitation.

11 So I'd just encourage you all to, you know,
12 take this seriously and to move this process of trying to
13 restore Prince William Sound herring forward in a manner
14 that will incorporate the stakeholders, incorporate the
15 communities involved, and help us achieve a successful
16 outcome here. Thank you very much.

17 CHAIRMAN CAMPBELL: Thank you. Do we have
18 other public comment online? Anyone else online who would
19 like to make additional public comment?

20 (No audible responses)

21 CHAIRMAN CAMPBELL: If not, we'll move to
22 the Executive Director's report. Michael.

23 MR. BAFFREY: Do you guys need to vote on
24 the agenda and the minutes.

25 MR. MEADE: I think we did.

1 CHAIRMAN CAMPBELL: We did that.

2 MR. BAFFREY: You did that already?

3 CHAIRMAN CAMPBELL: Yeah.

4 REPORTER: But you didn't have Drue here.

5 MS. PEARCE: You can't action without me.

6 CHAIRMAN CAMPBELL: Do you have any

7 objection to adopting the agenda or the minutes?

8 MR. MEADE: Well, the agenda as modified.

9 MS. PEARCE: Depending on where you

10 put.....

11 CHAIRMAN CAMPBELL: We're going to -- we'll

12 deal with that when we get to it. I'll bring it back up.

13 MR. FREDRIKSSON: Or we can do it right

14 now.

15 CHAIRMAN CAMPBELL: Or we can do it right

16 now. Drue has indicated an interest in moving the '07

17 invitation, instead of making it the new item number 6,

18 making it the new item number 7, which means it would come

19 after the herring workshop report and before the monitoring

20 projects. Is there any object -- let me ask if there's any

21 objection to that modification?

22 (No audible responses)

23 CHAIRMAN CAMPBELL: No. Okay. Then let's

24 do formalize the adoption of the agenda as modified. Do we

25 have a motion?

1 MR. O'CONNOR: So moved.

2 CHAIRMAN CAMPBELL: A second?

3 MR. FREDRIKSSON: Second.

4 CHAIRMAN CAMPBELL: Objection?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: It's passed. Do we

7 have someone to move the meeting notes?

8 MR. FREDRIKSSON: I'll move adoption of the

9 meeting notes with the amendment to include the reference

10 to the motion taken after the executive session to approve

11 Michael Baffrey as the Executive Director.

12 CHAIRMAN CAMPBELL: Second?

13 MR. MEADE: Second.

14 CHAIRMAN CAMPBELL: Any objection?

15 (No audible responses)

16 CHAIRMAN CAMPBELL: It's approved. We are

17 now back to the Executive Director's report.

18 MR. BAFFREY: Okay. This will be very

19 short. Most of the items I wanted to talk about are

20 already on the agenda. So I do want to take this

21 opportunity to finally get to introduce you to Barbara

22 Hannah, who is our new admin mana -- well, not so new now

23 -- admin manager. She's doing an outstanding job and we

24 are -- I don't know who we took her from but.....

25 MR. FREDRIKSSON: I do.

1 MR. BAFFREY: Yeah -- oh. You again?

2 MR. FREDRIKSSON: Yeah.

3 MR. BAFFREY: Well, thank you. Yeah, but

4 she's great. The only item that I would like to talk about

5 would be the -- I've been requested to give you the status

6 of the delinquent reports. And this list is going to be

7 dependent upon the continued effort of the project file

8 cleanup working group, which was temporarily on hold while

9 one of its co-leaders, Carrie Holba, decided to go out and

10 get married. So there -- she's back. The meeting -- the

11 working group will get together the first week in June and

12 start again. Right now we have -- we can say that we have

13 11 delinquent reports. Eight of those, ADF&G; three of

14 those are in NOAA. If you want, I can give you the titles

15 of those, just know that that list is probably going to be

16 changing the more we get into the projects, so I'll keep

17 you guys informed at our future meetings.

18 That's also the status of -- because the

19 FY-07 invitation and the update to the injured resources

20 and services list is very dependent upon the Integral's

21 project, the information synthesis and recovery

22 recommendations for resources and services injured by the

23 spill. I had been requested to give you the status of when

24 we were expecting the draft final ready for peer review.

25 We're expecting that, I believe it's June 2nd. And that's

1 going to kick off a lot of activity in this office,
2 specifically the updates to the injured resources and
3 services list.

4 The only other thing I would like to say is
5 thank you to Cherri for now in addition to paper products,
6 we have recycling in this office for glass, plastic, and
7 aluminum. That motivation came from actually Craig
8 Tillery, who s not here to actually hear this, but he had
9 been on us to do that and we actually finally got that
10 accomplished, thanks to Cherri.

11 So that s it for the Executive Director s
12 report.

13 CHAIRMAN CAMPBELL: Drue.

14 MS. PEARCE: Thank you. Michael, you said
15 delinquent reports are at 11 and that number may change.
16 Get larger? Get smaller?

17 MR. BAFFREY: That -- well, probably not
18 smaller.

19 MS. PEARCE: Okay.

20 MR. BAFFREY: But what we re doing is we re
21 starting with the 06 work plan and working our way back
22 and getting into the files to see what we actually do have.
23 The 11 that I talked about are not on our list, they re not
24 here, and they re not in peer review. So.....

25 MS. PEARCE: Okay.

1 CHAIRMAN CAMPBELL: Additional questions?

2 MR. O CONNOR: Do.....

3 CHAIRMAN CAMPBELL: Joe. I m sorry. Joe.

4 MR. MEADE: Michael, you mentioned June 2nd

5 we would see the peer review completed. Could you again

6 review for me the particular projects that will be

7 completing peer review for informing the 07 invitation?

8 MR. BAFFREY: Ask that again, please.

9 MR. MEADE: You mentioned that you have --

10 the peer review will be completed on a couple of our

11 interim or draft reports that we have by June 2. Which

12 were those again?

13 MR. BAFFREY: No, and I confused you if

14 that s what you heard. What we re going to be receiving is

15 the draft final report.

16 MR. MEADE: To start peer review?

17 MR. BAFFREY: To start peer review.

18 MR. MEADE: So those are important reports

19 for us as it relates to 07 but the peer review -- for the

20 07 invitation -- but the peer review will be just

21 starting.

22 MR. BAFFREY: Exactly.

23 MR. MEADE: Okay. I m sorry, I heard it

24 the other way around. And which reports were those?

25 MR. BAFFREY: That s the only one we re

1 getting on June 2nd.

2 MR. MEADE: Okay.

3 MR. BAFFREY: Yeah, and then the remaining
4 lingering oil reports, we don't have dates when those are
5 actually coming in yet, and I'll follow up, I'll send you
6 all an email when I get those dates.

7 MR. O'CONNOR: But you're just talking
8 about the Integral synthesis report coming on June 2nd?

9 MR. BAFFREY: Correct.

10 MR. O'CONNOR: Okay.

11 MS. PEARCE: Coming to you?

12 MR. BAFFREY: Yes.

13 MS. PEARCE: Not to us.

14 CHAIRMAN CAMPBELL: Yeah, Kurt.

15 MR. BAFFREY: Not to you, no. To us and
16 into the peer review process.

17 CHAIRMAN CAMPBELL: Kurt.

18 MR. FREDRIKSSON: Two questions, Michael.

19 First, with respect to the June 2nd report, glad to hear
20 that's coming. Would it be possible -- I guess I continue
21 to be somewhat confused by the peer review process and I
22 don't want to take the -- necessarily the time to kind of
23 walk through all that. But I guess what I would like to
24 see happen, and you can tell me if it's not possible, what
25 I'd like to see happen on June 2nd is that when it goes out

1 for peer review, it also gets sent to the PAC for their
2 review, it goes to the STAC, it goes to the public. I d
3 like to see the Integral synthesis released so that -- I
4 know my agency, for example, would like to comment on what
5 Integral has put together. I hear from the PAC testimony
6 today that they want to have a shot at it and I would like
7 to just see if June 2nd was the let s let everybody take a
8 shot at the Integral report, it sure would be helpful from
9 where I sit.

10 MR. BAFFREY: That s not our policy and
11 that would take Trustee Council decision to do that. So
12 what you re actually suggesting is to -- it goes into peer
13 review and out to the public at the same time. And that
14 would be a decision you would have to make as Trustee
15 Council members.

16 MR. FREDRIKSSON: Well, I would make a
17 motion then for the Trustee Council to approve release of
18 the Integral report at the same time as released for peer
19 review. And then to have the staff take all that
20 information, working with Integral, all that input, and
21 modify the report, which I understand ultimately will come
22 back to our EVOS Trustee Council office and create what is
23 sorely lacking right now, which is the last time we had
24 this was 2002, which is the update of status on the injured
25 status. And I believe this is what our office here

1 actually ultimately produces.

2 CHAIRMAN CAMPBELL: Let me ask, for
3 purposes of discussion, do we have a second for the motion?

4 MR. MARQUEZ: Second.

5 CHAIRMAN CAMPBELL: Okay. Drue.

6 MS. PEARCE: I remember the last time we
7 updated the injured species list and the process that we
8 went through at the time and the politics and the public
9 pressure that came into play in terms of approving the
10 list, and the changes that the Council actually made even
11 after we had reviews by -- peer review and PAC review and
12 STAC review and Science Director recommendations and
13 Executive Director recommendations. And we still changed,
14 for example, the ORCA status. I am guessing that we ll
15 see the same sort of public pressure and so I would feel
16 more comfortable if we at least had a peer review done so
17 that we had a scientific peer review of this study that is
18 going to lead to those decisions before we send it out to
19 the public.

20 And I think it s in our own best interest
21 to have that science review done before it goes out
22 anywhere else. I wouldn t think we d want to release it
23 until we d had that peer re -- a really rigorous scientific
24 peer review done. I think we would be asking for confusion
25 certainly by the public.

1 MR. MEADE: Mr. Chairman.

2 CHAIRMAN CAMPBELL: Joe.

3 MR. MEADE: In part Drue may be answering a
4 question for me. The piece I would -- I guess I don't know
5 if Michael would be the person to ask this of -- is I'd
6 need -- I'd like to have verification of what the existing
7 policy is, why we crafted the policy in the manner to which
8 it is so that before we would depart from our policy, we've
9 clearly thought through the purpose, the reason, the
10 benefits to the parties in that policy. If I take in part
11 what Drue has highlighted, which would follow intuition, it
12 to fully vet and peer review from a scientist's perspective
13 our science driven data and information before we release
14 that in a broader context to the general public. Would
15 that be a correct assumption of what originally established
16 the policy?

17 MR. BAFFREY: That's correct.

18 MR. MEADE: And what would be the pitfalls
19 from departing from that? I guess again the pitfall is we
20 may be putting information out that hasn't been adequately
21 vetted through the science community.

22 MR. BAFFREY: That's correct.

23 CHAIRMAN CAMPBELL: I think it was Craig
24 and Dave and Drue.

25 MS. PEARCE: Okay.

1 MR. O CONNOR: Kurt, what s your thinking
2 here on having it all at once?

3 MR. FREDRIKSSON: Well, I think that s a
4 fair question. My thinking is I ve been frustrated over
5 these many years by the lack of any clear peer review
6 process. I go to the general operating procedures adopting
7 by this Trustee Council and there are no peer review
8 procedures listing in those general operating procedures.
9 I see where there was a -- when the STAC was created, the
10 STAC was created to guide the Gulf Ecosystem Monitoring
11 program. And within that procedure is reference to peer
12 review. It s referenced to peer review in the context of
13 the STAC s duties but it may be a suitable approach, at
14 least it s the first time that this Council spoke on peer
15 review. But what the Council said at that time in 2002 was
16 the peer review process needs to be fleshed out. A
17 framework for peer review needs to be developed. That
18 needs to be developed to avoid things like conflict of
19 interest, was one of the items that was specifically
20 mentioned by the Council. It had some -- it had three
21 specific issues enumerated and I have it written down here
22 somewhere, but what we have failed to do since that time is
23 to ever put on paper what our peer review process is. Who
24 conducts it? How is it conducted? How do we insure that
25 there is no conflict of interest, so we don t have peer

1 reviewers who happen to be the principal investigators
2 reviewing the products that are subject to peer review?
3 For example, I mean, that s just an example.

4 So absent that clear understanding of what
5 our peer review process is, I m much more interested in
6 getting what has already in fact been publicly discussed at
7 five community meetings and at the January symposium, the
8 marine symposium, I think it s just incumbent up -- we need
9 to get that out for public review and for agency review in
10 particular.

11 CHAIRMAN CAMPBELL: I think it was Dave and
12 Drue and then I have a comment.

13 MR. MARQUEZ: Yeah, I had the same
14 question. Is the peer review conducted by the -- now that
15 we have a Science Director, is that the peer that reviews
16 it? What s the peerage and where is it written down and
17 how long is it going to take?

18 MR. BAFFREY: The peer review process is,
19 right now we re under contract with Bob Spies. We send the
20 draft final reports to him, he sends them out for a peer
21 review, line peer review, scientific reviews. The comments
22 come back to him, he dialogues them with the PI to rectify
23 the comments and then it comes back to us to finalize.

24 MR. MARQUEZ: And what s the time period?
25 Will we see it this year?

1 MR. BAFFREY: Yes. Yes, we ll definitely
2 expedite this one.

3 CHAIRMAN CAMPBELL: Drue.

4 MS. PEARCE: Yeah. I know that previous to
5 the GEM adoption in 2002, peer view -- peer -- I can t say
6 it but I know it was done -- peer review was done on
7 science work done for the Trustee Council, I think directed
8 by the then Science Directors previously. Whether
9 somewhere in our distant past there s a policy written, I
10 can t tell you, but my agency, the Department of Interior,
11 has a newly established rule that science in particular, if
12 it s going to lead to decision making and particularly if
13 that s going to be controversial. And I think this will be
14 because it was previously. I don t see that this is going
15 to be any different. It has to be peer reviewed. If we
16 need to use our DOI process, that s pretty easy to do. I
17 mean, I think we can tell the staff what to use if we don t
18 think we ve got a good one. But I -- that experience that
19 I had previously of it was a controversial decision, Jim
20 Balsiger was here, I think all the rest of us has changed.

21

22 MR. O CONNOR: Yeah, and he s not here now
23 either.

24 MS. PEARCE: He s not here now either. So
25 Kurt, I don t question your not really understanding what

1 -- exactly how that process is supposed to work but I think
2 it s very important to our credibility with the public that
3 we make sure that there is a peer review and I really don t
4 want to put it out to the public until that s been done. I
5 think that s -- I think we would be criticized for it.

6 CHAIRMAN CAMPBELL: I have a question and a
7 comment and then I think Joe and then Kurt. My question
8 is, in terms of Federal requirements, is the Federal
9 requirement that it be peer reviewed -- which I don t think
10 anybody is suggesting that it not be peer reviewed -- or is
11 the requirement specific in terms of sequence. In other
12 words, it must be peer reviewed before it is publicly
13 available, et cetera.

14 MS. PEARCE: It s my understanding that it
15 has to be peer reviewed before it s publicly available.

16 CHAIRMAN CAMPBELL: Okay. I d be
17 interested if we could find that out for sure.

18 MS. PEARCE: Sure.

19 CHAIRMAN CAMPBELL: And just -- I guess my
20 comment is, first off, I don t think anybody is talking
21 about it not being peer reviewed. I think we all agree on
22 the necessity of that. I will say in this document, as
23 Kurt mentioned, we have talked about it at multiple
24 meetings, there have been presentations on it and workshop
25 -- you know, PowerPoints on it to the public, et cetera.

1 It s not like it s a big secret. And -- but what the
2 public hasn t seen and what we haven t -- you know, is all
3 the details. Personally I m always a little -- have a
4 little more faith in the wisdom of the many than the select
5 few. And I m not suggesting that just general public
6 reaction be a substitute for peer reaction but -- or peer
7 review -- but it seems to me that there could be real value
8 -- and we re going to get this anyway -- but public comment
9 back by all the various scientists and just general
10 involved public would be interested along with the peer
11 review comments in terms of getting to the final document.
12 If we were to choose to release this earlier, I think the
13 public is smart enough -- the public that would actually be
14 sitting down and reading the document is smart enough to
15 understand if we say something, that this is in peer review
16 and will be modified subject to peer review and other
17 comments. Frankly I think it might give them a little more
18 stake in becoming involved in reviewing it. But, you know,
19 that s what I have. Joe.

20 MR. MEADE: The piece for me is credibility
21 of the science and credibility to the scientist. My
22 observations come from an agency that has a principal
23 mission, a principal branch of independent researchers and
24 that is our R&D section. And peer review is a vital
25 component and linkage and it s done very independently of

1 our national forest system, our line and staff
2 organization. So that line and staff get independent peer
3 review to qualitative scientific information to guide
4 decision making. In that context is how I interpret this
5 discussion. And so my musing is that that peer review is
6 essential so the credibility of the science as it goes out,
7 just as it does in my agency, has that qualitative review
8 within the science community before we put it out for
9 broader use, consumption or engagement.

10 The second piece that causes me to ask
11 myself, I know at least within the context I ve described
12 in the Forest Service, the scientists anticipate that peer
13 review and they expect that peer review. So in the case of
14 a product here that we ve funded to have done, does the
15 scientist that was funded anticipate, expect, and even have
16 perhaps an expectation that that peer review would occur
17 for the credibility of that science package before it s
18 released to general consumption. So I guess there would be
19 a second piece to follow up on that might ask Michael to be
20 looking into. One is find out what the peer review Federal
21 requirements are. I m pretty sure that the agen -- my
22 agency indeed does have some very specifically stated
23 independent research and peer review responsibilities.
24 What that means in my role here I d need clarity to.

25 Then the second is, does and did the

1 scientist that has done the science work for us do that
2 science work with the expectation and if you will almost
3 even the right or the anticipation that that work would be
4 peer reviewed before broad consumption and release.

5 CHAIRMAN CAMPBELL: Okay. Kurt and then
6 Drue.

7 MR. FREDRIKSSON: Yeah, just a couple of
8 comments. One, to reiterate McKie s comment, and Drue, I
9 support peer review. I m not opposed to peer review. So
10 that really isn t the issue. But I want a peer review
11 process that is understood and clear and consistent with
12 how we ve approached it in the past. I am particularly
13 concerned with, one, delay in getting our synthesis
14 completed but I recognize we need to do it right. I also
15 sup -- I full -- and I want to emphasize this because Drue
16 said it very well. I just want to echo it. The peer
17 review process, the scientific process, is not something
18 that the Trustee Council will necessarily rubber stamp.
19 The status of injured resources and how we bring closure to
20 the Exxon Valdez injuries is a policy call. It s not just
21 left to the lawyers and left to the scientists. That s why
22 the Trustee Council members sit here. So ultimately the
23 peer review process will lead through a public review
24 process that comes to this table and we can accept, reject,
25 modify, as we feel appropriate. And that s an important

1 point for people to understand.

2 The third point I have, and Michael, it
3 relates to the existing review process that relies on Bob
4 Spies. I m very concerned now -- and have grabbed the peer
5 review process as it was adopted by this Council in 2002 as
6 part of the STAC technical advice and peer review process,
7 and the Council at that time said a framework for peer
8 review shall be developed. And that framework needs to
9 include guidelines for achieving and maintaining
10 impartiality. Bob Spies, it s my understanding, because we
11 set it up this way, we heard from many people how important
12 it was that Integral align itself, include EVOS -- previous
13 EVOS PI s in their employ -- that we -- they use the EVOS
14 scientists of the past. Integral brought Bob Spies and
15 others onboard. I believe Bob Spies is an author of the
16 report that we are asking him to lead the peer review on.
17 We have now paid -- we are contemplating paying him twice.
18 We are paying him for his contribution to the Integral
19 synthesis and then we re paying him as -- well, I don t
20 know if we re paying him or not -- but we re relying on him
21 as the peer reviewer to coordinate the peer review. I
22 really have a problem with that in terms of this -- since
23 we have not developed those guidelines, I think we need to
24 move along expeditiously to get this peer review process
25 nailed down. And if we could, as Drue suggests DOI -- and

1 Drue, I think you circulated those just before this meeting
2 to us.

3 MS. PEARCE: The draft.

4 MR. FREDRIKSSON: That maybe those DOI
5 guidelines are an appropriate place to look, an appropriate
6 place to start. But to me, I thought the Council was very
7 wise in lining out these three elements that they thought
8 needed to be included in a peer review process and we just
9 haven't done -- we, the Trustee Council, just hasn't
10 completed that process. And I think we need to move ahead
11 expeditiously to do so.

12 CHAIRMAN CAMPBELL: First off, Michael, I
13 know you were back consulting. Did you get an answer for
14 us on the -- did someone know about the issue of sequence?
15 Okay.

16 MR. BAFFREY: Not yet but I will let you
17 know.

18 CHAIRMAN CAMPBELL: Okay. Drue.

19 MS. PEARCE: I see this as two discussions.
20 One on having a procedure for peer review, I have no
21 problem with that. But the second one, the specific
22 question, the studies done by this group have been mired in
23 controversy from the beginning for a number of reasons.
24 And I think because of that, I don't disagree that there's
25 been a review of the data publicly already but I think

1 trying to release the final report before we do peer review
2 will not only set us up for controversy but I think that
3 there's a community predisposed to shoot at this report
4 when it's final no matter what it says because of the
5 controversy over the actual entity that's done the review
6 for us and other things. It's just been mired in
7 controversy from day one. And I think we would only
8 exacerbate that controversy if we try to do a public
9 release before we have a peer review. And I think that we
10 have a Science Director who can certainly direct a process
11 that will be credible and we should proceed in that manner
12 on this particular one. As I say, a policy that we need to
13 put together for a peer review, fine -- and whatever it
14 looks like, fine with me as long as it's credible and meets
15 the requirements for science done by our agency for those
16 projects that we would have.

17 CHAIRMAN CAMPBELL: I don't want to belabor
18 this discussion too long because I think it's probably
19 fairly clear that there are not six votes. But I would
20 say, just as a point of clarification from the chair, I did
21 not understand the motion to be anything about releasing
22 the final report. That the motion as I understood it was
23 to release the draft report with clear indication that it
24 was in peer review, that it would be further modified based
25 on both peer review comments and public comments. And I

1 would also just personally note I find you rarely get
2 additional public criticism by being more open, you usually
3 get it by being more secret. But I just want.....

4 MS. PEARCE: It won't be modified by public
5 comments, not the final.

6 CHAIRMAN CAMPBELL: We can modify the
7 final.

8 MS. PEARCE: Well.....

9 CHAIRMAN CAMPBELL: And I think we would
10 take.....

11 MS. PEARCE: No, we don't modify the final
12 report, we might.....

13 CHAIRMAN CAMPBELL: We can modify our
14 actions based on.....

15 MS. PEARCE:modify our actions but
16 the report won't be modified by public comment at all.

17 CHAIRMAN CAMPBELL: If I may. I think
18 certainly if there are other scientists out there who have
19 interest in this other than the small group that will be
20 cited, I certainly hope and trust that if during the peer
21 review process there are substantive scientific issues that
22 come up raised by other folks, that the author and the peer
23 reviewers would take those into consideration in their
24 revision of the final. Michael.

25 MR. BAFFREY: Joe and then me.

1 CHAIRMAN CAMPBELL: Joe.

2 MR. MEADE: I guess before we drew the

3 discussion to a close, I felt Kurt had some excellent

4 points that I would hope wouldn't escape the ability to be

5 put forward as a motion. I think I hear general

6 concurrence that we do need to clarify, validate, and

7 insure what we -- what was outlined by the Trustees in '02

8 or indeed occurring within the peer review process. I

9 don't know if that takes a motion or if it just reminds us

10 to get on with getting that '02 work done and clarified. I

11 think Kurt's observations there were right on cue. I also

12 think Drue's perspective as it relates to modifying our

13 policy midstream here with a report that has had a bit of

14 controversy and interest to it, I would certainly be

15 arguing on the side of allowing the policy to conclude to

16 be sure that the sound science is in that report before --

17 before it's more broadly released. So if we could separate

18 out the two pieces, I think there's some strong merit in

19 the pieces that Kurt outlined associated to our peer review

20 process and follow up from '02.

21 CHAIRMAN CAMPBELL: Let me ask -- just a

22 second. In relation to your motion, Kurt, which I believe

23 really dealt with release of the report as opposed to the

24 second issue you had discussed, which was process, do you

25 wish to have a vote on that or do you wish to withdraw

1 that?

2 MR. FREDRIKSSON: I'd be happy to withdraw
3 that motion.

4 CHAIRMAN CAMPBELL: With the consent of the
5 second?

6 MR. MARQUEZ: Yes.

7 CHAIRMAN CAMPBELL: Okay. That motion is
8 withdrawn. Is there an additional motion or is it simply
9 an instruction that we -- a discussion we need to have on
10 process?

11 MR. BAFFREY: I have just one comment and
12 it goes back to what Kurt says, is that we are aware that
13 Bob Spies is not impartial here and we are going to take
14 the peer review process for the synthesis report under this
15 office to do that. And take it out of -- you know, take it
16 away from Bob to coordinate that.

17 MR. FREDRIKSSON: I don't think we need to
18 have a motion to -- I mean, Michael is sitting right there.
19 Kim is right there. Directions to staff to me are -- don't
20 necessarily have to go through a motion every time we want
21 to communicate. But I think the office should conduct
22 those peer reviews and I would -- we are looking for a
23 reliable, respected process and in this particular case, I
24 would just ask the staff not to turn to any of the PI's or
25 Bob Spies as anybody who's been involved in the Integral

1 report should not be participatory to that peer review.

2 I would also ask that we move along
3 expeditiously and if need be to hire -- Michael, if you
4 need to hire or to compensate a peer reviewer to conduct a
5 peer review, I don't have -- personally, I don't have a
6 problem with that but I -- time is -- the sooner we could
7 get that done, the better.

8 MR. BAFFREY: I agree. And frankly it's
9 our goal to take the whole peer review process, the
10 coordination of that back in-house now that we have a
11 Science Director on staff.

12 CHAIRMAN CAMPBELL: That would conclude the
13 Executive Director's report, unless there's anything
14 further.

15 MR. FREDRIKSSON: I had one other.....

16 CHAIRMAN CAMPBELL: Oh, we do. Okay.

17 MR. O'CONNOR: Yeah, I've got a couple
18 of.....

19 CHAIRMAN CAMPBELL: Okay.

20 MR. O'CONNOR:things too. Go ahead,
21 Kurt.

22 MR. FREDRIKSSON: Thanks, Craig. Michael,
23 the only -- the other thing that we had in the interim
24 guidance document was the habitat acquisition report. And
25 I'm real concerned we -- now we've got small parcels coming

1 up on the agenda and we were -- we got well over 400
2 million dollars invested in habitat acquisition as -- and
3 really demonstrated as the primary restoration tool used by
4 the Trustee Council to recover from the Exxon Valdez spill.
5 I am -- and we directed to get a habitat acquisition
6 catalog done that just basically took a look -- well, not
7 -- it may not be quantifiable but took a look at why those
8 purchases were made and what those contributions were. And
9 I'd just like to hear where we're at on getting that thing
10 done.

11 MR. BAFFREY: That and I believe there was
12 \$23,000 authorized for that last year. The monies
13 actually, because we took so long to -- in the continuing
14 resolution process, in filing, getting a budget, those
15 monies were actually given until February. And when --
16 back in August, we were looking at a June date. Right now
17 we don't have a date but it's going to be -- it's back up.
18 I'm not saying it's backed up from the distance between,
19 you know, August through February but it's a work in
20 progress right now and I'll have to get back to you on the
21 date, on the final product. We are working on that.

22 MR. FREDRIKSSON: Okay.

23 MR. BAFFREY: I just don't have answer for
24 you.

25 MR. FREDRIKSSON: Thanks, Michael.

1 CHAIRMAN CAMPBELL: Craig.

2 MR. O'CONNOR: Yeah, I had a couple of --

3 dispense with the easy ones first. Michael, do my -- do

4 the NOAA people have good excuses for being late?

5 MR. BAFFREY: I'll have to get back to you

6 on that.

7 MR. O'CONNOR: I was afraid of that, yes.

8 Okay. I think they do because we've diverted them.....

9 MR. BAFFREY: Right.

10 MR. O'CONNOR:onto other projects.

11 MR. BAFFREY: They're working on many

12 other.....

