

09.20.07

1 EXXON VALDEZ OIL SPILL

2 TRUSTEE COUNCIL

3 Public Meeting  
4 Tuesday, November 14, 2006  
5 8:30 o'clock a.m.  
6 441 West 5th Avenue, Suite 500  
7 Anchorage, Alaska

8 TRUSTEE COUNCIL MEMBERS PRESENT:

9 U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for  
10 National Marine Fisheries Svc: MR. JAMES W. BALSIGER  
11 (CHAIRMAN) Administrator, AK Region  
12 U.S. DEPARTMENT OF AGRICULTURE, MR. JOE MEADE

13 U.S. FOREST SERVICE Forest Supervisor  
14 Forest Service AK Region

15 (TELEPHONICALLY)

16 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE  
17 U.S. Department of Interior

18 STATE OF ALASKA - DEPARTMENT MR. McKIE CAMPBELL  
19 OF FISH AND GAME: Commissioner

20 STATE OF ALASKA - MR. CRAIG TILLERY for  
21 DEPARTMENT OF LAW MR. DAVID W. MARQUEZ  
22 Attorney General

23 STATE OF ALASKA - DEPARTMENT MR. KURT FREDRIKSSON  
24 OF ENVIRONMENTAL CONSERVATION: Commissioner

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243-0668

Michael B  
is ED not  
IED -  
Kim not Dr.

1		STAFF PRESENT
2	MICHAEL BAFFERY	Acting Executive Director
3	DR. KIM TRUST	Science Director
4	CHERRI WOMAC	Administrative Officer
5	BARBARA HANNAH	Administrative Officer
6	MICHAEL SCHLEI	Analyst Programmer
7	SHANE ST. CLAIR	Analyst Programmer
8	CATHERINE BOERNER	Research Analyst
9	CARRIE HOLBA	ARLIS Librarian
10	HEATHER BRANDON	ADF&G
11	CAROL FRIES	ADNR
12	DEDE BOHN	U.S. Geological Survey
13	GINA BELT	Department of Justice
14	STEVE ZEMKE	U.S. Forest Service
15	JENNIFER KOHOUT	U.S. Fish & Wildlife Svc.
16	JENNIFER THOMSON	Department of Interior
17	DOUG MUTTER	Department of Interior
18	LARRY DEITRICH	AKDEC
19	PETE HAGEN	NOAA
20	RITA LOVETT	Department of Law

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1 P R O C E E D I N G S

2 (On record - 8:30 a.m.)

3 CHAIRMAN O'CONNOR: All right. I'm going  
4 to call the meeting to order. I'm Craig O'Connor with  
5 NOAA. Go down the list here who's in attendance as  
6 trustees, in this room anyways. Joe.

7 MR. MEADE: Joe Meade. Forest Service.  
8 Chugach National Forest.

9 MS. THOMSON: Jennifer Thomson, DOI.

10 CHAIRMAN O'CONNOR: And you're here on  
11 behalf of Drue in case she drops out.

12 MS. THOMSON: Right.

13 CHAIRMAN O'CONNOR: Okay. Who else do we  
14 have at the front table?

15 DR. TRUST: Tom.

16 CHAIRMAN O'CONNOR: Kim?

17 DR. DEAN: Tom Dean with the science  
18 advisory panel.

19 CHAIRMAN O'CONNOR: Okay.

20 DR. TRUST: Kim Trust, Science Director.

21 MR. BAFFREY: Michael Baffrey.

22 CHAIRMAN O'CONNOR: Okay. Who do we have  
23 on the line that falls into the category of a trustee  
24 today?

25 MR. FREDRIKSSON: Yeah, Craig, this is

1 Kurt Fredriksson, Commissioner of Environmental  
2 Conservation.

3 CHAIRMAN O'CONNOR: Hey, Kurt. How you  
4 doing? Who else do.....

5 MR. TILLERY: Yeah, Craig -- this is Craig  
6 Tillery with the Department of Law.

7 CHAIRMAN O'CONNOR: Okay. And McKie, did I  
8 hear you signing on?

9 MS. PEARCE: Drue Pearce, I'm here.

10 CHAIRMAN O'CONNOR: Okay, Drue. McKie, are  
11 you there?

12 (No audible response)

13 CHAIRMAN O'CONNOR: All in favor of  
14 disapproving ADF&G projects.....

15 (Laughter)

16 MS. BRANDON: I'm here, Heather's here, and  
17 I can sit in for McKie.

18 MR. CAMPBELL: And I am back. I'm sorry, I  
19 went to take it off mute when you calling the roll and  
20 instead punched the release.

21 CHAIRMAN O'CONNOR: Okay. Welcome. Who  
22 else do we have online from Juneau.

23 MS. BRANDON: Yeah, Heather.

24 MR. CAMPBELL: Nobody at this end, Craig,  
25 except Heather Brandon. And I don't know if Pete Hagen was

1 going to....

2 MR. HAGEN: Yeah, this is Pete Hagen. I'm  
3 here out in -- out the road in Juneau.

4 MR. CAMPBELL: Okay. Good. Craig.

5 CHAIRMAN O'CONNOR: All right. Anybody  
6 else who is here representing a trustee agency or assisting  
7 in that effort, given the logistical difficulties that  
8 we're faced with today?

9 MS. LOVETT: Craig, this is Rita with  
10 Department of Law. I believe if Craig Tillery needs to  
11 step away, I'll be filling in.

12 CHAIRMAN O'CONNOR: Okay. Are you here,  
13 Rita, or are you down in Juneau as well?

14 MS. LOVETT: I'm in Anchorage.

15 CHAIRMAN O'CONNOR: Anchorage. Okay. All  
16 right.

17 MR. CAMPBELL: Craig?

18 CHAIRMAN O'CONNOR: Yes, sir.

19 MR. CAMPBELL: This is McKie. I had just  
20 two very brief organizational notes to ask about, if I  
21 could, before we get started.

22 CHAIRMAN O'CONNOR: By all means, go right  
23 ahead.

24 MR. CAMPBELL: The first is if it is  
25 possible to take a very brief break between the proposals

1 and the pre-proposals. And that stage I'm going to go over  
2 and join Denby -- or excuse me, join Kurt so we can sort of  
3 all be there together. I only need about five, 10 minutes  
4 to do that. But if that would be possible.

5 CHAIRMAN O'CONNOR: All right.

6 MR. CAMPBELL: And then the second is,  
7 Jerome Selby, who is the Mayor of Kodiak, I believe is  
8 going to be attending in person this morning to make some  
9 brief public comments on other subjects. But as we  
10 tentatively discussed, we're hopeful that on the pre-  
11 proposal that they might be able to make their brief  
12 comments at the time of the -- it's closest to that  
13 pre-proposal and I guess I'm asking if that's a difficulty  
14 so he doesn't have to sort of sit there all day. If that's  
15 a problem for anybody.

16 CHAIRMAN O'CONNOR: Okay. Let's see how we  
17 progress. I guess that brings us to the next topic of  
18 discussion, which is the agenda. And it's, at this point,  
19 given some of the discussions we've had over the last few  
20 days, I will be curious to find out what our agenda  
21 actually is. At this stage, does anybody have any  
22 intentions, any desires, with regard to the structure of  
23 the agenda, given the fact that we have travel difficulties  
24 and folks visiting for purposes of testimony and so on.

25 At the this stage, my anticipation would be

1 that we proceed with the agenda as sent to us, the one in  
2 our notebooks, which carries us through the morning  
3 probably with the PAC, public comments, the Executive  
4 Director's report, and the update. And then moving into  
5 the work plan, which I would anticipate we would address in  
6 the normal fashion where we have proposals and pre-  
7 proposals and any other matters we need to attend to.

8 Michael, is there any.....

9 MR. BAFFREY: It sounds good.

10 CHAIRMAN O'CONNOR: Okay.

11 MR. TILLERY: Craig?

12 CHAIRMAN O'CONNOR: Yes.

13 MR. TILLERY: This is Craig Tillery. I  
14 notice on the agenda I have it has the executive session as  
15 being some time after lunch. It seems like it would be  
16 more efficient to do that during lunch.

17 CHAIRMAN O'CONNOR: Does anybody have any  
18 objection to ruining lunch?

19 MR. FREDRIKSSON: We have no objection as  
20 long as those of us who aren't somewhere where EVOS staff  
21 is providing lunch have a little bit, you know, like five  
22 minutes to gather something up.

23 CHAIRMAN O'CONNOR: Okay. Well, we'll  
24 anticipate the executive session being at lunch then.  
25 Anybody have any changes to the agenda?



1                   MR. FREDRIKSSON: Craig, this is Kurt. I'd  
2 just move to approve the agenda.

3                   CHAIRMAN O'CONNOR: Do I hear a second?

4                   MR. CAMPBELL: Second.

5                   CHAIRMAN O'CONNOR: Anybody opposed?

6                   (No audible responses)

7                   CHAIRMAN O'CONNOR: Hearing none, the  
8 agenda is approved as presented. The next item of business  
9 will be the approval of our September 7th meeting notes. I  
10 believe those were all in your notebooks. Does anybody  
11 have any comments, questions, criticisms, changes that they  
12 would suggest be made in those notes?

13                  (No audible responses)

14                  CHAIRMAN O'CONNOR: Hearing nothing, does  
15 anybody object to them being approved?

16                  (No audible responses)

17                  CHAIRMAN O'CONNOR: Hearing no objection,  
18 consider them approved. The next item is the Public  
19 Advisory Committee comments. Are we ready? Are you guys  
20 hearing all right out there?

21                  UNIDENTIFIED SPEAKER: We can hear fine at  
22 this end, Craig.

23                  UNIDENTIFIED SPEAKER: I can hear.

24                  UNIDENTIFIED SPEAKER: I'm clear.

25                  CHAIRMAN O'CONNOR: All right.

1 MS. STUDEBAKER: Good morning members of  
2 the Trustee Council and representatives online. I am Stacy  
3 Studebaker, the newly elected Chairwoman of the Exxon  
4 Valdez Oil Spill Public Advisory Committee.

5 CHAIRMAN O'CONNOR: Congratulations, Stacy.

6 MS. STUDEBAKER: Thank you.

7 CHAIRMAN O'CONNOR: And our condolences as  
8 well.

9 MS. STUDEBAKER: Yeah. I'm also the former  
10 Vice-Chair and 11 year member of the PAC. I was deeply  
11 honored by my unanimous vote, by the unanimous vote of the  
12 PAC to give me my promotion recently. And I'm here today  
13 as the face of the public to report the highlights of the  
14 recent PAC meeting held on November 2nd. I hope you've had  
15 a chance to review the minutes of our meeting as it was a  
16 very productive and more unanimous motions pass per hour  
17 than any other group I've ever worked with.

18 The new PAC recently appointed by the  
19 Secretary of the Interior to represent the public on all  
20 restoration matters includes 15 representatives from  
21 communities all around the spill area. Fourteen out of 15  
22 were present at the meeting that lasted from 8:30 a.m. to  
23 6:00 o'clock p.m. as we had a very full agenda.

24 The PAC membership includes a very wide  
25 spectrum of the public, with varied constituencies and

1 political backgrounds representing local government, tribal  
2 government, scientists, sport, hunting, and fishing,  
3 commercial fishing, subsistence users, and commercial  
4 tourism, just to mention a few. This hard working group  
5 and the motions and resolution they passed desire  
6 consideration and respect today as the trustees make their  
7 important decisions.

8                   In just 10 short months, Michael Baffrey  
9 has gotten the restoration program back on track after  
10 about a two year hiatus of chaos. He and his great staff  
11 are experts on restoration in many respects, including  
12 restoring the public trust and participation as mandated in  
13 the policies common to all action alternatives in the 1994  
14 record of decision plan, which reads: Restoration must  
15 include meaningful public participation at all levels.  
16 Planning, project design, implementation, and review. The  
17 key word in this sentence is must.

18                   Michael and his staff have also managed to  
19 restore the scientific integrity of the restoration program  
20 as well. The PAC is deeply appreciative of his openness  
21 and willingness to make our participation meaningful.

22                   And I've broken down my comments today kind  
23 of in categories. And the first one I'll talk about is the  
24 update to injured resources and services list.

25                   Michael and the staff presented the PAC

1 with their update on the injured resources and species list  
2 that had not been updated since 2002 and long overdue. The  
3 PAC commends the EVOS staff, especially Kim Trust, for her  
4 excellent report. Although there was a little good news in  
5 the updated report on injured resources and services list,  
6 with nine species and services out the original 31 now  
7 recovered, including the encouraging comeback of common  
8 loons.

9                   The status of everything else is still in  
10 recovering status, 14; non-recovering, three; or unknown,  
11 five. The PAC recognizes that there still is a great deal  
12 of restoration work to be done on these injured species and  
13 resources and the current and future science should be  
14 focused on them.

15                   The PAC supports the following proposed  
16 changes: Splitting the killer whale AB pod and transient  
17 pod into two items; moving common loons and Dolly Varden  
18 into recovered status; adding to the recovering status  
19 black oystercatchers, harbor seals and harlequin ducks; and  
20 adding to the non-recovering status, the killer whale, AT1  
21 or transient pod. Also adding marbled murrelets to  
22 recovery unknown status.

23                   It was the sense of the PAC that the  
24 movement of cormorants, that is three species of  
25 cormorants, from non-recovering to recovered may be

1 premature as the numbers used for this change are on the  
2 low end of the range listed as recovered. The PAC  
3 recommends that the Science Director and researchers  
4 continue to monitor cormorants closely.

5                   It was also the sense of the PAC to  
6 recommend a review of the recovery objectives for the  
7 injured species and resources, as well as consideration of  
8 subdividing some of the definitions, such as separating  
9 commercial fishing components by species rather than  
10 lumping them all together and determining them all  
11 recovering when the Prince William Sound herring stocks  
12 have virtually disappeared and the fishery is non-existent.

13                   Another suggestion was made that separating  
14 different types of tourism and recreation as well as  
15 subsistence by species would more accurately reflect  
16 reality. The PAC unanimously voted to endorse the Trustee  
17 Council use of the October 25th, 2006 update on injured  
18 resources and services list and recommends the list be  
19 updated annually.

20                   Next we discuss the Oiled Mayors letter of  
21 October 27th, 2006. The PAC had a lengthy discussion on  
22 the Oiled Mayors letter that was distributed by the state  
23 trustees on October 27th with no public notice or input  
24 from the Public Advisory Committee, no review by the  
25 federal trustees, or the EVOS staff for that matter. In

1 other words, everybody was blind-sided by this very  
2 inappropriate, unilateral action.

3                   The sense of the PAC members' reactions to  
4 this letter from the state trustees to the Oiled Mayors was  
5 mostly extreme outrage at the circumvention of the proposal  
6 review process. The PAC agreed that while it may be  
7 appropriate for the oil mayors to collaborate and submit  
8 proposals, this was not an appropriate way for making  
9 spending decisions.

10                   Some of the proposed projects appeared to  
11 be outside the scope of the settlement and the legality  
12 questionable. Though some of the projects may be  
13 meritorious, it was the objectionable way the public  
14 process was violated that was the issue. The PAC  
15 unanimously passed the following resolution, Resolution  
16 2006-02.

17                   Whereas the chartering documents of the  
18 Exxon Valdez Oil Spill Trustee Council require public  
19 participation at all phases of the administration of the  
20 Restoration Fund and whereas the memorandum of agreement  
21 and consent decree establishing the Federal and State co-  
22 trustees of the fund provides that, quote, the trustees  
23 shall agree to an organizational structure for decision  
24 making under the MOA and shall establish procedures  
25 providing for meaningful public participation in the injury

1 assessment and restoration process, end quote.

2                   And whereas the Restoration Plan echoes  
3 this requirement by declaring that, quote, restoration must  
4 include meaningful public participation at all levels,  
5 planning, project design, implementation and review, end  
6 quote.

7                   And whereas the Secretary of the Interior  
8 of the United States has appointed Alaska citizens from  
9 spill impacted areas of the EVOS Trustee Council Public  
10 Advisory Committee, which was created to provide a  
11 mechanism for meaningful public participation in the  
12 restoration, planning, project design, implementation and  
13 review.

14                   And whereas, the PAC were not including in  
15 efforts by the State trustees to modify, change, and amend  
16 this court mandated process; and whereas, this violation of  
17 process is manifested in the projects list attache to the  
18 Oiled Mayors correspondence, which includes over 49.7  
19 million dollars in projects that are proposed for trustee  
20 review, although the PAC had no meaningful opportunity to  
21 participate at any level of planning, project design,  
22 implementation and review.

23                   Now therefore be it resolved that the  
24 Public Advisory Committee to the EVOS Trustee Council  
25 respectfully requests that the EVOS Trustee Council not

1 fund any projects that do not meet the mandates of the  
2 consent decree establishing the PAC and mandating the PAC's  
3 participation in the restoration planning, project design,  
4 implementation and review.

5                   And be it further resolved that Public  
6 Advisory Committee requests the EVOS Trustee Council  
7 conduct review and deliberations on future solicitation  
8 efforts in open session with ample opportunity for public,  
9 science panel, Public Advisory Committee comment.

10                   And be it further resolved this resolution  
11 is not a resolution of the merit of the projects proposed  
12 but is a reflection of our extreme dissatisfaction with the  
13 violation of the trust relationship between the Public  
14 Advisory Committee and the EVOS Trustee Council.

15                   This resolution was presented at a  
16 regularly scheduled meeting of the EVOS Trustee Council  
17 Public Advisory Committee with a quorum established and was  
18 approved and adopted this 2nd day of November, 2006.

19                   This list of 12 pre-proposals also came as  
20 a surprise to most of the PAC members as this option was a  
21 last minute addition to the '07 invitation with no public  
22 input or published guidelines. The PAC unanimously  
23 recommends that if the Trustee Council is going to  
24 entertain pre-proposals now or in the future, that a review  
25 process that includes the public be developed by the EVOS



1 staff and put into place prior to the invitation.

2                   2007 Work Plan, Parts 1 and 2. Kim Trust  
3 made an excellent presentation to the PAC on the '07 work  
4 Plan. She reviewed each of the 53 proposals, which  
5 included herring and non-herring, and answered our  
6 questions before we made our final recommendations.

7                   The sense of the PAC is that project work  
8 should stay within the budget means, that is, not taking  
9 from the reserve principal, unless a particularly good  
10 project or opportunity arises that justifies spending some  
11 of the principal. Our recommendations are included on the  
12 spreadsheet and mostly concur with those of the Science  
13 Director, the science panel, and the Executive Director.  
14 Our total cost estimates for the yes proposals are about  
15 \$2.9 million.

16                   Next we discussed herring and the public  
17 really wants to see some action on herring. The PAC  
18 supports the commitment of the council to develop a  
19 long-term Herring Recovery Plan that  
20 will identify activities needed to achieve recovery of  
21 herring stocks in Prince William Sound. This process got a  
22 good start with the April Herring workshop and will  
23 continue with the Herring Recovery Team that will soon  
24 meet.

25                   The PAC encourages the team to put together

1 a draft plan with clear goals and objectives that the  
2 public can respond to in a series of meetings in the oil  
3 spill communities. When finalized, this plan will serve as  
4 the road map to guide future restoration work on herring,  
5 one of the most non-recovering  
6 and highly publicized of the injured species.

7                   The PAC also recognized the unfortunate  
8 situation of not having this plan in place before the '07  
9 Herring Proposal Invitation but supports the  
10 recommendations of the EVOS staff and science panel to go  
11 ahead with some of the projects that would be needed no  
12 matter what form the plan takes. Also in the absence of a  
13 guiding science or herring plan, the PAC felt it was  
14 prudent to use previous funding levels as guidance. The  
15 PAC believes that herring predator studies in particular,  
16 while certainly very important, could be delayed.

17                   Other discussion. PAC members discussed  
18 the present community involvement and environmental  
19 education program as  
20 administered primarily through the Youth Area Watch  
21 programs in Kodiak and Prince William Sound. PAC members  
22 recognized the value of such programs to students in remote  
23 villages and communities but questioned the very high price  
24 tags for each program considering the relatively low number  
25 of children involved.

1                   The sense of the PAC is that this should be  
2 the last year that our education program be funded in this  
3 manner. Possibly at the '06 funding levels. And that we  
4 need to develop a more equitable way to administer  
5 community involvement and environmental education that  
6 embraces a larger number of students of all ages in all the  
7 oil spill area communities.

8                   PAC members already have some really good  
9 ideas and would like to have a draft concept proposal for  
10 this presented at their January 25th meeting and have a  
11 final plan incorporated into the '08 Invitation. There's  
12 some real expertise on the PAC in this area and PAC members  
13 have volunteered to work on this in the interim.

14                  And then my final comments. It's the  
15 unanimous sense of the PAC that the unilateral action of  
16 the State trustees with the Oiled Mayors letter was not  
17 only a violation of public process but also an undermining  
18 of the positive progress that has been made by Michael  
19 Baffrey and his staff in the last 10 months. It is also  
20 rather obvious what the motives of the State are with this  
21 action. The public sees this as a move to spend down the  
22 restoration reserve in one fell swoop. In other words, cut  
23 and run.

24                  I ask you, how can you even contemplate  
25 this when the State has acknowledged the long term impacts

1 of the EVOS by filing for the reopener. Likewise, how can  
2 you justify this when only 9 of the original injured  
3 resources and services have recovered?

4                   The PAC is opposed to shutting down the  
5 restoration program until there is full recovery of the  
6 injured resources and services. Cut and run is certainty  
7 the easy way out rather than facing the complex  
8 responsibilities and opportunities at hand. The remaining  
9 restoration reserve fund is a one-time opportunity to gain  
10 a deeper understanding of long-term oil spill impacts on  
11 marine ecosystems. How can you throw that  
12 opportunity away?

13                   Cutting and running also declares to the  
14 world that Alaska did not face up to their full  
15 responsibility to hold the oil industry accountable. The  
16 public is counting on the balance of power here today and  
17 hope that the Federal trustees don't let  
18 them down. Thank you. Any questions?

19                   CHAIRMAN O'CONNOR: Do any of the Trustee  
20 Council members have any questions for Stacy with regard to  
21 the PAC's report? Michael?

22                   MR. BAFFREY: I have a couple of questions.

23                   MS. STUDEBAKER: Yeah.

24                   MR. BAFFREY: You mentioned that I had been  
25 at this job for 10 short months. I would probably argue

1 that.....

2 MS. PEARCE: Excuse just a moment. Michael  
3 needs to get nearer a microphone. We can't hear him.

4 MR. BAFFREY: So I would probably argue  
5 that objective with you. I mean, the adjective you used.

6 MS. STUDEBAKER: It felt longer than short,  
7 okay.

8 MR. BAFFREY: Yeah. You mentioned that --  
9 and I heard this in the public comments on the update to  
10 the injured resources and services list -- to take another  
11 look at the recovery objectives. Do you have a suggestion  
12 on how to do that?

13 MS. STUDEBAKER: There are some members of  
14 the PAC that -- some of the science members of the PAC in  
15 particular, that would like to work with the science panel  
16 on that.

17 MR. BAFFREY: And I would welcome that.

18 MS. STUDEBAKER: They have some ideas,  
19 yeah.

20 MR. BAFFREY: Yeah. And also.....

21 MS. STUDEBAKER: They have some really good  
22 ideas.

23 MR. BAFFREY: And we talked about getting  
24 the science panel involved in that process too, so maybe we  
25 can do a joint group to work on those.

1 MS. STUDEBAKER: I think that would be  
2 great. A little cross-fertilization would be good.

3 MR. BAFFREY: Okay.

4 MS. STUDEBAKER: Yeah.

5 MR. BAFFREY: Thanks.

6 CHAIRMAN O'CONNOR: Anybody else have any  
7 comments? You folks in Juneau?

8 MR. CAMPBELL: Kurt, did you want to say  
9 something or, if not, I will.

10 MR. FREDRIKSSON: No, go ahead, McKie.

11 MR. CAMPBELL: Well, I guess I'm always a  
12 little cautious about what I say I'm outraged for because  
13 there are a few things in life that deserve outrage, but I  
14 think they're pretty limited.

15 On the Oiled Mayors' letter, I just want to  
16 point out clearly that though I think that we among the  
17 trustees have discussed, you know, there were issues, very  
18 legitimate issues about notifications prior, the Oiled  
19 Mayors' letter simply solicited additional public opinion  
20 for pre-proposals and no one is suggesting that there be  
21 any immediate funding of a proposal direct from the result  
22 of that letter without going through the full process. I  
23 just want to make sure that's plain for all of us.

24 MS. STUDEBAKER: Well, that was certainly  
25 not clear to the Public Advisory. That was not made clear

1 in any announcement or any attachment to that letter. So  
2 that was not.....

3 MR. CAMPBELL: I wish we had made it more  
4 clear. I wish one of you all had given us a call.

5 MS. STUDEBAKER: I wish you had too.

6 MR. CAMPBELL: Yeah, as I said, I wish we  
7 had made it more clear. I wish maybe one of you all had  
8 given us a call to check. But we are sorry that outrage  
9 was engendered and suggest that at least we all continue to  
10 work from the understanding that is to an attempt to  
11 solicit pre-proposals and definitely generate them. But  
12 then they would go through the full process.

13 We do -- we have commented that we think  
14 there are some proposals that are appropriate to go through  
15 the PAC but not the science committee. And some proposals,  
16 for instance, the brick and mortar proposals, might be more  
17 appropriate for the PAC, and we're not sure there's much --  
18 there's a limited amount of science involved in some of  
19 them. But that will -- we'll work that out if we get any  
20 of those proposals in.

21 MS. STUDEBAKER: Well, can I ask you a  
22 question?

23 MR. CAMPBELL: You certainly can and, Kurt,  
24 I'm not the main author of the letter, but yeah.

25 MS. STUDEBAKER: Why didn't you guys

1 cooperate with the Federal trustees in developing that  
2 solicitation?

3 MR. FREDRIKSSON: Can I -- could I throw a  
4 comment in here, McKie?

5 MR. CAMPBELL: Please.

6 MR. FREDRIKSSON: Yeah. And this is Kurt  
7 Fredriksson. I guess -- let me -- a lot of this letter  
8 stems from some public hearings that we as State members  
9 and I think on one or two occasions Joe Meade joined us --  
10 I know Jennifer Kohout joined us at least in our trip to  
11 Kodiak, if not a few others -- where last spring the State  
12 trustees and some of the Federal trustees went around to  
13 the oiled communities to talk about two things. To talk  
14 about reopener and to talk about the ongoing restoration  
15 work that the Trustee Council has been engaged in over the  
16 last 15 years.

17 It was clear at those meetings that there  
18 were three dominant issues that we heard from the public.  
19 That was lingering oil, the need to get rid of the  
20 lingering oil. The second one was clearly herring, even  
21 though the science, as reflected to date, does not directly  
22 link it to oil with respect to the reopener claim. And the  
23 third was human services. The need to address the impact  
24 of the oil on those communities.

25 So what the letter -- as a result of those



1 meetings, we opened up the FY-07 invitation through a very  
2 public process, a process that actually had the FY-07  
3 brought before the Trustee Council for approval, with  
4 review and participation by the PAC. And within that  
5 proposal was a request for both proposals and pre-  
6 proposals. One page ideas. We wanted to open up the gates  
7 to what people thought was appropriate for restoration, not  
8 only for resources but also human services. And in fact,  
9 the FY-07 specifically referenced the need for input on  
10 human services.

11                   As a result of the '07 invitation, we  
12 received proposals and pre-proposals. In fact my agency,  
13 Department of Environmental Conservation, put forward  
14 proposals that fall in the human services category as well  
15 as the pollution reduction category, with respect to water  
16 quality improvements from municipal discharges, boat  
17 harbors, and storm water, which we'll talk about later. We  
18 also received a request which we had received from some  
19 time from Cordova with respect to the Cordova Center. We  
20 had heard from the Kodiak borough regarding a research  
21 center in Kodiak.

22                   So it was a communication from the State  
23 trustees to the mayors of the communities directly impacted  
24 by the oil spill, letting them know that in fact these  
25 proposals had come forward. There was nothing hidden. It

1 was all very public and it was public, made public through  
2 the invitation process and the submittals that were brought  
3 forward with the invitation process.

4                   And in fact, the public comment that's  
5 available at this meeting. No final decisions have been  
6 made, nor will they be until we get to that agenda item  
7 later in today's meeting. But that's the purpose and,  
8 Stacy, I think your input here today, I've kind of heard  
9 concern about the letter but I've also heard you say that  
10 in fact the PAC thinks some of the projects, the pre-  
11 proposals, may be meritorious in terms of further pursuit.  
12 So that's the whole point of the public process here today.

13                   I might add one thing, and I think this is  
14 just for purposes of clarity, but in your statement that  
15 the remaining restoration reserve is a one-time opportunity  
16 to gain a better understanding of long term oil spill  
17 impact on the marine ecosystem, I would just -- I would  
18 point out to you and the PAC that I don't believe that's  
19 the purpose of the Trustee Council. Our job is not to  
20 develop a deeper understanding of marine ecosystems, our  
21 job is to restore the resources and the services that were  
22 injured by the Exxon Valdez Oil Spill.

23                   CHAIRMAN O'CONNOR: All right. I'm going  
24 to exercise the prerogative of the chair at this point and  
25 I'm going to end this discussion. But I'm not going to end

1 it without a couple of comments.

2                   The first comment is, on behalf of the  
3 Trustee Council, I apologize to the extent that you may  
4 have the perception that the Trustee Council was trying to  
5 avoid the public process and public engagement. I will add  
6 that we occasionally have enthusiasms and energies and  
7 ideas that run a little bit beyond our process,  
8 particularly when we're finding ourselves running short on  
9 time. And that is what is reflected here.

10                   I do not believe in the process of policy  
11 development through pinatas, so I'm not going to allow this  
12 to be beaten any longer. We will fix our problem and you  
13 will not see it happen again.

14                   On thing that has come to our attention,  
15 however, as a result of this process, is that we are at a  
16 crossroads, if you will, at a transition point, at a stage  
17 where we need to sit down as a Trustee Council with our  
18 public partners, with our scientific partners, with our  
19 partners in the affected communities, and determine what  
20 our future should be and what we should be doing next over  
21 the next few years.

22                   And the Federal trustees are committed to  
23 that undertaking. And we will begin it as soon as we have  
24 an opportunity to do so, both on our own and with the new  
25 administration coming onboard. I do not think that we

1 should feel as though the State violated the integrity of  
2 the process. We're all doing the best job we possibly can  
3 and will continue to do so. Occasionally we do it an inept  
4 fashion. I've been accused of that myself and probably  
5 will be accused of it as I speak right now. Nonetheless,  
6 we are done with this conversation.

7                   Stacy, I apologize to the extent the Public  
8 Advisory Committee feels as though they were closed out of  
9 the process, that there was a violation of the trust  
10 relationship that we have established. I frightens me to  
11 think for even a moment that you don't have confidence in  
12 us, and we will restore that confidence, you can rest  
13 assured of it. The only fear I have is if you continue to  
14 support Michael they way you have, General Casey is going  
15 to bring him to Iraq to solve their problems.

16                   And with that in mind, thank you very much  
17 for your report. What you have to say will be taken to  
18 heart as we make our decisions today and into the future.  
19 This will not happen again.

20                   MS. STUDEBAKER: Thank you very much.

21                   CHAIRMAN O'CONNOR: I got off the agenda.  
22 What is the next item here?

23                   MR. MEADE: Public comment and traditional  
24 interests.

25                   CHAIRMAN O'CONNOR: Any -- okay. Does

1 anybody -- Joe, I'm sorry, I short-hopped the process here.

2 Do you have any questions for Stacy?

3 MR. MEADE: No. The discussion, I just was  
4 reminding you we had other public comment potentially.

5 CHAIRMAN O'CONNOR: Okay. Then we'll  
6 proceed then with the public comment. Do we have anybody  
7 who has called in, signed on.

8 MR. MEACHAM: Yeah, this is Chuck Meacham.  
9 I'd like to provide some public comment when appropriate.

10 CHAIRMAN O'CONNOR: Okay. Anybody else  
11 online?

12 MR. MULLINS: Ross Mullins in Cordova. I'd  
13 like to make a brief comment also, please.

14 CHAIRMAN O'CONNOR: Okay, Ross. Is that  
15 it? Do we have anybody in the audience who has -- okay.  
16 Please. Yes, sir. Why don't you begin? Come on up and  
17 tell us what you have to say.

18 MR. ADAMS: Thank you, Mr. Chairman,  
19 members of the Trustee Council. My name is Ken Adams. I'm  
20 a fisherman. I live in Cordova and I've been affiliated  
21 with a small group of fishermen and scientists and we've  
22 been in close contact and we've received support from the  
23 Trustee Council for the last five years in our attempt to  
24 achieve practical application for some of the research,  
25 particularly that done with the SEA program in Prince

1 William Sound, the chief application for improved fisheries  
2 management and fisheries as a damaged service.

3                   So we're familiar in general with the  
4 Trustee Council process. And that familiarity extends to  
5 appropriation of proposals and, quite frankly, I was a bit  
6 surprised at the '07 invitation because there is a clear  
7 break in tradition. Although you have identified clearly  
8 step by step by step how a proposer is to respond in  
9 submitting a proposal, it was this little paragraph, a kind  
10 of nondescript paragraph, that provided for another  
11 opportunity to present ideas to the Trustee Council and I  
12 think this is what you call the pre-proposals.

13                   Now what I think is pretty fascinating is  
14 the fact that there were 11 -- pardon me, 12 proposals, 12  
15 pre-proposals that were submitted. And of these 12, only  
16 four were recommended for funding by the science panel.  
17 Isn't that correct there, Tom?

18                   DR. DEAN: I don't think so. I don't --  
19 I'd have to go back and look. I don't -- I think they were  
20 recommendation for development of a full proposal.

21                   MR. ADAMS: Exactly. Pardon me.

22                   DR. DEAN: Okay.

23                   MR. ADAMS: Yes, absolutely. That's the  
24 missing link here. So four were recommended for advancing  
25 to the point where they could submit proposals, full blown

1 proposals. That means that there were eight proposals  
2 which were recommended for no advancing.

3                   And I'd like to bring to your attention one  
4 of those eight and it concerns the Cordova Center. I would  
5 really encourage you to give the initiators of that  
6 pre-proposal the opportunity to present a full-blown  
7 proposal because I think there is indeed great merit in  
8 developing that Cordova Center.

9                   And I know there will be other individuals  
10 here to come to speak to this point, so I won't drag it  
11 out. But I'd just like to bring to your attention, to the  
12 fact that Cordova is one of the most unique communities in  
13 all of Alaska. It is a totally fisheries dependent  
14 community. I'd say predominantly fisheries dependent  
15 community. If we go to the right, we got to the east, we  
16 have the fisheries of the Copper River Delta. And the  
17 Copper River Delta has tributaries which are in close  
18 proximity to the Trans-Alaska Pipeline. So a break in the  
19 pipeline could pose pollution and problems for us in the  
20 fishery of the Copper River Delta. And likewise when they  
21 go to the west. Here's Prince William Sound and we know  
22 sometimes laden tankers can do on the marked rocks.

23                   So here we are, we're jeopardized. And we  
24 continue to remain jeopardized as long as oil transported  
25 through Alaska and shipped out through the Port of Valdez

1 to markets outside we are forever going to be jeopardized  
2 and compromises. And I'm making the point for looking  
3 closer at that Cordova pre-proposal and give the  
4 opportunity and let those folks justify your consideration  
5 for support.

6                   Now getting back to the other seven pre-  
7 proposals, it is astounding also, fascinating, that who  
8 responded to the pre-proposals bit the agencies. And aside  
9 from the, as I recall, the four proposals that were  
10 submitted by the Federal agencies that had to do with --  
11 directly restoration, there were seven proposals, mostly  
12 submitted by the State, that I think were by and large  
13 audacious rays upon the restoration reserve. And I want to  
14 try to be frank here. Mr. Campbell, back in '05, when the  
15 Trustee Council met in June of '05, the Trustee Council met  
16 in Cordova, you were soliciting input from the public on  
17 how to spend down the restoration reserve. How could we  
18 use that reserve? And my question is, what's the  
19 intention? Why spend it down?

20                   And you established a pattern right there  
21 in '05, looking at the restoration reserve, as something  
22 that was just a funding source, spend it down. And  
23 likewise, that thinking carries forth into the pre-  
24 proposals and certainly into the Oiled Mayors letter. My  
25 question is why? Why don't you see the value in that? Why



1 don't you see the value in maintaining the restoration  
2 reserve?

3                   And I guess it's just my cynical nature,  
4 but I see a plausible explanation for this. And I think  
5 it's -- this is possible. It could be that in establishing  
6 and maintaining a long term monitoring and research program  
7 in the spill impacted area, what we do is we establish a  
8 baseline. We establish -- pardon me, a database, a long  
9 term database. And that long term database will allow us  
10 to distinguish between anthropogenic and natural causes of  
11 change in our environment. And having that ability to  
12 distinguish between, let's say for example another oil  
13 spill or the use of dispersants or whatever in Prince  
14 William Sound and the effect that those activities have on  
15 our ecosystem, the ecosystem that we depend upon for our  
16 livelihood.

17                   Our fisheries and the economies of towns  
18 Cordova, especially Cordova, because they're so dependent  
19 upon the fisheries. We need that database, we need to  
20 establish that database because it will establish  
21 culpability. We'll know. We'll be able to distinguish  
22 between anthropogenic and natural causes environment  
23 change.

24                   So I really urge, at least the Federal  
25 members of this Trustee Council, to vote no on these pre-

1 proposals that have been advanced by the State. I think  
2 they're an audacious assault on the integrity of the  
3 restoration reserve and that restoration reserve has great  
4 value for us in the spill impacted area. Thank you very  
5 much, Mr. Chairman and members.

6 MR. CAMPBELL: Mr. Chairman.

7 CHAIRMAN O'CONNOR: Yes.

8 MR. CAMPBELL: This is McKie. I guess I  
9 was asked a question and then my answer was provided for me  
10 and I don't know if you would like me to provide my own  
11 answer now or simply wait and we can proceed and discuss it  
12 when we get to the pre-proposals or however you'd like to  
13 proceed on that.

14 CHAIRMAN O'CONNOR: Why don't you go ahead  
15 and answer. Is it specific to Ken's comment?

16 MR. CAMPBELL: Well, yes. He asked why --  
17 I am why we seem to be advocating the going ahead and using  
18 the existing or the remaining EVOS funds. And.....

19 CHAIRMAN O'CONNOR: All right. Please  
20 respond directly to that comment.

21 MR. CAMPBELL: I will try to respond as  
22 directly and briefly as I can. And I'm not going to  
23 mention any specific project but what I am going to say is  
24 one of the things that I have heard very loudly, very  
25 clearly, from people throughout the oil spill area -- and

1 these range from people on the corner to people in stores  
2 to people on city councils to mayors -- is they do not feel  
3 that they -- that in many respects the way we have spent  
4 the money has compensated or benefitted them.

5 I feel we need to make sure we use every  
6 bit of the money that we have on addressing the continuing  
7 recovery of species to the extent that that money can do  
8 any good. I actually have voted for and will continue to  
9 vote for a number of projects which continue to establish a  
10 baseline. But I do not think that is the purpose of the  
11 EVOS settlement to establish an ongoing permanent  
12 government bureaucracy whose two functions would be to one,  
13 support its staff; and two, sort of keep an eye on the gold  
14 and make sure it doesn't go anywhere.

15 And so to the extent that there are  
16 projects that we believe are a benefit to recovered  
17 species, to actually continue to enhance them or recovering  
18 species to help their recovery, to establish baselines that  
19 are useful under those, I'll continue to support those.  
20 But I will also continue to support use of funds to try to  
21 bring compensation and benefit to the people of the spilled  
22 areas. I think that's about as brief as I can make it.

23 CHAIRMAN O'CONNOR: Thank you, McKie.

24 MR. ADAMS: May I respond?

25 CHAIRMAN O'CONNOR: Briefly, please.

1 MR. ADAMS: Thank you. Mr. Campbell, I  
2 hear your comments. I understand them. But I raise a  
3 question to you. What is your capability in funding worthy  
4 projects if you spend down the restoration reserve prior?

5 MR. CAMPBELL: Craig, do you want us to  
6 continue or do you want to -- I don't want to.....

7 CHAIRMAN O'CONNOR: I will leave.....

8 MR. CAMPBELL: I mean, I'm happy to  
9 respond, I just don't want to tie you up.

10 CHAIRMAN O'CONNOR: I want to -- I will  
11 leave it as a rhetorical question at this point, Ken.

12 MR. CAMPBELL: Okay.

13 CHAIRMAN O'CONNOR: Okay. Because this is  
14 an area that we have for further discussion today. Okay?

15 MR. ADAMS: Thank you very much.....

16 CHAIRMAN O'CONNOR: I thank you very much.

17 MR. ADAMS: .....Mr. Chairman.

18 CHAIRMAN O'CONNOR: Let me remind folks --  
19 and this is not a criticism, Ken -- we try to keep it to  
20 three minutes on the public comments and I may indulge if  
21 there's enough vitriol involved, I believe it's appropriate  
22 to allow that to be dissipated. And if going beyond three  
23 minutes is appropriate to allow that to occur, I will. But  
24 let's please try to move beyond.