13 MR. O'CONNOR: I think that's.....

14 MR. BAFFREY:tasks.

15 MR. O'CONNOR: But if have anybody who is

16 dilatory simply because they have trouble with their

17 priorities, please let me know.

18 MR. BAFFREY: Okay.

19 MR. O'CONNOR: I'll see if we can -- the

20 second point, and it's going to this peer review. I hate

21 to belabor it but one of the things we've tasked Integral

22 with and we expected of is that they would cast a very wide

23 net as they went out and tried to collect information and

24 synthesize that information and aggregate the opinions and

25 try to sift through all of the science that was out there.

1 So we end up with a situation like we have with Bob Spies,
2 who is one of them most knowledgeable people. And I know
3 we've engaged various scientists from the agencies and so
4 one and I'm very sensitive to what Kurt has said about
5 agency involvement in this initial review process, this
6 early review process.

7 So what I would like to sort of tee up as
8 the NOAA sense here is let Kim do her job in doing the peer
9 review, realize that we need to have in that process the
10 reactions of the agencies who are by law entrusted with
11 responsibilities on a daily basis for these kinds of matter
12 and addressing the resources that have concerned us, but in
13 the end, I think you guys can make the cut on conflict and
14 predispositions and predilections, my science is better
15 than your science.

16 But I think it's of critical importance
17 that before we go to the public, we give the public our
18 best shot at what the science has to say. Because though I
19 don't want to keep the public in the dark, I also don't
20 want to give the public a head fake and send them in one
21 direction and in the end the science says something
22 different. And I've been criticized as a regulator for 25
23 years for not giving them the straight information. I
24 think we're talking about the data quality act here that's
25 imposing on the Federal government these requirements for

1 scientific rigor. Let's do it as quickly as we can. Let's
2 do it as effectively as we can. And then let's tell the
3 public what the science says based upon what the scientists
4 tell us. And over the course of the last few months, the
5 scientific debate has raged. And we've asked Integral to
6 synthesis that debate and give us their learned opinion.
7 And I want to be sure that their opinion is based upon an
8 adequate and appropriate scientific predicate. And that's
9 I think all we're asking for right here.

10 So those are my two cents worth since we
11 killed your motion. But I didn't want the best part of
12 your motion to get lost in the rhetoric, and that is that
13 we engage the professionals as well in this process, the
14 people from the agencies.

15 CHAIRMAN CAMPBELL: Appreciate that.
16 Actually with one final comment from me, that will conclude
17 the Executive Director's report. And that is simply, I
18 wanted to go all the back to the very start of your report,
19 Michael, I just realized, and compliment Barbara and say
20 that our admin staff down in Juneau in dealing with you
21 folks had said there's been a tremendous difference and
22 they're very grateful and appreciative, so.....

23 MR. O'CONNOR: Caution, one thing here,
24 don't get so good you don't need us.

25 CHAIRMAN CAMPBELL: That brings us to the

1 herring presentation. Welcome, by the way.

2 MS. TRUST: All right. Thank you very
3 much. It's been exciting.

4 CHAIRMAN CAMPBELL: We're very glad you're
5 here.

6 MS. TRUST: Thank you. It's been fun so
7 far.

8 MR. O'CONNOR: Let's lead with honesty,
9 Kim. It's been an interesting experience.

10 MS. TRUST: No, it's actually been fun.

11 MR. O'CONNOR: Oh, okay.

12 CHAIRMAN CAMPBELL: She said so far.

13 MS. TRUST: It really has.....

14 MR. O'CONNOR: So far.

15 MS. TRUST:been fun so far.

16 MR. O'CONNOR: Okay.

17 MS. TRUST: And one of the actually the
18 fun-est things that I've done is this herring workshop. I
19 was -- have to say I was thrown into it a little bit
20 unexpectedly and it was great pulling it together and
21 working with all the folks that came up for the workshop,
22 especially the fishermen in Cordova and then of course all
23 the agency scientists. It was a really great experience
24 for me.

25 I don't really have anything formal to

1 present but what I did want to do was just go over the
2 summary, the broad summary of the herring workshop and what
3 the recommendations were that came out of that two day
4 endeavor. Pretty much what most of the folks came away
5 with agreeing to is that we needed to develop a restoration
6 plan for herring in the Sound. And I think Ross eluded to
7 it a little bit in his comments that doing these single
8 project year by year by year projects don't really get us
9 anywhere. And so one of the things that we came away with
10 was that there needed to be a plan devised and how that
11 plan got implemented, that we didn't get into the specifics
12 of that necessarily in that workshop.

13 One of the other things that came out of
14 that meeting is based on the interim guidance document, was
15 to develop short term -- I'm going to contradict myself
16 here but I don't mean to -- but to develop short term one
17 year projects that would actually feed into the restoration
18 plan as it was being developed concurrently. And so from
19 that the folks in the -- the participants in the workshop
20 sent me a list of short term projects that we could
21 potentially fund through the '07 invitation that would work
22 in conjunction with this restoration plan that was being
23 developed. And then subsequent to that, we had that
24 conversation with the ADF&G scientist and Heather Brandon.
25 And Heather and I worked at putting together the list of

1 projects that the ADF&G folks put together as well.

2 And so that is the list of projects, the
3 one year or short term projects that is in your packet
4 there. So I think there was an appreciation by the
5 participants, especially the folks in Cordova that the
6 Trustee Council is taking herring, the demise of herring
7 seriously and that the Trustee Council wants to do
8 something about it.

9 CHAIRMAN CAMPBELL: Questions? Kurt.

10 MR. FREDRIKSSON: Well, maybe -- and Kim,
11 you're probably aware of this and just for the other
12 Trustee Council members. As everybody knows, we had
13 community meetings out in the five -- Valdez, Cordova,
14 Seward, Kodiak, Anchorage -- on the reopener. And as part
15 of the reopener, we also talked about restoration. So it
16 was a very broad community meeting. The Attorney General
17 chaired those meetings. I think -- for those that -- of us
18 that attended, it was really -- they were very good
19 meetings. I just wanted to -- and a long introduction to
20 the fact that herring was just foremost one of the driving
21 issues that all those communities spoke to either in terms
22 of the implications, the ecosystem as a whole, as a primary
23 producer within that system, or within the context of
24 commercial fishing. So the fact that these herring
25 workshops and the work you folks have been doing is -- it's

1 right in touch with what the public I believe is demanding
2 in terms of the concern over this herring problem and what
3 to do about it.

4 CHAIRMAN CAMPBELL: Dave.

5 MR. MARQUEZ: Just following up on that, I
6 know Heather Brandon was part of the tour and I'm just
7 wondering, there were some very good comments and proposals
8 and have you had an opportunity to examine at all the
9 records from those hearings to possible get additional
10 ideas?

11 MS. TRUST: Yes, Heather has sent me the
12 comments and the notes that she took and those are actually
13 incorporated into the list of projects that have been
14 developed for this meeting.

15 MR. MARQUEZ: Thank you.

16 CHAIRMAN CAMPBELL: Good. Additional
17 questions?

18 (No audible responses)

19 CHAIRMAN CAMPBELL: We may ask you back
20 during the invitation discussion.

21 MS. TRUST: Okay.

22 CHAIRMAN CAMPBELL: So all right.

23 MR. O'CONNOR: Could I?

24 CHAIRMAN CAMPBELL: Oh, sure. Craig.

25 MS. TRUST: Certainly. Go ahead.

1 MR. O'CONNOR: I always -- I'm slow, I
2 apologize.
3 MS. TRUST: That's okay.
4 MR. O'CONNOR: This science stuff is scary.
5
6 MS. TRUST: I'll try to be gentle.
7 MR. O'CONNOR: Okay. The proposed projects
8 for near term implementation.....
9 MS. TRUST: Uh-huh. (Affirmative)
10 MR. O'CONNOR:is it your sense or is
11 it your conclusion that those would be appropriate
12 undertakings today to inform the ultimate decision on what
13 we need to do for restoration of herring and that there's
14 no reason to delay developing an over-arching plan that
15 might be flowing from the task group or the committee that
16 we're.....
17 MS. TRUST: If I understand your question,
18 you're asking do I think that the restoration planning
19 effort should go forth differently than the '07 invitation?
20 MR. O'CONNOR: No, does that.....
21 MS. TRUST: Okay, sorry.
22 MR. O'CONNOR: Do the projects -- you say
23 there are some near term projects.
24 MS. TRUST: Uh-huh. (Affirmative)
25 MR. O'CONNOR: Will they inform us in the

1 ultimate -- will they inform the ultimate work of this
2 committee or is it something we're just going to cast to
3 the -- out and hope we get some useful information and it
4 may or may not be used in the future as we actually develop
5 restoration?

6 MS. TRUST: No, that was one of the things
7 that I tried to clarify in that herring workshop and that
8 we needed things that were going to help us, either in the
9 restoration planning effort or in the recovery of herring.
10 And one of the examples I can give you that came out of
11 that, somebody suggested that there be a white paper
12 produced that would go out and look at all the
13 international efforts that have been done for herring
14 restoration and enhancement. So look at what the Japanese
15 have been doing, what the folks in Norway have been doing,
16 and put together for this Council's consideration the type
17 of on the ground nuts and bolts kind of work that could be
18 done for herring enhancement, specifically. And so I think
19 that that is an example of a project that would be very
20 useful to this organization to move forward with.

21 MR. O'CONNOR: Okay.

22 CHAIRMAN CAMPBELL: Joe.

23 MR. MEADE: Before we conclude the
24 discussion, as I reviewed through the pre-reading and
25 package, I was very impressed, Kim, with work that was done

1 in association to the preparation for and the outcome of
2 the herring workshop. And I commend folks for putting that
3 together. Obviously, as Kurt has said, it's been a piece
4 we've heard very clearly, especially through the State
5 sponsored public hearings or public meetings as a critical
6 and essential interest to the Prince William Sound base
7 communities.

8 That being said, do we -- is there a need
9 here today -- there's kind of I think three sequences that
10 I saw that were important. One is to in '06 consider
11 putting forward the development of a herring restoration
12 plan. And that plan to me would be important to help then
13 inform us on the importance of a program coordinator of
14 sorts. I think was also identified as an outflow of that
15 workshop that conceivably would be '07 funds and each of
16 those would also perhaps help to inform us on the right set
17 of projects that could be considered in the '07 invitation.

18

19 The question for discussion I guess is do
20 we need -- is there an '06 piece here that we need to think
21 about so they can give us the development of a plan, the
22 outline that would then be able to make the more informed
23 decisions for '07?

24 MS. TRUST: Certainly what I heard in the
25 herring workshop itself was that the planning process

1 needed to get started sooner rather than later. So if that
2 piece of the puzzle could get taken out and be separated
3 from what got funded as projects in the '07 invitation, if
4 the Trustee Council approved a restoration planning effort
5 to get started later in the summer of '06 or early fall,
6 that we would be ahead of the game then. Maybe not
7 necessarily for '07 because that planning effort would be
8 occurring simultaneously, but certainly for '08 and beyond
9 and for long term restoration projects and processes.

10 MR. MEADE: Well, if it's not
11 inappropriate, because I think it would be outside the
12 context of the '07 discussions, I would entertain or I
13 would put forward a motion that we consider that we put
14 forward the resources needed to initiate the restoration
15 herring plan effective as soon as the staff can organize to
16 begin to do that, recognizing it would run in tandem in
17 '07. But I think getting that concurrence of that
18 important planning component is both needed so that we
19 could be gaining the insights ourselves and I also feel
20 it's an important message to the outcome of the herring
21 conference workshop. That we, you know, we heard and we
22 agree and we're taking a decisive action.

23 CHAIRMAN CAMPBELL: Let me ask -- I concur
24 certainly with your intent. I would ask if you might be
25 amenable to deferring that motion, to do it in conjunction

1 with the '07 discussion, because I think we may be
2 discussing some broader issues on herring as well that that
3 would fit with very neatly.

4 MR. MEADE: I don't mind deferring for the
5 '07, I guess I'm recognizing.....

6 CHAIRMAN CAMPBELL: Yeah.

7 MR. MEADE:the impact to '06 and even
8 recognizing our '06 budget constraints and willing to
9 suggest it should be an '06 priority.

10 CHAIRMAN CAMPBELL: And I'm not objecting
11 to that motion, I'm just asking if you'd defer it a little
12 bit.

13 MR. MEADE: I would be pleased to delay.

14 CHAIRMAN CAMPBELL: All right. Thanks.

15 MR. MEADE: Do I need to make a motion to
16 delay my motion?

17 CHAIRMAN CAMPBELL: No. Okay. Craig.

18 MR. O'CONNOR: Question. I was just
19 skimming through the notes here.....

20 MS. TRUST: Uh-huh. (Affirmative)

21 MR. O'CONNOR:and comments and so on
22 and I guess reflecting back on what was said earlier during
23 the PAC report with regard to the monitoring projects that
24 are up for consideration.

25 MS. TRUST: Uh-huh. (Affirmative)

1 MR. O'CONNOR: Was there an assumption made
2 or any reflection on the issue of these monitoring projects
3 as being integral to what is being suggested for the.....

4 MS. TRUST: There were comments made by
5 audience members that those four monitoring projects needed
6 to continue and that they would help us identify projects
7 that needed to be funded for herring restoration.

8 MR. O'CONNOR: Because as I looked -- I
9 looked at some of the projects, and I'm assuming I've got
10 this sequence right, but the project list doesn't really
11 reflect, other than under oceanographic characteristics,
12 monitoring. And I'm wondering if the operating assumption
13 was we were going to have those four monitoring projects
14 underway regardless so we don't need to be attending to
15 that because that's a foregone conclusion. We'll have that
16 information or would we see something more here on the
17 monitoring side of.....

18 MS. TRUST: Actually, number 11 under
19 oceanographic characteristics, that particular project are
20 those four monitoring projects.

21 MR. O'CONNOR: Okay. Oh, all right. Good.

22 MS. TRUST: If you go back to the little
23 two paragraph summary here of six of that document.

24 MR. O'CONNOR: Okay.

25 MS. TRUST: Oceanographic monitoring.

1 MR. O'CONNOR: All right, so the assumption
2 at the workshop was that this information that's in those
3 monitoring projects is critical to an evaluation of herring
4 and where we go with it?

5 MS. TRUST: Yes.

6 MR. O'CONNOR: Okay. Thanks.

7 MR. FREDRIKSSON: Just for our information,
8 the audience members who made the comments that they felt
9 these monitoring projects were critical for the herring,
10 were these the same -- I mean, I guess I'm curious whether
11 these were the same people who are interested in advancing
12 the monitoring projects or these were different folks?

13 MS. TRUST: I can't remember everybody. I
14 know specifically Ken Adams of Cordova mentioned those
15 monitoring projects.

16 MR. FREDRIKSSON: Okay.

17 MS. TRUST: And I know that it was
18 mentioned several other times and I'm sorry I can't
19 remember.....

20 MR. FREDRIKSSON: No problem.

21 CHAIRMAN CAMPBELL: Drue.

22 MS. TRUST:everybody that talked
23 about them.

24 MS. PEARCE: Thank you. Kim, welcome.

25 MS. TRUST: Thank you.

1 MS. PEARCE: Over the years we have
2 struggled with how to integrate traditional knowledge into
3 our science. And we actually have a requirement that was
4 either in just the '06 invitation or else it was in the
5 interim guidance document somewhere because I made a motion
6 that there be a TEK element in every project, actually.
7 And so I want to make sure that we don't lose that as we
8 look at herring because me visits certainly to Tatitlek for
9 the listening conference but also in other meetings with
10 the rural and Native residents of the spill affected area
11 has always centered around herring. And it's come back to
12 that time and time again, that they were so worried about
13 herring, their loss of herring as a subsistence species.
14 And the loss of subsistence opportunities.

15 So I just wanted to insure that as you look
16 at the planning process, while it's great to have all the
17 Cordova folks involved, I want to insure that we also have
18 representatives from the subsistence community at the table
19 as we develop these plans but also that there be a TEK
20 element in every one of the projects that we can figure out
21 how to put it in. I think that you'll find that the
22 expertise and the traditional knowledge is strong and
23 relevant.

24 MS. TRUST: Oh, absolutely. I couldn't
25 agree with you more. And I think the folks that we did

1 have representing the fishing community and just the
2 community at large in Cordova really did a good
3 representation of that at the herring workshop. Certainly
4 Link Jones and Bill Weber spoke very eloquently to the
5 subsistence component of herring in Prince William Sound
6 and we all recognize that that's very important to take
7 forward in our planning process. And that without the
8 community involvement, without the people that are actually
9 the closest to the resource, we're not going to have a very
10 good planning effort anyway.

11 MS. PEARCE: Yeah, I would hope that we
12 could include people from Tatitlek or Chenega Bay or.....

13 MS. TRUST: Uh-huh. (Affirmative)

14 MS. PEARCE:some of the other
15 villages.

16 CHAIRMAN CAMPBELL: Okay. Any additional
17 questions?

18 (No audible responses)

19 CHAIRMAN CAMPBELL: If not, why don't we
20 take a 10 minute break and then when we come back we will
21 take up the '07 invitations. We'll be back at 20 after.

22 (Off record - 10:10 a.m.)

23 (On record - 10:28 p.m.)

24 CHAIRMAN CAMPBELL: We're all back. Let's
25 get going. It took a little longer but we are on the

1 agenda on number 8, FY-07 invitation. Kim.

2 MS. TRUST: Okay. What I want to do as an
3 introduction to this particular section is just sort of let
4 you all know what my thought process was while I was
5 designing this very first draft for the '07 invitation. I
6 came onboard at the beginning of April and I was told that
7 this was going to be released May 1st. So in constructing
8 this invitation, that was what my sideboards were and I
9 wanted to -- what I decided to do was look out there and
10 see what was available to the public, what the public had
11 information regarding, and what the Trustee Council had
12 already agreed to.

13 So the first thing I did was look at the
14 interim guidance document. I also looked at the summary of
15 Integral's first report, what's referred to as EVOS-1,
16 which is their injured resources draft document that was
17 put out on our website and was available to the public.
18 And then finally I looked at the summary of the lingering
19 oil committee recommendations. And in looking at those
20 three documents, I tried to see where those -- where their
21 recommendations and where those documents overlapped. And
22 then putting those recommendations into broad categories
23 that were similar across all of those documents. And so
24 what I came up with in doing that were there broad
25 categories. So lingering oil being one, restoration or --

1 I would refer to it as remediation but in the context of
2 what I was reading, it's also referred to as restoration.
3 So restoration/remediation. And then injured resources.
4 And those injured resources were obviously driven by the
5 2002 updated resource -- updated -- the IRS list.

6 So when I put all of those things together,
7 well, those are the documents that I used to draft this
8 very first invitation. So I put that invitation out there
9 and then solicited comments from -- I can't even remember
10 anymore. I know it went out to the liaisons, I thought it
11 went out to you guys. And I had a meeting.....

12 CHAIRMAN CAMPBELL: Yeah.

13 MS. TRUST: Okay, that's what I thought --
14 had a meeting with some of the liaisons and got comments
15 from the ones that couldn't attend the meeting. And so
16 taking their recommendations into account, I made a few
17 changes and that's why this says version two. But by and
18 large, this is pretty much that original invitation that
19 came out in early April expecting there to be a May 1
20 release date.

21 So, I don't know how you guys want to go
22 forth from here. We can just go through the invitation
23 or.....

24 CHAIRMAN CAMPBELL: Yeah.

25 MS. TRUST: Just want to go through it. So

1 there's some boilerplate information that has been in the
2 Trustee Council proposal process forever. It's how you
3 write the proposal, how you do the budget, all that kind of
4 stuff. That has remained the same, as far as I can tell,
5 pre-GEM, post-GEM, during GEM. All of that formatting
6 stuff pretty much stayed the same. So I didn't include
7 that in this particular document, just because it's about,
8 you know, 30 extra pages of how you fill in a budget table
9 and things like that. So I left that out of here but it is
10 included in the draft outline, sections 5 through 11.
11 Those are all the things that are not partic -- or not in
12 this version here.

13 So if we look at the different sections,
14 essentially there's just a background and purpose. It
15 talks about the invitation being consistent with this
16 Interim Council guidance document here on page 5. That
17 paragraph is actually taken right out of the Council
18 guidance document.

19 Funding and duration, again that IGD said
20 that, you know, for '07 it would probably be single year
21 projects. Well, it did say it would be single year
22 projects. And then we went into the project invitation by
23 category. And again, those three categories were lingering
24 oil, remediation, and then injured resources.

25 So for lingering oil, a lot of that was

1 driven by the lingering oil committee recommendations and
2 somewhat by what the first Integral draft report suggested.
3 And I separated those -- in my mind, it was logical to
4 think of it in terms of distribution, where the remaining
5 lingering oil occurred, who the processes of the lingering
6 oil in the environment were continuing. Whether they were
7 being weathered, naturally attenuated, not being weathered,
8 and then remediation. Things that we could actually do
9 physically to do something for remediation if the Council
10 so chose to do that.

11 And then we move into the injured resources
12 evaluation and restoration sections. And then I just went
13 through, by resource, and looked at what was suggested by
14 Integral's report and by the lingering oil committee. And
15 again, the reason I was focused on those two documents was
16 because that was available to the public and also other
17 information that had come, final reports and things, that
18 had come into this office that the public can also get
19 access to by our website or calling us.

20 There are some sections in here, obviously,
21 that are still in progress. I didn't have the results of
22 the herring workshop when I wrote this version. There was
23 a -- there's a debate going in the -- there's a debate
24 going on about seabirds and what should be considered
25 recovered, not recovered. So I was waiting, we were having

1 a -- we had a meeting between some of the seabird folks and
2 Integral about seabirds. And so I haven't -- I didn't
3 flesh out that section in particular.

4 And then the final sections under -- after
5 injured resources, one of the things under the interim
6 Council guidance document said provides supplemental
7 synthesis information. And in my conversations with
8 several PI's and folks that have just called me to discuss
9 the '07 invitation, it seems to me that the synthesis
10 information that Integral is doing is actually not
11 integration of resources out in the environment.

12 So in other words, people were asking me --
13 they were discussing with me projects which would actually
14 integrate multiple resources, for example, in the same
15 habitat type. So go out to the intertidal community and
16 look at information for intertidal communities plus sea
17 otters plus harlequin ducks and actually integrate the
18 information that we know. Whether that be through a
19 modeling effort, whether that be through collection more
20 information, and give us a more holistic look at the
21 ecosystem scale. Not just here's a series of projects that
22 we've done on sea otters and here's sort of what it looks
23 like have been happening with sea otters but more a
24 collective approach at looking at, well, how does all of
25 this relate to sea otters and harlequin ducks in the

1 ecosystem.

2 So that integration category is specific
3 for looking at that inter-relatedness of injured resources
4 or services and how it relates to the ecosystem as a whole.

5 There's also a section in here on
6 monitoring and population modeling. There was several
7 recommendations by Integral and also by the lingering oil
8 committee that perhaps new information, data on the ground,
9 didn't necessarily need to be collected but in some
10 instances there was enough information that we could do
11 some fairly rigorous modeling exercises that would give us
12 additional information.

13 For example, I know there's enough
14 information for harlequin ducks that we can actually model
15 harlequin duck populations. We could hindcast the informa
16 -- well, this is what I've been told, I haven't seen it
17 because the work hasn't been proposed or completed yet. We
18 can actually go back and hindcast the model to look at the
19 acute effects of the oil spill on harlequin ducks
20 populations. We can model that population over time. We
21 can get a very good estimate of how many ducks have
22 actually continued to be removed from that population. And
23 we can forecast that model and estimate when harlequin
24 ducks might fully be recovered from this modeling effort.

25 So I put monitoring and population modeling

1 into a category just based on discussions that I had had
2 with other scientists and with PI's that had discussed this
3 information with me.

4 The data management and synthesis, this is
5 again, there's a lot of long term data series, the
6 nearshore recovery -- nearshore restoration and evaluation
7 monitoring system is a project that's being funded by this
8 Council currently and there's other projects out there like
9 that that have long term data series that still might need
10 data synthesis and management done.

11 And then finally community participation.
12 This was trying to encompass projects like youth area watch
13 or some of the other community based projects that were not
14 specific to individual scientific projects but that had
15 more of a -- were being driven from the community as
16 opposed to the science going to the community and getting
17 their involvement.

18 CHAIRMAN CAMPBELL: Questions? Joe.

19 MR. MEADE: Thank you very much, Kim. One,
20 I guess, inquiry is what I'll phrase it as, is Steve, my
21 liaison and I chatted about the framework and the four
22 areas. Curiosity would be if lingering oil and injured
23 resources are kind of really the critical factor, would it
24 be conceivable to see item three for integration of, and
25 item four community involvement, as being criteria to help

1 make the selections in your lingering oil and your injured
2 resources project proposals. In other words, it seemed
3 like having, integration of and number four, community
4 engagement, could really be -- to the extent the proposals
5 accomplish three and four it would distinguish them above
6 other proposals in items one and two.

7 MS. TRUST: That's interesting, I hadn't
8 thought of it from that perspective.

9 MR. MEADE: As we chatted about it, it
10 seemed logical to me, because I want items three and four
11 in the best we can achieve three and four, it would help
12 distinguish between any of the proposals. A proposal would
13 only be enhanced by the degree it addresses each of those
14 factors in certain dimensions.

15 MS. TRUST: What would happen in the case
16 of projects that -- well, for example, the modeling example
17 I just gave for harlequin ducks, that wouldn't necessarily
18 have a community participation component because the data
19 has already been collected. That data just needs to now be
20 manipulated in some way. So would that -- in just talking
21 about this out loud, would you think that that would then
22 somehow make that project less worthy of being funded
23 because it didn't really incorporate that community
24 participation because it was sort of not at that point any
25 more?

1 MR. MEADE: I would advocate it would leave
2 a very important clarity to the decision-makers to think
3 through. It addresses a very important factor, it doesn't,
4 perhaps, address that fourth factor, so how would it
5 relatively rate within a budget-driven prioritization for
6 the work to be done. And if it had a very high need as
7 information towards our lingering oil issues and/or the
8 injured resources restoration, if it was strong in the
9 integration and bringing forward some components it would
10 relatively speak to its priority with or without the
11 community engagement component. So, again, I think it
12 would help us decipher between those that we truly need
13 within the budget cap will have versus those that -- a
14 priority setting is what it's going to get down to, I
15 guess, is the point.

16 MS. TRUST: Uh-huh. Okay.

17 CHAIRMAN CAMPBELL: Okay. Kurt.

18 MR. FREDIKSSON: Let me ask a question,
19 Kim, and I think for discussion purposes, and I hope we
20 have some kind of open discussion on this because this is
21 kind of a critical agenda item we have here today.

22 One of the things I've been grappling with,
23 and I trust you have been grappling with, because you have
24 gone to the source documents that I turn to. Okay, now
25 we're really for '07 invitation, but what have we said

1 before that leads us to this point? And one of them is the
2 Interim Guidance document and it says we're looking at
3 single year projects. In a world that speaks in multi-
4 year, as continues to, you look at the herring workshop,
5 which is yet to be inserted into this. But I look at the
6 herring workshop and I see everything from year to multi-
7 year. I hear the PAC speak to GAK. I love the acronyms in
8 this organization. GAK isn't a one year project, GAK is a
9 33 year plus and on and on kind of project.

10 MS. TRUST: Right.

11 MR. FREDIKSSON: So we have constraints
12 built in, as you properly characterized in the '07
13 invitation, which is time, single year and which is money.
14 Two million bucks. And I sit here as a Trustee Council
15 member hearing from the public and others saying, well,
16 don't forget multi-year projects and don't forget you have
17 146,000,000 in the bank to take care of our needs. And I'm
18 trying to reconcile that in how to go out with an '07
19 invitation that may, in fact, be very constrained but yet I
20 don't want to be so constrained to say I'm going to put my
21 fingers in my ears if you talk about a project that
22 actually might be two years or three years or 10 years or
23 20 years.

24 MS. TRUST: Uh-huh.

25 MR. FREDIKSSON: And as you've dealt with

1 that, how have you grappled with those constraints or ways
2 around it perhaps?

3 MS. TRUST: I guess my thought has been
4 that this has been sort of a bridging year, you know, that
5 everybody is very interested in all the synthesis
6 information, not just the Integral report but the herring
7 synthesis and, you know, the lingering oil report that is
8 actually final, but there's still a lot of things out there
9 and it hasn't all been brought together. I mean, even when
10 all of those reports are done, well, not necessarily, you
11 know, Integral is going to have their report, the herring
12 synthesis is going to be a report and there's going to be
13 a report over here. That's not knowledge, that's now just
14 more information that somehow has to be brought together.
15 And it will probably be brought together most concisely in
16 the updated injured resources and services list.

17 And so my thought is that '07 is just this
18 bridging year, you know, '08 is the year where it's going
19 to be, okay, now we know what we need to focus on, now we
20 really have a good handle on what's been going on over the
21 past 17 years. Here's where we need to spend more money on
22 multiple-year project on going out and addressing things on
23 a longer time scale. And what that longer time scale is
24 and what that means in the context of this particular
25 office. And so my thought has been that's it's just sort

1 of this bridging year. So what can we get in this next
2 year that will give us more information, but that won't
3 necessarily, you know, require four or five or six years of
4 information to get us there.

5 I will sort of caveat that by saying that I
6 think that the information that came out of the herring
7 workshop might play a little bit of a different role in
8 that, but I think that's because the expectation is that
9 herring is going to go into the future, you know, recovery
10 of herring or restoration of herring is a priority for this
11 Trustee Council and so that if multiple-year projects come
12 out of that, that that would be a little bit of a different
13 consideration.

14 So that's kind of been my thought process
15 for right or wrong.

16 MR. FREDIKSSON: Thank you.

17 CHAIRMAN CAMPBELL: As you mention, the
18 number of the herring projects are potentially multi-year,
19 some of them definitely. And I'm hopefully when we get
20 into discussion that we might get a modification of this,
21 on Page 6 where it talks about duration, the first
22 sentence, which says, award periods for proposals
23 commencing in 2007 may range up to one year. That we might
24 modify that to, award periods for proposals commencing in
25 2007 are up to one year unless otherwise specified in the

1 request or a preproposal. And would something like that
2 cause you any difficulty?

3 MS. TRUST: Sure. No.

4 CHAIRMAN CAMPBELL: Okay.

5 MS. TRUST: And then you're saying -- so,
6 for example, if.....

7 CHAIRMAN CAMPBELL: We have a multi-year
8 herring project and.....

9 MS. TRUST: What was that word that you
10 gave me, McKie?

11 CHAIRMAN CAMPBELL: The wording was
12 commencing in 2007 and strike may range and substitute are
13 up to one year and then add unless otherwise specified in
14 the request -- or excuse me, in the invitation or
15 preproposals.

16 MR. O'CONNOR: Or dictated by common sense.

17 (Laughter)

18 MR. O'CONNOR: If I might amend your
19 motion.

20 CHAIRMAN CAMPBELL: Sure. Kurt.

21 MR. FREDIKSSON: I think your suggested
22 changes, McKie, answer some of my questions. Let me ask a
23 technical question, and maybe it's to you, Kim, or maybe
24 it's to Michael, because in some ways it's kind of
25 budgetary related, too. On that same page, under B,

1 projects continuing from prior fiscal years. A few
2 projects currently receive funding from previous multi-year
3 awards. Do we have projects that we have in previous years
4 been told are going to be multi-year projects and we're
5 into now some sequence?

6 MR. BAFFERY: Yes.

7 MR. FREDIKSSON: Could you identify those
8 or.....

9 MR. BAFFERY: No. I can give you the
10 amount, but I can't give you the actual projects. But I
11 can if you want me to go get that right now.

12 MR. FREDIKSSON: You don't have to do it
13 right now, but I guess when you say in here that
14 approximately \$2,000,000 is available, is that predicated
15 on the assumption that those projects would be funded?

16 MR. BAFFERY: No. Those are already
17 funded. The 2,000,000 is what we have to work with in
18 addition to that.

19 MR. FREDIKSSON: Okay. So those multi-year
20 projects, then, you're assuming are funded through the '07
21 period?

22 MR. BAFFERY: Right, are not a part of the
23 2,000,000 that we're looking at right now.

24 MR. FREDIKSSON: Okay. Okay.

25 MS. PEARCE: The 2,000,000 is the interest

1 though, that's without going into the \$140,000,000.....

2 MR. BAFFERY: Actually there's 4.6 million
3 that using the formula that the Trustee Council approved,
4 to inflation proof the Investment Reserve. That would end
5 up being 4.6. Out of that came our budget, out of that
6 came ARLIS, out of that came the \$269,000 for projects that
7 were multi-year funded for '07. Taking all of that off of
8 that, that 4.6, is approximately 2,000,000 monies left
9 over. That's within the cap you're talking about.

10 MS. PEARCE: Right, but if the Council
11 wants to hit herring hard, so to speak, there's nothing
12 that stops us, if we have six votes, from reaching into the
13 Investment Reserve.

14 MR. BAFFERY: Right.

15 MS. PEARCE: So, you know, the constraint
16 is our own, but it's -- you know, if we feel strongly about
17 herring, we don't have to stick with the \$2,000,000
18 constraint.

19 MR. BAFFERY: That's correct.

20 CHAIRMAN CAMPBELL: Right. Joe.

21 MR. MEADE: What I was going to ask and
22 affirm is what Drue just did and that's that if we see a
23 need in this bridge year or the immediate horizon to
24 enhance our investments, we have the latitude to do that.
25 Just recognizing, again, that we're drawing down from

1 principal. But, again, if we're at a point in our
2 restoration where some of that investment is critical, it's
3 an option we have.

4 The second I was going to ask is on the
5 multi-year funded projects, I think you mentioned, are
6 about a quarter of a million in total?

7 MR. BAFFERY: Yes.

8 MR. MEADE: Does that include or not
9 include the four elements that were deferred over the last
10 couple of meetings, and I think I understand are now
11 invetted in a piece of the herring proposal. We had four,
12 I think, projects that are kind of multi-year kind of
13 baseline data gathering, if you want to consider ecosystem
14 light, those core baseline factors, are they in the multi-
15 year budgeted column or are they yet to be decided within
16 the 2,000,000 discretion?

17 MR. BAFFERY: Yet to be decided.

18 MR. MEADE: To be, okay.

19 MR. BAFFERY: And their total is about
20 \$400,000.

21 MR. MEADE: Help me understand or
22 reconstruct why we're not considering those multi-year, if
23 they are, and we have some multi-year. Is it simply the
24 multi-year ones we're already agreed to as multi-year?

25 MR. BAFFERY: That's correct.

1 MR. MEADE: And these were multi-year
2 intent, but not agreed to multi-year fund or a certain
3 horizon in time?

4 MR. BAFFERY: Yeah, they've been funded on
5 an annual basis.

6 MR. MEADE: Okay.

7 MR. HAGAN: Not true.

8 MR. BAFFERY: No true, I'm sorry. I've
9 been corrected on that.

10 MS. PEARCE: Their funding ran out in '06.

11 MR. BAFFERY: Okay.

12 MS. PEARCE: From multi-year.

13 MR. HAGAN: They were funded for three
14 years.

15 MS. PEARCE: Right.

16 MR. MEADE: I guess it would be helpful for
17 me to decide what is multi-year work, and treat all the
18 multi-year work as multi-year, if it's for the baseline or
19 if it's for the integrity of the research or both and so
20 that way we don't have bits and parts in both buckets.

21 CHAIRMAN CAMPBELL: Kurt.

22 MR. FREDIKSSON: And to follow up, Joe,
23 it's my understanding that those monitoring projects were
24 three-year projects, in part because that was how the
25 Trustee Council had, if you will, put sideboards multi-year

1 at that time. So maybe the PIs thought, well, multi-year
2 in our timeframe is 10 years, but the Trustee Council only
3 allows a three year timeframe. Three years comes up, they
4 want to continue going and we get some of this concern. As
5 to what our multi-year means.

6 MR. MEADE: Uh-huh.

7 MR. FREDIKSSON: I think what I heard McKie
8 suggest, and have staff, you know, incorporate this in the
9 proposal, we get out of that artificial, whether we mean
10 multi-year is three years or two years or 20 years. I
11 mean, we basically go for an invitation that says tell us
12 what you want to do and how -- what's the timeframe that's
13 appropriate for that proposal.

14 CHAIRMAN CAMPBELL: And for some proposal
15 we would specify we expect this to be a one-year proposal,
16 we expect this to be a five-year project and others we may
17 have to ask them. They come back based on common sense.

18 MR. MEADE: In concept I like that because
19 in concept there is some long-term science data, regardless
20 of PI interest, my interest is science, so the point I
21 would get at is what are those projects that have long-term
22 importance for what I like, and have said for three years,
23 that I kind of refer to as the Alaska legacy of this oil
24 spill. What's that baseline data that's going to serve us
25 very well next crisis or incident that hits where we didn't

1 have that baseline prior. And so being able to separate
2 that as a component of this so that we don't rehash this
3 discussion I think would be invaluable. And to clearly
4 see that between one-year, multi-year, five-year or
5 whatever the out year constraint would be.

6 MR. FREDIKSSON: David.

7 CHAIRMAN CAMPBELL: David, I'm sorry.

8 MR. MARQUEZ: So we seem to be talking kind
9 of conceptually right now, I guess I would like to echo a
10 couple of things that I've heard. I'm a little concerned
11 with the idea that this is a transition year, because I
12 think you're always in a transition year, that's always new
13 scientific work, I mean, we'll always be getting results of
14 studies. I really think that it's important to follow up
15 on Joe's motion that we really get going toward a
16 restoration plan. This Council has spent an awful lot of
17 money acquiring land. I'd really like to see us moving
18 toward restoration plans. I don't have a lot of experience
19 with this Council, but I certainly heard loud and clear at
20 the five public hearings that there's a lot of things that
21 the residence of the sound, the people that work in the
22 sound and live in the Sound would like to see some hard
23 projects that are going to restore the Sound to the way
24 they remember it pre-oil spill. And maybe that's not
25 possible, but it doesn't seem to me that we've been moving

1 very quickly toward any effort to do that.

2 So I understand the nature of transition,
3 but I think we have a responsibility today as Council
4 members to do what we can to start that process and not
5 wait until next year to start that process, because
6 otherwise we're always going to be next year after we've
7 got this, then we'll start working towards restoration. So
8 I would urge us to, where appropriate, to take action this
9 year toward that.

10 MR. MEADE: Make sound investments?

11 (Laughter)

12 MR. MARQUEZ: Sound investments here with
13 common sense.

14 (Laughter)

15 MR. FREDIKSSON: Joe following up.

16 MR. MARQUEZ: Which will be our catch
17 phrases. So in that sense I would encourage us to
18 consider, where appropriate, multi-year studies, multi-year
19 work that would lead us toward good sound, scientifically-
20 based restoration projects. And I'd like us, as maybe Drue
21 has hinted at, but I won't pin it on her, I would like us
22 to very seriously consider breaking the \$2,000,000 cap and
23 saying that we will make funds available for worthwhile
24 projects and we're not going to be artificially limited by
25 some \$2,000,000 cap. And I realize that may take Council

1 action, but I'd urge us to consider both of those, because
2 I think we need to act on what we've heard over the last
3 several months, if not several years.

4 Thank you.

5 CHAIRMAN CAMPBELL: I believe the language
6 that was suggested, and I believe Kim felt she could
7 include, meets the concern of being able to address multi-
8 year projects as appropriate. And I've not heard any
9 objections to that. I also, as Drue asked, and Joe said
10 and actually we consulted during break, the ability to go
11 beyond 2,000,000 is entirely within our control and I do
12 think if we later adopt a number of these herring proposals
13 for inclusion in the invitation we'll definitely need to do
14 that and I do think we'll need to do that.

15 So, anyway, other questions? Craig.

16 MR. O'CONNOR: Yeah, I guess one of the
17 things that strikes me and, you know, maybe transition is
18 not the right word, is that oftentimes, and correct me if
19 I'm wrong, because I haven't sat at this table nearly as
20 much as I wish I could have.

21 (Laughter)

22 CHAIRMAN CAMPBELL: You've impeached your
23 credibility, but go ahead.

24 MR. O'CONNOR: I know, I know, that common
25 sense thing always comes -- I think it's time that we drove

1 the ship rather than letting the waves direct us in our
2 course of events, particularly in the scientific arena.
3 And I think we're -- I think when we start talking about
4 multi-year projects and decisions with regard to opening
5 the cap, I think we're taking that step because we have --
6 and I sit here and I guess I'm struck by the fact that we
7 say, let's go seek proposals on looking at this or looking
8 at that.

9 I think it's incumbent on use, working with
10 our Science Director, to say this is where we are today and
11 this is where we need to be going tomorrow. And science is
12 not a snapshot process. Science is a time sequence process
13 and the ecology, the ecosystem evolves, the facts of life
14 evolve. And I think as we go through this exercise today
15 we need to be looking at providing direction to this ship.
16 And, you know, we may have done it in GEM and we're
17 revisiting, I've never understood GEM, but I know that
18 science is time consuming, it's energy consuming, it money
19 consuming and it's an over time analysis that bears on our
20 decisions.

21 And I also know that it is not a
22 compartmentalized process, although we have
23 compartmentalized it in large measure and the suggestion
24 that is made that we begin to integrate, I think, is -- if
25 this is a new idea then shame on us for not having this 15

1 years ago. We need to be addressing what's going on in
2 Prince William Sound and the spill area as an integrated
3 ecosystem, one critter dependent upon another, one
4 influenced by the other. I think herring is a good
5 example. I think this is part of the next step in our
6 process and we are winding down. I don't think there's any
7 disagreement that this process is winding down. Let's be
8 sure as we wind it down that we do it in an informed and
9 intelligent and forward looking way.

10 And so if we go out and say we want a
11 multi-year project, that's great. I would go out and say
12 we need a interdecadal analysis of the historic and
13 projections of the future dynamics of Prince William Sound
14 as it relates to salinity, temperature, currents, yada,
15 yada, yada. With a clear understanding that the focus of
16 that information is to provide us with a predicate upon
17 which to make determinations for herring or for killer
18 whales or for harlequin ducks, for pigeon guillemots,
19 whatever. What we're looking at is addressing the
20 situation, what is the world that our resources are living
21 in and what is going to happen to them as a result of the
22 dynamic nature of that world. We don't understand it. I
23 don't think any of us are so presumptuous as to assume that
24 we can predict tomorrow, much less explain yesterday.

25 I think we need to be more proactive, we

1 need to talk to the scientific team and say, how best do we
2 go about doing this and if we end up with a multi-year
3 project and we end up funding some entity that is going to
4 be tasked with generating that information over time and
5 providing it into a product and to us for decision, then
6 that's great. But let's get out of this one year, which
7 began -- I do recollect this, began as sort of the we're
8 not going to commit to anything more than one year until we
9 see what the report is and whether it made any sense.
10 Well, now we have some projects that were completed in one
11 year and we're still waiting for the reports. So we
12 haven't been able to make those types of decisions.

13 Let's try to be a little bit more broad in
14 our decisions today and get this moving. And we got a
15 good, what I consider to be an excellent team in spite of
16 the delays of my own reports. But I undoubtedly have a
17 good excuse for that, but I'm sort of looking in that
18 direction, as a more intelligent planning type approach.

19 CHAIRMAN CAMPBELL: A quick comment and
20 then Joe.

21 I concur and echo. The one caveat that I
22 would put on that is I think from my beginning in the
23 process I've always urged us to in every invitation have
24 the possibility that folks out there can come back with a
25 simple two-page preproposals that we can take a look at and

1 then tell them whether or not we might be interested in and
2 whether or not we feel that's -- just because I'm sure
3 there's always people out there who collectively are
4 probably smarter than us. And if there's something we're
5 missing I'd like to know it from them. But I do strongly
6 agree with that we need to shape it and direct it.

7 Joe.

8 MR. MEADE: I just want to acknowledge and
9 compliment the wisdom in Craig's common sense. You know,
10 we're science based organization here and what you've just
11 highlighted underscores the importance of how you secure
12 that important science information that then informs us on
13 our ability to do restorative activity.

14 The piece I wanted to link to your
15 discussion, because I think it also is important, at least
16 to consider in how we shape our '07 and then later our '08
17 invitation. For information that can be multi-year or even
18 decadal as we also then wrestle with inevitable future to
19 right size our organization and essentially the cost of
20 overseeing this restoration work, you know, there's also
21 the ability to look at ways that some of the multi-year or
22 extended type of research that we want to gather. How
23 might we shape that into a mechanism that establishes that
24 with one of our many research entities across the Prince
25 William Sound and allow that then to move out over time as

1 we begin to defuse or to right size that role that we take
2 in the annual or the yet annual cycles of meeting to have
3 those discussions.

4 I guess the point is that I think you can
5 bring together the ideas that you shared, Craig, at least
6 for those things that are multi-year and/or decadal and see
7 if there isn't some way that we can begin to phase out some
8 of that work from a direct role of the Exxon Valdez Council
9 and have that more invetted through grants and resources to
10 be done by premier researchers out in the field with the
11 many institutions that we have access to that have
12 submitted in past proposals and such. I think it helps to
13 begin the connection with right sizing, I guess, is the
14 point I wanted to offer.

15 CHAIRMAN CAMPBELL: Okay. Addition --
16 Kurt.

17 MR. FREDIKSSON: Well, just to follow up on
18 that discussion here because I am very much in agreement
19 with going beyond just the absolute restrictions of a
20 single-year proposal or the 2,000,000. And since McKie had
21 suggested some language changes I do see on Page 6 where
22 we've laid out the \$2,000,000 limit. I think if we're
23 going to go down this path, which I support, opening up for
24 proposals for consideration of all proposals without
25 constraint by time or money, we should remove that

1 reference to the \$2,000,000.

2 CHAIRMAN CAMPBELL: Yeah. Is that a motion
3 or just -- or do we need a motion? What would you say, do
4 we need a motion?

5 MR. BAFFERY: You asking me?

6 CHAIRMAN CAMPBELL: Yeah.

7 MR. BAFFERY: I don't think so.

8 CHAIRMAN CAMPBELL: Okay. I don't think we
9 do.

10 Drue.

11 MS. PEARCE: Do you want to just remove it
12 or just say at least 2,000,000? I mean, you can do it
13 either way.

14 MR. FREDIKSSON: Well, we know we have at
15 least 2,000,000.

16 MR. BAFFERY: Well, and it could be zero,
17 so.....

18 CHAIRMAN CAMPBELL: Yeah. I would just say
19 let's not have a cap.

20 MS. PEARCE: On the other hand, do we want
21 anybody to come in with a \$15,000,000 project? Are we just
22 -- or any constraints?

23 MR. FREDIKSSON: Well, I think for
24 discussion purposes and maybe we ought to -- you know,
25 before we have motions and piecemeal this, because I want

1 to get into the '07 as well as some more of its content,
2 but structurally if we had -- I agree with what Craig said
3 about we need to direct the ship and I don't sit here today
4 knowing, for example, lingering oil. I want to see all the
5 oil mapped and not just within Prince William Sound,
6 wherever the oil spilled area is I want to see that mapped.
7 I think it's unfortunate that we have no long-term project
8 initiated back in '93 to have annual surveys of the
9 beaches. But we didn't, so there we are.

10 We know we have lingering oil out there, I
11 want to see it mapped. I'd like to get serious about
12 cleaning it out, remediation, however that might be. I'd
13 like to -- you know, I have a lot of things that I'd like
14 to see done as a result of the Integral work and the other
15 work done and what we heard through those public comments,
16 and I'd like to direct that work. But as to what the price
17 tag might be on that, I just don't have a sense. But if it
18 were, if somebody were to come in and present to the
19 Trustee Council a proposal that over the next five years we
20 can get everything mapped and we can get all of the oil
21 either removed or we can get the proper institutional
22 controls in place to manage that residual oil. I wouldn't
23 hesitate to entertain that.

24 MS. PEARCE: I wouldn't either and I agree
25 that we, the Council, made a mistake in not having that

1 mapping, you know, not doing surveys, but I would say with
2 some affection that if you want to map Park Service
3 shorelines, they can't do anything for less than
4 \$2,000,000. And so, you know, you've just increased costs
5 pretty dramatically, I suspect. So at the very least we
6 need to write in something that says cost effective. These
7 don't have to be gold plated, I don't know how you say that
8 to scientists, but let's not just open it to the world
9 because we'll spend \$140,000,000 next year.

10 CHAIRMAN CAMPBELL: Yeah.

11 MS. PEARCE: Easily.

12 CHAIRMAN CAMPBELL: I do completely expect
13 us to look at every project and consider costs as one
14 issues in deciding whether to proceed with the project or
15 not. Having said that, I don't think a particular lump sum
16 cap is particular effective on keeping constraints on
17 individual projects.

18 MS. PEARCE: I agree.

19 CHAIRMAN CAMPBELL: But I do think just
20 some cost analysis in the decision to award projects is a
21 much more effective thing.

22 MR. BAFFERY: In terms of motions, I think
23 that the motion that you will make regarding the invitation
24 is whether and when to issue an invitation and what I
25 suggest is that we will make the changes to the invitation

1 and part of your motion will be to circulate that to you
2 one last time for your concurrence and then we'll issue.
3 So that's the only motion you'll need to make.

4 CHAIRMAN CAMPBELL: Okay. In that case,
5 with that clarification, that also helps me because I was
6 going to have to get somebody else to make this motion. I
7 can just here offer it as discussion. There has been a lot
8 of work that has been done by EVOS staff, NMFS staff, Fish
9 and Game staff, others in development of a series of
10 herring projects and these are all in -- they were
11 distributed, and in my -- I don't know quite how to relay
12 it. In mind they were after hearing the herring workshop
13 draft project list and there was a section called final
14 project list, the first two pages should say Trustee
15 Council meeting May 23rd, herring project FY07 summary and
16 has a summary of projects and costs. And then the
17 subsequent pages lists a brief description of each project.
18 And I am hopeful that the Trustees will consider the
19 addition of the descriptions of these projects into the '07
20 invitation. And, Kim, you have it.

21 MS. TRUST: Oh, I have it right here. Can
22 I just end this one thing first?

23 CHAIRMAN CAMPBELL: Yeah.

24 MS. TRUST: Did you want us to strike this
25 whole thing that said we'll release 2,000,000 or at least

1 2,000,000?

2 CHAIRMAN CAMPBELL: Strike it.

3 MS. TRUST: The whole thing, not even an at
4 least?

5 MS. PEARCE: But add something about being
6 cost effective.

7

8 MR. MEADE: Yes.

9 CHAIRMAN CAMPBELL: Yeah. And in that same
10 context I am not suggesting we include the first few pages
11 which suggests cost for these herring projects, but rather
12 just the additional pages starting on, I guess, Page 3 that
13 say project descriptions and list a series of projects.
14 And it would be my hope that, you know, if somebody either
15 can do the specific project or come in with some
16 improvement on the project and so -- is there any objection
17 from the Trustees in that general direction to the Council
18 [sic]?

19 MR. O'CONNOR: None from me.

20 MS. PEARCE: If we just drop this in?

21 CHAIRMAN CAMPBELL: Yeah.

22 MS. PEARCE: Okay.

23 MR. MEADE: Projects that encompass by
24 example?

25 CHAIRMAN CAMPBELL: Yes.

1 MR. MEADE: That way -- again, we learned a
2 lot from the communities that informed us very much on the
3 very herring issue and so leaving that latitude as you've
4 offered for them to enhance, to broaden.....

5 CHAIRMAN CAMPBELL: I think that's
6 excellent, Joe, I agree.

7 MS. PEARCE: Okay.

8 MR. BAFFERY: Would you draw up a time
9 scale then on these?

10 MS. TRUST: Yeah, this is what the actual
11 PIs or the people proposing the projects told us it would
12 take. So, yeah if we.....

13 MR. BAFFERY: And we had told them one year
14 originally?

15 MS. TRUST: And we had told them one year,
16 so they actually put themselves into that box.

17 CHAIRMAN CAMPBELL: So drop the time scale.

18 MS. TRUST: Yeah, so it wouldn't it
19 necessarily.....

20 CHAIRMAN CAMPBELL: Okay. Other discussion
21 on the FY07 invitation? Kurt.

22 MR. FREDIKSSON: Yeah. And, Kim, and as we
23 discussed you've gone to a number of different sources to
24 come up with the list. And I'm looking now at an April
25 10th -- just your outline, it's the April 10th outline.

1 MS. TRUST: Uh-huh.

2 MR. FREDIKSSON: Which was real helpful for
3 me just at the tree top level, but as I look down the
4 injured list, and one of the injured species and services
5 lists I have is from what Integral has produced. And I was
6 doing kind of a comparison, if you will, on seeing certain
7 things that were comparable and not. Now, we've kind of
8 engaged in a process where ultimately -- ideally it would
9 have been nice to have all the synthesis work done prior to
10 the release of the invitation, but that's not where we find
11 ourselves. But we have a lot of work done in various
12 stages that can help us guide this '07 invitation.

13 What that tells me, because that synthesis
14 is not yet complete, it hasn't gone through a final peer
15 review, it hasn't gone through a public review. I would be
16 more inclined to be more inclusive of potential projects
17 than less. I would be more inclined to, for example, throw
18 in some additional areas of possible proposals than to
19 exclude them based on nothing other than what we have in
20 very draft stage right now.

21 So let me be more specific. For example,
22 and these may be subsets of particular injuries on here,
23 but for lingering oil, for example, I'm quite concerned
24 with subsistence use and the perception of food safety with
25 respect to subsistence foods. I would like in the '07

1 invitation to have a subsistence use invitation, if you
2 will.

3 MS. TRUST: Okay.

4 MR. FREDIKSSON: And that could be a subset
5 of lingering oil, we've talked about it in some ways as a
6 subset of lingering oil.

7 MS. TRUST: Let me just make a comment.

8 MR. FREDIKSSON: Uh-huh.

9 MS. TRUST: I guess I was under the
10 impression, and I don't know if somebody told me this. I
11 didn't make it up, but I don't know where I got it,
12 but.....

13 (Laughter)

14 MS. TRUST:the invitation had never
15 gone out to request proposals for services, only for
16 resources. And so it is totally lacking in services
17 because somewhere along the line that's what I had been
18 told drove the process. So it's not included there, but
19 that's just because that was my misunderstanding.

20 MR. FREDIKSSON: And mine as well. My
21 misunderstanding as well. I just -- I've learned that and
22 I've heard that that's how the Interim Guidance document
23 directed things. I looked at the Interim Guidance document
24 today very carefully to see if we had excluded services.
25 You can read between the lines maybe in one place where it

1 was, but I would like to open up the '07 proposal to human
2 services. I d like to look at herring not just for its
3 contribution to the ecosystem but its contribution to the
4 commercial fishing industry in the Sound.

5 MR. MEADE: I would be in strong agreement.

6 CHAIRMAN CAMPBELL: Yeah. Drue.

7 MS. PEARCE: And I have no problem with
8 that, but I wonder if any of the liaisons have any comment
9 on why the IGD appears to be drafted that way, since
10 services were not.....

11 MS. TRUST: Well, it's even previous
12 invitations and previous -- you know, it seems to always be
13 left out.

14 MS. PEARCE: Anybody have any memory left
15 or.....

16 MS. TRUST: Is it just the restoration plan
17 or.....

18 MR. ZEMKE: I think it's partially based on
19 the fact.....

20 (Off record comments -- Mr. Zemke to the
21 microphone - laughter)

22 MR. ZEMKE: Partly I think it's because
23 services are determined to be at the back of resources.
24 You don't have an injured service, you have a relation to
25 the resource and so you need to have information about

1 improving or ameliorating resources to be able to improve
2 the service. You can't go out and just improve the
3 subsistence service, you need to fix the herring problem
4 and then the service would be fixed on that basis.

5 MR. O'CONNOR: Right. He's right. He's
6 good.

7 CHAIRMAN CAMPBELL: Well, he may be right.

8 (Laughter)

9 CHAIRMAN CAMPBELL: I would say the fact
10 that services, from my point of view, have always been left
11 out is not so much an indication that there is a great
12 precedent that we have to leave it out in the future, but
13 rather it shows the need that we haven't done anything
14 about it and we need to put it in because I think that's
15 what we really haven't really gotten around to doing
16 anything about. Though I agree in theory in the indirect
17 method, frankly it's not working and it's not making it.