25 And one of the things we did in the pre-

1 proposals was simply go out and ask for ideas and thoughts.  
2 And that's what pre-proposals were all about and we are  
3 responding to them accordingly. This is not a pre-  
4 determination of what projects will be or a process to  
5 short-hop the public review, comment, science review and so  
6 on. Excuse me, that pre-proposals were just that, the  
7 beginning of the process. If we think the process should  
8 continue with suggestions that are captured by those pre-  
9 proposals, then we will do so. That's what this was all  
10 about. Okay. Thank you.

11 Next. Yes, sir.

12 MR. GAIN: My name is Keith Gain, I'm  
13 representing the city of Seldovia. I don't know how  
14 familiar you are with our community but our community is  
15 very unfamiliar with your board and your process and all  
16 the things that you've done. And I'm just going through  
17 your book of projects and I see that's a very extensive  
18 document. But our community is rather unfamiliar with you.

19 We received a letter from DEC suggesting  
20 spending some of the EVOS money on projects in communities  
21 and we are here as a city to support that concept. We are  
22 the smallest first class city in the state of Alaska and  
23 hence we have the smallest tax base for which to support  
24 our services. Since the Exxon Valdez Oil Spill, our  
25 population has been in a steady decline. We don't have the

1 funds to do things in an environmentally friendly way. And  
2 some of the projects that, you know, I'd like to talk to  
3 you about, where your funding could come into our  
4 community, are some simple things and some big things. We  
5 built a retaining wall for our children's park in Seldovia  
6 here last year and we didn't have the funding to do it  
7 right. We built it out of creosote piling and old railroad  
8 ties in our children's park because we don't have the  
9 funding to build it out of cement.

10                   In our harbor we've made the decision to  
11 remove the creosote piles with money that we got from the  
12 state to work on our harbor. And by the engineers got done  
13 with this and we bought all these steel pilings, the cost  
14 of removing that creosote from the environment was so high  
15 that it's really compromised the rest of our project. And  
16 this is something that we would hope that EVOS could deal  
17 with.

18                   Our sewer system in Seldovia. We have a  
19 dilapidated sewer system. We have places where it plugs  
20 up. It leaks into Susan Lake, the only lake in town, and  
21 then directly into Seldovia slough. So there's a lot of  
22 pollution issues there.

23                   We thank DEC for its letter to Seldovia  
24 requesting that we come to this meeting and make these  
25 comments because we have been really out of the loop and

1 very lax in keeping up with what you do and what our  
2 options are for taking care of some of our problems.

3 As far as all the politics and procedures  
4 here, we'll leave that to you. We don't have any standing  
5 on anything like that. But my mayor did ask me to come and  
6 represent that perspective to this council. So I thank  
7 you.

8 CHAIRMAN O'CONNOR: Thank you. Any trustee  
9 council members have any questions for Keith?

10 (No audible responses)

11 CHAIRMAN O'CONNOR: Who's next? Yes, sir.  
12 Come on. I'm going on the right side of the -- I'm a  
13 fairly simple person.

14 MAYOR SELBY: Thank you, Mr. Chairman. I'm  
15 Jerome Selby, Mayor of Kodiak Island Borough. And I've  
16 actually -- Carrie (ph) and I have copies for you folks  
17 here. Both a resolution from the mayors on Kodiak Island,  
18 which that's seven of us -- Karluk was also represented but  
19 they're not an incorporated community so they participated  
20 but they technically don't have a mayor. And the other is  
21 a letter from Mayor Carolyn Floyd from the City of Kodiak  
22 and the council and the mayor specifically.

23 These all address dealing with the human  
24 services business that was in the letter provided by the  
25 State trustees. And I guess my perspective on this is

1 that, you know, I think this was all generated from the  
2 work and the thought that went into developing the request  
3 for the additional funds from Exxon. And as a result of  
4 that, I think all of us kind of stepped back and said,  
5 well, you know, where are we on the results of the Exxon  
6 Valdez Oil Spill?

7                   And as a result of that, there were clearly  
8 some specific things directly related to oil impacts. And  
9 because of the scope being very narrow on what the request  
10 could include for the additional funds, I think those  
11 projects came out and that's the 95 million. And, you  
12 know, in my constantly optimistic view of the world, if we  
13 can get the 95 million out of Exxon in less than five years  
14 it will be somewhere in the miracle category. But whenever  
15 that money becomes available, those projects are pretty  
16 well laid out.

17                   And so I think most of us then said then,  
18 well where are we? You know, let's take a broader view of  
19 where we are in this whole thing. And what became very  
20 clear, there are some things that have never been addressed  
21 that are not addressed by the 95 million dollars worth of  
22 projects.

23                   And so it seemed appropriate at this point  
24 in the whole effort and I think you folks have done a very  
25 commendable job here at the Trustee Council of looking at



1 this and really trying to ferret out and target money  
2 towards the things that have been addressed. But the  
3 simple fact is if you look at it from a community  
4 perspective, there's some significant things that have not  
5 been addressed at all and the human services part of it is  
6 the big glaring omission.

7                   And I think all of us were somewhat  
8 optimistic at the time that the Trustee Council was formed  
9 that, you know, we could get some other settlements or some  
10 other things pursued that we were pursuing at the time that  
11 would help address these. Well, we lost the -- the  
12 municipal lawsuit was lost in court. So the ability for  
13 the municipalities to go and obtain funds directly --  
14 because that what folks were hoping for -- is gone. So  
15 that's not going to happen.

16                   And I think that's what then caused folks  
17 to say, you know, maybe we're at the point in the trustee  
18 Exxon Valdez restoration efforts that we really ought to  
19 look at broader scope at what's been missed for the start  
20 in terms of the impact of the Exxon Valdez Oil Spill. And  
21 I think that's why you're seeing some of these other types  
22 of projects come forward for discussion.

23                   And I think what folks were saying was,  
24 let's map a way forward from here about where we're really  
25 going to go with the Exxon Valdez Trustee Council. Should

1 we remain focused where you folks have been for the last  
2 almost 20 years now? That's certainly an option.

3                   And I don't think anybody is saying that's  
4 bad. I think everybody thinks that work that's been done  
5 the council is exceptional up to this point in time. So  
6 it's not anything -- it's not saying, oh, the council has  
7 worked bad. That's not the intent at all. The intent is  
8 to say let's assess where we are and let's map a way going  
9 forward.

10                   And I think just because of the nature of  
11 it, you're probably talking eight to 10 years -- me being  
12 the optimist that I am about how soon you might get the 95  
13 million dollars. But, you know, I don't think anybody is  
14 in a rush to hurry and close out anything. I think that  
15 what they're saying is let's map out a way going forward  
16 that makes good sense. Let's make the most of the  
17 remaining 152 million dollars as well as, you know, meld  
18 that in with the 95 million of projects which we hope you  
19 folks can get the money to address. Let's lay this all out  
20 and figure out how do we go forward from here to accomplish  
21 the absolute most we can with the remaining funds to  
22 address the aftermath of the Exxon Valdez Oil Spill. And  
23 that's what I think the intent and purpose is.

24                   And we would love to work with you folks to  
25 help map that out, whatever input we can provide that's

1 useful to you folks, we'd be glad to provide it. But  
2 that's, I think, the whole intent and purpose of why we're  
3 here and talking about it. And again, I think it all got  
4 started because of revisiting the whole spill and looking  
5 at the 95 million dollars worth of projects about, you  
6 know, how do we go forward from here, so.

7 That's -- I'll leave these for you, Mr.  
8 Chairman.

9 CHAIRMAN O'CONNOR: All right, sir. Thank  
10 you. Do we have any trustees who would like to ask any  
11 questions of Jerome?

12 (No audible responses)

13 CHAIRMAN O'CONNOR: I have one. In my  
14 earlier comments I mentioned that it is at least the  
15 Federal trustees desire to begin a process of assessing  
16 where we've been and determining where we should be going.  
17 And we do that in a deliberate and inclusive fashion.  
18 Would that be consistent with what you're attempting to  
19 stimulate and to -- I see that to be in concert with your  
20 suggestions, and since you're representing a large  
21 community that was affected by the spill, I'm sort of  
22 looking for feedback from you. Do you believe that a  
23 deliberative process moving forward is appropriate at this  
24 stage?

25 MAYOR SELBY: Well, certainly our

1 perception of the list of projects that was presented in  
2 the letter -- first of all, I'm not sure all of the  
3 communities had an opportunity to have projects included.  
4 And so from that perspective, absolutely. I think other  
5 communities in the spill area out to be given the  
6 opportunity to assess and take a look at, you know, do we  
7 have projects that we think merit consideration in this  
8 discussion. And that's assuming that you folks are going  
9 to entertain that discussion. So that's kind of the first  
10 question, is this something that the Trustee Council feels  
11 is an appropriate way of taking a look at where we are and  
12 how do we go forward.

13                   So from that perspective, absolutely. I  
14 think there are a couple of projects, one of which that we  
15 have in the pre-proposal process that kind of are not  
16 including in that human services category because we're  
17 talking about direct research on spill impacted species and  
18 results of oil spill. And in my mind, that's a little bit  
19 different than the other human services projects. Because  
20 that one, we see a glaring omission -- and I don't want to  
21 get too much into that, Mr. Chairman, because we're going  
22 to talk about more specifics this afternoon.

23                   But, you know, there's some glaring  
24 omissions about and work that has not been able to be done  
25 on injured species because of the limitations that we have

1 of not having a facility. And that's why we're saying we'd  
2 like to talk to you about that one.

3                   But I think generally in terms of all of  
4 the communities in the spill area having an opportunity to  
5 be included, I think that it needs to be a thoughtful  
6 process. Folks need to have an opportunity to take a look  
7 at it. You folks need to give some parameters of what the  
8 scope is of things that will be considered. Because we're  
9 not here -- I don't think that anybody is advocated that  
10 everybody run in here with all their favorite capital  
11 project items from the last 20 years that they would like  
12 to have had funded. I don't think that's what anybody is  
13 asking to be done.

14                   So I think that you folks first of all need  
15 to identify, okay, what's the scope. And I think that's  
16 really what the discussion really here is, is let's revisit  
17 the scope of the target of the Trustee Council. And, you  
18 know, we may all conclude that it was -- it's been  
19 appropriate for the last 20 years and that's exactly where  
20 it ought to stay. That's certainly one possibility.

21                   I think what some folks -- because of the  
22 looking at the projects for the 95 million -- have said  
23 maybe we ought to broaden that scope a little bit. Maybe  
24 there's some omissions that we thought there were other  
25 ways of having addressed at time that the Trustee Council

1 started its work, and so it wasn't advocated that that be  
2 included in the scope. But now, 20 years later with  
3 hindsight, maybe we ought to step back and maybe the scope  
4 ought to be broadened a little bit to include some other  
5 specific areas. And I think that's the discussion.

6 CHAIRMAN O'CONNOR: Okay. Thanks, Jerome.  
7 I appreciate it. All right. Anybody else on the right  
8 side of the room? Yes, sir. That's not the political  
9 right, it's just the physical.

10 (Laughter)

11 MR. MEYER: Good morning, Trustee Council  
12 members.

13 CHAIRMAN O'CONNOR: Good morning.

14 MR. MEYER: My name is Cary Meyer, I'm the  
15 public works director for the City of Homer. I'm here this  
16 morning to show support for the State trustees' proposal to  
17 use some of the remaining spill settlement monies to fund  
18 community economic restoration projects and upgrade water  
19 quality protection facilities in the communities directly  
20 impacted by the spill. Our city manager has submitted a  
21 letter to the trustees documenting our support for this  
22 program.

23 In Homer, our lifestyle and livelihoods  
24 depend on a healthy Kachemak Bay. The city believes that  
25 we can use the proposed funding to protect and improve the

1 health of our bay. In particular, boat and vessel  
2 maintenance and repair now occurs in and over the bay on  
3 wooden steel grids with no containment of lubricants, fuel,  
4 or paint. The bay would be protected if we could provide  
5 containment or lift boats out of the water for repairs.

6 Our sewer collection system has many storm  
7 water connections. Wet weather causes us to violate EPA  
8 regulations at the sewer treatment plant outfall in the  
9 bay. The bay would be protected if we could solve this  
10 problem. Homer is growing, pipe storm drains are being  
11 constructed with few water quality improvement facilities,  
12 preparing a master drainage plan, and installing water  
13 quality improvement facilities would protect the bay from  
14 sediment and pollutants.

15 In summary, we support the use of some of  
16 the remaining funds to protect the waters and shorelines in  
17 our community. We appreciate the State trustees efforts to  
18 consider this proposal. We are certain that we can work  
19 with DEC to develop projects that will protect the health  
20 of our critical wildlife habitat of Kachemak Bay and we  
21 encourage you to vote in favor of the proposal. Thank you.

22 CHAIRMAN O'CONNOR: Thanks, Cary. Any of  
23 the trustees have any questions for Cary? Juneau?

24 (No audible responses)

25 CHAIRMAN O'CONNOR: No. Thank you very

1 much. We'll move to the left. Oh, one more on the right.

2 MR. McCORKLE: Good morning. My name is  
3 Vern McCorkle and I'm a member of the Public Advisory  
4 Group. My daytime job is to publish Alaska Business  
5 Monthly magazine but my history with y'all and the Public  
6 Advisory Committee goes back to days when it was called the  
7 Public Advisory Group. And for two terms I was chair of  
8 that group, followed Brad Phillips in. And we were there  
9 at the beginning of the discussion for the restoration  
10 reserve. As a matter of fact, I was the father of that  
11 idea, joined later by Senator Sturgelewski and Brad  
12 Phillips and then by the Audubon Society who came along  
13 with us. And finally we were able to propose and get  
14 support for creating a restoration reserve.

15 The idea for the restoration reserve was  
16 not that it would be extinguished or closed down before we  
17 had gotten to the point where we discovered that all of the  
18 work that had been done was on the books and over in ARLIS.  
19 The three things that we wanted to do in creating the  
20 restoration reserve was to make sure that we established  
21 that baseline data group of data that has been discussed by  
22 other speakers before me, and that when we looked at where  
23 we began this process with the Exxon Valdez, we actually  
24 knew we didn't have any baseline data. The first couple of  
25 years or more was a matter of just trying to research and



1 figure out where to go.

2                   Now we had some directions given in the  
3 settlement agreement and the court decree that told us what  
4 we could do and what we should do and pretty much I think  
5 the forefathers and mothers of the Trustee Council did a  
6 pretty good job of that. But where we are now is at the  
7 point where we should decide, will the restoration reserve  
8 continue on for awhile. Is all the work done that should  
9 be done? It was our intent, the Public Advisory Group, in  
10 those days, that the restoration reserve would continue for  
11 a decade or more after the main body of the work of the  
12 Trustee Council had been done. Now whether or not we are  
13 at that point or not I guess is something that will be  
14 developed and is discoverable. But the point is, there's a  
15 few dollars left.

16                   When we first started the idea of the  
17 restoration reserve, we looked for 200 million dollars.  
18 Senator Sturgelewski wanted to fund a science chair at UA  
19 Fairbanks and that was roundly turned down by the Federal  
20 courts. And at that point we realized and it became very  
21 clear to us that the funding from the Exxon Valdez Oil  
22 Spill was to be used for scientific restoration and to  
23 reestablish certain services, all of which had a direct  
24 nexus to the oil spill.

25                   I have really heartfelt sympathy for the

1 communities who have received an opportunity to comment on  
2 how we might spend the rest of that money. I have a direct  
3 connection to a bunch of them. In my city management  
4 career here, I have really -- in Alaska -- I have had a  
5 chance to observe what happens to cities and towns and  
6 villages when Federal funding and State funding and revenue  
7 sharing disappear and go away.

8                   That said, it still is important for us to  
9 remember that there is a lot of work yet to be discovered  
10 and to be done. And the funds are diminishing, becoming  
11 fewer and fewer. I think one -- 52 million is a good place  
12 to begin. The idea was never to extinguish the corpus of  
13 restoration reserve. And I've read deeply into the  
14 regulations which have followed from that and I see that  
15 the Trustee Council does in fact have the right to spend  
16 that money if he wishes in certain ways. But we have still  
17 not set aside the fact that there must be a nexus, a direct  
18 connection to the oil spill itself, in spite of all the  
19 wonderful things that should be done.

20                   So I think it's important for me to share  
21 this historic perspective with you because that is really  
22 how the restoration reserve began. Hopefully it will  
23 continue on for a good number of years because additional  
24 items for research, gaps have been discovered and will  
25 continue to be discovered. The idea was not to create a

1 great body of office workers and a whole cordon of  
2 professionals that would stay on forever. We envisioned  
3 eventually the office would become much less that it is  
4 today, would have an executive director, perhaps a science  
5 manager or science committee that was hired on contract.

6                   And that it was also discussed that if ever  
7 a period of three years should go by when there was no  
8 restoration or scientific work being done, that the funds  
9 would then return to the court treasury. So I don't think  
10 we're there yet. Your public advisory group, which is a  
11 very, very dedicated group of people and familiar with  
12 their role of being advisory to the council, do have an  
13 excellent representative in our new chairman. Now it may  
14 -- our new president. It might be that even though we have  
15 heard references to potential ineptitude here today,  
16 goodness knows we all have that in our history from time to  
17 time.

18                   But our president of the present public  
19 advisory group is a very passionate person. And we  
20 completely support her. The report that she gave is true  
21 and accurate. Maybe the word outraged is a little more  
22 than we might have used but it certainly does express the  
23 feelings that the public advisory group had when we  
24 discovered suddenly that this money that reserve -- that  
25 might be continued in the reserve, might be used for things

1 that are not directly connected to the oil spill itself.

2                   So we -- I speaking as a member of the  
3 public advisory group who has been a member for a long,  
4 long time and as just a member of the public do hope that  
5 you'll find a way to conserve some of the reserve so that  
6 we can study things that might come up in the future.  
7 Because certainly there are going to be and we know that  
8 without some money in the bank, we will not get a change to  
9 do that. I'd be very glad to respond to any questions, if  
10 there are any. There probably aren't, but thank you very  
11 much for letting me come and give you this bit of history.

12                   CHAIRMAN O'CONNOR: Thank you, Vern.

13 Anybody on the Trustee Council have any comments or  
14 questions?

15                   MR. McCORKLE: Thanks.

16                   CHAIRMAN O'CONNOR: Thank you, sir. All  
17 right. The left side. Begin in the front. You guys  
18 choose.

19                   MAYOR JOYCE: Thank you. I hope I'm not  
20 too far to the left.

21                   (Laughter)

22                   CHAIRMAN O'CONNOR: I don't think any of us  
23 could be too far to the left right now.

24                   MAYOR JOYCE: Good morning, Trustee Council  
25 members and staff. My name is Tim Joyce and I'm the mayor

1 of Cordova. I'm here today to speak to you about injured  
2 resources and services and their state of recovery as well  
3 as to provide a method for the Trustee Council to restore  
4 an injured service in Cordova, that being tourism.

5                 Since the oil spill, the Trustee Council  
6 has spent hundreds of millions of dollars in an effort to  
7 restore the many injured resources. Some of those  
8 resources have recovered while others have not. In the  
9 definitions of the Exxon Valdez restoration plan, the  
10 words restore or restoration means, and I quote, any action  
11 that endeavors to restore to their pre-spill condition any  
12 natural resources injured, lost, or destroyed as a result  
13 of the oil spill and the services provided by that resource  
14 or that replaces or substitutes for the injured, lost, or  
15 destroyed resource and affected services.

16                 Restoration includes all phases of injury  
17 assessment, restoration, replacement, and enhancement of  
18 natural resources, and acquisition of equivalent resources  
19 and services. Replacement or acquisition of the equivalent  
20 means compensation for an injured, lost, or destroyed  
21 resource by substituting another resource that provides the  
22 same or substantially similar services as the injured  
23 resource. In addition to restoring natural resources,  
24 funds may be used to restore reduced or lost services,  
25 including human uses provided by the injured resources.