18 MR. O'CONNOR: Let me offer, subject to
19 correction by my lawyer, I think part of where we are today
20 is a reflection of priorities and a reflection of somewhat
21 of a misunderstanding of services and how those services
22 are restored. The priority under the Clean Water Act and
23 the Oil Pollution Act and so on, is that the resources be
24 restored and that ultimately the restoration of those
25 resources will bring back the service flow, be it human use

1 or ecological use.

2 We don't have the authority to go write a
3 check to a fisherman, but we do have the authority to
4 create an enhancement, if you will, to the fishing industry
5 that accommodates the impact on that industry by the spill.
6 For instance, access. Oftentimes throughout the country we
7 have put in public fishing piers or other bricks and mortar
8 kinds of things or opportunities to access the resources
9 that is directly focused on the human service provided by
10 that resource, but it's not strictly speaking an ecological
11 and biological enhancement.

12 So we have the authority to walk, sort of,
13 along that path. So there is not an automatic no human
14 services focus. And, in fact, a large portion of this
15 settlement arguably was as a result of the impact on human
16 use, be it direct or intrinsic value impacts as a result of
17 the spill. If there are ways to address the problems of
18 subsistence through looking at ecological undertakings,
19 biological undertakings, whatever, then let's do that and
20 let's let that be the focus, with the realization that what
21 is happening is the service flow that's coming from the
22 beaches for both harlequin ducks and sea otters on the
23 biological side and subsistence use on the human side are
24 being adversely impacted. And we can go and clean up the
25 beach to address those two impacts, there is no -- we have

1 no requirement to ignore the human impacts and the human
2 use degradation.

3 So to the extent that there is some
4 misapprehension about what we can and cannot address, that
5 should be dispelled. The question is the tools that we
6 have to address it. Theoretically if we declare victory in
7 Prince William Sound and say all the resources have
8 recovered and the ecosystem is back to where it was before
9 the spill, we have reestablished that baseline,
10 theoretically all the human service flows from that have
11 been reestablished as well. So we're back where we were
12 and there was some compensation for the interim loss of
13 those services. Obviously we're in a really wild world
14 here in terms of how broad the impact and how long it's
15 taking us to get it back to where it makes sense.

16 But there is no reason why we can't do
17 exactly -- I don't think why we can't do exactly what
18 you're talking about, and that is engage a study to
19 determine the impact on subsistence use as a result of the
20 presence of lingering oil or as a result of the downturn of
21 herring and then use that as the beginning of how do we go
22 about looking at the restoration of that, the scope of it
23 and the scale of it to bring back those services. And
24 that, I think, is an appropriate predicate within the
25 contents of lingering oil and herring. I don't see

1 anything wrong with that, subject to correction by Gina.

2 MS. TRUST: No. Would it work then to put
3 things like subsistence use within these categories as
4 opposed to having subsistence use as its own category?
5 Similar to what you were just saying.

6 MR. O'CONNOR: No reason why not. I mean I
7 think it's a semantic. What we're looking at is the
8 service flow from those resources, how has it been
9 disrupted and can we restore it, what tools are there out
10 there for us to restore that service flow.

11 MR. BAFFERY: So would you put commercial
12 fisheries in the same category?

13 MR. O'CONNOR: Commercial fisheries is -- I
14 would say yes. The commercial fishermen have their own
15 claim, which obviously, pardon me, Exxon wrote a check
16 immediately and that's been resolved, but what we do have
17 is an obligation as a Trustee to be sure that the resources
18 upon which commercial fishermen are dependent are restored.
19 That's different than the claim, the economic claim they
20 have filed. Our job is to make sure that those commercial
21 fisheries are restored in terms of the resource themselves.
22 And if we are not there then we got to keep working.

23 MR. MEADE: If I made the distinction I
24 think I heard you share that we answer Michael's question
25 for me is you drew the distinction between cutting the

1 check to an individual versus again cutting the check
2 analogy, but funding, investing in the interest that
3 address the collective. And so, I don't know, Michael, if
4 that gets to your question or your query as it relates to
5 services because I am a strong advocate as well that we
6 recognize humans are an injured -- that the services to the
7 human population here have been injured from the outcome of
8 the oil spill some 15 years plus later. The distinction is
9 our role is to not benefit and individual, our role is to
10 benefit the interest of a collective.

11 MR. BAFFERY: Yeah, thanks.

12 MR. O'CONNOR: Yes.

13 CHAIRMAN CAMPBELL: Kurt.

14 MR. FREDIKSSON: Well there's another
15 category I'll just throw out there and -- you mentioned it,
16 Kim, when you said Area Youth Watch, which -- or Youth Area
17 Watch, which I understand has been very successful and from
18 what I hear I think Fish and Game manages those projects
19 and there reports are always on time, they are very active,
20 they appreciate the assistance and, to me, the real service
21 provided for that is very human oriented. In fact, I view
22 it as community revitalization. There are elements out
23 there in the communities that we heard that, of course, run
24 the gamut from convention center to Youth Area Watch. But
25 somehow we need to be open to that what I collectively call

1 community revitalization where the Sound -- where the
2 people who live in the Sound -- the human population cannot
3 be separated from the ecosystem. That the human element is
4 part of the Sound ecosystem and there are folks out there
5 that still file, not necessarily damage, but that hasn't
6 been restored, that that connection hasn't been restored.
7 And to me the Youth Area Watch is a very real kind of
8 project for bringing that kind of connection back and I
9 would like to see us opened to consideration of those kinds
10 of human activities.

11 The other elements that were still listed
12 as not having fully recovered by Integral or that are
13 recovering but have yet fall into the categories of
14 recreation and wilderness area. And those are the other
15 human use or human service areas that I think we should not
16 just foreclose. I'm not sure what that might open up,
17 maybe \$2,000,000 Park Service projects, but.....

18 MR. MEADE: Or access.

19 MR. FREDIKSSON: Or access. I mean it
20 could be a number of different areas.

21 MR. HAGAN: There are issues where we can
22 bring access issues to the table very easily that would
23 assist human use so.....

24 MR. FREDIKSSON: Well, I see on our agenda
25 small parcels and what is one of the primary purposes for

1 those small parcels is human services; access, recreation,
2 wilderness areas. It falls into those categories and I
3 feel that those are proposals in my book.

4 CHAIRMAN CAMPBELL: I concur, but I would
5 note that many times wilderness and human uses are
6 opposites, but yeah.

7 Let me ask, additional discussions or
8 guidance. Do we need to take up a specific date; is that a
9 question for you all?

10 MR. FREDIKSSON: Yes, that was one of the
11 issues.

12 MS. TRUST: You know, I guess what I need
13 is some more clarification of how you would like to see the
14 human services incorporated into the invitation.

15 CHAIRMAN CAMPBELL: What I would suggest,
16 this is me, is that we simply in the part of the proposal
17 or the invitation down at the very end where we say, you
18 know, we are opened to two-page preproposals, you know, on
19 these or other topics that we simply put in including human
20 services or something like that. That would be our signal
21 if folks out there have something and then we look at the
22 two-page preproposal and say, yeah, no, we're not
23 interested or yes, we are, please go back and develop this
24 into a full proposal.

25 MS. TRUST: Now I have two questions that

1 have come out of that. I didn't realize we had discussed
2 the preproposal, is that what we're talking about here as
3 opposed to a full blown proposal process or now we doing a
4 preproposal.....

5 CHAIRMAN CAMPBELL: No, no.

6 MS. TRUST: None.

7 CHAIRMAN CAMPBELL: Two things. We had
8 talked about we're doing an invitation, with all the
9 specific invitation items that we've discussed.

10 MS. TRUST: Right.

11 CHAIRMAN CAMPBELL: But we had also talked
12 about somewhere at the very end of it simply including
13 something that the EVOS Trustee Council invites two-page
14 preproposals on other topics or not discussed within this
15 invitation.

16 MS. PEARCE: We did?

17 MS. TRUST: Okay. I'm glad you got that
18 expression, Drue, because I didn't hear that either.

19 CHAIRMAN CAMPBELL: We did not?

20 MS. PEARCE: We did not.

21 CHAIRMAN CAMPBELL: Okay. Well, let's back
22 up, I thought we did. All right. This goes back to the
23 issue I think Craig was -- it was a discussion with Craig
24 and I when we were talking about we need as a Trustee to be
25 driving the invitation process, where we're going to go and

1 everything else. And I agreed with him with the caveat,
2 which I've been pushing ever since I've on this and I guess
3 I'm going to continue to, that we always be opened to other
4 good ideas. I just don't think we are the font of all good
5 ideas, I think it's our responsibility to figure out where
6 we're trying to go and drive that train. But if there are
7 people out there who have a good idea.

8 I talk to a lot of folks about why -- well,
9 why they quit sending proposals to the Trustees. And they
10 said frankly the proposal process was so onerous, et cetera
11 and, you know, was narrow -- this is a number of years
12 back, it wasn't worth it. And they also felt at that
13 point, I think we're changing this, but the proposal
14 process had gotten -- the invitation process had gotten to
15 where it was pointed very much toward academic research.
16 What I've been advocating from day one is we also be open
17 to other good ideas, though, in just a -- send us two pages
18 about what you want to do and we'll let you know if we're
19 interested or not. I'm not saying we're going to do
20 everything these folks are expecting. I think we probably
21 would not do the majority of things people might send us,
22 but we might look and say does this fit in where we want to
23 go or this is a great idea, we never thought of this.

24 MS. PEARCE: What criteria are you going to
25 use?

1 CHAIRMAN CAMPBELL: For asking them to
2 propose or for us discussing it?

3 MS. PEARCE: No, for asking them to
4 propose.

5 CHAIRMAN CAMPBELL: I'm not using criteria,
6 I'm using the terms of the settlement, it has to fit the
7 terms of the settlement, if they can come up with a two-
8 page preproposal I think it's worth our time to take a look
9 and see is this worth it or not. I think there are a lot
10 of things we'll say no to, but again I'm a believer that
11 we're not the font of good ideas and that there are people
12 out there who may have good ideas we never thought of, you
13 know, or it may be a variation of one of our thing, it may
14 be something else entirely. At two pages it doesn't
15 require them to have -- to have invested too much time and
16 effort putting it together and doesn't require us to do too
17 much time and effort in taking a look and seeing if it's
18 worth them pursuing or not.

19 MS. PEARCE: But it has to be restoration?

20 CHAIRMAN CAMPBELL: It has to fit in the
21 terms of the settlement, that would be my only constraint.

22 MS. TRUST: Okay. I think if your asking
23 people though to go through a big proposal process in the
24 same document that you're saying or you can hand in a
25 little two-page preproposal thing you're going to get a

1 whole lot of two-page preproposals things and then we're
2 not going to.....

3 CHAIRMAN CAMPBELL: Here's the difference.
4 We have signaled in our invitation, these are specific
5 things -- specific projects we want to fund. You give us a
6 proposal, we'll respond back and give it to you. If
7 somebody gives us a two-page preproposals -- I'm not --
8 excuse me, I'm not talking about the two-page preproposals
9 on things we're specifically asking for, that's where we're
10 asking for full blown proposals. I'm asking for the two-
11 page preproposals on other ideas that may be related or
12 just may be something else entirely.

13 MR. O'CONNOR: Such other matters that may
14 be of import and relevance to the functions of the Trustee
15 Council.

16 CHAIRMAN CAMPBELL: Yeah. Dave.

17 MR. MARQUEZ: I guess I'm kind of getting
18 more confused about the process. I don't understand
19 the.....

20 MR. O'CONNOR: That's because we haven't
21 gotten to lunch yet.

22 MR. MARQUEZ: Yeah, time for lunch, I can't
23 think over my rumbling stomach but.....

24 CHAIRMAN CAMPBELL: Yeah, my goal. Let me
25 just say time goal is I thought if we could finish this by

1 quarter of or 10 of we could break for lunch, get a little
2 jump on restaurants so people could be back here at one if
3 that would work for folks.

4 MS. WOMAC: I'm feeding you.

5 MR. BAFFERY: We're feeding you today.

6 CHAIRMAN CAMPBELL: You're feeding us?

7 MS. TRUST: You're not going anywhere,

8 McKie.

9 MR. BAFFERY: Yeah.

10 MR. MEADE: They're working you.

11 CHAIRMAN CAMPBELL: Scratch that, but

12 people are hungry. Okay, sorry.

13 Dave.

14 MR. MARQUEZ: I don't know, I guess what
15 I've been hearing is this that the human services is
16 important enough that I'd like Kim's proposal that we just
17 add that to each one of the categories, I think that's a
18 much more direct way of inviting important ideas. I don't
19 know if there's any limit on preproposals, I would think
20 that anybody at any time could file a preproposal on any
21 subject. But it would seem to me that we want to have some
22 responses to this invitation that would deal with
23 subsistence and commercial fishing.

24 MS. TRUST: And I guess one suggestion that
25 I would have -- so, for example, if we're using subsistence

1 use, I mean, it would apply under lingering oil, it would
2 also apply under intertidal communities, it could apply
3 under integration. I mean, and they could identify those
4 things in the proposal that were, you know, by this
5 proposal we are addressing all four categories and then or
6 three categories or three of the four. Then that goes back
7 to what Joe was saying about, you know, if there was one
8 particular proposal that didn't quite address all three of
9 them, then it would be kind of weighed approach that the
10 Trustee Council could look at, but we could include those
11 services within each of those categories if you guys even
12 like the categories that have been put forth.

13 CHAIRMAN CAMPBELL: Okay. I concur with
14 that, I think that's a good idea. All I'm trying to make
15 sure is we have something at the bottom of the invitation
16 that lets people know if they have some other idea that
17 they want us -- not in response to the things we're asking,
18 but some other idea that they can send us in a two-page
19 preproposal and we'll let them know whether, A) it fits the
20 terms of the settlement and B) whether we're interested in
21 pursuing it.

22 Joe.

23 MR. MEADE: In concept I really like what
24 you're getting at, it shouldn't be the principal focus of
25 the invitation.

1 CHAIRMAN CAMPBELL: No, no, no.

2 MR. MEADE: But what you're saying is, you
3 know, and by the way we are very interested in, you know,
4 creative thinking in concepts and approaches and we're not
5 asking folks to develop their master's thesis on submitting
6 the invitation or the proposal. So in concept I like what
7 you're trying to establish.

8 The other piece though that I think maybe
9 Dave has underscored the way to do it. My concern on the
10 human service piece, which I'm a strong proponent of, is I
11 don't know if we want to open up Pandora's Box so big that
12 we have a hard time deciphering through all of what we find
13 within it, so either adding some criteria to what we're
14 looking under human services, such as our discussion
15 earlier about interest for the collective versus the
16 individual, but I actually like where you went, Dave, to
17 actually tie it right to the proposal that we've had where
18 Kim was beginning to affirm that would have a good fit.
19 That way we've addressed the human services very directly
20 but we also haven't broadened the discussion so wide we're
21 going to have a lot of debate and a lot of public
22 involvement in such to what is appropriate in that area
23 versus not, versus the historic funding trend.

24 MR. O'CONNOR: I would sort of give you a
25 stream of consciousness here on the human service side of

1 this. I would like to solicit a study, if you will, or
2 studies that address the current impact of lingering oil
3 upon subsistence uses specifically where and how they're
4 impacted, what subsistence use itself is being affected. I
5 would like to have an understanding of what it is about the
6 presence of lingering oil that is affecting subsistence
7 use. Is it smell? Is it taste? Is it toxic to humans?
8 What's going on? What's the dynamic that's going on? I
9 would like to know what it would take from the subsistence
10 user's perspective to restore the use of those resources.
11 Is it to fully remove the oil from the environment? Is it
12 to have a determination made by a public health entity or
13 ADEC that says that this clam or this fish or whatever it
14 is that's being -- the harvest of which is being
15 influenced, what would restoration be? Where do we get to?
16 How clean is clean? And where are the subsistence users
17 with regard to their reaction to health advisories or so
18 on, things that ADEC may be involved with.

19 I'd like to know what acceptable clean up
20 levels are. Not just from the standpoint of the
21 subsistence user, but from the standpoint of the regulatory
22 agency that will declare this is clean enough. This
23 environment is adequately restored so that human use can
24 return to where it was before.

25 The same sort of analysis, if you will, on

1 herring. What has the impact on subsistence use of herring
2 or commercial fishing on herring been so that we understand
3 what it is we're addressing and what service we're trying to
4 restore and what tools would the commercial fishing
5 industry consider to be appropriate tools to restore those
6 services. Is it buy-back, which we couldn't do, but is it
7 provide some new techniques or would it be to provide
8 further access as the resource is being redistributed
9 throughout the Sound, hopefully. Would it be to impose
10 some restrictions on other activities that might be
11 impacting herring. You know, looking at things like what
12 is the impact of paralytic shell fish poisoning upon the
13 use of our resources and discouragement and try to sort out
14 those kinds of perturbations, if you will, on the human use
15 side.

16 I think if we can provide some focus to
17 this undertaking rather than just drawing out and saying
18 talk to us, you know, send us proposal and so on. We want
19 to know answers to these specific questions and we want
20 proposals that are directed at responding to those
21 questions. And any other, I mean, that -- you know, I'm
22 just -- we're not the font of all knowledge, so we could
23 continue this. But that's the kind of thing -- I think
24 that's what driving the ship is all about. Here's what we
25 need to know.

1 MS. TRUST: Uh-huh. I think Jim Fall did a
2 lot of that work on that survey.

3 MR. O'CONNOR: Fall did an excellent
4 report, I've read all 917 pages.

5 MS. TRUST: As I.

6 MR. O'CONNOR: But I didn't get some of
7 those answers. I got a sense that there a number of
8 influences that are affecting today's subsistence harvest.

9 MS. TRUST: Uh-huh.

10 MR. O'CONNOR: Some of which may have to do
11 with a potential contamination of the resource, the
12 presence of lingering oil, other sources are the change in
13 the dynamics of the Native culture.

14 MS. TRUST: Uh-huh, right.

15 MR. O'CONNOR: And other perturbations, if
16 you will, on subsistence users. One is competition with
17 recreational fishing that's been enhanced as result of the
18 spill because Prince William Sound has become a more
19 popular destination now for recreational fishing, you know,
20 these kinds of interactions that are going on in the
21 subsistence communities I think we need to be able to sort
22 out. And right now, I think, you know, you kind of like
23 you grade tests, you throw them down the stairs and
24 whichever gets the furthest gets the A. I don't how we
25 sort of some of the real dynamics that are going on out

1 there and I think that's an important component of solving
2 the problem occasioned upon the presence of lingering oil
3 or the impact on herring to the user groups themselves.
4 So I would like that to be blended in with more clarity and
5 other things of interest and import as McKie is suggesting.

6 MS. TRUST: You got all that written down,
7 right?

8 REPORTER: Oh, yes.

9 MS. TRUST: Okay, good.

10 CHAIRMAN CAMPBELL: Yeah, great. Joe had a
11 comment.

12 MR. MEADE: Don't worry, Kim, this will all
13 be on the transcript.

14 In agreement with your premiss, Craig, the
15 only piece I would caution us is studies to study versus
16 actionable steps to take.

17 MR. O'CONNOR: Right.

18 MR. MEADE: And somewhere in there is a
19 blend of the right balance. And so what are the actionable
20 steps that proposals can provide to us that we can do that
21 will accomplish enhancement to healing use of the Prince
22 William Sound ecosystem and its associated services. So
23 there's a balance there that I just worry with a decade and
24 a half of study that we also want to have a good balance of
25 proposals of actionable steps we can take, we can fund that

1 will accomplish enhancement to human use, human services
2 associated to the Prince William Sound.

3 MR. O'CONNOR: Hear ye, hear ye, I fully
4 agree.

5 CHAIRMAN CAMPBELL: Michael, what else do
6 you need from us specifically on this issue? Do you need a
7 motion? And, if so.....

8 MR. BAFFERY: Besides the transcript?

9 MR. O'CONNOR: I apologize for wandering
10 off.

11 MR. BAFFERY: No. What I need is -- you
12 guys are saying the way the invitation -- I thought it was
13 going to be a menu, you were going to say, okay, we want to
14 focus on these things. What you're saying is let's expand
15 -- what we've got is good, add these in there, get it out.

16 CHAIRMAN CAMPBELL: Yes.

17 MR. BAFFERY: Okay. So it's actually what
18 you need from us is probably a better question. That we
19 need to go back and add these components that we talked
20 about.

21 CHAIRMAN CAMPBELL: Let me rephrase the
22 question. What do you need from us before lunch, before we
23 leave this topic?

24 MR. BAFFERY: I think we got what we need.
25 Is there anything you think that we need that you don't

1 have?

2 MS. TRUST: Well, one thing. So for
3 herring you want me to -- you want us to insert, pretty
4 much, the list of proposals or at least structure so that
5 we're asking those questions so that projects get
6 identified in the proposal?

7 CHAIRMAN CAMPBELL: That's correct.

8 MR. MEADE: We the discussion we
9 highlighted earlier that identifies that these projects are
10 examples of, exemplary too.

11 MS. TRUST: Okay. The other question that
12 I have goes back to something that you brought earlier,
13 Joe, about addressing the 2006 funding for the planning
14 effort and we are going to revisit that in the context of
15 this invitation.

16 CHAIRMAN CAMPBELL: Right. That's what I
17 guess wanted to ask Joe. Given our discussion, are there
18 other things that you want to make your motion regarding
19 the 2006.....

20 MR. MEADE: Well there are two issues in
21 2006 that I think it's important that we address and that
22 is the investment in front of us with the baseline
23 ecosystem issues, the four that continue to need to be
24 addressed, which then will also be addressed '07 and beyond
25 in the '07. And then I do believe that there is an

1 important funding issue here for getting the herring
2 planning work started in '06, to me those are important
3 issues that need to be looked at in '06. Now how we
4 sequence '06 discussions versus '07, I guess I would look
5 for advice. Are those two separate motions or -- to me, we
6 need to get our house in order, we need to finish '06, we
7 need to look at what of those critical baseline studies we
8 need to continue because we've been historically doing them
9 and they have on a multi-year -- at least could have a role
10 in the multi-year funding strategy from the '07 invitation.
11 We'll find out more in the '07 invitation if they do have a
12 multi-year importance in the outcome of that and then,
13 again, the herring planning piece. Those are the two that
14 are on my docket for a fix. If that answers your question.

15 CHAIRMAN CAMPBELL: Did you have something,
16 Kurt?

17 MR. FREDIKSSON: Well maybe just to help
18 get to the answer to Joe's question because it's two part.
19 One it's the relative priority and importance of these
20 projects relative to others. And, secondly, what, Joe,
21 you're suggesting is it's so important that we need to
22 advance them into the '06. And, of course, the '06 that
23 depends upon what the '06 budget would allow. And we've
24 already gone through the '06 budget process and you're
25 suggesting that we -- this would be like a State -- in the

1 State budgetary process this would be like a supplemental.

2 MR. MEADE: Yeah.

3 MR. FREDIKSSON: Where you basically go to
4 the legislature and say we want to supplement what you
5 provided in our '06 budget to accommodate these unforeseen
6 but needed priorities.

7 MR. BAFFERY: Now keep in mind that the
8 four monitoring project one-year extension, those are '07.

9 MR. MEADE: '07. I apologize there. The
10 issue is though that they can be -- that we don't lose
11 their benefit while we then still make the '07 invitational
12 decisions is the point I was trying to lead to.

13 MR. BAFFERY: Right. The '06 component is
14 herring restoration plan that we want to go concurrent with
15 the invitation.

16 MR. MEADE: Yes.

17 MR. BAFFERY: That's what Joe was wanting
18 not to lose sight of.

19 MR. MEADE: Need clarification on both
20 cases.

21 MR. FREDIKSSON: So what would the budget
22 allow? Where does the '06 money come from?

23 MR. MEADE: It's subject to our same cap.

24 MR. FREDIKSSON: Well.

25 MR. MEADE: And our same decision that

1 these are priority enough that we're not going to.

2 MR. BAFFERY: Can I ask what we're looking
3 at here as an amount?

4 MS. TRUST: I put together something for
5 \$75,000 and that would be to collect a team of six to eight
6 people, it would provide travel logistics, it would also
7 pay for people that are not agency people if we included
8 anybody to write the document, review the document, peer
9 review.

10 MR. BAFFERY: Is your question whether or
11 not we have the money in the '06 budget?

12 MR. FREDIKSSON: And what I'm hearing is we
13 don't but that is not necessarily a constraint in terms of
14 going to.....

15 MR. BAFFERY: I actually think we do have
16 the money in the budget. We do not have the Science
17 Coordinator, we have not have a clerk for a long period of
18 time, so we do have -- we've got the NOS grant that's
19 hanging out there. I do believe we have the money.

20 CHAIRMAN CAMPBELL: Okay, good.

21 MR. BAFFERY: We've been pretty frugal.

22 CHAIRMAN CAMPBELL: Okay. Does that
23 address your concerns, Joe?

24 MR. MEADE: Yes. The budget is there in
25 '06 and if we can ask of that to be a budget priority I

1 think it follows suit for what we're asking for in the '07
2 invitation associated to herring. So I guess I have asked
3 either by motion or just by advising the Executive Director
4 that we think the 75,000 investment within your
5 efficiently, as you so noted, is an important investment to
6 be an action on.

7 MR. BAFFERY: I think that will take a
8 motion.

9 CHAIRMAN CAMPBELL: Okay.

10 MR. MEADE: So moved.

11 MS. TRUST: There is a motion at the very
12 end of the herring workshop thing, a little one page
13 motion.

14 MR. FREDIKSSON: Joe's reading ahead.

15 MS. TRUST: Just in case you wanted a
16 little idea.

17 (Laughter)

18 MR. O'CONNOR: You were just testing to see
19 if we actually read this, weren't you?

20 MR. FREDIKSSON: Nothing escapes you, Joe.

21 MR. MARQUEZ: Any other motions we ought to
22 be looking for in here?

23 MR. BAFFERY: Yes. We'll get to those.

24 MS. TRUST: This is the only one I paid Joe
25 to bring up.

1 (Laughter)

2 MR. MEADE: That would be a conflict of
3 interest of you do that.

4 MR. O'CONNOR: I would move.....

5 MR. MEADE: He's taking my motion.

6 MR. O'CONNOR:that thing, that thing
7 that's written here about 75K.

8 MR. MEADE: I already moved that.

9 CHAIRMAN CAMPBELL: Okay. So the motion as
10 I understand Craig to lay it out, so \$75,000 will be spent
11 by the Trustee Council Restoration Office to develop a
12 Pacific Herring Restoration Plan for Prince William Sound.
13 Funds will be used to support travel and logistics work
14 sessions needed by six to eight person restoration team to
15 initiate planning efforts. Funds will be used to pay for
16 services of non-agency personnel to write, edit and review
17 drafts of the plan as it's developed. Finally, if
18 remaining funds are available they will be used to print,
19 bind and distribute the plan when completed, initial
20 efforts, including the selection of a restoration team will
21 begin in the summer of 2006.

22 Is that what you said, Craig?

23 MR. O'CONNOR: Couldn't have said it better
24 myself.

25 CHAIRMAN CAMPBELL: Okay. Is there a

1 second?

2 MR. MEADE: Wait, I gave that motion.

3 (Laughter)

4 MR. O'CONNOR: I second it.

5 CHAIRMAN CAMPBELL: All right. Is there
6 objection?

7 (No audible response)

8 CHAIRMAN CAMPBELL: Okay, that motion takes
9 here.

10 Two questions, is there anything else you
11 need from us before we close this topic?

12 MR. BAFFERY: On the invitation.

13 CHAIRMAN CAMPBELL: On the invitation.

14 MR. BAFFERY: Just need to go back to that
15 briefly. So we have your direction on the invitation, we
16 will bring that back to you via email for a final look and
17 then we will hit the streets with it.

18 CHAIRMAN CAMPBELL: Okay.

19 MR. BAFFERY: Okay.

20 CHAIRMAN CAMPBELL: Second question before
21 we break for lunch. I guess we have lunch here, but I
22 don't know that it's for everybody. And if it's not then
23 people need the ability to get out and get back. How much
24 time do we need for people to get out, get back and for us
25 to take care of anything else we need to do over lunch? Do

1 we need more -- can we be sooner than one or is one?

2 MR. BAFFERY: That's your call. I mean,

3 I'm pretty impressed that we've gotten as far as we have on

4 the agenda.

5 CHAIRMAN CAMPBELL: I run a fast meeting.

6 (Laughter)

7 MR. BAFFERY: I would say give people --

8 where's Cherri?

9 CHAIRMAN CAMPBELL: Is everybody okay if we

10 go to 1:00 o'clock?

11 MR. BAFFERY: Yeah.

12 CHAIRMAN CAMPBELL: Okay. Let's be back at

13 1:00 o'clock.

14 MR. MEADE: Just to close out before we

15 break on this topic, I just wanted to share with Kim that I

16 offered at the start the discussion about the items three

17 and four, integration and community as potential criterion.

18 I'd leave that to your discretion, it was insight idea and

19 you guys can mull over as you put the package together --

20 there was no direction there, it was just -- and that's why

21 I'm not bringing it back up in any form of a modification

22 or a motion but if you see there's a fit there, great. See

23 Steve. If you don't think there's a fit there then tell

24 Steve why, you know, it was bad to advise me.

25 MS. TRUST: Okay. I think also that fact

1 that we brought in this human services thing will probably
2 play a role in the whole thing about community
3 participation, it might restructure this a little bit, too.

4 MR. MEADE: Cool

5 MR. BAFFERY: Our target date is June 1 to
6 get this out, so.....

7 MR. MEADE: Good work by the way, very good
8 work.

9 CHAIRMAN CAMPBELL: Yeah. Kurt.

10 MR. FREDIKSSON: Just two things, one, to
11 echo Joe, I thought the reference to community gain as
12 oppose to individual gain was a very good criterion and I
13 would very much support that.

14 Second, I had come prepared to kind of make
15 some minor language changes and tweaking to some of the
16 individual projects. Since you're going to work on this I
17 just will pass -- we'll work with you, Kim, to accommodate
18 that and then the Council will have a chance to look at it
19 in the next rendition.

20 Finally and it kind of comes back to the
21 second. I wanted to -- because Craig raised it twice in
22 terms you can't pay a fisherman and for personal gain and
23 not to complicate the punitive damages sought through
24 Exxon. I don't want to complicate that and I agree with
25 you. However, having said that, we have, I understand,

1 paid landowners to preclude the dropping of trees, which
2 would indirectly then protect the fish and the ecosystem,
3 would have a net community-wide benefit through it's
4 contribution to ecosystem. So we have paid individuals to
5 refrain from undertaking certain behavior to contribute to
6 overall good of the ecosystem. I see that principle
7 applicable in managing some of the fisheries, I can see
8 where it would be appropriate to fund fishermen for not
9 taking harvest, not killing fish, for the good of ecosystem
10 and I just want to plant that view. We may return to it in
11 the future, but I just wanted to share that because I think
12 it is not unlike the principle we've already undertaken in
13 terms of buying development rights on private property.

14 CHAIRMAN CAMPBELL: Okay.

15 MR. O'CONNOR: I hate it when that happens.
16 I really hate it when that happens.

17 CHAIRMAN CAMPBELL: I concur. Let's break.
18 Let me ask for purposes of the folks on line, do we just
19 mute this and open it up or how do we handle that?

20 MR. BAFFERY: I don't know, I wish Cherri
21 were here.

22 MS. PEARCE: Yeah, that's what we usually
23 do.

24 MR. BAFFERY: I'm assuming we close down
25 and come back at one.

1 CHAIRMAN CAMPBELL: I think what we're
2 going to do for purposes for everybody on line, we're going
3 to stick the speaker on mute and we will be back at 1:00
4 o'clock.

5 (Off record - 11:58)

6 (On record - 1:00)

7

8 CHAIRMAN CAMPBELL: We are back and it is
9 1:00 o'clock, so let's start. That being the case, we
10 finished with item number 7. I believe we are now back in
11 the agenda -- excuse me, with number 8, we're now back to
12 number 7, the monitoring projects. And Kim.

13 MS. TRUST: Okay. Just to give you guys a
14 break from staring at me, we're going to separate this
15 section into two parts. Jim Bodkin.....

16 CHAIRMAN CAMPBELL: We'd rather stare at
17 you than him.

18 MS. TRUST: What's that?

19 CHAIRMAN CAMPBELL: We'd rather stare at
20 you than him, but -- sorry.

21 MS. TRUST: Well, what about him? So we're
22 going -- we've invited Jim Bodkin to come and talk to you
23 all about the nearshore restoration and ecosystem
24 management program that he's been working on for the last
25 couple of years and then we're going to go into monitoring

1 and talk about those four monitoring projects, if that's
2 okay. All right. Jim Bodkin from USGS.

3 MR. BODKIN: Hi. Well, thanks for the
4 opportunity to speak to you today about the progress and
5 status of a project that I've been involved in with Tom
6 Dean for the past several years in developing a program for
7 kind of aiding in the restoration of nearshore habitats in
8 Prince William Sound and the Gulf of Alaska as well as the
9 long term monitoring and management of those nearshore
10 habitats.

11 A couple of objectives in this
12 presentation. The first one is simply to address the
13 question of why monitoring is important. And before I get
14 too far into this, I'd like to say that I'm going to focus
15 primarily on the restoration and recovery value of this
16 program and I'm not going to focus very much on the long
17 term monitoring attributes of it that would be of value
18 kind of in managing those resources over long periods of
19 time, but focus primarily on the restoration value.

20 But I want to ask the question and address
21 the question of why monitoring is important and also why it
22 is frequently considered to be insufficient. And I guess
23 I'm going to preface that by saying it's often insufficient
24 or inadequate because it often doesn't ask the question
25 that will arise from monitoring, and that is what caused

1 the change that we detected. So you can get into a
2 monitoring program and some time down the road you're going
3 to detect some change, because it's just inherit attributes
4 of ecosystems.

5 But typically you don't ask the question of
6 what caused that change because you don't know what change
7 to anticipate. But working in the nearshore system, we
8 have a good understanding of lots of the linkages and the
9 causes of changes that occur in that. So we've
10 incorporated attributes of the monitoring that will help us
11 address the question of why we saw changes in the future.

12 And then specifically I'm going to talk a
13 little bit about why the nearshore is an important of the
14 marine ecosystem to monitor and how it differs from what is
15 traditionally thought of as the marine ecosystem.

16 I'm going to spend most of time talking
17 about the description of this ecosystem based program to
18 restore and manage the nearshore habitats in the Gulf of
19 Alaska, specifically incorporating monitoring to understand
20 cause. And then by virtue of understanding cause, it
21 enables management. I'm going to talk about managing human
22 effects as a tool to aid in the restoration and recovery of
23 injured resources.

24 And then I'm going to talk a bit about the
25 support for injured resource assessments. And I know

1 you're busy considering the status of injured resources.
2 And one of the problems that you encounter is the lack of
3 or uncertainty in the data that you have available to
4 consider. And I'm going to try to point out how long term
5 monitoring can assist you in making those assessments of
6 the current status of injured resources.

7 So I'm going to start with an example of
8 monitoring.....

9 CHAIRMAN CAMPBELL: Let me just ask
10 for.....

11 MR. BODKIN: Yeah.

12 CHAIRMAN CAMPBELL:clarification.
13 One, roughly, how long do you think this will be; and two,
14 to what extent is this different than the memo that we have
15 in our document?

16 MR. BODKIN: It will take about 15 minutes
17 and it's quite a bit different.

18 CHAIRMAN CAMPBELL: Okay.

19 MR. BODKIN: The colors are a bit off here
20 but.....

21 CHAIRMAN CAMPBELL: It's okay.

22 MR. MEADE: I'm going to talk about kind of
23 an example of the utility of monitoring in managing
24 resources and particularly recovery of resources. This
25 comes from an example from California sea otters. Here's a

1 graph that has 60 years of data. There's five data points.
2 Two of them occurred in the 1960's and then the next data
3 point doesn't occur until the mid-1990's. And it's very
4 difficult to make any conclusions about what happened to
5 this population during the long periods of time when it
6 wasn't monitored. The first sign of a decline was in the
7 mid-1990's but it wasn't until the 200 survey that the
8 decline was actually confirmed. And shortly after that
9 this population was listed under the endangered species
10 act.

11 In contrast, in California, fairly regular
12 annual surveys are done -- or surveys of the population are
13 conducted. And in a matter of a few years after detecting
14 a decline in about 1978, managers were able to implement
15 actions to reduce a source of mortality that was identified
16 and the population resumed growth. So this is kind of an
17 example of the tools that are available to you when you
18 have regular monitoring. How you can respond to injuries
19 to resources and prevent basically populations from
20 declining to the point they require very costly and
21 intensive management actions such as listing under the
22 Endangered Species Act.

23 So just to -- the nearshore, it provides
24 critical habitat to a variety of birds, mammals, fishes,
25 kelps and invertebrates that are fairly distinct from those

1 birds, mammals, fishes and kelps that occur in the offshore
2 habitats. And it provides nursery habitat for species such
3 as crab, salmon, and herring. And feeding habitat again for
4 offshore animals that come into the nearshore to feed, such
5 as sea lions, killer whales, other fishes, and birds.
6 There's habitat for commercial resources. Habitat for
7 valued subsistence resources, such as seals, clams, and
8 mussels. Habitat for important social activities, human
9 social activities, and it's an important interface linking
10 the land and the air and the sea. And probably most
11 importantly, it's the repository for the Exxon Valdez oil
12 that remains in the nearshore habitats.

13 And maybe most importantly, the nearshore
14 is understandable and tractable. And I'm going to spend a
15 little bit of time talking about that in a minute. But in
16 contrast to many of the marine systems, the nearshore is
17 fixed in space, it has a -- it's pretty much two
18 dimensional as compared to the three dimensional offshore
19 habitats, which makes it amenable to understanding,
20 monitoring it, and detecting changes over time, and
21 responding to those changes.

22 So the nearshore restoration and ecosystem
23 monitoring program is based on taxa that occupy nearshore
24 habitats. And not coincidentally those are the same
25 species that remain listed as non-recovered or recovering

1 under the 2002 assessment of the status of injured
2 resources. And so much of the sampling that takes place in
3 the nearshore is focused on these same species, such and
4 clams and mussels as predominant invertebrates. The sea
5 ducks, the sea otter, and a variety of other sea birds that
6 are dominant consumers in these systems. So one of the
7 cornerstones of this program is its foundation in the
8 trophic food web. So it's a very much a food web based
9 monitoring program. We're monitoring a variety of
10 different trophic levels, from the primary producers in the
11 system, which are predominantly the kelps, the fixed kelps
12 that attach to the bottom, and the secondary producers, the
13 things like the urchins and the mussels and the clams,
14 which really are common currency in this system that feed
15 the higher trophic levels that include things like sea
16 otters and oyster catchers, harlequin ducks and sea stars.
17 And not to minimize the distinction or maximize the
18 distinction between the nearshore and the other habitats,
19 there are linkages clearly between the nearshore and the
20 offshore and the watershed habitats. But functionally, the
21 nearshore can be considered a fairly discreet habitat.

22 So another cornerstone to this monitoring
23 plan is a kind of a spatial design that allows tools to aid
24 again in the restoration and the assessment of resources.
25 So this kind of the overall design. There's 12 blocks that

1 extend kind of eastern Prince William Sound to the Alaska
2 Peninsula and Shelikof Straits. Four of those blocks that
3 are approximately equal in size, four of those blocks are
4 selected for intensive monitoring, where they'll be -- most
5 of the work will be done, it will allow the greatest amount
6 of data. And so I've got region 8, western Prince William
7 Sound, the oil spill area circled here, as indicating, put
8 your favorite species in here. Put herring in here, put
9 sea otters, it doesn't really matter. But by sampling in
10 that block and sampling in those four other red framed
11 blocks, we have a ability to spatially compare trends in
12 populations. So in this block 8, let's say we put sea
13 otters in that block and they're declining, well, if we can
14 compare the trends with these other three blocks that are
15 outside of the oil spill area, we see the same trends, then
16 we can infer that the cause of that decline is likely not
17 associated with the oil spill. Otherwise we should see
18 different -- a declining rate of change the further you go
19 away from the center of the disturbance, such as the oil
20 spill.

21 So the conclusion in this case would be
22 that this was -- not be related. And this is just a
23 hypothetical example, and there's going to be a couple more
24 of these.

25 We also have a bit of a smaller spatial

1 scale within each of these regions. Prince William Sound,
2 the Kenai Peninsula, the Alaska Peninsula, and Kodiak.
3 Each of those four regions are subdivided into three
4 additional regions, which allow you to make the same kind
5 of inferences, only it's smaller scale. So you can detect
6 the effects of very localized changes using this same type
7 of nested sampling design.

8 So I'm just going to briefly mention the
9 types of data collection processes that are engaged in the
10 nearshore program. There's several hundred pages
11 describing in detail these operating protocols and I'm
12 going to spend about 30 seconds just mentioning those. But
13 they include shoreline surveys of the Biota and the
14 sediments. They include marine, bird and mammal surveys.
15 Again, limited to coastal zones. These are only about 200
16 meters offshore, so it's focusing on species that occur in
17 the nearshore zone.

18 There's surveys of carcasses and debris
19 depositions as well as spawn on beaches during the
20 springtime that allow assessment of patterns of mortality
21 and patterns of deposition of matter on beaches. Another,
22 kind of the foundation of this program lies, in addition to
23 the trophic aspects, are the productivity aspects. So
24 we're looking at things like oyster catcher nest rates,
25 occupancy rates of oyster catchers. Pup rates in sea

1 otters and, as well as a variety of different sources of
2 looking at diet that include things like spraint and direct
3 observations of diet. There's direct measures of the
4 consumers or the suppliers in this system, the clams and
5 the mussels and the kelps, as well as the presence of
6 contaminants in subsistence food sources, primarily harbor
7 seals and mussels as the two selected species.

8 So just to kind of summarize the
9 cornerstones of this program to allow you to detect cause,
10 the design features that will enable restoration and
11 management include the spatial and temporal patterns of
12 change that you detect over time and space. Tropic
13 relations because there's good indications and good
14 background data on the roles between these producers and
15 the consumers. We're also looking at productivity and
16 growth in the system, both at the level of the consumer and
17 the producers. And growth being measured in growth rates
18 of mussels and clams.

19 And then the size and age structure of
20 populations will allow us again to make inferences about
21 the cause of changes that occur in populations over time.
22 An example of inferring cause, so again we're going to go
23 back to this hypothetical example. We have a declining sea
24 otter population in Western Prince William Sound in block 8
25 up here and it's signified by the yellow graph, the bar

1 that's declining. And we're looking -- we see that in the
2 other three regions, in Kodiak -- Alaska Peninsula and
3 Kodiak -- the populations aren't changing. So this is a
4 localized change, it occurs only in Western Prince William
5 Sound and we're going to ask the question of what's causing
6 this change.

7 So now we're going to go back to some of
8 the other data that we've collected in this program, namely
9 we're going to look at prey densities. And this would be
10 prey densities of clams and mussels which constitute about
11 90 percent of the sea otter's diet. And we're going to see
12 that over time the prey populations have been declining in
13 block 8 in Prince William Sound, the densities of prey.
14 And we also see that the prey sizes are declining over
15 time. So the inference that we're going to make from
16 looking at the prey populations would be that the declines
17 were a result of reduced prey populations and probably
18 natural equilibration processes and probably don't require
19 management actions.

20 So that's kind of a brief description of
21 the status of the program. It's been designed, field
22 tested, it's being implemented in the fourth region, the
23 Alaska Peninsula region. The Alaska -- the National Park
24 Service has adopted this sampling design as part of their
25 nationwide vital signs monitoring program and we've began

1 testing and implementing this program in that block, the
2 Alaska Peninsula block this year with the intent of
3 eventually providing those same services for the Park
4 Service along the Kenai Peninsula and the intent of
5 potentially kind of implementing this plan in the other
6 regions with support from the Trustee Council.

7 So that's about it that I have for the
8 presentation and I'd be happy to field questions.

9 CHAIRMAN CAMPBELL: Questions? Yes? No?
10 No?

11 MR. FREDRIKSSON: So this is -- is this a
12 project that EVOS Trustee Council has initiated or is this
13 something USGS has undertaken?

14 MR. BODKIN: It was initiated by the
15 Trustee Council with support from the USGS and when we got
16 to the point where I was able to -- where Tom and I were
17 able to kind of outline the sampling design, the National
18 Park Service came to us and said we'd like to consider
19 implementing this as part of our monitoring program in the
20 Gulf of Alaska. And we came back to the Trustee Council
21 and agreed to kind of jointly develop it. Because when we
22 first developed it, there was just three regions and the
23 Alaska Peninsula wasn't included. The Park Service agreed
24 to kind of support the additional block in anticipation of
25 the Trustee Council supporting the sampling in the other

1 three blocks.

2 CHAIRMAN CAMPBELL: Other questions? No?

3 Thank you.

4 MR. O'CONNOR: I'm not sure I understand
5 where we are on this. Is this a proposal for us to fund or
6 -- I'm sorry, Jim, but maybe I got lost or got confused by
7 not Kurt's question of course, but.....

8 MR. BODKIN: Well, we were contracted to
9 design this program through the Trustee Council beginning
10 in 2001 or 2002 and have been working towards that since
11 then. The final report for the N-REM program was provided
12 to this office a couple of weeks ago. So there's really no
13 proposal in place to take it further. I suspect that it's
14 up to the discretion of the Trustee Council to see whether
15 they wanted to -- you know, to proceed with the eventual
16 implementation of this program that they've basically
17 sponsored the development of in conjunction now with the
18 National Park Service, which is implementing it this year.

19 Is that -- so basically we were contracted
20 to design a monitoring program and we fulfilled that
21 contact and, you know, it's up to I suppose who -- I guess
22 it's open, anybody who would like to implement this could
23 -- should feel free to. We'd be happy to see it.

24 CHAIRMAN CAMPBELL: So Jim, today it's
25 being presented to us for both a report on the program that

1 you have done but also as a general illustrative of the
2 value of -- example of the value of monitoring, is that
3 correct?

4 MR. BODKIN: Right. How this program might
5 aid in your efforts to restore and recover injured
6 resources in the spill area as well as provide kind of that
7 longer term vision or opportunity for continued monitoring
8 and understanding of the Gulf of Alaska marine ecosystems.

9 CHAIRMAN CAMPBELL: Okay. Dave.

10 MR. MARQUEZ: I'm sorry, one more
11 clarification. Is the National Park Service going to go
12 forward with this program?

13 MR. BODKIN: National Park Service is going
14 forward with this program. They can't -- you know, they're
15 basically an implementation phase. They have this -- vital
16 signs monitoring program is a national program by the Park
17 Service and it's been implemented kind of at a nationwide
18 basis on a step-by-step. And this is the first program to
19 be implemented in the nearshore -- in the marine system in
20 the National Park Service in Alaska.

21 And so they are proceeding with
22 implementing it. But again, they're not implementing the
23 entire suite of sampling protocols because some of the
24 protocols extend beyond their jurisdictional boundaries so
25 to speak a bit. And so they were a bit uncomfortable.

1 They didn't feel the need for contaminants monitoring, for
2 example, so they opted not to include the monitoring sample
3 into their implementation.

4 MR. MARQUEZ: Thank you.

5 MR. FREDRIKSSON: Just one question. In
6 our packets we had a -- what is it, a two page summary of
7 N-REM and I wasn't familiar with it, so thanks for your
8 overview. But in the report it talks about long term
9 monitoring can promote restoration by reducing the impact
10 of other human induced stressors. Can you just help me
11 understand that?

12 MR. BODKIN: Okay. That sea otter example
13 was designed for that. There was an incidental mortality
14 associated with a fishery that was causing the decline of
15 sea otters in California. It took about five years to
16 identify the decline, identify the cause of the decline,
17 and implement management actions that eliminated --
18 basically all they did is shift the fishery geographically
19 a bit. It minimized -- they eliminated the incidental
20 mortality and the population resumed growth. And the point
21 being that, in Alaska and the Aleutians, you know they went
22 30 years without a survey. If there would have been those
23 types of problems, we never would have detected it, the
24 population would have continued to decline as it did, and
25 you would end up with a greater management problem than you

1 had by detecting it early on.

2 MR. FREDRIKSSON: And if I might, just
3 follow up, because this is where I -- I have a hard time
4 kind of overlaying monitoring where you're doing what I
5 would term ambient monitoring, detecting change, and
6 presenting hypotheses as to what may be the cause of that
7 change, and then tracking down that change. How does that
8 -- how do these kind of monitoring programs overlay a
9 program like ours where we don't -- we have a starting
10 point, it's called the Exxon Valdez oil spill. I know what
11 the change was, it was the introduction of 11 million
12 gallons of oil. So how do we -- when you're monitoring
13 where you're not trying to detect change in terms of what
14 that stress was, the introduction of that change, how does
15 that -- where does that take us?

16 MR. BODKIN: Well.....

17 MR. FREDRIKSSON: What I worry is that we
18 then are monitoring to detect ultimately that the change
19 we're seeing is not EVOS so our monitoring program has
20 ultimately concluded that any future restoration we're
21 going to do is to apply to non-EVOS related stresses.

22 MR. BODKIN: I guess I would offer a couple
23 of kind of cases or examples where this type of monitoring
24 could be useful in terms of promoting restoration and
25 recovery of injury. And the first one would be, again, a

1 hypothetical example of a species that's not recovering,
2 take your pick. By monitoring it in a way that you can
3 understand what's causing the lack of recovery, you can
4 then mitigate or ameliorate the effects -- probably they
5 have to be human induced. You're probably not going to be
6 able to mitigate effects from global climate change, for
7 example, but you might be able to mitigate the effects of
8 local harvests, of commercial harvests, of an incidental
9 mortality that's due to some other type of human activity,
10 point source contaminants. You know, something that you
11 could effectively manage. So in order to implement
12 management, you have to understand what the causes of the
13 lack of recovery are. So this is designed to tell you what
14 the -- what those are and then subsequently manage those.
15 So you -- basically what you're doing is you're
16 facilitating natural recovery. And this might be a viable
17 option in the face of, one, declining lingering oil in the
18 environment; and two, the -- you know, the possibility and
19 the likelihood that, you know, direct restoration
20 activities of oil sediments might be more damaging than
21 doing nothing. So, you know, I guess those -- in the case
22 of direct effects of lingering oil, one, you remove the
23 oil, but that might cause additional injury. So how do you
24 get around that? Well, you facilitate recovery by managing
25 other human activities that allow the populations to

1 recover.

2 CHAIRMAN CAMPBELL: Craig.

3 MR. O'CONNOR: My sense is that this
4 project would have been a great utility 10 years ago, 15
5 years ago, when we were trying to figure out the
6 interactions that were going on in Prince William Sound and
7 the various perturbations to the ecological systems out
8 there. Today my question would be the utility of this sort
9 of an approach to address the two things of greatest
10 concern to us at this point, which is the impact of
11 lingering oil and the current status of herring and what
12 can be done about that. Which would be to translate, I
13 think, translate this into a much more microcosmic focus, a
14 fairly narrowed focus.

15 And I guess I ask you or I ask Kim, is this
16 the type of project that would be responsive to our '07
17 solicitation as it relates to lingering oil or herring, to
18 use this tool or these tools that have been developed by
19 USGS to sort of get a big, almost a holistic picture of the
20 dynamics that are going on in certain aspects of the
21 ecosystem that might be as a result of either population
22 impacts, reproductive impacts, as a result of lingering oil
23 or what we see going on with herring and what we might be
24 able to do about it somewhere around the Sound.

25 MR. BODKIN: I'm not sure I can address the

1 herring, I'll go ahead and try to answer the first part of
2 the question though about, you know, how it might be useful
3 in terms of lingering oil and injured resources. And one
4 of the limitations that you have now is in the assessment
5 of the effects of lingering oil. You know, there's a huge
6 amount of uncertainty about the relationship between
7 potential lingering oil exposure and the population
8 trajectories of many of the species that are included here.
9 You know, the links are tenuous but they're potential and
10 you can't reject them summarily without having some
11 indication or some justification for rejecting the
12 possibility of lingering oil having consequences, you know
13 what's there.

14 So a project such as this will allow you to
15 evaluate the population trajectories over geographic scales
16 that far exceed the distribution of lingering oil. If you
17 see similar patterns or trajectories in populations at
18 those widely geographic scales, you can assume that they're
19 not independent. They're -- that the same factors are
20 driving those populations over those large scales. And
21 it's probably not oil if that's the case. So that would
22 provide you with some justification for, again, assessing
23 the status of a resource related to lingering oil.

24 You know, we don't have any potential or
25 any herring other than spawning in the nearshore habitats.

1 And provisioning, you know, many of the species, it really
2 does fall outside of the trophic web, one of the
3 cornerstones of this project being the trophic base being
4 in the sessile invertebrates and kelps or the urchins,
5 mussels and clams. You know, herring is a forage fish and
6 it feeds a different food web, if you will. But many of
7 those same consumers such as some of the sea birds, you
8 know, occupy nearshore habitats and would be included in
9 this monitoring. But there isn't a direct herring
10 monitoring component within this program.

11 MR. O'CONNOR: Is there a fungibility to
12 this program that we might be able to use the construct and
13 the tools associated with it and translate it into herring?

14 MR. BAFFREY: Well, I suppose so. You
15 know, this program's -- the genesis of this was in
16 relationship to the oceanic marine system, the offshore
17 marine system, the phytoplankton forage fish food based --
18 or food web. So -- but you know, the difficulty with that
19 system is that it's fairly untractable, it's three
20 dimensional. There's a huge amount of uncertainty when it
21 comes to the measurement of the populations specifically.
22 I mean, it's very difficult to measure fish populations.
23 It's very difficult to measure, you know, zooplankton
24 populations. There's just a huge amount of air that goes
25 in with those, which is why the -- you know, that becomes a

1 less tractable system to operate in. You're going to have
2 a difficult time, you know, taking the same approach here
3 where we have a good understanding of mechanisms and
4 responses of populations to factors such as food or
5 predation. You going to have a hard time taking those same
6 constructs and moving them into that offshore system. You
7 can do it but there's just going to be much more
8 uncertainty associated with kind of making the links
9 between cause and effect. You're going to be able to
10 detect change. We can do that and you're going to end up
11 with that same problem, okay, we've detected change, now
12 what caused that change. And when you do that, then you're
13 looking at what factors that took place in the past. And
14 there's a real inherent problem in that because the factors
15 that are changing the population today may not be the same
16 factors that affected it five years ago or 10 years ago or
17 15 years ago. In fact, it's likely that they're not.

18 MR. O'CONNOR: So its utility may be in the
19 lingering oil.....

20 MR. BAFFREY: I suspect.....

21 MR. O'CONNOR:impact.

22 MR. BAFFREY:more so than in herring.

23

24 MR. O'CONNOR: Okay.

25 MS. TRUST: And in additional injured resources of

1 the nearshore environment. I mean, the resources
2 that are continually -- that are still not
3 recovering, other than herring.

4 CHAIRMAN CAMPBELL: Other questions? No.
5 Jim, thank you.

6 MR. BODKIN: Okay.

7 MR. O'CONNOR: Yeah thanks, Jim.

8 CHAIRMAN CAMPBELL: We have in front of us
9 four monitoring projects. I would propose that we try to
10 deal with these four as a group with the proviso that if
11 any trustee wishes to split out any one of them, we'll
12 certainly do so, but otherwise I'll try to deal with all
13 four as a group.

14 CHAIRMAN CAMPBELL: Jim, thank you.

15 MS. TRUST: I also have a little
16 PowerPoint. What I have here is just a few.....

17 MR. MARQUEZ: Pardon me, Mr. Chair. What
18 about this herring life cycle diagram? When do we hear
19 about.....

20 MS. TRUST: I'm going to talk about that
21 right now.

22 MR. MARQUEZ: Right now. Thank you.

23 MS. TRUST: Okay. So what I have here is
24 just a few slides that I hope will help everybody visualize
25 why monitoring is important in general and then we're going

1 to go ahead and talk about the four extension projects in
2 particular. And at the end of my talk I go into those four
3 monitoring projects that was are concerned with now. And
4 I'm going to ask Brenda Norcross to come up and talk about
5 that. She has a lot more experience in these areas than I
6 do and I didn't realize until yesterday that she was going
7 to be here in person.

8 Sorry about this projector. All right.

9 So, as we all know, in the 1994 restoration plan it
10 identifies monitoring and research as a tool that we can
11 use for restoration of injured resources and services.
12 These activities are particularly important when natural
13 attenuation of residual oil has been adopted as a
14 remediation of most of the oiled areas.