1                   Humans use the services provided by  
2 resources injured by the spill in a variety of ways.  
3 Subsistence, commercial fishing, recreation, and tourism.  
4 The restoration plan goes on to say that restoration  
5 activities may be considered for an injured resource or  
6 service. That restoration will focus upon injured  
7 resources and services that will emphasis resources and  
8 services that have not recovered. Restoration actions may  
9 address resources for which there was no documented injury  
10 if these activities will benefit an injured resource or  
11 service and priority will be given to restore injured  
12 resources and services which have economic, cultural, and  
13 subsistence value to the people living in the oil spill  
14 area.

15                   On your agenda today is an updated list of  
16 injured resources and the list of lost or reduced services.  
17 This list indicates that tourism has not recovered. Our  
18 request for funding the Cordova Center will go a long way  
19 to restore the reduced or lost service of tourism. Once  
20 again, the restoration plan states that some commercial,  
21 recreation, and tourism businesses were injured by the  
22 reduction in visitors and visitor spending as a result of  
23 the spill. The quality of recreation experiences decreased  
24 as a result of the spill. The oil spill caused injury to  
25 the way people perceive recreational opportunities in the

1 spill area.

2                   Tourism was a budding industry in Cordova  
3 prior to 1989 however after the oil spill, people coupled  
4 Cordova and Prince William Sound with the oil spill. It is  
5 only recently after years of work and thousands of dollars  
6 of advertising by cities, chambers of commerce, and private  
7 individuals that people are starting to return to the area.  
8 Tourism was and still is a reduced and damaged service that  
9 has not recovered.

10                   An attempt was made in Seward to address  
11 some of the injured resources and human services with the  
12 construction of the Seward Sea Life Center. A similar  
13 attempt was made in Kodiak with the construction of the  
14 Alutiiq Heritage Center. Cordova has a proposal before you  
15 to address the restoration of the injured human services of  
16 tourism with the Cordova Center. Several years ago, then  
17 Senator Frank Murkowski the ground zero of the oil spill.  
18 Cordova has suffered terribly since the oil spill, as you  
19 all know. The herring fishery was a valuable economic  
20 stimulus to Cordova in the 1980's and early 1990's. After  
21 the herring crash in 1993, that springtime economy  
22 disappeared. Even now the Trustee Council is struggling to  
23 develop a recovery strategy for herring.

24                   In the meantime, Cordova has lost millions  
25 of dollars in economic activity related to herring. So not

1 only has Cordova suffered from the loss of the herring  
2 fishery that has not been restored, but we've also lost the  
3 tourism economy that has not been restored.

4 Cordova has the support of the community,  
5 the State government, and the Federal delegation to  
6 construct Cordova Center. The city has already invested  
7 over a half a million dollars into this project. The State  
8 has allocated over a million dollars to this project and  
9 the Federal delegation has provided over two and a half  
10 million.

11 I have with me a petition signed by  
12 approximately 150 people in Cordova requesting the EVOS  
13 Trustee Council to fund portions of the Cordova Center that  
14 will work to restore the injured human services. We are  
15 not asking for the full funding, we are only asking for  
16 those portions of the Cordova Center that have the nexus to  
17 the oil spill to recover the tourism industry. I'm here  
18 representing those people.

19 I also have a letter of support signed by  
20 both Senator Albert Kookesh and Representative Bill Thomas  
21 to have EVOS fund the Cordova Center. The Alaska  
22 delegation in Washington DC has also indicated support for  
23 funds to fund projects like the Cordova Center. All of  
24 these people understand how important the Cordova Center is  
25 to the recovery of the injured and still recovering human



1 services in Cordova. It is time for the Exxon Valdez  
2 Trustee Council to address the injured human services of  
3 tourism that has not recovered. If they do, the Trustee  
4 Council could add one more item to the list of recovered,  
5 injured, or lost resources and services, that being tourism  
6 in Cordova. We were injured and are not recovered and  
7 we're asking you now to show that you truly are trying to  
8 restore injured resources and services by funding the  
9 Cordova Center.

10 And I believe all of you have gotten a copy  
11 of our proposal, which you should have been able to read,  
12 hopefully. It is rather lengthy but we hope that you will  
13 find that favorable and probably, maybe generate some  
14 questions but hopefully it answers a lot more. So thank  
15 you very much.

16 CHAIRMAN O'CONNOR: Any of the trustees  
17 have any questions for Tim?

18 (No audible responses)

19 CHAIRMAN O'CONNOR: Thank you. Appreciate  
20 it.

21 MAYOR JOYCE: If you'd like copies of  
22 the.....

23 CHAIRMAN O'CONNOR: I would appreciate  
24 copies of your statement.

25 MAYOR JOYCE: Okay.

1                   CHAIRMAN O'CONNOR: Okay. Yes, sir.

2                   MR. MOE: Good morning, Trustees. Thank  
3 you for hearing us. My name is Martin Moe, M-O-E, and I'm  
4 the Director of the Chamber of Commerce in Cordova. And I  
5 would like to speak directly to a damaged species.

6                   We hear lots of talk about damages species.  
7 Tourists are a damaged species as far as Cordova is  
8 concerned. And tourism provides an alternative economic  
9 engine to help restore our battered economy and  
10 infrastructure. Tourism is a renewable, sustainable  
11 economic resource. And it's particularly suited to small,  
12 rural environments like ours.

13                  Marketing rural Alaska leverages Alaska's  
14 legendary wildlife, history, and scenic wonders. Prior to  
15 1989 when promoting tourism in Cordova, the challenge was  
16 to paint a verbal picture of a pristine wonderland, Prince  
17 William Sound. Oceans, glaciers, forests, mountains. And  
18 then position Cordova as a part of that. Excuse me for  
19 jumping here.

20                  In the summer of 1989, the massive media  
21 coverage of the Exxon Valdez Oil Spill created an indelible  
22 public image of a ruined environment. So now when we  
23 promote tourism in Cordova and Prince William Sound, the  
24 challenge has become to overcome the widespread negative  
25 public image associated with the oil spill. This is often

1 encountered in statements such as, Cordova, yeah that's  
2 where the oil spill was. Usually followed by something  
3 like, is it safe to go there yet? We need to restore the  
4 damage to Cordova's visitor industry caused by this  
5 negative image.

6                   While independent travelers provide much of  
7 the seasonal visitor traffic in Alaska, including Cordova,  
8 there's a lack of sustainable visitor volume during the  
9 winter and shoulder months. One the of best ways we can  
10 restore Cordova's visitor economy is to develop a small to  
11 medium size convention and meeting segment of the visitor  
12 industry. To enable Cordova to begin to host this type of  
13 business, we have to be able to provide a quality venue.  
14 Part of the Cordova Center project is designed to do just  
15 that.

16                   When we're able to deliver a top notch  
17 meeting facility, we will then be able to aggressively  
18 recruit and market to obtain small convention and meeting  
19 business. And attracting new business during the winter  
20 and shoulder seasons will enable local businesses to grow  
21 and flourish and sustain the economy. We'll be able to  
22 have restaurants stay open during the winter instead of  
23 closing because there's not enough business. Lodging  
24 establishments will be able to remain open. Bed and  
25 breakfasts will be able to still offer their services

1 because there will be enough visitor volume in town to help  
2 that.

3                   So to rejuvenate and restore a significant  
4 compound of Cordova's overall economic foundation, we  
5 respectfully request that you consider funding part of the  
6 Cordova Center project. Thank you.

7                   CHAIRMAN O'CONNOR: Thank you. Do any of  
8 the trustees have any questions for Martin?

9                   (No audible responses)

10                  CHAIRMAN O'CONNOR: Thank you, sir. Any  
11 other folks want to say anything? Yes, ma'am.

12                  MS. LANG: I'm trying to reserve -- protect  
13 our injured resources, so I don't have any paper her and  
14 I'm going to read from my computer, if you don't mind. I'm  
15 sorry.

16                  Greetings Trustee Council members and  
17 staff. My name is Sylvia Lang. I'm a lifelong Cordovan  
18 and Alaska Native and until recently, spent every summer of  
19 my life on boats in Prince William Sound and the Copper  
20 River Delta as a commercial fisherman. I know own and  
21 operate with my husband a hotel in Cordova where we are  
22 raising our three children.

23                  I come before you today to speak in favor  
24 of the Cordova Center project. The economic effects of the  
25 oil spill on the community of Cordova are well-documented

1 and I will not revisit them here. We are doing what we can  
2 to restore our lives and livelihood.

3                   Due to the long term nature of restoration  
4 of natural resources, such as herring stocks and other  
5 affected resources, the cyclical nature of fishing stocks,  
6 as well as market swings, we realize we must diversify from  
7 the single industry of fishing and fish related  
8 enterprises. Cordova has always had a small tourism and  
9 visitor industry but it never received much attention due  
10 to the focus of the community on commercial fishing.

11                   The EVOS And its aftermath was a major  
12 distraction to our community and its ability to focus on  
13 economic diversification for several years. The time has  
14 come to give the tourism and visitor industry attention  
15 once again and provide for Cordova a more diverse and  
16 stable economy. We need to make sure our community  
17 survives to reap the benefits if and when restored and  
18 healthy commercial herring fishery returns.

19                   In the past several years our community  
20 began a series of discussions on how to revitalize and  
21 diversify the economic structure of Cordova. One of the  
22 pivotal aspects of the long term plan for restoration of  
23 our economy and tourism is the construction of the Cordova  
24 Center, a 34,000 square foot, fully ADA accessible, multi-  
25 use facility.

1                   The center will combine a number of  
2 functions for the community of Cordova, including a  
3 conference center, library, science discovery room, museum,  
4 oil spill response center, oil spill document archive, and  
5 visitor center. Partnerships and endorsements for the  
6 Cordova Center extend throughout the community, including  
7 the US Forest Service, the Coast Guard, Native Village of  
8 Eyak, Tatitlek Corporation, Eyak Corporation, and Prince  
9 William Sound Science Center.

10                  The facility has received financial support  
11 from the City of Cordova, Federal government, State of  
12 Alaska, and individual contributions from community members  
13 and various civic organizations.

14                  Our request submitted to the EVOS Trustee  
15 Council is a one-time request for funding of a portion of  
16 the center, the use of which will be directly linked to the  
17 restoration of the Sound and our community. The Cordova  
18 Center offers many exciting opportunities. We believe it  
19 is strategically positioned to be a centerpiece of EVOS  
20 Trustee Council sharing in the region.

21                  The Cordova Center is poised to partner  
22 with and be a vehicle for the scientific community. It  
23 will be a showcase for the science of the Sound and can  
24 only enhance Cordova as the center of scientific research  
25 for the Sound. Throughout the building there will be

1 educational displays of the results of SEA, GEM, and other  
2 EVOS related research findings, restoration efforts and  
3 their results, and art representative of the ecosystems of  
4 the Sound and of the Delta. These displays will ensure  
5 that any visitor to the center will have exposure to  
6 educational materials about the natural resources of the  
7 region and the progress of restoration efforts related to  
8 EVOS.

9                   We also propose to be the repository for  
10 the archived materials now in storage in the State of  
11 Alaska's archives. In the more central location of the  
12 Cordova Center, these materials can be digitized and made  
13 available for the study of the EVOS.

14                   Everyone in Cordova and each one of us  
15 working on the Cordova Center project acknowledges and  
16 recognizes the vital importance of the recovery and  
17 restoration of the herring fishery to our community and  
18 Prince William Sound. We do not, and I emphasize, that we  
19 do not in any way wish to discourage continued investment  
20 in this aspect of the Exxon Valdez Oil Spill Trustee  
21 Council's mission to restore this injured resource. We do  
22 however request support for the Cordova Center project as a  
23 way to restore and aid in the recovery of the human  
24 services injured in the 1989 oil spill.

25                   The Cordova Center is key to restoration of

1 a community that supports the herring and other fisheries  
2 of Prince William Sound. We as a community need to  
3 strengthen our foundation so that when the herring industry  
4 recovers, as we all hope and pray it will, our community  
5 will be poised to offer the services necessary to the  
6 industry, that our community will be prepared to accentuate  
7 the industry and help sustain it for a long and profitable  
8 future.

9                   The Cordova Center is key to the full and  
10 complete restoration of Cordova. I strongly and  
11 wholeheartedly urge the Trustee Council to recognize this  
12 opportunity before you in which you can fulfill your  
13 mission to restore human services in an injured oiled  
14 community. And I'd be happy to answer any questions.

15                   I sometimes feel like the poster child for  
16 the oil spill, simply because of my history in the area and  
17 the fishery and with the community. But as a family, we  
18 were certainly one of those injured parties with the loss  
19 of our fishery and the fisheries that we built our boat  
20 specifically for. So we have moved on to a new industry  
21 and we want to stay in Cordova and we are doing whatever we  
22 can to stay in Cordova.

23                   And I really see this center as absolutely  
24 central to any kind of diversification and forward thinking  
25 and movement in the restoration of the tourism industry but



1 also as a linkage to the science that you're creating here  
2 and kind of a physical place to go and learn, maybe a  
3 holistic kind of bringing together of all of the resources  
4 that have been created over the last, you know, 12 to 17  
5 years.

6 CHAIRMAN O'CONNOR: Okay.

7 MS. LANG: So I once again want to  
8 reiterate my support for the Cordova Center and hope you do  
9 too.

10 CHAIRMAN O'CONNOR: Thank you, Sylvia.

11 Does anybody have any questions for Sylvia on the --  
12 anybody on the Trustee Council?

13 (No audible responses)

14 MS. LANG: Thank you.

15 CHAIRMAN O'CONNOR: Thank you, ma'am.

16 MS. LANG: I can email you a copy of this,  
17 if you'd like.

18 CHAIRMAN O'CONNOR: If you would, please.

19 MS. LANG: Okay. Will do.

20 CHAIRMAN O'CONNOR: Yes, thank you. Is  
21 there anybody else? Yes, ma'am.

22 MS. BIRD: I do have copies of two letters  
23 to pass out to you because I think some of you did not  
24 receive -- hi Joe, Nancy Bird -- and there's a letter here  
25 from the City of Cordova. And this one.

1 MR. FREDRIKSSON: Craig?

2 CHAIRMAN O'CONNOR: Yes.

3 MR. FREDRIKSSON: We were just -- we were

4 getting a lot of static.

5 CHAIRMAN O'CONNOR: Well, it's not coming

6 from here.

7 MR. FREDRIKSSON: No, you're coming through

8 clear now. Thanks.

9 CHAIRMAN O'CONNOR: Okay.

10 MS. BIRD: My name is Nancy Bird and

11 perhaps the static is there because I was just passing out

12 some letters, Kurt. My name, as I said, is Nancy Bird.

13 I'm president of the Prince William Sound Science Center in

14 Cordova. And I emailed a copy of my formal comments to all

15 of the Trustee Council members. Since there is so many

16 alternate members here, I wanted to pass out the comments.

17 And I just plan to read briefly from them. I want to say,

18 I appreciate your indulgence in making the public comment

19 period so long. I'm looking forward to seeing you finish

20 your meeting by noon, as you suggested. But.....

21 CHAIRMAN O'CONNOR: We have other pressures

22 that are building at this point.

23 (Laughter)

24 CHAIRMAN O'CONNOR: So, please go ahead.

25 I'm sorry.

1 MS. BIRD: I also want to preface, I guess,  
2 my comments by saying I really appreciate hearing from  
3 someone like Vern McCorkle, who has such a history with  
4 this organization and the public advisory group. I think  
5 his comments sort of accentuate the message, the take home  
6 message I'd like to leave is one of the importance of long  
7 term data sets. If we're going to understand the  
8 ecosystems on which we want to try to restore, I mean,  
9 they're all related and it's a balancing act of trying to  
10 figure out how you can come up with a restoration plan if  
11 Your Honor, don't understand how the system works. And to  
12 understand that, I've become a real advocate that we really  
13 need some long term data sets.

14 So that leads into the reason I'm really  
15 here, is to try to advocate for inclusion of two additional  
16 projects in the FY-07 work plan that's been proposed to  
17 you. There are two projects related to herring. One is  
18 070811, the other 070814, dealing with predation of  
19 juvenile herring in winter by seabirds and focusing on the  
20 juvenile herring's ability to survive their first winters.

21 These projects are by two researchers at  
22 the Prince William Sound Science Center, one in conjunction  
23 with a US Fish and Wildlife Service researcher as well,  
24 Thomas Kline, and Mary Anne Bishop and Kathy Kuletz. They  
25 build on work that came out of the April workshop that the

1 Trustee Council staff so admirably held and I think that it  
2 was a good start in a planning process. I certainly  
3 support the ongoing efforts that Michael Baffrey is making  
4 to continue that, but I want to say that I would like to  
5 see continuation of data or reinstatement of data  
6 collection on projects related to herring go concurrently  
7 with that planning process. My letter goes into more  
8 detail on all of that.

9 I finally want to encourage you to give the  
10 green light to these two projects because of the  
11 opportunity that we have in the current fiscal year to  
12 share vessel charters with an ongoing Stellar sea lion and  
13 herring program that is happening at Prince William Sound  
14 Science Center, headed by Dr. Richard Thorne. This program  
15 provides both vessel opportunities and a monitoring  
16 framework that will result in detailed information on the  
17 abundance and distribution of both adult and juvenile  
18 herring. Any concurrent research project on herring would  
19 be greatly facilitated by knowledge of these factors.  
20 Furthermore, continuity of data collection in conjunction  
21 with the Steller sea lion project will limit the data gaps.

22 I think I will leave it at that and  
23 hopefully you will have time to review in further detail the  
24 comments in my letter.

25 CHAIRMAN O'CONNOR: Any trustee -- yes,

1 Joe.

2 MR. MEADE: Thank you, Nancy. One question  
3 I had in reviewing your proposals that was emailed --  
4 appreciate the digital copy. The vessel of opportunity,  
5 your costs I presume reflect that and I presume then  
6 foregoing this, I think as it was identified Priority 2  
7 level project, was see a significant price increase in out-  
8 years, I anticipate?

9 MS. BIRD: Yes. Particularly in the case  
10 of the sea bird project because that project was going to  
11 piggyback entirely on the vessel charters and the.....

12 MR. MEADE: Do you have a forecast of what  
13 that budget modification would be if it was not done  
14 utilizing the vessel of opportunity?

15 MS. BIRD: Not off the top of my head, Joe.  
16 No.

17 CHAIRMAN O'CONNOR: All right. Any other  
18 trustees have any questions? Anybody in Juneau?

19 (No audible responses)

20 CHAIRMAN O'CONNOR: Thanks, Nancy.

21 MS. BIRD: Thank you.

22 CHAIRMAN O'CONNOR: Could I see a show of  
23 hands how many more folks beyond this gentlemen? Two. All  
24 right. In -- three. In the interest of maintaining  
25 biological integrity.....

1 (Laughter)

2 UNIDENTIFIED SPEAKER: There's two online

3 too.

4 CHAIRMAN O'CONNOR: I'm sorry?

5 UNIDENTIFIED SPEAKER: There's two people

6 on the phone that want to talk.

7 CHAIRMAN O'CONNOR: And the fact that we

8 have a couple of others that are standing by on the phone,

9 I'm going to take a break for 10 minutes.

10 MR. MEADE: What about the rest of us?

11 CHAIRMAN O'CONNOR: And Joe, you're

12 welcome, you know, just don't get in my way. That's all

13 I'm going to say.

14 (Laughter)

15 CHAIRMAN O'CONNOR: So we'll stand in

16 recess until 20 after 10:00. Thank you.

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

18 (On record - 10:21 a.m.)

19 CHAIRMAN O'CONNOR: All right. Juneau, are

20 you back on?

21 UNIDENTIFIED SPEAKER: No, they're muted.

22 UNIDENTIFIED SPEAKER: They're on mute.

23 UNIDENTIFIED SPEAKER: There you go.

24 CHAIRMAN O'CONNOR: Okay. Maybe that's why

25 we haven't heard from them. All right. We're ready to get

1 started.

2 MR. FREDRIKSSON: Craig, this is Kurt down  
3 in Juneau. You sounded a little faded away there. Would  
4 you say something, let's see if we got you back?

5 CHAIRMAN O'CONNOR: Yeah, I found out we  
6 had you on mute, so.....

7 MR. FREDRIKSSON: Oh, okay.

8 CHAIRMAN O'CONNOR: So can you hear me now?

9 MR. FREDRIKSSON: All right. We can hear  
10 you now. Thanks, Craig.

11 CHAIRMAN O'CONNOR: All right. Don't take  
12 that as a comment, that was just.....

13 MR. FREDRIKSSON: No, not at all. Never  
14 would.

15 CHAIRMAN O'CONNOR: Okay. All right. Yes,  
16 sir. You're ready. You're on.

17 MR. KOPCHAK: If you would like. Thank  
18 you, sir.

19 CHAIRMAN O'CONNOR: Please.

20 MR. KOPCHAK: Well, good morning to the  
21 Trustees. My name is R.J. Kopchak, I'm a commercial  
22 fisherman in Cordova, Alaska.

23 CHAIRMAN O'CONNOR: Can you hear, Kurt?

24 MR. FREDRIKSSON: We sure can. Thanks,  
25 R.J.

1                   MR. KOPCHAK: Thank you. You bet. And I  
2 am on the Board of Directors of the Cordova District  
3 Fishermen United, the regional representative organization  
4 for the commercial fisheries. I have been designated their  
5 special herring representative.

6                   I've been active in the fisheries in  
7 Cordova for over 32 years. Have raised of a family of four  
8 kids there, one son born the year of the oil spill. You  
9 may have seen him -- his fingers on one of those specials.  
10 He's one of the kids that dipped his hands into the  
11 residual oil last August and brought samples back to DC.

12                  I'd like to talk about a couple of things.  
13 Just number one, to provide a quick perspective, herring in  
14 Cordova used to provide 1,100 jobs between the permits, the  
15 tenders, the pilots, the processors, we had about 1,100  
16 seasonal jobs, not all in Cordova but Cordova was the  
17 center of the operation of the commercial fisheries in  
18 Prince William Sound.

19                  In the last 14 seasons or so, the community  
20 and the commercial herring fishermen, if you look at just  
21 ex-vessel values, have lost about 130 million dollars in  
22 lost opportunity revenue.

23                  In addition, permits that were worth, at  
24 the year of the spill -- well, I owned two herring permits.  
25 The year of the spill, my permits were worth about



1 \$150,000, the two of them. They currently have a value of  
2 zero.

3                   If you do the math related to the revenues  
4 that I have not had an opportunity to harvest -- now this  
5 isn't money to me, it would have been the money used  
6 however to buy the nets, repair the nets, pay the folks,  
7 buy the fuel, get the groceries, and sustain the regional  
8 economy, my personal losses for my family, a family fishing  
9 operation, have been in excess, if calculated and balanced,  
10 of about \$900,000. I don't think there's anybody here  
11 sitting around that can afford to give up a \$900,000  
12 revenue stream over a 15 year period and not feel the bite.

13                   Well, I'm just one of those 1,100 folks  
14 affected by the loss of herring. And I want to encourage  
15 the EVOS trustees to maintain their current focus on  
16 looking at herring and herring restoration opportunity.  
17 And I'd like to circle back on how to do that because I  
18 think the herring opportunity represents as well an  
19 opportunity for EVOS in general.

20                   One of the things that I think the trustees  
21 have not been able to do -- and whether it's because of  
22 structure, focus, or process -- the trustees have been  
23 unable to articulate a vision of success. What does it  
24 look like when you folks are done? How do you measure  
25 yourselves? How did you succeed?

1                   The trustees have not been able to craft  
2 realistic and tangible examples of success in their areas.  
3 This is I think demonstrated in a couple of areas, one is  
4 herring. But I think another is the spatial temporal  
5 presentation of the information that you've acquired.  
6 There is no GIS database. I can't go in there and find out  
7 who did what, when, where, and how. I can't track  
8 scientists over time, over year, or over discipline on a  
9 GIS database. To me this is also a terrible, terrible lack  
10 of vision on the part of the process and I think that it  
11 will continue to interfere with our successful completion  
12 of restoration in a lot of areas.

13                   So I think the third part is, is that the  
14 trustees have been unable to effectively cultivate a  
15 constituency. I think that's the third part of how to be  
16 successful. I think we have to articulate a vision, craft  
17 realistic and tangible examples of success and process, and  
18 then cultivate a constituency to support those efforts.  
19 And I think that that cultivating the constituency  
20 component, it circles back to articulating a vision. The  
21 trustees have not taken full advantage of the Public  
22 Advisory Committee. We are incredible.

23                   And I say that because I look at the  
24 diversity there, not for me, but that fact that I'm  
25 agreeing with folks from councils and organizations and

1 focuses that usually I'm fighting with in front of the  
2 Board of Fish or in front of a group down in Juneau over  
3 something. And we're just spatting. And we're sitting  
4 there and we're agreeing on a whole lot of stuff. And  
5 we're articulating a vision together. But there are no  
6 liaisons in the room. There are no trustees in the room.  
7 And our energy and focus and articulated vision is  
8 compressed to 10 or 15 minutes in front of you. And it's  
9 not working. And I think that -- I think you guys may  
10 recognize that.

11                   So this is what I'd like to see happen.  
12 Number one, is I'd like to see you guys live within the  
13 budget that was a fantasy over the last few years and not  
14 begin to tap into the restoration reserve at this point in  
15 time. Because I think that that restoration reserve  
16 represents your greatest opportunity to craft realistic and  
17 tangible programs for success.

18                   I think you need to take a deep breath and  
19 work with the PAC, this diversified group, and clearly  
20 articulate a vision in several areas. There's no vision  
21 for every point. Some of us working on herring I think are  
22 real close. It's not in front of you now because it's not  
23 ready yet. But I think some of us working on herring have  
24 developed a process and program to look at herring over  
25 time. And it should be in front of you within the next

1 three to six months. And that's the kind of thing I think  
2 we need to do for all of the areas of interest.

3                   And I just beg you to do that. I'm here on  
4 my own dime. Virtually everybody here representing their  
5 local interests are on their community dime or their own  
6 dime. I think that also represents a real commitment by  
7 both communities and the PAC members. Because of course  
8 the liaisons and the Feds and the State folks are all here  
9 on our dime. And when folks come out of their communities  
10 and come to talk to you and it costs them out of their  
11 pocket and they've already lost a crap-load of money, I  
12 think that that represents a real public commitment to this  
13 process.

14                   So what I'd ask you to do today is stick  
15 with the advice of your Public Advisory Committee. It may  
16 be different than the advice you're getting from some of  
17 those folks whose interests were represented at the speaker  
18 here -- or at the microphone here this morning. But the  
19 PAC represents again this incredibly diverse group and we  
20 came to a unanimous approach in our recommendations to you.  
21 And we did it through a tremendous amount of dialogue and  
22 debate. Again, unobserved by any members of the liaison  
23 group who are your direct contacts.

24                   So listen to that now. Make your decisions  
25 based on that now. And then work with us through your

1 staff over the next year to clearly articulate a vision,  
2 craft realistic and tangible programs, and cultivate that  
3 constituency. And then you will end up being able to have  
4 a portfolio of investments that will make sense for you,  
5 make sense for the communities, and get us down the road.

6                   And I would hope again, as you make that  
7 last decision, that a significant commitment over a  
8 biological time line for herring -- and I'm talking 20 to  
9 30 years -- I would like you to be able to do that at the  
10 end of all of this. To make real commitment to the loss  
11 that we feel so strongly economically in Cordova and in  
12 Prince William Sound.

13                   So that's my message to all of you today.  
14 I appreciate all of your efforts and energies. You guys  
15 all have a tough job. And I'd be happy to answer any  
16 questions.

17                   CHAIRMAN O'CONNOR: Any of the trustees  
18 have any questions for R.J.?

19                   MR. FREDRIKSSON: Craig, this is Kurt  
20 Fredriksson. I have one.

21                   CHAIRMAN O'CONNOR: Okay, Kurt.

22                   MR. FREDRIKSSON: Yeah, R.J., thanks for  
23 your comments, first of all, but you had specifically  
24 referenced the lack of any -- I'll just use the term  
25 information portal or any kind of GIS or any way of kind of

1 accessing the information that's been acquired over these  
2 many years. And the trustees have a proposal before them  
3 today, it's a Moffitt herring data and information portal.  
4 I'm just curious if that would take us closer to what your  
5 vision is, at least in terms of information sharing?

6 MR. KOPCHAK: Well, it certainly -- Kurt,  
7 thanks. That's a great question. I think if you take a  
8 look at the PAC recommendations, you'll find that there  
9 were several proposals for doing consolidated information  
10 work and that the Steve Moffitt proposal was the only one  
11 funded because it was focused and specific. And I think  
12 that will get us started, Kurt. It's certainly not the end  
13 all where-with-all but it is, I think that his proposal was  
14 the best articulated and most focused of the bunch and I  
15 think that's the way to get started. And again, I think  
16 the trustee -- you guys will notice that we did not  
17 recommend as the PAC several other information programs,  
18 and that's because we didn't see how they nested with  
19 anything.

20 Mr. Moffitt's nested with current efforts.  
21 Everybody else has failed to take into consideration other  
22 efforts that are currently underway. There were no  
23 references in any of those proposals to other efforts and  
24 we didn't think that they were connected enough to make  
25 sense. But yes, Kurt, Moffitt makes sense. Thank you.

1                   CHAIRMAN O'CONNOR: Any other questions,  
2 trustee members?

3                   MR. KOPCHAK: Thank you very much for your  
4 time.

5                   CHAIRMAN O'CONNOR: Yes, sir. Come on up.

6                   MR. THOMPSON: I'm Bob Thompson, Public  
7 Works and Engineering Director for the City of Valdez and  
8 here on behalf of Mayor Cottle to show support for three  
9 proposals that would affect directly the City of Valdez.

10                  The first one being the quality in the  
11 harbors. If you've ever been to Valdez, you know that our  
12 harbor is a dead end and everything seems to accumulate in  
13 that little cove and dead end. And towards the end of the  
14 summer, you can walk from the road down to the water's edge  
15 across fish the whole way. And everything else that seems  
16 to accumulate in the harbor with all the activities that go  
17 on there.

18                  The other item is the storm water. I  
19 couldn't tell you. I've been in my position for two years  
20 now, just over two years, and I couldn't tell you the last  
21 time that the storm water discharge was evaluated and  
22 looked at. So, as I like to say, we don't know what we  
23 don't know about the storm water discharge in our area  
24 right now. And we'd certainly welcome a look at what is  
25 going on there and ways to improve that if it's reasonable.

1                   Then the final item on our list or proposal  
2 is for sewer system improvements. This item has been the  
3 city's number one priority for several years now, both at  
4 the state level and the national level. It's still our  
5 priority with no end in sight. The recent flooding in  
6 Valdez, again, helped bore out the need for this project as  
7 quite a few of the septic systems failed, which led to  
8 drinking water and people's wells failing also. Failing  
9 tests, quality tests. So this is an important project to  
10 the City of Valdez.

11                   And I will hang around and be available  
12 later if need be for questions during the work session.

13                   CHAIRMAN O'CONNOR: Okay. Thank you. Any  
14 questions from the trustees?

15                   (No audible responses)

16                   CHAIRMAN O'CONNOR: Thank you, sir. Who  
17 else? Come on up.

18                   MR. LAVIN: Thank you. For the record, I'm  
19 Pat Lavin. I'm the new Vice Chair of the PAC. And I had  
20 sent an email to the council yesterday, came prepared today  
21 to speak briefly to that. I think it was covered though in  
22 the PAC dialogue exchange mostly. It was the PAC's sense,  
23 based on the letter that we saw to the community mayors,  
24 that it would be on the table today to actually fund  
25 projects amounting to about 50 million dollars in addition



1 to the work plan. So I understand based on the prior  
2 conversation this morning that that's not on the table  
3 today and that perhaps there would be a discussion of some  
4 of those projects or pre-proposals and that decisions  
5 regarding perhaps inviting full proposals. So with that  
6 understanding, I'll just move off of that topic. But it  
7 was our sense that they were on the table. I appreciate  
8 McKie's comment that it would have been helpful to give him  
9 a call and clarify that. I think that's the impression  
10 that the letter left pretty much everyone and I'm just  
11 glancing at a letter that came in in support of one of the  
12 -- or some of the projects from the City of Homer that  
13 seems to bring up the same understanding, that they're  
14 under the impression that there would be a vote today about  
15 to use funds to actually do that. So I think that did  
16 become the word on the street, and so that was the reason  
17 for the attention on that. Appreciate that that's not the  
18 case.

19 I also wanted to speak instead then to some  
20 of the conversation this morning. I appreciate the  
21 Chairman's words about acknowledging the breach of trust  
22 that that would have amounted to, had that been, you know,  
23 funding that much money for projects that hadn't been  
24 through the public process, that that would have  
25 represented. And the duty now to restore that trust and

1 make clear that that kind of thing, you know, isn't a thing  
2 that happens at the Trustee Council. So I look forward to  
3 that as well as taking the time to review where the council  
4 is in its history and where it wants to go for the next --  
5 for the coming years.

6                   We are at a transition period, as you say,  
7 and a time where we've taken a look to update the injured  
8 species and things like that and activities underway to  
9 restore herring in a fairly big way, and some new things.  
10 And I think it is time, I concur with R.J.'s comment about  
11 let's -- it's a good time to take the opportunity to look  
12 at the vision or what the -- what a successful program  
13 looks like in some number of years out.

14                   And as we do that, I just would flag that  
15 most of the species and services on that list still are not  
16 in the recovered category, so that there still is work to  
17 be done and quite a lot of it. There aren't that many  
18 stories that have already played themselves out  
19 successfully. I will echo on behalf of some of the other  
20 speakers, including Nancy Bird and others, along the line  
21 that some kind of monitoring over time -- and I know that  
22 McKie for example isn't inclined toward that, an ongoing  
23 monitoring program, but that is what will provide the  
24 continuing information to guide restorative efforts on  
25 these species and services that aren't yet recovered. So I

1 think it's a necessary component.

2                   And also as we do that, some of the injured  
3 services I think have not tended to be at the top of the  
4 list or front and center on the radar. I think the  
5 individual species -- and there's probably a good reason  
6 for that -- have been more of the focus of attention.  
7 Injured species and habitat and such. But we've heard from  
8 folks today, arguing fairly persuasively I think, that we  
9 should consider the injured service, for example and  
10 particularly the Prince William Sound region, of tourism  
11 and what might be done to help restore that injured  
12 service.

13                   And I guess that gives me an opportunity to  
14 mention that on the injured, you know, human services, some  
15 of the sort of construction projects that have been at  
16 least part of the discussion with the pre-proposals and  
17 such, have come under a banner of human services but, you  
18 know, the fact that it's a economic sort of construction  
19 project in the community doesn't make it a human services  
20 project for Trustee Council purposes.

21                   But, yeah, tourism is a service that the  
22 injured natural resources helped provide to the communities  
23 and it is fairly within the ambit of the council, I think,  
24 to look at proposals designed to restore tourism. It  
25 doesn't mean they're all good but they should come in on

1 equal footing with some of the more familiar species  
2 research and restoration type proposals.

3                   So I look forward to looking at questions  
4 like that as we move perhaps through the next year or so to  
5 work together on the PAC with the council on this mission  
6 and maybe redefining the vision of success a little bit.

7                   Lastly, or almost lastly, the pre-proposals  
8 only led us -- and Stacy may have mentioned this in her  
9 report -- but the PAC -- the sense of the PAC was we just  
10 needed to make sure that the pre-proposals, however that  
11 works, come through as transparently and as part of an open  
12 process and the regular proposals, whatever that looks  
13 like. But we don't currently have a set process for pre-  
14 proposals and we should probably have one.

15                   Finally -- and this is finally, I promise  
16 -- this stuff that I'm talking about is all made possible  
17 by the restoration reserve, keeping that in tact so that it  
18 can fund the ongoing good deeds that lots of people have  
19 come to talk about today. And so I wanted to reiterate the  
20 PAC's, you know, strong encouragement as the fiscal years  
21 come and go, to always look at that, keep that budget in  
22 mind. That doesn't mean real strict, but avoiding  
23 significant dippings into that reserve is the way to fund  
24 this over time. So thank you.

25                   CHAIRMAN O'CONNOR: Thanks, Pat. Does

1 anybody have any questions?

2 (No audible responses)

3 CHAIRMAN O'CONNOR: Hearing none, thank

4 you. I believe that ends the public comments.....

5 MR. BAFFREY: Online.

6 CHAIRMAN O'CONNOR: .....for the people in

7 the room.

8 MR. BAFFREY: Online.

9 CHAIRMAN O'CONNOR: Yeah, I know.

10 (Laughter)

11 MR. BAFFREY: Sorry.

12 UNIDENTIFIED SPEAKER: Good recovery.

13 CHAIRMAN O'CONNOR: I just -- I talk slow.

14 I talk slow.

15 MS. PEARCE: Mr. Chairman.

16 CHAIRMAN O'CONNOR: Yes.

17 MS. PEARCE: Would it be appropriate -- I

18 have a comment about pre-proposals.

19 CHAIRMAN O'CONNOR: By all means. Go right

20 ahead.

21 MS. PEARCE: Thank you. This is Drue

22 Pearce, for the record, Department of Interior. And I've

23 heard a couple of folks, primarily Stacy and Pat, say that

24 they thought pre-proposals should have some sort of a well

25 defined process. In my mind, when we decided to add the

1 pre-proposals to the '07 invitation, it was to see what  
2 sort of universe of ideas there were that perhaps the  
3 Trustee Council hadn't thought of. What else was out there  
4 that the good folks of Alaska, ideas that they might have  
5 that should be looked at by the council but that we just  
6 haven't thought of in our own little nooks and crannies of  
7 the world.

8                   Having said that, I thought I understood  
9 the process. The pre-proposals were supposed to come in as  
10 a one-pager, just as they did. Come to the council, the  
11 council looks at them and scratches their heads and says  
12 either yes or no. If it's a yes, that means we're  
13 interested in going in that direction and we want more  
14 information, at which time we ask for a full proposal,  
15 which then goes through the complete process as it's  
16 already laid out.

17                   I don't think frankly that it's very  
18 appropriate to try to have that whole process take place on  
19 a one-pager. To have the science group try to look at a  
20 one-pager, frankly even to have the PAC try to look at a  
21 one-pager in terms of recommendations to the council. I  
22 don't know that I would support going through that long,  
23 costly process but I'm kind of happy with the pre-proposals  
24 as they are and the council can look at them and decide  
25 whether or not we want to ask for additional information on

1 each of the either the specific proposals or the -- perhaps  
2 the more general topics. Thank you.

3 CHAIRMAN O'CONNOR: Thank you, Drue. All  
4 right. There are no -- yeah, Pat.

5 MR. LAVIN: Can I speak just real briefly  
6 to that?

7 UNIDENTIFIED SPEAKER: Are you going to  
8 take public testimony from people online?

9 CHAIRMAN O'CONNOR: Yes, I am. Yes, I am.

10

11 UNIDENTIFIED SPEAKER: Thank you.

12 CHAIRMAN O'CONNOR: Just very specific.....

13 MR. LAVIN: Yeah.

14 CHAIRMAN O'CONNOR: .....and very short.

15 MR. LAVIN: Just real quick. I think it  
16 will be helpful.

17 Drue, this is Pat. I just wanted to say  
18 that that's consistent with where the PAC was too. I don't  
19 think the intent was for the PAC or the science panel to  
20 look at and review the one-pagers. It was just that the  
21 way the pre-proposals came through the system this time  
22 that created confusion because we weren't aware, when we  
23 didn't even see the one-pagers, and then wound up under the  
24 impression that some of them may be actually funded like  
25 today. So that was the lack of process that we were most

1 concerned about. I think you can do it largely as you've  
2 outlined as long as the full proposal then goes through  
3 with the rest of them for that fiscal year.

4 CHAIRMAN O'CONNOR: All right. Thank you.

5 MS. PEARCE: Okay. Thanks.

6 CHAIRMAN O'CONNOR: All right. We'll now  
7 go to the public outside of the room. Assuming I've got  
8 everybody inside. All right.

9 Did you take a note as to who's on the  
10 line?

11 MR. BAFFREY: No.

12 CHAIRMAN O'CONNOR: All right. Well, let's  
13 proceed, whoever would like start.

14 MR. BAFFREY: Ross Mullins.

15 CHAIRMAN O'CONNOR: By all means, go right  
16 ahead.

17 MR. BAFFREY: Ross is on the line.

18 MR. MEACHAM: This is Chuck Meacham and I'd  
19 like to provide some testimony.

20 CHAIRMAN O'CONNOR: All right, Chuck.

21 MR. MEACHAM: Okay. My name is Chuck  
22 Meacham. By way of background, I was a biologist with the  
23 Alaska Department of Fish and Game for 21 years. One of  
24 the positions I held was Fisheries Program Manager for  
25 Exxon Valdez Oil Spill studies. I held the position of



1 Deputy Commissioner and alternate EVOS Trustee prior to my  
2 retirement. I also served three terms on the Board of  
3 Directors of the Prince William Sound Science Center and  
4 was previously and EVOS Public Advisory Committee member  
5 and served as Chairman for a couple of years as well. In  
6 short, I've been involved with EVOS related activities  
7 since inception.