15 Monitoring in many cases is the tools by
16 which we have measured how successful recovery has been.
17 In fact, it was pointed out to me in a conversation I was
18 having with some folks in Cordova that the only reason we
19 believe that it's time for intervention in herring recovery
20 right now is because we have been monitoring the population
21 for almost two decades and it has not fully recovered since
22 the crash in 1993.

23 So long term monitoring is important but
24 one question that I've heard several times is how long do
25 we have monitor a particular variable. Of course, it

1 depends on the question we are asking and the variable that
2 we're measuring. For example, let's look at several
3 herring end points that have been monitored for various
4 lengths of time.

5 The next couple of slides that I have are
6 courtesy of Steve Moffitt from that Alaska Department of
7 Fish and Game. This particular slide goes back to 1978 and
8 it shows the dollar value of the herring fishery in Prince
9 William Sound through 2005. It also shows the herring
10 crash, '93-'94, and the reduction in revenue from the
11 fishery since that time.

12 Here's another slide that goes all the way
13 back to 1917 and this is the harvest in tons of herring in
14 Prince William Sound. And of course there are some data
15 gaps here because Steve has been unable to find that data
16 but he's continuing to look for it to make sure that we get
17 an accurate historical view in harvest in tons of herring.

18 So, how long is long? 1917? 1978? It
19 sort of depends on your question. But let's look at the
20 question from the opposite perspective. In other words,
21 how short is short. So when you have enough information
22 that you think is useful but it may not tell you the whole
23 story because it's not been monitored over a broad enough
24 scale of time.

25 This slide again is from Steve and it shows

1 the harvest in tons of Prince William Sound herring since
2 1968. What we want to focus on right now are these two red
3 circles here. And this spans 1993 to 2000. We all know
4 that herring crashed here, had a brief recovery, crashed
5 again, and since then has remained depressed. And we also
6 know that disease has played an important role in the
7 continuation of the depression of the herring population.

8 These next two slides are courtesy of Gary
9 Marty. Gary is a fish disease specialist that's been
10 monitoring disease in Prince William Sound since the mid-
11 90's. This is an example of the types of data he's
12 collected from 1994 to 2000. On the vertical axis you'll
13 see is a relative disease index and Gary created this by
14 looking at the prevalence of open ulcers on herring in
15 relation to the actual number of fish that had been showing
16 -- that have been expose to the VHS virus.

17 And what this basically is, it's a relative
18 way to compare disease in herring across years. So this
19 graph shows us that this disease index is elevated in '94,
20 it decreases from '95 through '97, goes way back up in '98,
21 and then falls off in '99 and 2000. This is probably
22 because these fish are no longer in the population to
23 monitor.

24 So if you'll notice, this monitoring effort
25 has spanned seven years and we're just beginning to see

1 slight pattern in diseases of this population. Now let's
2 take a look at this same slide. There's a couple of more
3 years of data added right down here. And let's overlay the
4 three years that the SEA program was initiated and was
5 monitoring disease. If you were to just look at these
6 three years, it would look like disease didn't play a very
7 big role in the dynamics of herring population because the
8 disease index is relatively low over this period of time.
9 However, we know because of the much longer term disease
10 monitoring that disease has played a role in -- a very
11 crucial role in the dynamics of the Prince William Sound
12 herring population today.

13 So in this case, how short is short? Well,
14 three years of data is too short. In fact, Gary recommends
15 that nine years is a minimum number of years that the
16 population should be monitored to pick up trends in
17 disease. So of course I'm using disease as just one
18 element and one variable that we need to monitor in herring
19 populations.

20 And the reason I bring up all of these
21 various monitoring projects is a lead in to these four
22 projects that we're talking about today. These monitoring
23 projects measure a variety of end points and in some cases
24 have been in operation since 1970. But why should we care
25 about measuring these physical ocean measurements like

1 salinity or water temperature? These variables tell us a
2 lot about the marine ecosystem with which we are concerned.
3 For example, if we use herring as an indicator of an
4 ecosystem health, we know that their population numbers are
5 depressed. They've been depressed for a long time and the
6 population that exists now is diseased.

7 However, in order to understand the
8 mechanisms that predispose herring to disease and to
9 population crashes, we have to understand the conditions
10 for which we live -- in which they live. So let's liken
11 the herring situation to a sick child, maybe one that isn't
12 old enough or is too sick to tell us what's wrong, where it
13 hurts, or what it needs to get better. Well, you would set
14 out to answer all kinds of questions, like for example, we
15 would probably take his temperature to see if he has a
16 fever and we would probably monitor that temperature to see
17 if it got better or worse. We would probably figure out
18 what kind of food he has eaten, if there has been any food
19 available, or if he has been eating at all. We would think
20 about the child's history. Has he ever been sick like this
21 before? Does this type of illness run in the family? Is
22 there a genetic link to what the problem might be? We
23 would also try to determine if the child has been around
24 other sick people, if he's been in an environment that
25 could just pass this illness from person to person. And so

1 on.

2 The same analogy holds up when we're trying
3 to determine the environmental conditions that surround the
4 depressed or sick populations of herring in Prince William
5 Sound. So I go back to my question. Why do we care about
6 salinity and water temperature in the Gulf of Alaska? This
7 information on this slide is courtesy of Evelyn Brown and
8 this slide was actually created by Carolyn Rosner here in
9 our office. And it's a very nice graphic of the life
10 cycle of Pacific herring and the factors that influence
11 survival or mortality of each life stage.

12 So briefly, what we have, we have the
13 nearshore environment, the pelagic environment, nursery
14 bays, and bays and passes. The adult herring come into the
15 nearshore, lay eggs, the larva drift around in the pelagic
16 environment, they metamorphose, they go into nurseries and
17 bays as juveniles, they hang out in bays and passes, and
18 then as two year olds or older, they find adult schools and
19 then they go back out into the ocean environment.

20 So let's go back to some of these
21 oceanographic parameters that we were talking about and see
22 where some of these things would fit. For example,
23 temperature. Well, if you look at what types of factors
24 influence survival of herring, you can see here that
25 temperature is very important in several of these life

1 stages. Or for example zooplankton. It's very important
2 that these juveniles end up in bays that have enough food
3 resources so that they can grow, get larger, and then move
4 out into deeper water where they'll meet adult schools.

5 So how is this information helpful to us?

6 Well, it can be important, for example, in intervention
7 activities, which is what we're talking about. For
8 example, if we were to raise herring to the juvenile stage
9 in captivity, we would want to make sure we released them
10 into areas with enough food. It also helps us understand
11 conditions in their environment that may be keeping them
12 depressed. For example, water temperature or decreasing
13 salinity could affect various life stages.

14 But just like in the disease graph showing
15 three years of data, if we don't have enough data over time
16 to determine a trend, the information won't help us
17 understand the environmental conditions that these fish
18 live in or provide us with information that will help us
19 enhance herring in Prince William Sound.

20 So in summary, long term monitoring is
21 consistent with the restoration plan. Some monitoring
22 provides us with a way to measure things like population
23 status and environmental conditions. The extension
24 projects that we're talking about specifically measure
25 environmental factors that are important to understanding

1 conditions and changes in Prince William Sound and that
2 many of these factors that we're measuring are important to
3 the life cycle of several resources, including herring.

4 What I would like to do now, before we go
5 to question, is invite Brenda to come up and talk
6 specifically about these four monitoring projects as well.

7 DR. NORCROSS: If you could flip that off
8 now.

9 MS. TRUST: It's on the website of the
10 university.

11 DR. NORCROSS: I know. It does mean I
12 should put a different one up, doesn't it.

13 CHAIRMAN CAMPBELL: Brenda, before you
14 start, let me just ask you a question. We've had delivered
15 to us today -- well, I guess.....

16 DR. NORCROSS: Yes, that's it.

17 CHAIRMAN CAMPBELL:your testimony.
18 And in it you say that while you are, you know, with the
19 STAC and everything that you and Tom are speaking not --
20 while you serve as co-chairs of the STAC, you're not
21 talking as the STAC, you're talking as private individuals
22 and I guess I'm a little confused about which hat you are
23 wearing as you sit here in front of us today.

24 DR. NORCROSS: Well, that's an excellent
25 question because what I -- Tom and I spent some time

1 preparing this for the public testimony and then when I
2 just sent it to Kim for her information she went, oh, would
3 you please explain that to them in this slot instead of
4 earlier. So I would defer that question to Kim.....

5 MS. TRUST: Yeah, I didn't.....

6 CHAIRMAN CAMPBELL: Which hat is Brenda
7 wearing?

8 DR. NORCROSS:who put me in this
9 chair at the moment.

10 MS. TRUST: I'm sorry. I should have
11 explained that better. I didn't realize Brenda was going
12 to be here in person or I would have asked her to come up
13 as an expert testimony during this period. And I also
14 didn't realize that her testimony had gone out to the whole
15 Trustee Council as part of the public testimony. So I
16 apologize for that.

17 CHAIRMAN CAMPBELL: Okay.

18 DR. NORCROSS: So it got switched in.....

19 MS. TRUST: It got switched.

20 DR. NORCROSS:between the time I sent
21 it and said this is public testimony and she said, oh,
22 let's not do that.

23 CHAIRMAN CAMPBELL: Okay, so you're here on
24 behalf of the STAC. Okay, great. And then just also for
25 our knowledge, I don't believe you are but is Tom involved

1 in the GAK1? Is he actively involved in that?

2 DR. NORCROSS: Not now.

3 CHAIRMAN CAMPBELL: Not now but was?

4 CHAIRMAN CAMPBELL: He's the one who

5 originated it starting in 1970 but he's not doing it at the

6 moment. So what I'm going to do is.....

7 MR. ROYER: Do you want me to comment on

8 that?

9 DR. NORCROSS: Tom, are you there?

10 MR. ROYER: I'm here.

11 DR. NORCROSS: Okay.

12 MR. ROYER: This is Tom Royer. No, I'm not

13 actively involved. I had a project that did the GLOBEC

14 work that did sample GAK1 and I've sampled it a number of

15 times but I don't have any funding for that.

16 CHAIRMAN CAMPBELL: Who is doing GAK1

17 because I did see a Royer and Grosch, 2006 reference?

18 DR. NORCROSS: Oh, that's the newspaper.

19 Weingartner is the one doing GAK1 right now.

20 CHAIRMAN CAMPBELL: And Weingartner.....

21 DR. NORCROSS: You mean sampling by doing?

22 CHAIRMAN CAMPBELL: Well, I just see a

23 Royer and Grosch, 2006 paper.

24 DR. NORCROSS: Right, his -- Tom?

25 MR. ROYER: Yeah, that's analysis of the

1 prior data.

2 CHAIRMAN CAMPBELL: Okay.

3 MR. ROYER: Including some of the data that
4 were gathered by Exxon Valdez support.

5 DR. NORCROSS: Okay. So sorry for the
6 confusion of who I am. Basically what I wanted to do was
7 just explain to you and put these four monitoring projects
8 in perspective, which is why you have in front of you right
9 now a map of the Gulf of Alaska and the current system. Is
10 this -- am I pointing it the wrong way? Oh, I see -- maybe
11 -- or not.

12 MS. TRUST: Are you punching the button?

13 DR. NORCROSS: I have no idea.

14 MS. TRUST: There's a little button on.....

15 CHAIRMAN CAMPBELL: It's on the ceiling.

16 MS. TRUST: Here you go.

17 DR. NORCROSS: Oh, it's on the ceiling.

18 CHAIRMAN CAMPBELL: Now it's down on the
19 bottom right.

20 DR. NORCROSS: Okay.

21 CHAIRMAN CAMPBELL: There we go.

22 DR. NORCROSS: So what I want to show you
23 is, if we start with 1989, which is a very critical time
24 for all of us, what I'm going to do is walk you through
25 this map of the Gulf of Alaska and the circulation. And

1 you know that the North Pacific current comes across, hits
2 approximately right at the line between Vancouver and
3 Washington state, which I think is incredibly -- had a lot
4 of foresight on the part of those politicians who put that
5 line there. But current comes up the coast and this thin
6 line you see is the Alaska Coastal Current. And what I
7 want you to notice is that this current goes around and
8 goes in through Prince William Sound, this star-like object
9 here is GAK1. The Alaska Coastal Current keeps going down
10 the coast and in fact does go into the Bering Sea. The
11 bars that you see here are the precipitation. So what you
12 see of these bars here, this is how much rain is falling in
13 Southeast and of course this fresh water that's running off
14 and getting into the marine system is floating on top of
15 the water, of the salty water, and it's causing this Alaska
16 Coastal Current which is basically a fresh water stream in
17 the ocean.

18 So when this fresh water stream comes along
19 the coast from Southeast by Yakutat, comes around Kyak
20 Island and goes into Prince William Sound, it's being
21 influenced by everything that happened upstream of it.
22 Within Prince William Sound there's so much precipitation,
23 rainfall and melting of glaciers that the amount of
24 precipitation in Prince William Sound adds further to this
25 stream, which that influences everything downstream of

1 that.

2 With that background in mind, think of
3 1989. The weather conditions in March of 1989 when the
4 Exxon Valdez oil spill occurred affected the currents in
5 the Gulf of Alaska and in Prince William Sound. At the
6 time there was an abnormal high pressure atmospheric system
7 that dominated the region, brought clear skies and low air
8 temperatures. At that time the Alaska Coastal Current was
9 probably at its lowest. Which because of that, the ice
10 from the Columbia Glacier remained within the bays longer
11 than it normally would, which then, as we all know, it was
12 avoiding ice bergs that supposedly caused this oil spill.

13 Well, we wouldn't have known that if we
14 didn't have the knowledge of the coastal flow which came
15 from measuring temperature and salinity at GAK1.

16 MR. MEADE: Can I apologize -- to back up
17 just to the.....

18 DR. NORCROSS: Certainly. And I'm trying
19 to explain to you what this looks like.

20 MR. MEADE: No, this is excellent. The
21 Columbia Glacier, how did that affect the spill again?
22 Could you repeat that piece?

23 DR. NORCROSS: Sure. Basically what
24 happened was the water wasn't moving out of Prince William
25 Sound very fast at that time, not in its normal speed.

1 Therefore the ice hung around. And usually you can take a
2 Stan Stevens cruise or the ferry and see the bergs coming
3 out. And in fact, they were all essentially blocked up by
4 the Columbia Glacier and right at the Valdez Narrows in
5 March of 1989.

6 At the time Tom Royer looked at his data
7 from GAK1 that he started in 1970, used those observations
8 of temperature and salinity, and projected, plotted where
9 the trajectory of the oil should be. He passed the
10 information on to Senator Stevens and others to help them
11 for the containment of the oil and impacts along the
12 western side of the Gulf of Alaska. And although, some of
13 you probably remember, there was speculation at the time of
14 maybe the oil was going to go towards the east, towards
15 Yakutat, Sitka, and Juneau. There is -- it was given based
16 on the work that had been done at GAK1 that there is no way
17 the oil could have gone that way. The flow is downstream.
18 Yes?

19 CHAIRMAN CAMPBELL: Can I ask a question?

20 DR. NORCROSS: Sure.

21 CHAIRMAN CAMPBELL: The specific references
22 to what GAK1 measures keep referring to temperature and
23 salinity but there keep being references to conclusions
24 about flow and I have two questions. I guess the first is,
25 are there also current meters interspersed in GAK1; and

1 two, I'm curious how a one spot meter is determining the
2 full flows that you're showing. I've been involved in some
3 current studies and we used -- had to use many, many, many
4 more current meters over a much, much smaller area to get a
5 good feel for how the currents were flowing. So I'm
6 curious about that part.

7 DR. NORCROSS: Tom?

8 MR. ROYER: You want me to ans.....

9 DR. NORCROSS: I can do this but
10 considering how many years experience you have, I would
11 like -- could you hear McKie's questions?

12 MR. ROYER: I heard McKie questions.

13 DR. NORCROSS: Okay.

14 MR. ROYER: Very good. Yeah, it isn't
15 based simply on the measurements at that one location. We
16 can get the cross shelf gradients of temperature and
17 salinity also and we supplement those data with other
18 observations around the Gulf. We don't need to do all of
19 those all the time because we can look at the change in the
20 conditions just by measuring the conditions at GAK1. And
21 you're absolutely right, one of the things that has been
22 added to those temperature and salinity measurements is the
23 current meter mooring that EVOS has funded. So those
24 currents are very important and we can see the changes
25 there at Seward and relate those all along the coast.

1 CHAIRMAN CAMPBELL: At Seward or GAK1
2 or.....
3 MR. ROYER: Yeah, Seward.....
4 DR. NORCROSS: GAK1 is just.....
5 MR. ROYER: Well, it.....
6 DR. NORCROSS:outside.
7 CHAIRMAN CAMPBELL: And is I this just
8 surface measurement or is it a series at various depths
9 throughout the column?
10 MR. ROYER: We measure temperature and
11 salinity throughout the column and currents throughout the
12 column.
13 CHAIRMAN CAMPBELL: Okay.
14 MR. ROYER: The water depth there is
15 relatively deep for a shelf, it's 263 meters, so it's a
16 pretty deep area.
17 DR. NORCROSS: So to give you a little
18 history of GAK1, when Tom Royer started at UAF in 1970, he
19 made a decision to set up that location, which is right out
20 of Seward, because the university ship transits out of
21 Seward. Whenever somebody went in or out, they stopped and
22 dropped a conductivity temperature depth sensor at that
23 location. So in the early years, it wasn't consistent,
24 once a month or something like that, but it is what the
25 time series was based on. So originally it was

1 opportunistic and then it was added as a -- when there was
2 a lot learned from that area, that it was added as a focus
3 spot. And as Tom was saying, the paper that he has in
4 revision right at the moment is a lot based on GLOBEC,
5 which GLOBEC funded a whole transect there. When we were
6 sampling Prince William Sound in 1989, when I took the ship
7 out, I would run the whole transect to add more data at
8 that point. And to cite this paper that Royer and Grosch
9 have at the moment, this is literally hot off the press,
10 over the 850 foot water column, which is where GAK1 is --
11 GAK1 is when you're in a little boat going out of
12 Resurrection Bay and you think -- you're running out
13 Resurrection Bay and you're thinking how calm it is, when
14 you get to the point where you can't stand up, and it
15 happens about that fast, that's GAK1. It literally is as
16 soon as you get hit by the wind, which doesn't make it the
17 most pleasant place to stop and sample. It's also the only
18 place I've ever been severely seasick so that would be my
19 personal experience.

20 So what Tom's found, that in this 850 feet
21 of water that's right there at GAK1, that upper 350 feet is
22 getting fresher, whereas the bottom 500 feet is getting
23 saltier. So what that would mean is there's less mixing,
24 the top is definitely a different layer that's going to
25 change the flow rate. And over time what he's shown is

1 that the temperature averaged over that water column has
2 increased since 1970 by 1.8 degrees Fahrenheit. And you've
3 all heard enough about global warming to know that's really
4 a pretty big increase.

5 So this freshening or the fact that the
6 upper layer is getting less salty is due to increased
7 storminess. There's more rain and warming, there's more
8 runoff because everything that you've heard about the
9 glaciers melting.

10 CHAIRMAN CAMPBELL: Brenda.

11 CHAIRMAN CAMPBELL: The paper speaks to why
12 you think the upper layer is getting fresher but it doesn't
13 speak -- and maybe it's inherent in that -- on why you have
14 increased stratification and the lower level is actually
15 becoming saltier.

16 DR. NORCROSS: Tom, do you want to address
17 that or do you want me to?

18 MR. ROYER: I can address that. You follow
19 up if there -- as you increase the upper layer, there's
20 probably more movement offshore of the -- I'm sorry, as you
21 increase the stratification, the upper layer gets fresher
22 and it tends to move offshore and it's replaced by saltier
23 water coming in along the bottom of the shelf there.

24 The other way that the bottom can get
25 saltier is with the storm activity. We really don't know

1 the details of the mechanism but it appears that the water
2 column is becoming more stratified.

3 CHAIRMAN CAMPBELL: Well.....

4 DR. NORCROSS: The simple version.....

5 CHAIRMAN CAMPBELL:I have additional
6 questions. I'll wait. I won't.....

7 DR. NORCROSS: Okay. The simple version
8 is, if you have fresh water pushing offshore, something is
9 coming in to replace it on the bottom. So the fresh water
10 is running further offshore, the salt water is coming in on
11 the bottom. And since it's coming from offshore, the
12 salt's coming from offshore, there's more salt. It's not
13 mixed.

14 CHAIRMAN CAMPBELL: Is that top layer
15 getting narrower then?

16 DR. NORCROSS: Not necessarily narrow, it's
17 getting broader. But it's -- and if it's moving faster,
18 it's not mixing as much.

19 MR. O'CONNOR: So you're not saying that
20 there's an accumulation of saltiness below the fresh water
21 lense, it's just that it's saltier than it otherwise would
22 be because it's coming from further offshore?

23 DR. NORCROSS: Yes. My analogy to it,
24 which is really simplistic, would be the way the
25 Mississippi River is, you know, when the fresh water comes

1 out and you can see pictures and they tell you there's a
2 plume and you can see the fresh water on the surface? We
3 can't see it but the same thing is happening here.

4 MR. O'CONNOR: There's also a dead zone out
5 there.

6 DR. NORCROSS: Yeah, that we -- I'm not
7 using that part of the analogy of the dead zone, okay.
8 That's not even close. So the reason the GAK1 is really
9 important is that there are no other observations in the
10 entire Gulf of Alaska north of Ocean Station P. And Ocean
11 Station P is in Canadian waters several hundred miles
12 offshore in deep water. And it's consistently been sampled
13 since -- what do you think, the 50's, Tom?

14 MR. ROYER: Yeah, about 1954.

15 DR. NORCROSS: Yeah. But there's nothing
16 else except GAK1 in the entire Gulf of Alaska and the
17 Bering Sea that's been consistently sampled. And for the
18 last several years, the EVOS Trustee Council has been
19 funding the sampling and those current meters at GAK1. So
20 the.....

21 CHAIRMAN CAMPBELL: Where did funding for
22 -- it's been going through from the 70's?

23 DR. NORCROSS: 19 -- yes.

24 CHAIRMAN CAMPBELL: Where did funding for
25 it come before and to what extent is its continuation

1 dependent upon EVOS funding?

2 DR. NORCROSS: Originally funding was
3 literally piggy-backed on whatever NSF cruise was going out
4 when the ship came out.

5 MR. ROYER: I can -- Brenda, I can answer
6 that.....

7 DR. NORCROSS: Go for it.

8 MR. ROYER:a little bit. The first
9 people that funded it were the Office of Naval Research.
10 And then along came the OCSEAP, the Outer Continental Shelf
11 Environmental Assessment Program. And then NSF was funding
12 projects in the 80's and finally in the early 90's NOAA
13 funded it for about five years. And it's also gotten to be
14 a tradition with the marine operations at the University of
15 Alaska, that whenever the research vessels go in or out of
16 Seward, out of Resurrection Bay, then they always sample
17 that. It's part of the nautical tradition. I guess they
18 think that evil things will happen to them if they don't
19 sample that. So that it has been pieced together. And
20 it's been sort of ad hoc and this is true of a lot of long
21 time series that they're just pieced together by hook or
22 crook. And so EVOS is a vital link in that at the present
23 time and the current meters that are out there greatly
24 enhance this and I think we'll see those results in the
25 next few years.

1 DR. NORCROSS: So I think to answer your
2 question is, the EVOS funding for GAK1 right now is vital.
3 Does anyone think EVOS is going to fund it for 20 or 50
4 more years? No. We're -- I would say that the objective
5 would be to keep it going somehow. There has not been one
6 long term patron yet. If EVOS wanted to be a long term
7 patron, I suspect the offer would not be turned down, but I
8 don't think that's what anyone is asking for at the moment.

9 So the fact of knowing this current
10 circulation is important because what's going on out in the
11 Gulf is affecting what's coming into Prince William Sound
12 in terms of nutrient, phytoplankton, zooplankton, and this
13 long history of GAK1 has paid off because way before there
14 ever was an Exxon Valdez Oil Spill Trustee Council, there
15 was an Exxon Valdez oil spill. And so at that time, as I
16 explained to you, these data that had been collected from
17 there were vital at determining which way the spill was
18 going to go. Yes, many other people have used these datas
19 since then.

20 As Tom just explained, they had been paid
21 for by a lot of people, the analysis has explained a lot of
22 things. Alaska is in fact unique in the country for having
23 anything like this. There is a time series of data off of
24 California called CalCOFI that samples plankton that's been
25 going on since the 1950's and that's the longest time

1 series of data in the United States. They've been doing
2 temperatures off of NOAA ships since the 1970's on the
3 whole east coast of the U.S. in their bottom trawl surveys,
4 but there isn't a one point that's as consistent over time
5 and seasons as this one.

6 Also what I wanted to point out to you, and
7 it's not written there, sorry, that in Tom and Chet Gross's
8 new paper, one thing that they found out is when they look
9 at these data of what's going on and use the temperatures
10 and salinities along the Atlantic -- the Gulf of Alaska
11 coast, what they show is in the long shore displacement in
12 isotherms, meaning where the temperature of 300 kilometers
13 since 1970. So what he -- that's -- the Gulf of Alaska is
14 unique in that things just don't move north, they move
15 north and west, where in the Atlantic, you just thing, oh
16 it's getting warmer towards the north. Here you have to
17 look at it's getting warmer downstream, which includes down
18 the Aleutians.

19 So there's some real data to show the Gulf
20 of Alaska has decidedly gotten warmer and this warmth is
21 spreading. And if you've seen the paper lately about more
22 salmon that are moving north up the coast of -- past Norton
23 Sound, up the Coast of Alaska, into Barrow, or the salmon
24 that were recently caught up in the Arctic on the east
25 coast in Canada, those are indicators of warming. It's

1 easier to measure a temperature consistently over time and
2 place than it is to go look for fish moving. So what I
3 would say is that the continued monitoring GAK1 is
4 essential to the evaluation of oil spill damage in here,
5 because it tells us where the currents are moving. The
6 monitoring is analogous to a canary in a coal mine but it
7 requires the decades of measurements to detect these
8 changes. We've got decades, we're finally starting to
9 detect changes.

10 However, we have to think about it in terms
11 of there are different kinds of changes that occur. There
12 are some that occur over decades, there are some that occur
13 instantaneously, as in a catastrophe. The Gulf of Alaska
14 is know for huge Katrina-like storms that can affect it.
15 There are things like earthquakes, like in 1964. Things
16 that the earthquake affected but couldn't be measured
17 directly at the time. By having some kind of a long term
18 consistent monitoring program, those spikes or changes can
19 be noticed, can be detected, can be quantified.

20 And you're all familiar now with El Nino,
21 southern oscillation effects. There's warming. The
22 warming may be detected off of California but there are
23 years when it's decidedly detected off of the Gulf of
24 Alaska and it can be found at some time other than a turtle
25 showing up in Prince William Sound in the summer. It can

1 be found several months ahead of that by this kind of
2 monitoring.

3 So I would say that GAK1, which is the
4 Weingartner proposal you have in front of you, is the
5 linchpin that anchors all of these monitoring. The ferry
6 box sampling, which is Cokelet, collects measurements on the
7 Alaska Marine Highway system. The information that gives
8 you extends from -- I'm switching to another figure now.
9 Joe, this one is a closeup and it's got GAK1, showing it
10 come out of Seward and then it shows the path of the
11 Tustumena. Yeah.

12 MR. MEADE: And cross checks it.

13 DR. NORCROSS: Yeah, it's got the
14 Tustumena, it shows the Tustumena, the ferry coming out of
15 Valdez going right past GAK1 into Seward, coming down from
16 Seward and going to Kodiak and Port Lyons and up into
17 Homer. Well, the Tustumena has the ferry box system on
18 which you recall we discussed years ago and it took some
19 doing for the State of Alaska to allow that to occur. So
20 you can see that this sampling, while it's not doing depth,
21 it's doing breadth. This is sampling at the level of the
22 hull and it goes right through GAK1 and it gives a time
23 series of data across a very large space.