8                   Today I'm asking that you fund two projects  
9 that I feel are very important and both of these projects  
10 deal with herring. The first is project 811 by Dr. Kline,  
11 headed by Dr. Kline. And the other one is 814, headed by  
12 Dr. Bishop.

13                   Herring really remain a scientific mystery  
14 throughout much of Alaska but especially so in Prince  
15 William Sound. The population collapsed, as I'm sure  
16 you're aware, back in conjunction with the Exxon Valdez Oil  
17 Spill. And that was 17 years ago now. But herring are  
18 critically important to both the ecology and economy of the  
19 state. I think R.J. did an excellent job of sharing with  
20 you some of the economics. In fact I remember preparing a  
21 speech before some group here many years ago now, but  
22 dealing with the importance of commercial fisheries in  
23 Alaska and I did find one interesting historic tidbit. And  
24 that was that in one short three hour herring fishery, and  
25 I believe it was in Prince William Sound, fisherman were

1 actually paid more for their herring catch than the US paid  
2 Russia for the purchase of Alaska. You know, certainly the  
3 dollars are different but it does point to the value that  
4 that fishery had and contributed to many, many people. And  
5 in case you're wondering, the fishery remained healthy for  
6 many years thereafter.

7                   Anyway, one of -- you know, if one of your  
8 objectives is to restore damages to natural resources and  
9 human services associated with the oil spill, increased  
10 knowledge regarding herring will benefit the herring  
11 resource itself, the entire ecosystem of which it's such an  
12 important component, the commercial fishery and subsistence  
13 users as well.

14                   So I believe your funding of project 811  
15 and 14 will help us move in that direction and I would  
16 encourage you to so that. Thank you for the opportunity to  
17 share my views.

18                   CHAIRMAN O'CONNOR: Thank you, Chuck. Does  
19 anybody have any questions for Chuck?

20                   (No audible responses)

21                   CHAIRMAN O'CONNOR: Hearing none, who else  
22 do we have on the line that would like to make public  
23 comment.

24                   MR. ZEINE: This is Ed Zeine. I am a  
25 member of the PAC team.

1                   CHAIRMAN O'CONNOR: All right, Ed.

2                   MR. ZEINE: As you know, I've been on the  
3 PAC probably for, oh, several terms. I'm also on the Board  
4 of Directors for the Prince William Sound Science Center  
5 and the Board of Directors for the Prince William Sound  
6 Aquaculture Corporation.

7                   I'll keep this short for you and the  
8 trustees but it sounds like the trustees and the PAG are on  
9 the same sheet of music now that this misunderstanding is  
10 cleared up. I would like to support the comments that  
11 Mayor Joyce said regarding the science center and other  
12 have talked about projects in their community. And I'm  
13 really pleased that there's support for the one-pagers to  
14 be turned into a full proposal so it can get normal  
15 screening and processed that all the others have.

16                  And I thank you very much and hope you will  
17 support the projects that Chuck Meacham had just mentioned  
18 because I believe they're very important for the herring  
19 Sound recovery. Thank you and if there's any question, I'd  
20 be happy to answer it.

21                  CHAIRMAN O'CONNOR: Thanks, Ed. Any of the  
22 trustees have any questions for Ed? Joe.

23                  MR. MEADE: Hi Ed. I noted that you  
24 thanked Mayor Joyce for his comments earlier and you  
25 referenced that to the science center. Was that in context

1 to the Prince William Sound Science Center or the Cordova  
2 Community Center project?

3 MR. ZEINE: It was the Cordova Community  
4 Center project.

5 MR. MEADE: Has the PAC reviewed that and  
6 taken a position in recommendation or a position of advice  
7 to the Trustee Council?

8 MR. ZEINE: The only comment -- they did  
9 not take a view other than it hadn't followed the process,  
10 none of them had followed the process that was previously  
11 outlined on the one-pagers. However, there was comments  
12 made that if anything, of course, was funded on that list,  
13 it ought to be the Cordova Center. But I think that we'll  
14 have another opportunity in the future to discuss that in  
15 detail, I hope. Thank you.

16 MR. MEADE: Thank you, Ed.

17 CHAIRMAN O'CONNOR: Okay. Stacy confirmed  
18 that. Any other questions for Ed?

19 (No audible responses)

20 CHAIRMAN O'CONNOR: Anyone else have any  
21 comments?

22 (No audible responses)

23 CHAIRMAN O'CONNOR: That's it?

24 MR. BAFFREY: I thought there was Mr.  
25 Mullins.

1                   MR. MULLINS: Mr. Chairman, Ross Mullins of  
2 Cordova.

3                   CHAIRMAN O'CONNOR: All right. We were  
4 wondering where you went.

5                   MR. MULLINS: Yeah, I'm sorry, I had my  
6 phone on mute here and I didn't realize it. I appreciate  
7 the time to make a comment on a specific proposal that  
8 PWSFRAP, Prince William Sound Fisheries Research  
9 Application and Planning group submitted for intervention  
10 to help jumpstart herring restoration. Now we spent a  
11 great deal of time putting this proposal together,  
12 utilizing examples from our experience of many, many years  
13 in herring roe and kelp fisheries, herring seine fisheries,  
14 et cetera.

15                  And one of the criticisms that our proposal  
16 received, which in fact is a dead end for intervention  
17 unless the question is answered that is posed by the  
18 science panel reviewer. I'll quote, it says, issues  
19 include evidence that suggests trans-locating herring eggs  
20 causes the death of all harvested eggs. Well, that's kind  
21 of a show stopper right there, isn't it? I don't think it  
22 takes any great cogitation to feel that if this statement  
23 by this particular reviewer, whoever that may be -- we  
24 never found out -- is correct, then intervention is  
25 probably a moot point.

1                   Now my experience dictates otherwise, so in  
2 response to that, usually in the past our experience has  
3 been that if the -- you know, as a result of a herring  
4 workshop in Anchorage, it was pretty clear that most  
5 scientists felt that intervention was a fundamental part of  
6 going ahead if we hope to make a difference in the herring  
7 biomass in Prince William Sound.

8                   In many years in the past, the Science  
9 Director, the Science Executive Director would have said we  
10 think there's some worthy elements here and we'd like to  
11 see it addressed to answer these criticisms. Such as,  
12 herring eggs all die if they're moved. So as a result of  
13 that, I submitted a one-page summary to Michael Baffrey the  
14 last couple of weeks and we met with Michael Baffrey in our  
15 office when he was here in Cordova a week ago Monday.

16                  And we proposed the following, and I will  
17 take the major -- the issue here to address. This revision  
18 of our original proposal states, we would utilize some  
19 small local vessels and we will determine by simple  
20 experiment the best means for herring egg collection,  
21 handling, and transportation to selected sites using egg  
22 hatch out rate as a measure of success. The results of  
23 these and other simple experiments will provide the basis  
24 for advancing or abandoning the direct intervention  
25 approach. Written and video documentation of the success

1 of this pilot project will developed for future  
2 presentation. Specifically I was thinking of the symposium  
3 in '07.

4                   The total amount for this project was  
5 159,600 with volunteer contributions of labor and equipment  
6 estimated at about 15,000. And I believe, based on the  
7 criticism that the panel issued to our original  
8 intervention approach, which is a full blown approach  
9 totaling over three million dollars, slightly over three  
10 million dollars for three years, I can understand, like  
11 Michael said, that's a hell of a lot of money. But I don't  
12 see anything in the studies that are being funded that are  
13 going to advance the actual increase in herring in Prince  
14 William Sound. It will advance our knowledge, certainly  
15 but if direct intervention is in our future, I strongly  
16 urge you to consider this reduced funding approach that  
17 we're submitting to just prove whether or not moving eggs  
18 from one site to another, a site where originally they may  
19 have a low expectation of survival, to sites that have a  
20 better opportunity for survival, I urge you to just go  
21 ahead with this so that we're not two years behind the  
22 curve when finally you decide, well, we got to do something  
23 to intervene and help these herring come back.

24                   Without -- you know, with this comment of  
25 all eggs result -- moving the eggs results in the death of

1 the harvested eggs, from my own experience directly related  
2 to working with herring eggs for 18 years on the grounds, I  
3 know this is not correct. And I'd like the opportunity to  
4 be able to prove that so that then we can move onto a more  
5 full blown intervention concept that will hopefully  
6 jumpstart herring in Prince William Sound. They're  
7 presently trapped in this low level of biomass that they  
8 just can't recover from. Granted, maybe in 20 years some  
9 natural events will help restore these herring through  
10 processes. But after 17 years of lack of recovery, we feel  
11 it's really in everyone's interest to look at means that  
12 may help enhance the actual biomass of herring.

13                         So I urge you gentlemen, I think Ken Adams  
14 may have some copies of this if anyone is interested in  
15 reading this one page redirected request from our original  
16 full blown proposal. And I thank you and if there are any  
17 questions, I'd hope to be able to answer them for you.

18                         CHAIRMAN O'CONNOR: Does anyone have any  
19 questions for Ross?

20                         (No audible responses)

21                         CHAIRMAN O'CONNOR: All right. Thank you  
22 very much, sir.

23                         MR. MULLINS: Thank you.

24                         CHAIRMAN O'CONNOR: Yes, Ken.

25                         MR. ADAMS: Mr. Chair, I do have a copy of



1 the pre-proposal that Mr. Mullins is talking about.

2 CHAIRMAN O'CONNOR: Okay. Could you.....

3 MR. ADAMS: If you need them I could pass  
4 them out.

5 CHAIRMAN O'CONNOR: Do we have that, Mike?

6 MR. BAFFREY: In the packet? I have a copy  
7 of it, but I haven't distributed it.

8 CHAIRMAN O'CONNOR: All right. Well, as  
9 long as Michael has it, then I'll check and see if we  
10 should distribute it at this point. Are there any other  
11 folks out there that have anything to say that aren't on  
12 mute?

13 (No audible responses)

14 CHAIRMAN O'CONNOR: Okay. Hearing none, I  
15 will close the public comment period. Thank you all for  
16 indulging my excesses in terms of time. I think it's  
17 important that we hear and that folks don't feel  
18 constrained by artificial time parameters, particularly at  
19 this juncture of our existence. So thank you. Thank you,  
20 Michael, for reminding me that I was breaching our own  
21 protocols but every now and again.

22 The next item on our agenda is your report,  
23 Michael, but try to keep it to three minutes, if you would,  
24 please.

25 (Laughter)

1                   MR. BAFFREY: Yeah, I could probably do  
2 that. Would you like for me just to defer it so you can  
3 get into the update? You were going to try to get that  
4 done.

5                   CHAIRMAN O'CONNOR: Yeah.

6                   MR. BAFFREY: I really was just going to  
7 reference the accomplishments that we had in our annual  
8 report and I can -- there was nothing of substance besides  
9 what's in that report.

10                  CHAIRMAN O'CONNOR: All right. Then we  
11 will defer.

12                  MR. BAFFREY: Okay.

13                  CHAIRMAN O'CONNOR: Joe, do you have any  
14 objection to that?

15                  MR. MEADE: Not at all.

16                  CHAIRMAN O'CONNOR: Any of the trustees  
17 have any objection to Michael's report being deferred for  
18 right now?

19                  (No audible responses)

20                  CHAIRMAN O'CONNOR: Hearing none, we'll  
21 next move to the update. Sorry, Kim. It's your turn,  
22 ma'am.

23                  DR. TRUST: I don't really have anything of  
24 substance, so if you'd like to defer that until the.....

25                  (Laughter)

1 DR. TRUST: Okay. Well, I'll go into the  
2 update. What I would like to do is talk about -- instead  
3 of going through each individual resource that has  
4 historically been on the update list, I would like to just  
5 go through those eight that are proposed to have a change  
6 in status. And between the 2002 and the 2006 update, those  
7 eight resources are common loons, cormorants, Dolly Varden,  
8 harlequin ducks, harbor seals, black oystercatchers,  
9 marbled murrelets, and the AT1 population of killer whales.

10 And so what I'd like to do first is start  
11 with the recovered category. What we would like to move  
12 into the recovered category this year are common loons,  
13 cormorants, and Dolly Varden. So that would be three  
14 changes into the recovered category. Common loons, the  
15 recovery objective was that population returned to pre-  
16 spill levels and that there's an increase in population  
17 trend for common loons over -- we have population trend  
18 data between 1989 and 2005 that show a consistent positive  
19 trend in wintering populations. The summer counts are not  
20 consistent but that seems to be biologically okay because  
21 the number of loons in the summer are usually low and  
22 variable because they move in and out of their breeding  
23 grounds and we're not sure how many non-breeders we have in  
24 the Sound and that kind of thing.

25 So the variability in the summer counts

1 seems to be biologically okay but the wintering numbers  
2 have showed a consistent positive trend. And there's also  
3 pre-spill information, a couple of counts in 1972 and 1973  
4 that show that the winter populations counts have met or  
5 exceeded these pre-spill counts for all years measured  
6 since the spill except for 1993.

7                   And then finally there's the lingering oil  
8 question that's out there. And although it does -- common  
9 loons do obviously occur in the oil spill area, given their  
10 life history, it's unlikely that they encounter lingering  
11 oil very often, if at all. So because of that, we  
12 recommend that common loons be considered recovered from  
13 the effects of the spill.

14                   The next species in the recovered category  
15 are cormorants. Their recovery objective is a return to  
16 pre-spill levels in the oiled areas. Marine bird surveys  
17 for cormorants for the last -- for nine of the last 16  
18 years in this particular count that Dave Irons has done, he  
19 lumps all cormorants, all three species of cormorants into  
20 just a cormorant category. They're not separated out by  
21 the three species that occur out there. Population trends  
22 for both summer and winter populations are increasing in  
23 the oiled area of the Sound.

24                   There are also pre-spill population  
25 estimates for 1972 and counts in 2004, which was the last

1 time that Dave was out there doing this, fall within the  
2 population range of the 1972 numbers, although it is on the  
3 very low end of that range, it still falls within that  
4 range. So because of that we felt that we would like to  
5 recommend that cormorants be considered recovered from the  
6 effects of the spill.

7 Dolly Varden are another species that we'd  
8 like to move into the recovered category. The recovery  
9 objective for Dolly Varden is that growth rates within the  
10 oiled streams are comparable with those in the unoiled  
11 streams.

12 And I should back up for just a second and  
13 talk about how this update was -- has gone through the  
14 public process. The Public Advisory Committee has had a  
15 chance to go through this and we also had liaisons meetings  
16 where we discussed. And one of the overarching themes that  
17 has come from the discussions about this particular update  
18 is that there's a recognition that some of these recovery  
19 objectives are out of date.

20 And so for the next iteration of this  
21 update, we really do need to go back and do a very  
22 concentrated effort on looking at the recovery objectives  
23 and make recovery objectives that are more relevant to the  
24 species that we're looking at. For example, this one  
25 growth rates within oiled streams are comparable to those

1 in unoiled streams. No data has really been collected to  
2 even assess that objective since 1991. So it might be an  
3 objective, it probably is an objective that needs to be  
4 updated and become more relevant to the species that we're  
5 looking at.

6 But given that there are still evidence for  
7 doll varden that they could be moved into the recovered  
8 category. The growth differences between the unoiled and  
9 oiled area did not persist after 1991. And the measurable  
10 concentrations of hydrocarbons that were measured in the  
11 fish drop by 1990.

12 Also, Dolly Varden are widespread  
13 throughout the Sound and we have some recent genetic  
14 information of a report that was funded through the Trustee  
15 Council that shows that a lot of genetic mixing occurs  
16 within the Dolly Varden population. So if an individual  
17 sub-population or if a group of Dolly Varden were directly  
18 injured by the spill, in order to get their populations to  
19 increase, they can expect that they would have immigration,  
20 an immigration from other populations. So there's a lot of  
21 mixing within the Sound. So fish can move into and out of  
22 populations.

23 And finally, current exposure to lingering  
24 oil is unlikely given their life history traits as well.  
25 So we would like to move Dolly Varden into the recovered

1 category from the effects of the spill.

2                   In the unknown category, the new member in  
3 the unknown member in the unknown category that we proposed  
4 is the marbled murrelet. Marbled murrelets were declining  
5 in the spill area before the spill and the decline has  
6 continued. They are listed as a threatened species under  
7 the endangered species act down in Washington, Oregon,  
8 California, and British Columbia. In the population  
9 surveys that we have between 1989 and 2005, the marbled  
10 murrelet numbers have not shown an increasing trend in the  
11 area.

12                   However the marbled murrelet numbers are  
13 confounded by a number of variables. First the foraging  
14 range and summer nesting distribution of murrelets overlap  
15 between oiled and unoiled areas so their counts are a  
16 little bit difficult because they move back and forth  
17 between the areas. And we also know that the breeding  
18 population is declining in both oiled and unoiled areas of  
19 the Sound and the trends are similar in the unoiled and  
20 oiled areas.

21                   So because these factors are similar in  
22 those two different areas, we believe that there are things  
23 other than oil that could be influencing the marbled  
24 murrelet population. And then finally we know that marbled  
25 murrelet rely on forage fish, such as sandlance and Pacific

1 herring and the link between declining herring, low  
2 murrelet numbers, and the effects of oil haven't been  
3 directly studied but we can't rule that out as a potential  
4 factor, just lack of herring as a forage fish for marbled  
5 murrelets. We can't rule that out as a factor contributing  
6 to their decline.

7                   So because we don't believe there's enough  
8 conclusive evidence to link the current condition of  
9 murrelets to the residual effects of the spill, the  
10 recovery is considered unknown. Or that's what we're  
11 proposing.

12                   The next three resources that I'd like to  
13 talk about are moved into the recovering category, and  
14 those are black oystercatchers, harbor seals, and harlequin  
15 ducks. Black oystercatchers were previously in the  
16 recovered category in 2002. We'd like to move them back  
17 down into the recovering category because since 2002 we  
18 have some new information from black oystercatchers.

19                   We do have the population trend data, and  
20 that shows that there haven't been any increases in the  
21 oiled areas over the last 16 years of the spill. The  
22 Trustee Council funded quite a few studies in the mid-  
23 nineties to look at nest success and reproduct --  
24 productivity of black oystercatchers and what it showed  
25 that there was an increased rate of predation on nests in



1 the oiled area versus the unoiled area. The researchers  
2 acknowledged that there was -- that the -- I'm sorry, there  
3 was a greater number of nest failures in the oiled areas  
4 versus the unoiled areas, and the researchers contributed  
5 that to a high predation rate but they didn't go into  
6 further explanation of why there would be higher predation  
7 rate on nests in the oiled areas versus the unoiled areas.

8                   So we're not sure if it was because there  
9 was an absolutely higher number of predators in those areas  
10 or if there was some behavioral manifestation in the birds  
11 that caused their predation rate on their next to be  
12 greater. And then finally the most compelling piece of  
13 evidence is recent work that has shown that black  
14 oystercatchers are still being exposed to oil, as indicated  
15 by a biomarker response to their P450 -- which is called  
16 P450. It's a biochemical response to oil. In 2004 it was  
17 demonstrated that black oystercatchers are still being  
18 exposed to oil in the oiled area. So because of all those  
19 things, we'd like to recommend that black oystercatchers be  
20 put back into the recovering category.

21                   Harlequin ducks were listed as not  
22 recovering in the 2002 update however we've done -- the  
23 Trustee Council has funded many studies on harlequin ducks  
24 and they -- several of them show that the harlequin duck  
25 situation is improving. Population trends and age

1 compositions of populations were similar between oiled and  
2 unoiled areas between 1997 and 2005. By 2005, there were  
3 no differences in the population trends. Also, a lot of  
4 the population demographics were similar in populations  
5 between oiled and unoiled areas, however, there was a  
6 disproportionately lower number of females in the oiled  
7 areas.

8                   And also in 2005 the exposure data shows  
9 that harlequin ducks are still being exposed to oil in the  
10 oiled areas. So because of all those things, we'd like to  
11 move harlequin ducks from not recovering into the  
12 recovering category.

13                   The last one, this is sort of a new one  
14 that we would like to put on the list, the AT1 population  
15 of killer whales. Prior to this update, it hasn't been  
16 listed separately as an injured resource. The AB pod is  
17 always the one that's talked about. In the AT1 population,  
18 there has been evidence but not -- it hasn't been collated  
19 and summarized very well up until now.

20                   Craig Matkin has gone now and done some  
21 excellent population modeling work and has used a lot of  
22 the data that he's collected over the last years that the  
23 Trustee Council has also funded and is pretty certain that  
24 the AT1 population recovery status is due now to effects of  
25 the spill back then. There has been no recruitment of

1 calves into that population since the spill. There is  
2 still a declining population trend. There were 22 whales  
3 in that population at the time of the spill and nine whales  
4 have disappeared since then.

5                   And -- let me make sure -- oh, again, and  
6 the modeling effort. Oh, and some of the -- and the  
7 modeling effort that Craig has done has shown that you can  
8 retroactively link that back to the spill. So we'd like to  
9 move that AT1 population into not recovering. I believe  
10 the AT1 population is also being listed under the Marine  
11 Mammal Protection Act as threatened. I'm looking to  
12 somebody from NOAA to help me confirm that, but.....

13                   CHAIRMAN O'CONNOR: I'll check.

14                   DR. TRUST: Okay. But if the AT1  
15 population gets put on the injured resources list, there is  
16 obviously no recovery objective for that population at this  
17 time, so it would have to work in conjunction with updating  
18 the other recovery objectives too. Create a recovery  
19 objective for the AT1 population.

20                   And I think that's it. Those are the eight  
21 changes -- did I miss one?

22                   CHAIRMAN O'CONNOR: Uh-huh. (Affirmative)

23                   DR. TRUST: Those are the eight changes for  
24 -- that were being proposed to include in the 2006 update.  
25 Those are the differences from the 2002 status update.

1                   CHAIRMAN O'CONNOR: Harbor seals.

2                   DR. TRUST: Oh. Did I not discuss harbor  
3 seals? Okay. Let me find my notes. Harbor seals. We  
4 would like to move into the recovering category from not  
5 recovered. I don't have my notes, so I'm going to have to  
6 wing it. Harbor seals we'd like to put in -- move, upgrade  
7 from non-recovering to recovering because there is  
8 indications that the population has been stable over the  
9 last 10 years.

10                  The recovery objective for harbor seals is  
11 stable or increasing populations however there's not a time  
12 scale given in that recovery objective. So we have  
13 population trend data from 1990 through 2005 and if you  
14 look at that population trend over those 16 years, it shows  
15 a decreasing trend of about 2.4 percent. However,  
16 depending on how you slice up that graph, if you look from  
17 the last 10 years, it looks like the population has flat-  
18 lined. If you look at the last five years, it looks like  
19 that population has started increasing.

20                  However, over the last five years, the  
21 population counts, which are counts from haul-out sites  
22 throughout the Sound, those counts are variable. So it  
23 looks like in the short term population, numbers may be  
24 coming back. They're still lower than they were pre-spill.  
25 But if you look at the population trends since the spill,

1 the overall population is still declining.

2                   So there's a little bit of an issue with a  
3 time scale thing there and how you want to determine that  
4 in the recovery objective. But I think a couple of more  
5 years of monitoring to see if that increasing trend really  
6 is true and if we can reverse the long term trend to  
7 positive or at least stable would be beneficial for harbor  
8 seals. And so we're recommending that they be put into the  
9 recovering category.

10                   CHAIRMAN O'CONNOR: Thank you. Anything  
11 else?

12                   DR. TRUST: Nothing else.

13                   CHAIRMAN O'CONNOR: That's it. All right.  
14 Trustee -- Joe.

15                   MR. MEADE: I have a question for  
16 clarification, Kim.

17                   DR. TRUST: Sure.

18                   MR. MEADE: Thank you for the overview and  
19 the review and it's good to see some species move into the  
20 recovered status. One of the things you highlighted was I  
21 need to take a look at the recovery objectives and be sure  
22 they're correct for where we are today, 17, 18 years post-  
23 oil spill. And I guess maybe it's questioning then  
24 processes. Is it timely to review the objectives and then  
25 discern if a species should follow suit of that revised

1 objective?

2                   By example, the Dolly Varden where you  
3 noted that there was some discrepancy in the lack of data  
4 being collected. But then I also kind of heard you suggest  
5 that a variety of other data points would suggest to you  
6 that it's achieved a recovery objective even though it  
7 doesn't achieve the recovery objective as it currently is  
8 stated. So I guess my question is, is it timely to move  
9 that into recovered status, and if it is, that's good; or  
10 is it more timely to insure we've got revised recovery  
11 objectives when we make that determination?

12                  DR. TRUST: I think that's a good question  
13 and what I what I struggled with in preparing this was do  
14 we create objectives that then we can go back and look at  
15 the data and then that would help the species fall into  
16 that recovered status because I just created objectives  
17 that would then make them become recovered. So I struggle  
18 with that when I was looking at all of the information and  
19 evaluating it for this particular update.

20                  I think that we could move forward with  
21 some of these into new categories, just recognizing that  
22 there needs to be a broader scale look at the recovery  
23 objectives at this time. I guess I would feel funny on all  
24 of them saying, well, what would be a recovery objective  
25 that I could make sure that all these resources would then

1 fit into the recovered status, you know, a priority. So I  
2 tried not to do that. I tried to look at the recovery  
3 objective as it was stated, for Dolly Vardens specifically.  
4 I mean, that one was just so not -- there was just so --  
5 there was no information that had been collected on that  
6 since the early nineties so we -- I tried to look at other  
7 information as well.

8 MR. MEADE: Thank you.

9 CHAIRMAN O'CONNOR: That brings up a  
10 question that I had, Kim. When you did this status report,  
11 what information did you utilize to formulate your  
12 opinions?

13 DR. TRUST: I used all of the previous  
14 updates that had been written to date and I used the 1994  
15 restoration plan as my groundwork document. And then I  
16 based a lot of the background and supporting literature on  
17 the Integral EVOS II report that was written. And then I  
18 also used other resources, other projects that had been  
19 funded by the EVOS Trustee Council. New information that  
20 had been written since the EVOS II -- you know, the bulk of  
21 the EVOS II information had been written. And then I also  
22 consulted with technical experts on reviewing sections of  
23 the document as I drafted them to make sure that I was not  
24 saying anything erroneous or inaccurate.

25 CHAIRMAN O'CONNOR: Okay. Any other

1 questions for Kim with regard to the status report?

2 MS. PEARCE: Mr. Chairman.

3 CHAIRMAN O'CONNOR: Yes.

4 MS. PEARCE: I have one.

5 CHAIRMAN O'CONNOR: All right, Drue.

6 MS. PEARCE: I guess I have two. I'm

7 looking through my papers, I apologize for noise if I'm

8 causing it. I'm looking on Page 22 and 23 of the draft,

9 the October 25th draft -- no, the revised November 3rd

10 draft. And I'm -- I personally have a hard time making a

11 leap and suddenly putting the AT1 group pod of killer

12 whales onto the list and also certainly as suddenly

13 bringing them on as not recovering from the effects of the

14 oil spill.

15 As I read through the information, we say

16 that the results of the contamination is not related to the

17 oil spill, so I'm not seeing where the recent evidence -- I

18 don't see how we are tying whatever is happening to those

19 killer whales -- and I realize that they are not mine, that

20 they are Craig's -- but whatever is happening to them, I

21 don't see how we're tying it to the spill. And it's like

22 we're bringing a species in that we probably won't ever be

23 able to reach a recovery objective for, a group that I

24 don't see how we'd ever reach a recovery objective for. So

25 it's almost like we're compounding our problem with



1 recovery objectives. If you want to go ahead and comment  
2 on that, then I'll go on.

3 DR. TRUST: Okay. Well, I believe the  
4 conventional wisdom now is that there were nine whales that  
5 disappeared from the AT1 population and for a long time it  
6 wasn't -- because it's a transient population, it was  
7 difficult to determine if they were dead or not. These  
8 whales move back and forth between groups. They also  
9 strike out on their own. Sometimes they come back to their  
10 original groups and sometimes they don't.

11 So there was a sense that because they  
12 disappeared didn't necessarily mean at the time of the  
13 spill that they had been -- that they were dead. Upon  
14 subsequent long term observation by Craig Matkin, they  
15 never saw any of these whales reappear in any form at all.  
16 They didn't see them go to other pods, they didn't see them  
17 by themselves, and they never saw them back in their own  
18 population.

19 And so I -- relying on Craig as the killer  
20 whale expert, his belief is that they had actually died and  
21 that because they were seen in the oil spill during the --  
22 in the slick during the time of the spill, that they could  
23 have possibly died from oil -- you know, inhaling oil --  
24 toxic oil vapors or eating oiled harbor seals.

25 So -- and he also -- again, he did some

1 modeling where he looked at the -- what would happen --  
2 what would have happened to the AT1 population had all of  
3 those whales been taken out of the population at the time  
4 of the spill. And there have also been no calves recruited  
5 into that population since then. And because this is a  
6 long life species, his feeling is that it would take a long  
7 time for those nine animals to be recruited back into the  
8 population, especially given the fact that there's been no  
9 reproduction into the population at all.

10 But I don't disagree with your, Drue, that  
11 the recovery objective would be challenging and it might  
12 not be within our lifetime that we would see a recovery of  
13 this particular population.

14 CHAIRMAN O'CONNOR: Drue, you had a second  
15 question or comment.

16 MS. PEARCE: Yeah, I just don't see taking  
17 that leap with your AT1 pod. My other question is about  
18 the marbled murrelets.

19 DR. TRUST: Uh-huh. (Affirmative)

20 MS. PEARCE: And again, as I read through  
21 the information that was given here and the actual draft, I  
22 -- while the population -- with the decline not -- probably  
23 not attributable directly to the spill as far as we know, I  
24 don't know why we're jumping from recovering to unknown.  
25 It didn't seem consistent with some of the others and I'm

1 going for consistency.

2 DR. TRUST: Well, I think the population  
3 trend -- we now have 16 population trends that we didn't  
4 have back in the 2002 data. And that shows that that  
5 population is still declining. It's declining in both  
6 areas of the Sound. So I can't see that it could be  
7 recovering anymore since we know that the population  
8 numbers are not recovering, have not been -- you know,  
9 they're not recovering based on long term population  
10 trends.

11 So unknown, if we had been -- if we had  
12 said previously that they were recovering, then it seems to  
13 me that -- and now we have this long term data set that  
14 shows that they're not really recovering but we're not  
15 really sure what that is due to, if it was an effect of the  
16 oil spill or if it's currently an effect of a change in  
17 forage fish population. We don't have any information on  
18 biomarker exposure. I guess in my mind it was -- there was  
19 still -- there were too many unknowns out there for marbled  
20 murrelets.

21 Or the flip side of that, I guess since the  
22 decline is still -- the population decline is still  
23 occurring, to put them in the not recovering category,  
24 however, when you balance that out with the population  
25 trend also declining in the non-oiled area of the Sound, it

1 seems a lot of that data is confounding. And so that's why  
2 I suggested putting it in the unknown category.

3 MS. PEARCE: You're kind of trailing off.  
4 The more you talk, the less I can hear you.

5 DR. TRUST: Okay. I was just -- I just  
6 finished up by saying that's why I put it in the unknown  
7 category as opposed to the not recovering category because  
8 a lot of the variables out there are confounding and not  
9 clear.

10 CHAIRMAN O'CONNOR: Any other comments,  
11 Drue?

12 MS. PEARCE: No.

13 CHAIRMAN O'CONNOR: Okay. Any other  
14 trustees have comments or questions?

15 MR. FREDRIKSSON: Craig, this is Kurt. I  
16 have a few questions.

17 CHAIRMAN O'CONNOR: Okay.

18 MR. FREDRIKSSON: Kim -- and maybe it's  
19 process and like Drue, I have a few kind maybe species  
20 specific. But I guess one of the questions I have in terms  
21 of -- and I appreciate what you sent out to the public in  
22 terms of kind of focusing on those eight, oh, differences  
23 if you will in terms of the conclusions drawn on the update  
24 between Integral's report and what you're recommending  
25 today. But I'm curious in terms of process. I understand

1 that the PAC has reviewed this. Did the science panel  
2 review your recommendations and Integral's findings?

3 DR. TRUST: The science panel did not  
4 review this, so the answer to your question is no, they  
5 didn't. The liaisons reviewed it, the PAC reviewed it, and  
6 like I said, as I was writing it, I sent out sections to  
7 individual technical experts to look at it. But the  
8 science panel did not have a chance to review it yet.

9 MR. FREDRIKSSON: Okay. And maybe just to  
10 stay on the line with the process question, because I think  
11 the comments that Stacy had provided from the PAC. The  
12 recommendation or the suggestion that we -- because we have  
13 not had an update since 2002 and this has been a high  
14 priority for the trustees. So it's great to see that we've  
15 gotten to this point in time. But the PAC has recommended  
16 that we have annual updates. Is that -- I mean, I guess I  
17 tend to look at that with a favorable eye. Is that  
18 something where you sit that is doable and warranted?

19 DR. TRUST: Yeah, I absolutely think that's  
20 a good thing to do, Kurt. I also think that we should -- I  
21 think in the next go-round, revisiting the recovery  
22 objectives and rewriting those. And I also think making it  
23 an annual product as opposed to waiting every couple of  
24 years sort of diminishes the hype around it, if you will.  
25 It's sort of just a consistent part of the Trustee Council

1 program that people come to expect and they can look at  
2 changes over time as opposed to having it hinge on some big  
3 revelation every four or five years.

4 MR. FREDRIKSSON: Okay. And that follows  
5 up in terms of amending the -- or reviewing, if you will,  
6 the recovery objectives. I guess I agree with what you're  
7 suggesting there as well.

8 And then along the lines -- I don't know if  
9 we've got the process nailed down for amending recovery  
10 objectives or doing that update but, that's something if  
11 you have some thoughts or -- what we want to make sure is  
12 that our update process and our -- if we amend the recovery  
13 objectives that clearly that be a process that engages the  
14 public and the Trustee Council so that when we get to the  
15 meeting or they get to the meeting in the future that  
16 that's well fleshed out. And I trust you would be working  
17 on that process to line out how that would be done?

18 DR. TRUST: Yeah, I think we could have a  
19 update committee where we just have people from the science  
20 panel, liaisons, and people from the PAC and we could all  
21 get together and sort of flesh out those differences in  
22 recovery objectives.

23 MS. PEARCE: This is Drue. Kurt, were you  
24 finished?

25 MR. FREDRIKSSON: Well, I had two other

1 species but if you want to jump in Drue, that's fine.

2 MS. PEARCE: Yeah. On the updates, I don't  
3 want Michael and the staff to start trying to pull together  
4 a group right now because I believe that in order to change  
5 the restoration goals, we're going to have to -- that  
6 becomes an amendment of the plan, which is a signed ROD. I  
7 think there's probably going to have to be an EIS or at the  
8 very least -- after all these years, probably an EIS -- but  
9 at the very least an EA associated with making that sort of  
10 change, particularly at the level that I think is going to  
11 be necessary.

12 We asked when we had -- or I asked, oh I  
13 don't know, it's probably been 10 days ago -- asked for the  
14 attorneys working with Michael to try to figure out what  
15 process and what -- A, did we need an EIS, since at DOI we  
16 don't ever appear to do anything without an EIS; and  
17 secondly, if so, what's the proper process to start.

18 Rather than having one group go off and  
19 even start discussing this, let's figure out what our  
20 documentation is going to be and if it's going to be an EIS  
21 or even an EA, then we start with scoping meetings, and  
22 then that comes back into a plan for how we get from here  
23 to there. But don't, please, just start just pulling  
24 together a group because I don't think that's the right way  
25 to do it no matter what sort of process we decide to go

1 through.

2 DR. TRUST: The only reason I mentioned  
3 that, Drue, is that in the past updates, some of the  
4 recovery objectives have been tweaked a little bit. And so  
5 that was the only reason I mentioned it, as a potential  
6 process.

7 MS. PEARCE: Well, but I think we're  
8 talking about bigger tweaks.

9 CHAIRMAN O'CONNOR: Well, Drue, my -- the  
10 guidance to me has been that we are at the point where we  
11 should be re-engaging the EIS process with the development  
12 of a supplemental EIS, if appropriate. And so at least  
13 from my Federal agency standpoint, that is going to be the  
14 next step in terms of planning our future and assessing our  
15 past.

16 MS. PEARCE: Okay.

17 MR. FREDRIKSSON: Yeah, Craig and Drue,  
18 this is Kurt. And maybe because, Craig, you had mentioned  
19 earlier, a couple of times I believe, kind of looking to  
20 the future, maybe this is one of those important agenda  
21 topics on that future planning, if you will, with the new  
22 administration, kind of outlining, okay, how are we going  
23 to deal with the updates, how are we going to adjust or not  
24 adjust objectives. And then the question as to what extent  
25 do you engage in an EIS review process could be part of



1 that exercise.

2 CHAIRMAN O'CONNOR: Right.

3 MR. FREDRIKSSON: And so -- and I think,  
4 Drue, then in terms of any kind of staff work on this now,  
5 it's just tending that kind of -- the arrival of the new  
6 administration, to kind of sit down with the Federal side  
7 and kind of focus on that future plan.

8 Let me jump back to two species, Kim, that  
9 I had specific questions on and those kind of fall into two  
10 areas, I guess. One was the black oystercatchers, and I  
11 guess I was looking at the recovery objectives, which --  
12 and I'm now on kind of Page 12 of your update. Black  
13 oystercatchers will have recovered when the population  
14 returns to pre-spill levels and reproduction and  
15 productivity are within normal bounds. And increasing  
16 population trend and comparable hatching success and growth  
17 rates of chicks in oiled and unoled areas after taking  
18 into account geographical differences, will indicate the  
19 recovery is underway.

20 When I read kind of the recovery status, it  
21 seems to me that we, at least from the information I was  
22 reading, that the differences in clutch size, egg volume,  
23 chick growth rates were pretty much the same across oiled  
24 and unoled areas. But you raise this question, I believe,  
25 about predation.

1                   And I just was wondering if you could kind  
2 of just, you know, kind of track or help me understand how  
3 that relates to the recovery objective and how that, if you  
4 will, predation, if we were to look at that issue, how we  
5 would address that under our restoration program?

6                   DR. TRUST: Okay. The -- you are correct,  
7 Kurt. When Anderson and those guys went out and looked at  
8 reproductive success of black oystercatchers between oiled  
9 and unoiled areas, they did a lot of measurements on  
10 parameters of nesting success. So they looked at clutch  
11 size, they looked at number of eggs --that's the same  
12 thing -- they looked at hatching success of the birds. And  
13 those things fell within similar ranges between unoiled and  
14 oiled areas.

15                  But on Green Island versus Montague Island,  
16 they had a higher level of predation on the nests in oiled  
17 Green Island. And so what they said was that nesting  
18 success overall was lower on Green Island than it was at  
19 Montague but it was due proximately to predation, so there  
20 was an increased amount of predation on the nests in Green  
21 Island. The reason that those nests had a higher predation  
22 rate was unclear. It's not known if those nests, if there's  
23 just a higher number of predators on Green Island. It's  
24 not known if there was some sort of behavioral modification  
25 of the birds such that they weren't protecting their nests

1 as well. The reason behind higher predation on those nests  
2 is unknown.

3                   So in conjunction with the fact that the  
4 population, there's not an increasing population trend,  
5 which is also on that recovery objective, led me to believe  
6 -- and plus the exposure information -- led me to believe  
7 that they should be put back into the recovering category.  
8 So whereas part of the recovery objective is met, as in is  
9 the case of many of these resources, part of the recovery  
10 objective is met, but the entire recovery objective wasn't  
11 met.

12                   MR. FREDRIKSSON: Thanks, Kim. The other  
13 species that I just wanted some help kind of understanding  
14 had to do with the harbor seals.

15                   DR. TRUST: Okay.

16                   MR. FREDRIKSSON: I guess when I looked at  
17 -- and it's just kind of very simple -- when I looked at  
18 the recovery objectives, which is to strive for a stable  
19 population, it appeared as though, at least for a 10 year  
20 period, we had a fairly stable population. But then there  
21 was a general reference and I don't have the page here  
22 right away, but apparently in the last five years there's  
23 been inconsistent or variable data. Could you just help me  
24 understand that? It seems to me like I look at a 10 year  
25 period of stable population but now there's some

1 variability and I wonder if you could just kind of help  
2 amplify the significance of the last five year data.