24 At the same time, they are compliments in
25 depth which are being done by Okkonen. He's sampling but

1 he's using depth to -- along a pathway. And Sonya Batten,
2 who is looking at a continuous plankton recorder,
3 continuous plankton recorder is like having two pieces of
4 cheesecloth continually rolling. Water goes through it,
5 what's ever in the water is squished between the
6 cheesecloth, you know because of the speed at which those
7 little thing rolled, what the distance has covered by
8 measuring the cheesecloth.

9 And what that does, that's coming, Joe,
10 that's coming from Anchorage down, out through Cook Inlet,
11 and then it goes down to California. So it's cutting right
12 across the Tustumena path, it's cutting right across the
13 Alaska Coastal Current.

14 MR. MARQUEZ: Could I ask a question?

15 DR. NORCROSS: Sure.

16 MR. MARQUEZ: On the route of the
17 Tustumena, it looks also -- is that red line just the route
18 of the -- to the west of Kodiak Island.....

19 DR. NORCROSS: Yes.

20 MR. MARQUEZ:is that also monitoring
21 in there or is that merely the route of the.....

22 DR. NORCROSS: No, that's -- it's still
23 collecting. The biggest problem with the Tustumena is that
24 it's running all the time and can collect a lot of data but
25 not only EVOS doesn't give the scientists enough money to,

1 you know, measure 300 days worth of data a year, they don't
2 employ enough scientists to measure that many. So what
3 they do is look at it and make sure they've got seasons
4 represented. And make sure that it's got the key areas
5 represented. So basically what the data from the Tustumena
6 are doing, they're recording and archiving lots of data
7 that cannot all be worked up right down.

8 But should we decide for some reason that
9 we wanted to go back to another season or another place,
10 this is when it goes to Dutch. The data exists, which is
11 really critical because what's on the Tustumena is a probe
12 and actually you can go on the Tustumena and you can see,
13 it's mounted and you can see all the data being collected.
14 And there's a public display and there's a website that you
15 can see real time what's happening so the people on the
16 ferry can sort of get into it.

17 I would say the really important thing
18 about these collections are the fact they are so
19 inexpensive because no one in EVOS or somewhere else is
20 paying between 5 and \$10,000 a day for one of these huge
21 ships that's going this way. The ship time is donated,
22 except for that little bit of time to go out to GAK1 and
23 service the buoy. The rest of the ship time is all
24 donated. And in oceanography, that's the biggest expense.
25 I mean I went to the Chukchi and was only able to do 18

1 stations on a huge NOAA Russian cruise. We covered a lot
2 of space and it took three weeks but most of the money goes
3 into the ship time.

4 So I would say that the data that comes
5 from the combination of these, so now you've got one place
6 that's consistent all the time, with a current meter at
7 GAK1; you've got the breadth of the Tustumena; you've got
8 the depth from Okkonen; and you've got some biology from
9 Batten. This gives a bigger picture of what's really going
10 on because this -- if you've ever run around in a boat in
11 this area, this is no small area from Valdez to Kodiak. If
12 you were on the east coast of the U.S., you'd be going
13 across a lot of states to get that far. It's just the
14 people on the west coast who understand that states are
15 like really big and have long coastlines. You can tell I
16 was on the east coast for a long time first.

17 So when I look at these, you know, I have a
18 bias towards herring. So I'm looking at it to see how
19 could these possibly relate to herring studies? What's
20 going on that it could help? Well, the first thing is,
21 I've contacted Sonya Batten because of where -- her studies
22 go right across here. I know that one of the time frames
23 in the herring life history, that there's very little
24 known, is where did the adults go to feed? You know,
25 everyone cares about them when they spawn. They have to do

1 something in between to feed, to survive, and most
2 indications are, okay, the herring are leaving Prince
3 William Sound and basically following the same route as the
4 Alaska Coastal Current or the Tustumena coming right down
5 the shelf. Which means they're probably passing over and
6 using this area outside Cook Inlet where Sonya Batten is
7 collecting the zooplankton. I've checked with her. She's
8 collecting zooplankton that I would expect to find in
9 herring's stomachs. So I think that over time this kind of
10 information that she's got could relate to herring quite
11 well.

12 The other thing that's happening right now,
13 as you're all aware, that last year the EVOS Trustee
14 Council funded a herring synthesis project which Jeep Rice
15 is the principal investigator. It has several different
16 parts. In fact, Kim Trust invited everyone to come and
17 give presentations at the herring workshop and I'm working
18 with Terry Quinn and a couple of students, looking at a
19 model and analyzing following up on some of the work that I
20 did on SEA, analyzing over the life history of the first
21 year of the herring. And what we have found is that the
22 larval period is the most vulnerable. What the results are
23 going to say is that if the larval period is not
24 successful, then there is not going to be a good year
25 class. That you can have a great egg survival, you can

1 have a great juvenile herring survival in the fall of age
2 zero, or winter herring survival, but without excellent
3 larval survival, you're not going to have a great year
4 class.

5 And all of that fits with where the flow
6 goes through Prince William Sound. And the flow through --
7 it's harder to see on this little tiny map -- but the flow
8 goes through Prince William Sound. So it's the effect of
9 what happened upstream. Basically it's the runoff from
10 Southeast, it's everything coming out of Yakutat, it's how
11 fast is the Bering Glacier melting. This flow that's
12 coming in Prince William Sound and then what's going on in
13 here, because the herring are spawning in Prince William
14 Sound and being distributed around in Prince William Sound.
15 The larve are. So that part is really critical. So by
16 knowing these, having these measurements of GAK1, is a
17 downstream measurement of what the flow was in Prince
18 William Sound. If all I had was GAK1, at least it would
19 tell me if the flow picked up or it slowed down. I would
20 know that much.

21 Right now there is sampling going on in
22 Prince William Sound that actually melds with this
23 perfectly. If you got the Prince William Sound Science
24 Center newsletter that actually I got in my mailbox
25 yesterday, it gives the transect and they're doing the same

1 kind of work in Prince William Sound that Okkonen is
2 collecting offshore. So it fits perfectly and adds another
3 smaller component to all of this.

4 If you have long term data, it's easier to,
5 in retrospect, figure out why there's something weird. For
6 example, if you've got a herring population, you're doing
7 the age structured analysis models and it appears that, say
8 all of a sudden they're surviving better but you don't know
9 why, and you don't want to really change your age
10 structured analysis model if you don't have a foundation on
11 which to base the change. You go back in time, you look at
12 it, you have some data and you see a marked change, for
13 instance at 1998 there was -- I went to a meeting in Hawaii
14 last month, in fact I came straight from there to the
15 herring meeting, that talked about regime shifts and long
16 term changes. This is documentation of a long term change
17 in 1998. There can be long term changes documented in
18 Japan, it doesn't mean it happened here. But some people
19 went back and looked then at these data and decided they
20 were affecting what's going on with some of the fisheries
21 in the Gulf of Alaska. Consequently, there is a physical
22 reason to say, oh, I can change my model now, at this point
23 in time, re-analyze and see what I think is a better handle
24 on predicting what the stocks are.

25 So I would say that, lastly, the new State

1 of Alaska recently issued ocean research priorities that
2 directly fit -- these monitoring stations directly support
3 them. No, I'm not advocating that EVOS spend their money
4 directly supporting something that's a State mandated
5 monitoring system, but in fact, EVOS -- these four
6 monitoring programs support six of the 16 ocean research
7 priorities. They do large scale relationships, will allow
8 for fine scale management, they look at marine water
9 trends, fresh surface water that we're seeing from the
10 runoff. Definitely my favorites, which are climate change
11 effects on fisheries and integrated physical, chemical, and
12 fisheries oceanographic studies.

13 So these are six of the priorities for the
14 State of Alaska research and it fits with EVOS Trustee
15 Council desire of restoration of non-recovered species and
16 services that can be addressed by the four of these. So
17 Tom and I, on behalf of ourselves individually as
18 professionals and on STAC, would urge you to fund these
19 four. Joe.

20 MR. MEADE: The 16 items you just
21 highlighted and referred to, that State of Alaska, could
22 you give me a bit more background? Who established that?
23 Who's the responsible State agency to execute it? And how
24 can we affirm they shouldn't be collecting this data versus
25 EVOS?

1 DR. NORCROSS: Heather?

2 CHAIRMAN CAMPBELL: Why don't we have Kurt

3 answer that.

4 DR. NORCROSS: Okay.

5 MR. FREDRIKSSON: Perhaps if I could, Joe.

6 This was actually a spinoff of a meeting that Governor

7 Murkowski had with President Hamilton.

8 MR. MEADE: President Hamilton?

9 MR. FREDRIKSSON: Hamilton of the

10 University of Alaska.

11 MR. MEADE: Thank you. I'm sorry.

12 MR. FREDRIKSSON: And the University of

13 Alaska is a recipient of many State dollars as well as the

14 recipient of many federal dollars. And they do research.

15 And the Governor was concerned that the University of

16 Alaska's research priorities may have been driven more by

17 Federal needs without adequate consideration of State

18 needs. So the Department of Fish and Game, the Department

19 of Natural Resources, Department of Environmental

20 Conservation and others were directed by the Governor to

21 assemble what our research priorities were so that we could

22 actually share those with the University of Alaska. And

23 not just the University of Alaska but Federal agencies to

24 see if those needs could be met through some of the funding

25 opportunities that the university provides. It was not --

1 it wasn't, if you will, a State priority list, that the
2 Governor said, okay, these are the priorities which now we
3 have budgets for and you shall march down the path for.

4 CHAIRMAN CAMPBELL: Additional questions?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: No. In that case --
7 yeah, Craig. Point and rephrase to say, additional
8 questions before we take a short break, we've had a
9 request.

10 MR. O'CONNOR: I just want to ask a
11 question before Brenda leaves. And if she's going to
12 escape during the break, I would like to -- if not, I don't
13 want to stand in the way biol.....

14 DR. NORCROSS: No, I will return after the
15 break if you would like me to.

16 MR. O'CONNOR: How much have we used the
17 information that's been collected over the last decades in
18 the determinations that we've made as a trustee council
19 with regard to restoration of the resources for which we're
20 responsible, other than telling Ted Stevens that the oil
21 wasn't going to go where he was worried about it going?

22 DR. NORCROSS: I have to ask you to clarify
23 the question. Do you mean how much have the Trustees used
24 the information? Do you mean how much of the information
25 that was collected in these monitoring projects was used to

1 develop new projects or applications? Do you mean how many
2 fish species does Fish and Game put environmental variables
3 into their stock assessment analysis?

4 MR. O'CONNOR: No, what I want to know is,
5 of what utility has this information been to the Trustee
6 Council in the fulfillment of its restoration program for
7 the species injured as a result of the spill?

8 DR. NORCROSS: That's a very interesting
9 question. I didn't think of it that way and I'm -- would
10 be happy to take the break to think about it because I
11 think the answer would be, it hasn't been if no one asked
12 the question, and no one's asked the question before.

13 MR. O'CONNOR: Okay, let's take a break.

14 CHAIRMAN CAMPBELL: Okay, Kurt. Kurt has a
15 question.....

16 MR. FREDRIKSSON: Let me.....

17 CHAIRMAN CAMPBELL: And.....

18 MR. ROYER: Can I say one thing, quick
19 thing, before the break?

20 CHAIRMAN CAMPBELL: Yes, Tom.

21 DR. NORCROSS: Yeah.

22 MR. ROYER: A similar question was asked of
23 me during the OCSEAP days back in the mid-70's. And the
24 program manager wanted to know, when am I going to be done
25 analyzing the data that we gathered during the OCSEAP

1 program. And I said, never. And that's true. I'm still
2 using those same data points to try to understand the
3 system. What I'm trying to say is that the data that
4 you've gathered will be used by others later in addition to
5 what's going on right now.

6 CHAIRMAN CAMPBELL: Kurt.

7 MR. FREDRIKSSON: Yeah, Tom, this is Kurt
8 Fredriksson. I appreciate your answer because I think
9 that's an honest, very fair answer. But let me be more
10 direct to the question that I think Craig posed. And what
11 we have in GAK1 is a substantial length of time and in
12 terms of long term patrons, you listed off the names, and
13 I'd characterize that as Federal government. All those
14 were Federal agencies that have contributed over the last
15 36 years to the GAK1 operation. So I just make that note
16 because I think the Federal government, clearly there was a
17 national interest driving this data collection effort.

18 And one of the concerns that I have here in
19 the context of Exxon Valdez is with the impact of EVOS oil
20 on herring. And in fact that issue has come up with the
21 legislature. And the Federal government has testified
22 before the legislature with respect to the application of
23 herring as a reopener issue. And the science doesn't seem
24 to support that connection right now, at least as it was
25 testified. And I'm curious as to how this long term

1 monitoring program -- and you don't have to answer it now,
2 you may want to take the break -- but I'd be curious of how
3 what has been a Federal initiative to date, to collect this
4 information, the Federal government is presented with an
5 issue with respect to whether or not herring damage --
6 whether herring is a reopener issue and how the GAK1
7 information or this monitoring information can help us
8 answer that question.

9 DR. NORCROSS: I see what you're saying but
10 I think what I might say is there's a difference between
11 saying that GAK1 was a Federal initiative and the fact
12 there were scientists with initiative who bugged the Feds
13 enough to get money.

14 CHAIRMAN CAMPBELL: Why.....

15 DR. NORCROSS: There's a difference.

16 CHAIRMAN CAMPBELL: Why don't you reflect
17 during the break on Craig's and Kurt's and actually I have
18 one additional one for you to reflect on, on the break. I
19 don't need to be convinced that long term monitoring yields
20 knowledge, that knowledge is good, that it is useful in a
21 wide variety of scientific endeavors. I guess the thing
22 that I am having some difficulty with is when I see the
23 current map up there on the PowerPoint and I see a current
24 of the entire North Pacific, and there's an implication,
25 though there was reference there were some other things

1 involved, that GAK1 is sort of mapping the North Pacific.
2 It makes me then have doubts about the whole thing, because
3 I know that can't be the case and I know that's not what
4 you're really saying. But that sort of seems to be the
5 implication. And, I mean, as -- again, I said I've been
6 involved in a minor way on some much smaller current
7 studies where we had to -- but in similar depth of waters
8 where we had to do many, many, many more current meters and
9 stations to even have a claim of credibility in a much
10 smaller -- much, much smaller area. So I'm just trying to
11 see how all that fits in. But we can talk about it
12 afterwards.

13 DR. NORCROSS: Okay.

14 CHAIRMAN CAMPBELL: Okay. Let's take a no
15 more than 10 minute break. Well, I'll say back at 20 of,
16 is that fair?

17 (Off record - 2:27 p.m.)

18 (On record - 2:46 p.m.)

19 CHAIRMAN CAMPBELL: Let's go ahead and try
20 to get going again. Craig?

21 (Off record conversations)

22 CHAIRMAN CAMPBELL: During the break we
23 asked -- or before the break, we asked Brenda a wide
24 variety of questions, which we led her to believe we would
25 then invite her to come and answer. However, that is not

1 the case. The situation has changed. What we are going to
2 do is just try to go ahead and proceed through the agenda,
3 through the business items relatively quickly because we
4 may lose a quorum and so we're going to try to deal with
5 those quickly before we lose a quorum and proceed on.

6 So Brenda.....

7 DR. NORCROSS: No, I have to tell you.....

8 CHAIRMAN CAMPBELL: No. No, actually you
9 don't get a chance. I'm sorry. What we were just saying
10 is, we have changed what we were doing so we will talk with
11 you later. Okay.

12 DR. NORCROSS: Okay. Because I felt like
13 it was one of those quiz shows where you say I'm going call
14 for help.

15 CHAIRMAN CAMPBELL: Yeah. Okay. This
16 being the case.....

17 DR. NORCROSS: Oh, dial -- you can tell I
18 don't watch them.

19 CHAIRMAN CAMPBELL: We have the monitoring
20 projects before us. Do we have a motion for the purposes
21 of discussion?

22 MR. MARQUEZ: I so move approval.

23 MS. PEARCE: Second it.

24 MR. MEADE: I'd second.

25 CHAIRMAN CAMPBELL: And second -- and we

1 have a second. And is there discussion? Kurt, I guess.

2 MR. FREDRIKSSON: I would -- I have a
3 number of items that I'd like to bring up, one which is
4 important to me. And this is not -- what I am going to say
5 now in no way am I suggesting that GAK1 is not useful, is
6 not important, that I don't appreciate and support long
7 term monitoring as well as short term monitoring. I
8 thought the monitoring presentations were very good. I
9 think they all have a place in our work here.

10 MR. MEADE: Which would just simply be
11 funded under the 16 point Alaska State initiative?

12 MR. FREDRIKSSON: Well, apparently. I
13 didn't know that, Joe, but.....

14 MR. MEADE: I just wanted to seek your
15 support.

16 CHAIRMAN CAMPBELL: Without all the
17 caveats, we have faith in you.

18 MR. FREDRIKSSON: Okay.

19 CHAIRMAN CAMPBELL: Go ahead.

20 MR. FREDRIKSSON: So the one thing that is
21 real important though, is during the Exxon Valdez oil
22 spill, the trajectory analysis that was done, the
23 projection of where to chase the oil did not hinge on GAK.
24 In fact, there was a State/Federal incident command
25 structure that was tracking the oil, was using a number of

1 different tools, not the least of which was CDFU. And to
2 suggest that they were standing around thinking that it was
3 going to wind up in Yakutat or in Juneau is just, from
4 where we sit as the Department and the State government
5 that's responsible for spill response, just not accurate.
6 Having said that, I have also talked to the principal
7 investigators of a number of these projects, none of which
8 -- well, three. One, I think it was Sonya Batten, we
9 couldn't get hold of because of field work. But those
10 investigators told us that they did not feel that there was
11 an urgent need for funding at this time. So what I would
12 like to see happen, what I would propose, is that we view
13 these monitoring projects in the context of the '07
14 invitation. We have, in fact, two of the investigators.
15 We have outstanding reports. We have two years of
16 quarterly reports that haven't come in on the GAK project.
17 We have an annual report that hasn't come in on one of the
18 monitoring projects. So we have some delinquency issues
19 that we have to take care of with respect to those
20 investigators. And that's not to say that they can't be
21 easily resolved but what I would propose is that we wait
22 for the '07 invitation, that we not make a decision today
23 on the merits of these particular four, that we do that in
24 the context of the '07 invitation and for the reasons I've
25 outlined there.

1 CHAIRMAN CAMPBELL: Okay. Joe.

2 MR. MEADE: Mr. Chair. And in the art of,
3 to try to seek _-- compromise is the wrong term but, kind
4 of a shared leadership or a shared solution, I wonder,
5 Kurt, if you would be willing to -- my interest would be to
6 insure that these projects don't lose their ability to
7 sustain funding through the '07 operating season. That
8 means we need clarity, do they actually need the funds --
9 based on your contract with the PI's -- do they actually
10 need the funding revenue or not. The interests I would
11 share. If we could go to interest based problem solving.
12 The interest is to insure that these four projects can be
13 secured and stable through the '07 operating season so that
14 they then can be evaluated as you've highlighted in the '07
15 invitation. And even in the discussions we had earlier of
16 one year, multi-year, or broader, be considered in the
17 context. Are these by example then some examples of that?
18 But the interest I would share is to have them not lose a
19 year of essential data collection while they get evaluated
20 for their long term importance. So if there's a way we
21 could find a common ground, the common ground I would be
22 interested in is to stabilize the funding where and if
23 needed while again is subject to the '07 invitation for
24 further consideration for its applicability.

25 CHAIRMAN CAMPBELL: Yeah, and Joe, I think

1 my -- the concern I have is that it's been represented that
2 the funding is somehow insecure and that if the Council
3 doesn't take action today, somehow these projects will fall
4 by the wayside. And I -- after our contact with the
5 principal investigators as well as I understand with a
6 number of these projects, there are multiple funding
7 sources. EVOS is not the only funding source. They have
8 funds from AOOS, they have funds from NPRB. I don't, at
9 least from the information I have with me today, there's
10 not a critical need for the Council to take action at this
11 time.

12 MR. MEADE: But you left out the State of
13 Alaska in some of those funding ingredients. I'm just
14 trying to help you save Alaska State funds here.

15 CHAIRMAN CAMPBELL: I appreciate that, Joe. Thank
16 you.

17 MR. FREDRIKSSON: Three out of the four of
18 these projects are by Fish and Game principals and it is my
19 understanding while they certainly would welcome early
20 funding, they aren't the ones who requested it and they are
21 sufficiently funded through '06.

22 MR. O'CONNOR: Which one is the not funded?

23 CHAIRMAN CAMPBELL: The outli -- I don't
24 know if it's not funded, it's just not a Fish and Game
25 project that I can speak to, that's the Weingartner.

1 UNIDENTIFIED SPEAKER: No, it's Batten.

2 MR. FREDRIKSSON: No, it's the Batten, I guess.

3 CHAIRMAN CAMPBELL: No, it's really the
4 Batten, excuse me.

5 MR. HAGEN: Actually one of the projects is
6 joint funded through NOAA and ADF&G. So that's the Ned
7 Cokelet and Pegau project. And most of the funding goes to
8 NOAA and a portion goes to ADF&G, to Kachemak Bay recently.
9 And I haven't had the same communication that they're
10 secure for FY-07. The possibility of delayed funding,
11 perhaps they can work out just in case of, you know, risk I
12 think would be the issue.

13 MR. MEADE: I guess I'll just make one last
14 appeal to try to seek consensus in a consensus operating
15 board. If there's a way that we can find an interest to
16 insure as needed funds are stabilized. I've heard for the
17 last number of meetings pretty compelling reason why this
18 baseline monitoring with each of the four factors and how
19 they uniquely distinguish the data knowledge set we have
20 over a long spectrum to time. To me it's pretty essential
21 for the investment we're talking about and putting it
22 potentially at risk. So my interest is just to not put at
23 risk for further consideration in that broader '07
24 invitational. I heard today some direct linkages to
25 herring as well and we've already identified in the '07 a

1 real interest of the investment in herring, including the
2 potential '06 investment. So to me, unless we're being
3 given a bill of goods, that these projects are funded and
4 EVOS funding is purely optional, that's not what I've been
5 hearing. So that's -- the place I'm puzzled is we've been
6 hearing over the past five or six months as we recycled
7 this issue that it's pretty important funding, so.....

8 CHAIRMAN CAMPBELL: Okay.

9 MR. FREDRIKSSON: I think, Joe, I wouldn't
10 say we've been sold a bill of goods. And I wouldn't want
11 to characterize it as that, but what we have not had is
12 these projects in a context. We've just had these projects
13 proposed to us as something that the investigators really
14 needed. I now have questions about that. We've made a
15 contract of the investigator, we haven't heard from the
16 principal investigators through any of this discussion.
17 We've had surrogates represent on behalf of the
18 investigators.

19 When I contacted directly the
20 investigators, they were surprised, to be honest with you,
21 that there was this to do and that they didn't seem much
22 concerned about whether or not their projects would
23 continue or not. Now long term they expressed concerns.
24 They expressed concerns, I think that we heard from Brenda,
25 that what is a 36 year investment from university and

1 Federal government might fall by the wayside in the future.

2 CHAIRMAN CAMPBELL: Let me ask, unless

3 there's further discussion, as I understand the motion, and

4 I wanted to double check to see if I was correct, the

5 motion was to place these four items in the '07 invitation.

6 Was that your motion or do we need an amendment to the

7 motion to do that? Where are we on that?

8 MR. MEADE: I think Craig had a motion.

9 MR. MARQUEZ: I made the motion.

10 CHAIRMAN CAMPBELL: You made the motion?

11 MR. FREDRIKSSON: To approve the four

12 projects, I believe.

13 CHAIRMAN CAMPBELL: To simply approve?

14 MR. MARQUEZ: To approve the four projects.

15 CHAIRMAN CAMPBELL: Okay. So then the

16 question is, are you offering an amendment to the motion?

17 MR. FREDRIKSSON: I would propose an

18 amendment to the motion.

19 CHAIRMAN CAMPBELL: Is there a second to

20 the amendment?

21 MR. MEADE: I seconded the amendment as it

22 stood.

23 MR. O'CONNOR: Well, I've got a procedural

24 question, Mr. Chairman.

25 CHAIRMAN CAMPBELL: Yes.

1 MR. O'CONNOR: My recollection is that we
2 approved these projects this morning as a component of the
3 '07 solicitation, particularly with regard to their critic
4 -- I love this word -- criticality for assessing the
5 situation with regard to herring. What we might need then
6 would be a motion for reconsideration of the earlier
7 decision.

8 CHAIRMAN CAMPBELL: I believe that what his
9 motion is is that they be included in the '07 invitation.

10 MR. O'CONNOR: Well, I think they already
11 are.

12 MS. PEARCE: They're already there.

13 CHAIRMAN CAMPBELL: Yeah, right. So, okay.

14 MS. PEARCE: It is there.

15 MR. O'CONNOR: So we've done that.

16 CHAIRMAN CAMPBELL: Okay. So we've done
17 that.

18 MR. O'CONNOR: But they're in it in the
19 sense that we've said yes, we're going to do that along
20 with whatever else comes out of the process.

21 MR. MARQUEZ: Should I withdraw my motion
22 then? If it's already been dealt with, I withdraw my
23 motion.

24 CHAIRMAN CAMPBELL: Okay.

25 MR. MARQUEZ: How about the second?

1 CHAIRMAN CAMPBELL: With the consent.....

2 MR. MARQUEZ: Does the second.....

3 CHAIRMAN CAMPBELL:of the second.

4 Whoever seconded it.

5 MR. MEADE: I would.....

6 CHAIRMAN CAMPBELL: Okay.

7 MR. MEADE:consent and if I

8 understand.....

9 CHAIRMAN CAMPBELL: Okay now, here is the

10 question. We passed the '07 invitation this morning. In

11 there is an implication that these are going to be done but

12 we have not taken action to do them. So do we have a

13 motion to do something with these four items and if it is

14 to do something other than proceed with funding them now,

15 it should also include proper adjustments to the '07

16 invitation. In other words, that they be included in the

17 '07 invitation not as the implication that they are done

18 and funded but rather as items to be proposed or invited.

19 MR. FREDRIKSSON: That's my understanding

20 of where we were earlier today on the '07, was it was

21 characterized as they were incorporated under the herring

22 component of the '07 invitation.

23 CHAIRMAN CAMPBELL: So do you want to make

24 a motion to do what I said?

25 MR. FREDRIKSSON: Do we need to -- I don't

1 know if we need to do anything.

2 CHAIRMAN CAMPBELL: No?

3 MR. BAFFREY: It's already in there.

4 MR. FREDRIKSSON: It's already in there.

5 MS. TRUST: It's in there as.....

6 MR. BAFFREY: Monitoring.

7 MS. TRUST: Well, as projects that we're
8 soliciting. It's like you said, Kurt, that no -- and my
9 understanding is that they are not approved for funding,
10 they're in there.....

11 CHAIRMAN CAMPBELL: And there's your
12 soliciting. Okay. So do we need any further motion on
13 this?

14 MS. TRUST: If you're going to fund them
15 this year. Or this.....

16 MR. O'CONNOR: I move that -- yes. I move
17 that this matter be clarified and that that clarification
18 be that these projects will be funded to assure -- to what
19 degree is necessary to assure that the time sequence of
20 information being collected is not disrupted. If there are
21 sources for funding, and it doesn't have to be EVOS money,
22 then wonderful. If they're going to continue, great. If
23 there needs to be money infused into them so that the time
24 sequence is not disrupted -- and I'm responding to Kim's
25 short time sequence circles up there. A year or perhaps

1 two years could be a confusing or a confounding situation
2 as we address something as sensitive as herring, which has
3 a relatively responsive concern.

4 CHAIRMAN CAMPBELL: Well, let me ask.
5 Perhaps if we're speaking to your motion or something,
6 let's get a second and then we.....

7 MR. MEADE: I'll second the motion.

8 CHAIRMAN CAMPBELL: Okay. We have a
9 second. And then did you want to finish, Craig, speaking
10 to.....

11 MR. O'CONNOR: Yeah, I'll.....

12 CHAIRMAN CAMPBELL: Okay. And if you
13 could, capsulize for us again the motion.

14 (Laughter)

15 MR. O'CONNOR: Fund them to the extent that
16 they aren't otherwise funded because I don't want there to
17 be a gap in the time sequence. And I think the answer to
18 the question that I asked Brenda is that this information
19 has been critical over the course of the last 15 years to
20 the work that's being done by the scientists. It may not
21 have been presented to us as there's a salinity issue here
22 or there's a temperature issue here, but this kind of
23 oceanographic data is critical to the analysis that
24 scientists use as they evaluate what's going on in our
25 ecosystem. And because herring is particularly sensitive

1 to mild perturbations, I think we need a very compacted
2 time sequence of information -- salinity, temperature and
3 so on -- so that we can evaluate what the hell is going on
4 with herring. And if we're -- and I don't want to miss
5 that. So.....

6 CHAIRMAN CAMPBELL: Kurt.

7 MR. FREDRIKSSON: Craig, my only fear with
8 the motion and how it was presented was it's -- I feel like
9 we're almost writing a blank check to monitoring programs
10 that are tied to individual investigators with no time
11 certain. I was hoping that in the '07 invitation we would
12 actually get a reasonable time projection, even if that's
13 10, 15, 20 years. I don't know what it is but I know it's
14 not three years or else they wouldn't be seeking an
15 extension. I know it's not one year because I've heard
16 them characterize it that that's just kind of a bridging
17 year so they can get other funding sources. Well, I'm not
18 interested in that. If we needed to get it done, I'd like
19 to see a long term commitment to it.

20 I also know that the data has already -- on
21 the work done by Okkonen, on the polar Alaska, he's already
22 removed his equipment from that tanker. It is not
23 collecting data right now as we speak. I know the Tustumena
24 was not collecting data because the Tustumena was in dry
25 dock. So to me, where I'm sitting today, is I have a lot

1 more questions about the specifics of these projects, which
2 only I think the investigators themselves can speak to.
3 And I was hoping to accomplish that through the '07
4 invitation.

5 CHAIRMAN CAMPBELL: Let me -- I won't apply
6 this to you but I was just going to say we're going to lose
7 our quorum so I'd just ask us all to discipline our
8 remarks.

9 MS. PEARCE: Well, you know, this is at
10 least the third time we've heard about these projects and
11 this discussion. As I remember, the polar Alaska was going
12 into dry dock but they wanted to go ahead and have the
13 early funding so they could put the equipment back on
14 whatever it is that will be coming out so that we didn't
15 lose the continuity. I don't disagree that she went into
16 or is going into dry dock, but that was the point. They
17 wanted to know that they were going to have it so that they
18 could move the equipment from ship A to ship B. And so,
19 you know, that one's pretty easy, frankly, to explain.
20 Yeah, that same ship isn't out there but something else is
21 going. The oil hasn't quit pulling down taps and there are
22 other ships. So they were just trying to, you know, put
23 the equipment in a different place. It wasn't ending.

24 CHAIRMAN CAMPBELL: Craig.

25 MR. O'CONNOR: My response to you, Kurt, is

1 that the PI's may or may not want is irrelevant to the
2 question of what do we need. And I think we need this
3 information to be making the decisions that are coming down
4 the pike and I want to make sure we don't lose that
5 information flow. That's all I'm driving at.

6 CHAIRMAN CAMPBELL: I guess let me ask, do
7 we have further discussion before we have a call for the
8 question on Craig's motion?

9 (No audible responses)

10 CHAIRMAN CAMPBELL: No. In that case,
11 could we have a vote on the question on Craig's motion?

12 MR. FREDRIKSSON: Could we hear again the
13 motion?

14 CHAIRMAN CAMPBELL: Do you want to repeat
15 your motion, Craig?

16 MR. O'CONNOR: I want to fund it if we got
17 it to keep the information flowing, those four pro.....

18 MR. MARQUEZ: But otherwise it remains a
19 part of the invitation?

20 MR. O'CONNOR: That's correct.

21 CHAIRMAN CAMPBELL: And Craig, let me ask,
22 as part of your motion, is it your understanding that upon
23 research, each of the projects is adequately funded for the
24 remainder of '06, that we would rely upon that funding and
25 that we would put the '07 and beyond funding in the '07

1 invitation, but if they are not adequately funded for '06,
2 we would fund them for the completion of '06, is that.....

3 MR. O'CONNOR: That's correct. I want to
4 know if we had the flow.....

5 CHAIRMAN CAMPBELL: Is that okay?

6 MR. O'CONNOR:that the
7 information.....

8 MR. FREDRIKSSON: Okay, I'm quite
9 comfortable with that.

10 CHAIRMAN CAMPBELL: I think we are there.

11 Let me ask this way, we have a motion, we have a second.

12 Is there any objection to the motion as restated?

13 (No audible responses)

14 CHAIRMAN CAMPBELL: No. In that case, the
15 motion passes.

16 MR. O'CONNOR: Good.

17 MS. TRUST: I'm sorry. Just one point of
18 clarification. It's my understanding that all these
19 projects are funded through September '06. We are talking
20 about giving them funding for '07 before the '07 invitation
21 came. So they're funded in '06. So it that's what your
22 motion is, they're already.....

23 MS. PEARCE: But just until September?

24 MR. O'CONNOR: I just want to be sure
25 there's enough money to collect.....

1 MS. TRUST: Just till September.

2 MR. O'CONNOR:the information.

3 CHAIRMAN CAMPBELL: Okay.

4 MS. TRUST: Through what time frame, I

5 guess.

6 CHAIRMAN CAMPBELL: Let.....

7 MS. TRUST: Sorry.

8 CHAIRMAN CAMPBELL: Why don't we look at --

9 the question will be whether or not there's a gap between

10 existing funding and funding that could respond from the

11 '07 invitation. Okay. Joe.

12 MR. MEADE: I don't know if it's just a

13 point for clarification or for discussion or.....

14 CHAIRMAN CAMPBELL: It's a point for the

15 next item.

16 MR. MEADE:modifications. The point

17 is, is there could be a gap.

18 CHAIRMAN CAMPBELL: Yes.

19 MR. MEADE: As Drue has noted, for some

20 reason we've been micro-managing this set of four projects

21 for some time and there are some re-outfitting vessels of

22 opportunity that need to occur that could occur in '06 or

23 in early '07. I presume the Tustumena, since that's

24 changing over to, you know, a different ferry operating in

25 the Prince William Sound triangle, may be part of that

1 vessel of opportunity. I don't know the specifics. The
2 interests I have, much as Craig has already discussed, is
3 to not have a gap in funding while we further ponder and
4 look at the longer term deed in the invitation.

5 CHAIRMAN CAMPBELL: And I think that's what
6 we've all just agreed to, is.....

7 MR. MEADE: Okay. Even if it's beyond
8 '06.....

9 CHAIRMAN CAMPBELL: Yes, that.....

10 MR. MEADE:we going to not have a gap
11 in funding in '07 until the '07 invitation can.....

12 CHAIRMAN CAMPBELL: If there's a gap
13 between existing funding and funding that would be provided
14 from the '07 invitation, if they are selected. Then it
15 would be filled in from ongoing funds and budget.

16 MR. MEADE: And that's what Craig had said
17 when he -- so.....

18 CHAIRMAN CAMPBELL: Yeah.

19 MR. MEADE:if we could.....

20 CHAIRMAN CAMPBELL: We're good. Why....

21 MR. O'CONNOR: Now would be a good
22 time.....

23 MS. PEARCE: What?

24 MR. O'CONNOR: to start wheezing.

25 (Laughter)

1 CHAIRMAN CAMPBELL: It's good. Okay. The
2 next item.....

3 MS. PEARCE: Wait a minute. On Sep -- I
4 don't understand. On September 1st, if we haven't had
5 another meeting and adopted these yet again, then Michael
6 goes ahead and starts paying for them? Is that what you
7 just said?

8 CHAIRMAN CAMPBELL: If.....

9 MR. BAFFREY: The contract would have to be
10 amended.

11 CHAIRMAN CAMPBELL: Yes.

12 MR. BAFFREY: And what I'm hearing is that
13 that's -- you have given concurrence for that amendment?

14 CHAIRMAN CAMPBELL: That is correct.

15 MR. MEADE: Yes.

16 CHAIRMAN CAMPBELL: If there is not
17 existing funding.....

18 MR. MEADE: For them to carry forward.

19 CHAIRMAN CAMPBELL: necessary to carry
20 -- to them to the date that funding would start
21 flowing.....

22 MR. BAFFREY: From '06 funding.

23 CHAIRMAN CAMPBELL: from an award of
24 '07 invitation.

25 MR. MEADE: Got it. Very good.

1 CHAIRMAN CAMPBELL: Okay. So that brings
2 us to number 9, the PAC charter. And can I ask Doug, can
3 you give us an abbreviated presentation?

4 MR. MUTTER: Those are the only kind I
5 give.

6 CHAIRMAN CAMPBELL: Good. We appreciate
7 it.

8 MR. MUTTER: And hopefully I won't elicit a
9 motion to clarify anything.

10 (Laughter)

11 MR. MUTTER: Okay. The settlement
12 agreement requires there be an advisory committee. DOI got
13 elected to support that advisory committee which makes it
14 fall under the Federal Advisory Committee Act, FACA. And I
15 work for the Department of the Interior, Doug Mutter, and
16 I'm the designated Federal official for the Public Advisory
17 Committee for FACA. So they can't meet unless I'm there.
18 I take care of the Federal register notices. FACA requires
19 their charter, the charter of all advisory committees to be
20 sunset every two years. So every two years we have to
21 renew the charter. And that two year period comes up this
22 fall, this October. We're set up on the Federal fiscal
23 year. The Trustee Council also chose to have the
24 membership coincide with the charter renewal, so every two
25 years you can appoint a whole new set of Public Advisory

1 Committee members or you can reappoint people. Anyway, you
2 get a clean slate.

3 So right now what I need is for you to
4 approve the charter so that I can go ahead and start
5 processing it through Washington DC. The Secretary to the
6 Interior actually signs this charter, so everybody and his
7 brother has to okay it before it gets to the Secretary's
8 office, and it takes a couple of months to do this. In the
9 meantime, figuring that we're not going to have any
10 significant changes from Washington, which we haven't in
11 the past, we'll go ahead and I'll work with Cherri and
12 Michael to solicit the nominees for the PAC membership for
13 the next cycle. And at your -- usually at the August
14 meeting you would have a packet of member nominees and then
15 you would select who you want to serve for each of the
16 interest groups on the PAC at that time.

17 So right now you've been distributed a
18 three page charter, which we had to reformat because they
19 changed how they wanted things done back there, and it
20 doesn't have really any substantive changes. We did reduce
21 the number of members from 20 initially as 14 but after we
22 had gotten some comments from a couple of PAC members,
23 Michael asked me to add two positions for public at large,
24 so the number should read 15 members. And it will have
25 one for each interest and two for public at large.

1 And so this is what I'm asking you to take
2 action on and then I'll take it from there.

3 CHAIRMAN CAMPBELL: Okay. I appreciate
4 this. This has been distributed previously to everyone and
5 I think everyone has had opportunities to hopefully read
6 it, ask questions. Just to get it on the floor, do we have
7 a motion?

8 MS. PEARCE: So moved.

9 CHAIRMAN CAMPBELL: Do we have a second?

10 MR. O'CONNOR: Do we have any discussion
11 prior to a vote?

12 MR. MARQUEZ: I just have a question. This
13 copy I have says 14 members. Is it 14 or 15?

14 MR. MUTTER: It's 15. You should have had
15 one that said 15.

16 MS. PEARCE: I does. Oh.

17 CHAIRMAN CAMPBELL: Joe.

18 MR. MEADE: This morning we also heard in
19 public testimony the interest to have the STAC
20 representation some way. Did we need to address that? It
21 was.....

22 CHAIRMAN CAMPBELL: It is my belief that
23 the STAC liaison function is important, that a STAC member
24 can certainly attend all the PAC meetings, but if you put a
25 STAC member on the PAC, then on many proposals, that person

1 is going to vote both on.....

2 MR. MEADE: Stack the vote.

3 CHAIRMAN CAMPBELL:the STAC and on

4 the PAC and.....

5 MR. MEADE: So do we need to note that

6 there is an ex officio slot anticipated that the STAC would

7 fill or do we just leave it.....

8 CHAIRMAN CAMPBELL: Doug is shaking his

9 head no.

10 MR. MUTTER: You can just have Michael ask

11 somebody from the STAC, the Chair probably, to attend the

12 PAC meetings.

13 MR. BAFFREY: Which is my intent.

14 CHAIRMAN CAMPBELL: Okay.

15 MR. MEADE: Very good.

16 CHAIRMAN CAMPBELL: Is there further.....

17 MR. MEADE: I just wanted to not let that

18 public comment go by un.....

19 CHAIRMAN CAMPBELL: Sure.

20 MR. MEADE:heeded.

21 CHAIRMAN CAMPBELL: Are there further

22 questions or discussion? Is there any objection?

23 (No audible responses)

24 CHAIRMAN CAMPBELL: Hearing none, number 9,

25 the PAC charter passes. We are to number 10.

1 MR. MEADE: You should have been the Chair
2 earlier today. We could have moved through quicker.

3 CHAIRMAN CAMPBELL: I didn't have a member
4 that needed to leave before. Number 10 is the small parcel
5 program

6 MR. BAFFREY: Let me summarize that.....

7 CHAIRMAN CAMPBELL: Michael.

8 MR. BAFFREY:real quick if I can.

9 The Trustee Council asked the small parcels working group
10 to revise and update the small parcels process. That was
11 done. You approved it last fall. And last December you
12 funded the agencies to begin work on that. The action
13 before you today are four parcels that have received
14 nomination and the state -- and they've all met the
15 threshold criteria. They're in the spill area. There's a
16 willing seller. There's a seller that's willing to buy at
17 the appraised value. They're linked to one or more of the
18 injured resources and services. And there's a -- oh, and
19 it can be easily -- the parcel management can be easily
20 incorporated into existing management systems.

21 They have met those criteria. The way the
22 process sets up is they then come to you for a nod on the
23 next step and some funding to do the appraisal, to the
24 HAZMAT and other due diligence, getting it to the point of
25 offer. That will be the next decision point. So all

1 that's before you today is the request from the State to
2 take these parcels on through the appraisal process,
3 through the HAZMAT survey and other items to get to the
4 point of offer. And that's the process that you approved
5 last year and I recommend that you give the nod to letting
6 that process go.

7 CHAIRMAN CAMPBELL: Okay. Do we have a
8 motion? Kurt.

9 MR. FREDRIKSSON: I would move that we look
10 at these parcels and we consider these parcels in the
11 broader context of the '07 invitation. As I look through
12 the parcels, I'm impressed by some of the injured resources
13 and human services. Human services are an issue that I am
14 very concerned about and I see these parcels as serving
15 some of those recreational and passive use. And I see
16 subsistence listed as one of the resources, the injuries
17 that would be restored through this parcel selection. But
18 I want to look at that in the context of what other human
19 service proposals we have in the '07 invitation. I don't
20 disagree with these parcels, but I want to look at it in
21 the context of other human services. And if we decide to
22 go ahead with these, I want to be able to communicate with
23 the public that in fact that's how we're addressing some of
24 these human service issues.

25 CHAIRMAN CAMPBELL: Kurt, let me just ask,

1 just so I understand the motion then let's get a second.

2 The motion itself was to consider these four parcels as
3 items within the '07 invitation, is that correct?

4 MR. FREDRIKSSON: Correct.

5 CHAIRMAN CAMPBELL: Okay. And do we have a
6 second? Is there a second?

7 (No audible responses)

8 CHAIRMAN CAMPBELL: The motion will die for
9 a lack of a second then.

10 MR. MARQUEZ: I'm not exactly sure what is
11 meant by consider them in the FY-07 -- I mean, that's all
12 asking for proposals of studies and programs. Exactly how
13 would -- who's going to respond in the FY-0 -- who are we
14 sending these to and who's going to respond and what kind
15 of response are we looking for?

16 MR. FREDRIKSSON: Well I guess how I see
17 these are coming forward is, I think these are state
18 proposals, if I'm not mistaken.

19 MR. BAFFREY: That's correct.

20 MR. FREDRIKSSON: So this is Department of
21 Natural Resources. I would like.....

22 MR. BAFFREY: Two of them and two of them
23 are ADF&G.

24 MR. FREDRIKSSON: And ADF&G.

25 MR. BAFFREY: Right.

1 MR. FREDRIKSSON: So we have four State
2 proposals here, which to me are right now kind of a
3 hodgepodge of everything. I see pink salmon, I see dolly
4 varden, I see passive use, I see recreation, I see
5 subsistence. And I would like to see a more directed --
6 one of the things I mentioned earlier today was the
7 habitat acquisition catalog and what the heck have we done
8 with an investment of 400 million dollars. I think we've
9 done some good things but nowhere have I see us actually
10 characterize that in terms of what that contribution was in
11 to restoration. And I think we have a chance here to
12 better position ourselves. And unfortunately, we don't
13 have the habitat catalog. To a certain extent, I feel a
14 little bit like we're flying blind from what we had said
15 earlier on in the IGD.

16 CHAIRMAN CAMPBELL: Okay. Let me ask, do
17 we have a second now?

18 (No audible responses)

19 CHAIRMAN CAMPBELL: If we don't have a
20 second, that motion dies for the lack of a second. Do we
21 have any other motion on these parcels?

22 (No audible responses)

23 MR. O'CONNOR: I guess the other is that we
24 would move forward with the appraisal and HAZMAT inspection
25 on them.

1 MR. BAFFREY: That's the next step in the
2 process. It's everything, it's the whole due diligence up
3 to the point of offer.

4 CHAIRMAN CAMPBELL: Craig, are you making
5 that motion?

6 MR. O'CONNOR: Yes, I will.

7 CHAIRMAN CAMPBELL: Is there a second?

8 MS. PEARCE: I'll second.

9 CHAIRMAN CAMPBELL: Okay. There is a
10 second. Further discussion? Joe.

11 MR. MEADE: I, like Kurt -- and I'm
12 probably the one that's flying blind.....

13 (Laughter)

14 MR. MEADE:but I, like Kurt, see a
15 real high value in these properties. And I also see real
16 potential human services to these properties. I guess my
17 interest would be to learn if this is going to be in the
18 State's interest to move forward with these. And if it is
19 in the State's interest, then I think the investments that
20 are called for in the duration here ahead for the HAZMAT
21 and the other elements for the evaluation are a good
22 investment.

23 But it really for me would rest on the
24 interest with the State to move forward with these four
25 recommendations, outlining the benefits that Kurt has

1 highlighted. But let's not chase money now if there's not
2 sincere interest to culminate.

3 CHAIRMAN CAMPBELL: Okay. Drue and then
4 Dave.

5 MS. PEARCE: Whether we move forward or not
6 is not as important to me as we just approved a revised and
7 updated small parcel process last fall. And I'm just
8 curious, what has changed? We gave the staff direction, we
9 had our criteria, we said here's what we have to have
10 before we'll move forward with the small parcel project.
11 So dutifully, they've come forward. And now suddenly
12 there's kind of a whole new thought process going on. And
13 I'm just trying to figure out what changed from last fall
14 to May that we need to wrap something else into these? I
15 don't understand.

16 CHAIRMAN CAMPBELL: Dave.

17 MR. MARQUEZ: I had the same question. It
18 seems like we just approved something in December and are
19 we -- is it your intent, Kurt, to change direction from --
20 assuming that the process has been followed, now it's --
21 and they're all State programs and, you know, it's the
22 State people that seem to be having some reticence about
23 it.

24 CHAIRMAN CAMPBELL: And.....

25 MR. MARQUEZ: And are we changing the

1 process? And if so, I think we ought to do that purposely.

2 MR. FREDRIKSSON: Yeah, if I might. What
3 has changed is we haven't seen -- well, I guess what had
4 changed is we haven't seen the products that the interim
5 guidance document promised. We haven't seen the updated
6 status list, which according to the restoration plan was to
7 guide our annual investments. We haven't seen the habitat
8 acquisition catalog that was to guide our future investment
9 in properties, whether small or large. So it's not that I
10 am reticence with respect to the purposes that I believe
11 habitat acquisition is a legitimate restoration tool, it's
12 just in the application of that tool we've committed to a
13 process that we just are ahead of ourselves in terms of
14 asking to sign off in investments.

15 Now with respect to this particular -- and
16 I'd be willing to, if you will -- my major problem with
17 this right now is I see a laundry -- I basically see
18 something that's written as, let's have these parcels
19 because it will take care of all restoration needs. And I
20 guess I don't think that's necessarily true. If we go down
21 this path and that this small parcel is to do further
22 assessment of the parcels, I would like to see an
23 assessment of specifically what kind of res -- what is the
24 restorative value of this property to an injured human
25 service or resource.

1 CHAIRMAN CAMPBELL: Yeah.

2 MR. FREDRIKSSON: Because I just don't see
3 it in what's been written here.

4 CHAIRMAN CAMPBELL: Let me speak to it
5 briefly. I do feel that these projects have been brought
6 forward in compliance with the procedures that we adopted
7 last December. I also think it's important that we are
8 simply taking the first step here. We are not purchasing
9 these projects at this time. We are doing assessments,
10 hazardous waste assessments, et cetera, and appraisals. I
11 think that it would be very appropriate if we were to
12 proceed at this time to ask the relevant agencies and
13 sponsors to bring forth additional information when we are
14 faced with the issue of purchase.

15 MR. FREDRIKSSON: Uh-huh. (Affirmative)

16 CHAIRMAN CAMPBELL: But I guess I do hope
17 we can proceed at this stage though.

18 MR. BAFFREY: And if I may add to that.
19 The decision I think that you really have to make with your
20 concern is when everything is ready to make an offer. And
21 at that point, I think you'll have all the information you
22 need to make a -- I think it's a statement to the process
23 and all the work that went into developing that process to
24 stop it before you get to that point. And that's all I'm
25 asking you, is to make that next step to get to the point

1 of decision.

2 CHAIRMAN CAMPBELL: Let me ask you again
3 because I'm concerned about time. Is there additional
4 discussion we need before we call for the question?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: Okay. Is there
7 objection?

8 (No audible responses)

9 CHAIRMAN CAMPBELL: No. Without objection
10 then, the motion passes. And let me ask quickly, Michael,
11 I believe the Trustee travel funds is not something that's
12 going to require our action, right? But simply.....

13 MR. BAFFREY: It will take.....

14 CHAIRMAN CAMPBELL: It is?

15 MS. PEARCE: Yeah, we have to act.

16 MR. BAFFREY:a motion.

17 CHAIRMAN CAMPBELL: It will take a motion.

18 MS. PEARCE: I think I've changed my mind.
19 I don't want to come back.

20 (Laughter)

21 MR. BAFFREY: And I can speak real quickly
22 to that.

23 CHAIRMAN CAMPBELL: Okay. Yeah, why don't
24 you speak to it quickly and we'll just address it.

25 MR. BAFFREY: And I've lost it in the

1 paperwork. The motion would be for 48,000 [sic] -- 48,000.

2 Four thou -- 4,800.....

3 MR. MEADE: 4,000.

4 MR. BAFFREY:for DOI, 3,000 for
5 ADF&G, and 1,000 for DEC above what has been allocated in
6 the budget. The travel costs, you guys have had more
7 meetings than you anticipated, so that's additional cost
8 that you will need and I recommend that somebody make the
9 motion and second it. It's just logistics.

10 CHAIRMAN CAMPBELL: Is there a motion to
11 approve the numbers as Michael read them? We don't need to
12 recite them. Joe.

13 MR. MEADE: I make a motion to approve the
14 numbers as Michael has cited them and to note the
15 efficiencies in USDA in its non-claim.

16 (Laughter)

17 MR. MARQUEZ: Same with the Department of
18 Law. I don't see any money.....

19 MS. PEARCE: So noted.

20 MR. MARQUEZ:from the Department of
21 Law.

22 CHAIRMAN CAMPBELL: Is there a second
23 to.....

24 MR. FREDRIKSSON: I second that.

25 CHAIRMAN CAMPBELL: All right. Is there

1 any objection to the motion?

2 (No audible responses)

3 CHAIRMAN CAMPBELL: No.

4 MR. O'CONNOR: I would like to offer an
5 amendment to the motion.

6 CHAIRMAN CAMPBELL: Yes.

7 MR. O'CONNOR: I would like.....

8 CHAIRMAN CAMPBELL: Well, just pay us,
9 because we will retreat if you wish.

10 MR. O'CONNOR: Well, I want to -- whatever
11 you -- I need some bread too.

12 (Laughter)

13 MR. O'CONNOR: Somewhere between Drue and
14 -- no, somewhere in that range but I don't know how much and I
15 don't know how I'm going to get it. But any ways.....

16 CHAIRMAN CAMPBELL: Would you like to make
17 an additional motion to however much you need?

18 MR. O'CONNOR: There's not enough money in
19 the world to bring me back here.

20 (Laughter)

21 MR. FREDRIKSSON: Is this something we can
22 approve later by email?

23 CHAIRMAN CAMPBELL: No. We'll do it now.

24 MR. BAFFREY: No, we'll have to do it -- you know,
25 but there is -- you could do a conditional.....

1 CHAIRMAN CAMPBELL: Craig, can we give you
2 an amount to.....

3 MR. FREDRIKSSON: Yeah. Well, what we had
4 used to calculate was an additional three meetings before
5 what.....

6 MR. BAFFREY: That's what DOI used also.

7 MR. O'CONNOR: Okay. That would be roughly
8 \$4,500 at the rate it's.....

9 MR. BAFFREY: So add that to the motion?

10 CHAIRMAN CAMPBELL: Yeah.

11 MR. BAFFREY: Okay.

12 MR. MEADE: And I would second that.

13 CHAIRMAN CAMPBELL: Then any objection now
14 -- is that all right? Then the last thing we have is
15 executive session, if necessary. Drue, do you wish to
16 speak to that?

17 MS. PEARCE: Yes, it was my intention to
18 make a motion to go into executive session to discuss legal
19 issue and I would -- when I make that motion it's my
20 intention that Mr. Baffrey and Gina stay with us. I don't
21 think we need anyone else. We don't have Craig by phone,
22 right? Craig Tillery?

23 CHAIRMAN CAMPBELL: No.

24 MR. O'CONNOR: Do we have Rita?

25 MS. PEARCE: Pardon?

1 MR. O'CONNOR: Is Rita on?

2 MS. PEARCE: Rita, are you on?

3 MS. LOVETT: Yes, I am.

4 MS. PEARCE: Okay.

5 CHAIRMAN CAMPBELL: Okay, we'll make a --

6 call her back.

7 MS. PEARCE: We can call you back if you'll

8 tell me your number.

9 MS. LOVETT: 269-5283.

10 CHAIRMAN CAMPBELL: Okay.

11 MS. PEARCE: 5283. Stay right there and

12 we'll call you back, so.....

13 CHAIRMAN CAMPBELL: And Drue, is it my

14 understanding that when we come back from executive

15 session.....

16 MS. PEARCE: We will not need to take

17 action. So we'll.....

18 CHAIRMAN CAMPBELL:you do not

19 anticipate any further action?

20 MS. PEARCE: Our only activity would be

21 adjourning.

22 CHAIRMAN CAMPBELL: Did we have a second?

23 MR. O'CONNOR: Second.

24 CHAIRMAN CAMPBELL: Second. Craig, okay.

25 So we're about to go into executive session. When we come

1 back from executive session our only anticipated action is
2 to adjourn. So thank you all.

3 (Off record - 3:28)

4 NOTE: The Council came out of executive session at 4:00
5 p.m. and adjourned without taking further action.

6 (END OF PROCEEDINGS)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

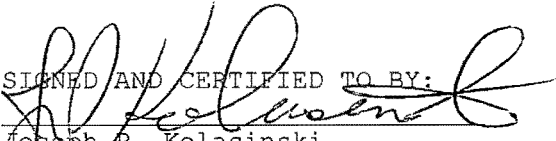
UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

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

THAT the foregoing pages numbered 4 through 241
contain a full, true and correct transcript of the Exxon
Valdez Oil Spill Trustee Council's Meeting recorded
electronically by me on the 23rd day of May 2006,
commencing at the hour of 8:42 a.m. and thereafter
transcribed under my direction and reduced to print:

THAT the Transcript has been prepared at the
request of:

EXXON VALDEZ TRUSTEE COUNCIL, 451 W. 5th Avenue,
Suite 500, Anchorage, Alaska 99501;
DATED at Anchorage, Alaska this 24th day of April
2005.

SIGNED AND CERTIFIED TO BY:

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires 12/12/08