3 DR. TRUST: Okay. Sure. It's kind of  
4 where you decide to slice the pie. So we have information,  
5 population trend counts from haul-out sites in the Sound  
6 from ADF&G data dating all the way back to 1990, from 1990  
7 to 2005. And if you look at that line, if you draw a line  
8 through all of those points from 1990 to 2005, you have a  
9 slightly decreasing trend of 2.4 percent. So if you look  
10 at the recovery objective, it says stable or increasing  
11 population.

12 So since the course of the spill, the  
13 population is still in decline. However, because there's  
14 not a time scale on that recovery objective, you can slice  
15 that pie a little bit differently. So if you look at the  
16 last 10 years of data and you draw a line just to meet --  
17 an average line through all of those data points, you'd get  
18 a pretty -- it's a pretty flat line. But if you slice it  
19 even smaller and you looked at the last five years of data  
20 and you just draw the line from the last five years of  
21 data, which I'll have to say between 2000 and 2005, if you  
22 looked at that data point in 2000, that was pretty much the  
23 nadir of the harbor seal population. I mean, they were  
24 really -- the numbers were really low in 2000.

25 So if you look at that population trend

1 from 2000 to 2005 and draw a line, the population is  
2 increasing. And it's actually a pretty big increase. I  
3 think it's -- I'm probably going to mis-speak here, but I  
4 think it's around seven percent in the last five years.  
5 However, that's the average. If you look at the  
6 variability around that line, the numbers are very  
7 inconsistent. You have a high, you have some low counts I  
8 believe in 2000 -- or 2001, 2003. I'm doing this out of  
9 memory, Kurt, so I'm.....

10 MR. FREDRIKSSON: Oh, that's fair.

11 DR. TRUST: .....so forgive me if I get the  
12 actual dates wrong. But essentially you have a couple of  
13 years that are really high and a couple of years that are  
14 really low. So you draw a mean through that and you get  
15 this population that looks like it's increasing. But the  
16 variability about that line is so great that it's a little  
17 bit inconsistent in the interpretation. Because if you  
18 then only looked, for example, at three years of that, you  
19 could say well, you know, these -- the population is going  
20 down again.

21 So again, it's how you slice the pie and I  
22 guess that's kind of a determination that the Trustee  
23 Council should make, you know, how long is long enough? Is  
24 a five year potential increase in trend good? Is a 10 year  
25 stable population good? Or is a 15 year declining

1 population -- is that the time scale that you want to look  
2 at?

3 MR. FREDRIKSSON: So, Kim, is it safe to  
4 say, in this, if you will, as an example, it's not so much  
5 there's disagreement over the data -- there seems to be  
6 consensus on the data but because the recovery objective,  
7 if you will, relatively broad or could be interpreted  
8 different ways, whether you slice it as recovered or  
9 whether you slice it as recovering is much more of a  
10 judgment call than an absolute and that might be something  
11 where refinement of the recovery objective in the future  
12 would be of assistance?

13 DR. TRUST: Yes.

14 MR. FREDRIKSSON: Okay. And I also -- if I  
15 could, just one final question and that has to do with the  
16 whole unknown category. When I look at the unknowns which  
17 include things like cutthroat trout and -- in particular,  
18 cutthroat trout but I guess rockfish also. Those two  
19 species in particular. It seemed to me that there were two  
20 types, if you will, of unknown. There's either unknowns  
21 because the trustees have failed to direct any research to  
22 characterize or quantify the recovery of those species.

23 And I think some of it goes back to no  
24 research being done till the early -- since the early  
25 nineties. But then there also seems to be a suggestion

1 that even irregardless of the information, there may be  
2 just unknowns because it's unknown. We really won't be  
3 able to know.

4                   Have you given any thought in how, if you  
5 will, the unknown category might be brought to the trustees  
6 in terms of, these are unknowns that are answerable if we  
7 did the right research and would recommend moving forward  
8 on research to do that versus these are just unknown and  
9 perhaps consideration should be given to so characterizes  
10 it or even maybe de-listing as a -- in a recovery status,  
11 if you will?

12                   DR. TRUST: I think I looked at it a little  
13 bit differently, Kurt. The way I looked at it was that the  
14 recovery status is sort of just based on the amount of  
15 information that's available. And the management action  
16 that you take based on that recovery status is, sort of  
17 goes along the line of the questions that you're asking.

18                   So if we don't have enough information, for  
19 example for rockfish, to say -- there's not even a recovery  
20 objective at this point for rockfish -- so if we don't have  
21 enough information to say at this point whether rockfish  
22 are recovered or not, then in my mind we don't have  
23 information. So we need to say that it's unknown because  
24 we don't have any data supporting or refuting or telling us  
25 something one way or the other.

1                   How you manage that or what the policy  
2 decision is based on those unknowns I think goes to the  
3 questions that you are asking. Do we want to spend money  
4 going out and trying to find out if there is still  
5 difference in rockfish population? Or has enough time gone  
6 by, has enough environmental changes occurred, have there  
7 been enough other perturbations in the ecosystem? That  
8 might not be something that is necessary to spend money on  
9 at this point. I think that that's a management policy  
10 decision as opposed to what recovery status the species go  
11 into.

12                   MR. FREDRIKSSON: Okay. Thank you, Kim.

13                   CHAIRMAN O'CONNOR: Any other questions?  
14 Comments? Compliments? Criticisms?

15                   (No audible responses)

16                   CHAIRMAN O'CONNOR: At this juncture then,  
17 we have the Science Director's report. We have her  
18 determination as to the status of the various resources.  
19 Is there any reason why that report should not be our  
20 guiding document at this stage?

21                   MS. PEARCE: Mr. Chairman.

22                   CHAIRMAN O'CONNOR: Yes, ma'am.

23                   MS. PEARCE: I want to delete your AT1 pod.

24                   CHAIRMAN O'CONNOR: I signed off on that  
25 AT1 pod. It's now your problem, Drue.



1 MS. PEARCE: (Laughter) Even better  
2 reason.  
3 CHAIRMAN O'CONNOR: Okay. All right. We  
4 have objection raised, concerns raised with regard to the  
5 marbled murrelet or the.....  
6 MS. PEARCE: No.....  
7 DR. TRUST: .....cormorant and the.....  
8 MS. PEARCE: Oh.  
9 CHAIRMAN O'CONNOR: .....AT pod.  
10 DR. TRUST: Who objected to the cormorant?  
11 CHAIRMAN O'CONNOR: I probably mis-spoke.  
12 I didn't open to see where I wrote down what Drue's  
13 concerns were.  
14 MS. PEARCE: Oh, but I'm just -- my only  
15 request is to remove the AT1 pod.  
16 CHAIRMAN O'CONNOR: Does anyone have any --  
17 I'm not even quite sure of the protocol to remove something  
18 or to add something. But does anyone on the Trustee  
19 Council have any objection to us having the report -- to  
20 accepting the report with the deletion of reference to the  
21 AT1 pod at this juncture at least?  
22 DR. TRUST: Can I ask Drue a question?  
23 CHAIRMAN O'CONNOR: Please.  
24 DR. TRUST: Drue, in previous updates, that  
25 AT1 population has been discussed, it just hasn't been

1 teased out as its own injured category. So would you  
2 suggest putting it back in and lumping it just as killer  
3 whales or removing the AT1 category all together from this  
4 and future updates?

5 MS. PEARCE: I'd be comfortable with  
6 putting it back in the discussion. It's not -- what I  
7 don't want to do is tease it out of the separate  
8 determination.

9 DR. TRUST: Okay. Thank you.

10 CHAIRMAN O'CONNOR: All right. Michael,  
11 did you have a comment?

12 MR. BAFFREY: No, Joe.

13 CHAIRMAN O'CONNOR: Oh, Joe. I'm sorry.

14 MR. MEADE: It just seems to me and I think  
15 Drue kind of gave an indication in the same line of  
16 thinking that it may be appropriate to address the killer  
17 whale issue, to tease out into a separate or not, in a  
18 process of environmental analysis that would incorporate  
19 revision to the recovery objectives.

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

21 MR. MEADE: So I would not want to lose the  
22 ideal that you had here but in full respect to Drue's  
23 concern, perhaps putting it in similar sequencing with the  
24 recovery objective review would be the right and  
25 appropriate place to do that so that we carry the integrity

1 of it forward.

2 DR. TRUST: Seems reasonable to me.

3 CHAIRMAN O'CONNOR: All right.

4 MR. FREDRIKSSON: Craig, this is Kurt.

5 Could I just ask for clarification. So the recommendation  
6 is that we carry forward on the resource category of killer  
7 whale without breaking it into the separate pods?

8 CHAIRMAN O'CONNOR: That's correct.

9 MR. FREDRIKSSON: And then my question  
10 would be to Kim, I guess. In terms of -- I guess we have  
11 had a common recovery objective for the killer whale, so I  
12 would assume we would just retain that. My question would  
13 be to Kim, by not splitting the killer whales into the two  
14 separate pods, would you continue to recommend not  
15 recovered or recovering for killer whale?

16 DR. TRUST: I think I would recommend then  
17 recovering because there's indication that the AB pod is  
18 getting better. So if we're going to lump killer whales  
19 back together, then part of it would be recovering and part  
20 of it wouldn't be. And so therefore it would still be  
21 recovering.

22 MS. PEARCE: Mr. Chairman, can I make a  
23 comment?

24 CHAIRMAN O'CONNOR: Yes, ma'am.

25 MS. PEARCE: If you go back to the last

1 time the list was updated, you will find that the  
2 recommendation that came to the Trustee Council from Molly  
3 and I believe the Science Director was to consider the  
4 killer whales inclusive of all killer whales in Prince  
5 William Sound to be recovered. There was an outcry by  
6 killer whale lovers that that was not appropriate, and at  
7 kind of the same juncture that we're in right now, I  
8 believe it was the then Commissioner of Fish and Game,  
9 Frank Rue or it might have been Michele, but one of the  
10 State trustees made the motion to move all the killer  
11 whales back to recovering rather than recovered.

12                   The historical -- having had the scientists  
13 tell us at one point that they're recovered to go all the  
14 way back to not recovering for the AT1 pod is why I'm  
15 hesitant to suddenly pull them out as a separate group.

16                   CHAIRMAN O'CONNOR: All right. Thank you,  
17 Drue. At this point then I would say it sounds as though  
18 we will meld the two killer whale pods back together in  
19 your report as a policy decision on our part, and that  
20 otherwise your report is accepted. And I thank you for it  
21 very much. I know a great deal of work went into it. I  
22 reviewed it with your last week and I feel very comfortable  
23 myself in the status that you have articulated and I think  
24 we got some serious work to do to figure out exactly what  
25 it is we're trying to accomplish, what it's going to take

1 to accomplish it, and get on with that business. So thank  
2 you very much, Kim.

3 DR. TRUST: You're welcome.

4 CHAIRMAN O'CONNOR: At this point on our  
5 agenda we have -- is lunch ready? Are we.....

6 MR. BAFFREY: Yeah.

7 UNIDENTIFIED SPEAKER: Lunch is ready.

8 CHAIRMAN O'CONNOR: We're -- we had a  
9 request or a suggestion that Craig Tillery made that during  
10 the course of our lunch we go into an executive session.

11 MR. BAFFREY: Can I ask a question?

12 CHAIRMAN O'CONNOR: You could ask.....

13 MR. BAFFREY: A procedural question,  
14 please?

15 CHAIRMAN O'CONNOR: Sometimes you should be  
16 satisfied with where you are without asking questions.

17 (Laughter)

18 MR. BAFFREY: Is there a motion needed for  
19 that, for accepting the update. I'm assuming there is.

20 CHAIRMAN O'CONNOR: Well, I didn't hear any  
21 objection to doing so, unless somebody would like to make a  
22 motion. I'm not quite sure why it's -- is that the  
23 protocol? I don't know.

24 MR. BAFFREY: All right. Well, I'll defer  
25 to Cherri, but I think it is.

1 MR. TILLERY: This is Craig Tillery. I'm  
2 not sure, what did you just say you think you attempted  
3 without a vote?  
4 CHAIRMAN O'CONNOR: I asked if there was  
5 any objections to us accepting Kim's report as to the  
6 status of the resources as modified by the killer whale  
7 changes.  
8 MR. MEADE: Well, to satisfy Bobby's Rules  
9 of Order.....  
10 CHAIRMAN O'CONNOR: Okay. So if that  
11 requires a motion to accept the report, so be it.  
12 MR. BAFFREY: Please do. Somebody.....  
13 MR. MEADE: I make a motion.....  
14 MR. BAFFREY: Thank you.  
15 MR. MEADE: .....that we adopt the Science  
16 Director's report as modified associated to the killer  
17 whale issue being grouped back into a whole group with the  
18 assumption then that it would be in a recovering status.  
19 CHAIRMAN O'CONNOR: Do I have a second to  
20 that motion? I will second it.  
21 MR. BAFFREY: Okay.  
22 CHAIRMAN O'CONNOR: Do I hear any  
23 opposition to that?  
24 MR. TILLERY: Could you again repeat for me  
25 what exactly it is that you're asking the vote on?

1                   CHAIRMAN O'CONNOR: Joe's motion is that we  
2 accept the report with the recommended determinations with  
3 regard to recovery status, modifying it to address Drue's  
4 concerns with regard to killer whales, which would be to  
5 put killer whales back as a generic category as opposed to  
6 the two pods that she had suggested.

7                   MR. TILLERY: And the status of those is?

8                   CHAIRMAN O'CONNOR: As recovering.

9                   MR. TILLERY: Okay. And if I disagree with  
10 harbor seals, that means I vote no, right?

11                  CHAIRMAN O'CONNOR: That's correct.

12                  MR. TILLERY: Okay, no.

13                  CHAIRMAN O'CONNOR: Okay. We have a report  
14 that has not been accepted at this point.

15                  MR. MEADE: Do we, as we did with the  
16 killer whale issue, do we want to have any further  
17 discussion on the harbor seal concern. It's the first that  
18 it's elevated. Would it be good for us to discuss and see  
19 if there's clarification or is it a different viewpoint  
20 from the Science Director's review?

21                  DR. TRUST: Craig, I might recommend --  
22 this is Kurt -- that we, in our -- if we have particular  
23 species of concern, instead of just losing what is a very  
24 high level of confidence in what many of the report  
25 classifications are, that we focus on, as we did with the

1 killer whales, just on those specific species of concern.

2 Like harbor seals here.

3 CHAIRMAN O'CONNOR: All right. Well,  
4 Craig, then I guess I would ask, do you have any -- well,  
5 let's assume we didn't call the question. Are there any  
6 comments? Any concerns with regards to Joe's motion at  
7 this point?

8 MR. TILLERY: You're asking me what my  
9 problem is?

10 CHAIRMAN O'CONNOR: I'm trying to do it in  
11 a politic way. Yeah, what's your gripe, guy?

12 MR. TILLERY: Well, my gripe, my concern is  
13 that with harbor seal, you say it's recovering but the  
14 statistics that I understand is that over the longest term,  
15 it's slightly down. Over the medium term, it's flat. And  
16 over the near term, it's -- the trend is up. And the  
17 objective is that it's stable or increasing. I don't think  
18 with that objective -- if you want to change the objective,  
19 I don't have a problem with that, but with that objective,  
20 I don't see how you can say that this is not recovered.

21 The other species I have a concern with  
22 actually goes broader than this and it's cutthroat trout.  
23 I don't unknown correctly describes cutthroat trout. I  
24 think unknowable correctly describes cutthroat trout. The  
25 same may be true with rockfish. But I think in -- and I



1 think I expressed this about three or four years ago and  
2 didn't get anywhere with it then -- but I think there needs  
3 to be another category that says we're never going to know.  
4 Because unknown implies that if we only looked at it, we  
5 could know. But I don't think that's true.

6 CHAIRMAN O'CONNOR: All right. Well, I  
7 think the -- one of the conversations that Kim and Kurt had  
8 very clearly focused that category of unknowable. And I'm  
9 not quite sure how we deal with that.....

10 MR. MEADE: When we address.....

11 CHAIRMAN O'CONNOR: .....at this juncture.

12 MR. MEADE: Oh, excuse me.

13 CHAIRMAN O'CONNOR: Go ahead, Joe.

14 MR. MEADE: Wouldn't we appropriately  
15 address that as we take a look at a review of the recovery  
16 objectives? I think it's a very good observation. It  
17 seems like the place to do that is in a public and a  
18 science forum that reviews the recovery objectives  
19 holistically, including the unknown from the unknowable.

20 CHAIRMAN O'CONNOR: All right.

21 MR. TILLERY: Yeah, I'm willing to do that.  
22 I just think that it really needs to be looked at.

23 CHAIRMAN O'CONNOR: Okay.

24 MR. MEADE: So that would link in the  
25 discussion we had of an environmental analysis that would

1 incorporate and include addressing comprehensively where  
2 we're going, including close scrutiny, review, and science  
3 and public advisory input on our recovery objectives.

4 MR. TILLERY: And in this case, our  
5 recovery classification.

6 MR. MEADE: Indeed.

7 CHAIRMAN O'CONNOR: Right.

8 MR. BAFFREY: Mr. Chair.

9 CHAIRMAN O'CONNOR: Yes.

10 MR. BAFFREY: That applies to the unknowns  
11 but Craig also referenced harbor seals, which does appear  
12 to meet the recovery objective as it's stated.

13 CHAIRMAN O'CONNOR: It does.

14 MR. BAFFREY: So do you want to modify the  
15 report to put them into recovered?

16 CHAIRMAN O'CONNOR: Craig, did you hear  
17 that question from Michael?

18 MR. TILLERY: Yeah, I heard that question,  
19 and again, I think -- I don't know if Michael is agreeing  
20 with me or just saying what I said -- but I think that as  
21 the recovery objective is currently stated, they are  
22 recovered. Perhaps one might want to look at amending the  
23 recovery objective, I don't know, but I'm not sure where to  
24 put them in the meantime, if you don't want to pursue --  
25 but I don't see how you can say that they're not recovered

1 under the existing objective.

2 MR. BAFFREY: It seems to me -- may I?

3 CHAIRMAN O'CONNOR: Sure. By all means.

4 MR. BAFFREY: Craig Tillery, it seems to me  
5 that under the existing, the current objective, you would  
6 list it as recovered and then once the recovery objectives  
7 are revised or at least reviewed, then you would have the  
8 option at that time to possibly more accurately assess them  
9 on a different objective.

10 I actually agree with you that given the  
11 current status, the current recovery objective, that harbor  
12 seals would be in the recovered category.

13 MR. FREDRIKSSON: Say Craig, this is Kurt,  
14 I might make an attempt at making a motion here that we  
15 could vote on.

16 CHAIRMAN O'CONNOR: All right. Well, this  
17 would -- I know Joe is anxious to withdraw his motion.

18 MR. FREDRIKSSON: Oh, I'm sorry.

19 MR. MEADE: I'd be very pleased to withdraw  
20 my motion for the gentleman from the State.

21 MR. FREDRIKSSON: Well, I would move that  
22 we approve the recovery status -- the update of the injured  
23 resources and services with the provision that the killer  
24 whales be treated as a single resource category in the  
25 recovering status update and that the harbor seals be

1 characterized as recovered. And that the rest of the  
2 recommendations in the report be endorsed.

3 CHAIRMAN O'CONNOR: Is there a second to  
4 that motion?

5 MR. MEADE: I'd be pleased to second it.

6 CHAIRMAN O'CONNOR: All right. Are there  
7 any questions, any comments, any discussion with regard to  
8 that motion?

9 MR. MEADE: Yeah, I guess the only comment  
10 I'd have is again, the direction we're carrying out here  
11 to, again, the integrity to Kim's work, is that we are  
12 going to be doing a comprehensive review this year or  
13 following this discussion so that we can be sure as next we  
14 review our recovering objectives they're accurate to the  
15 condition we find ourselves in 18 years post-spill. I'm  
16 taking that as a given.

17 CHAIRMAN O'CONNOR: Right. Is there any  
18 reason why Joe's assessment is not correct with regard to  
19 your motion?

20 MR. FREDRIKSSON: No, that sounds good,  
21 Craig.

22 CHAIRMAN O'CONNOR: Okay. Is there any  
23 objection to that motion?

24 (No audible responses)

25 CHAIRMAN O'CONNOR: Hearing none, it's

1 approved.

2 MR. BAFFREY: Thank you.

3 CHAIRMAN O'CONNOR: You'll never go away,  
4 will you? All right. Is there any reason at this point  
5 why we should not take a break for lunch and, to discuss  
6 matters of law and personnel, go into an executive session  
7 during the course of the lunch?

8 MS. PEARCE: Mr. Chairman?

9 CHAIRMAN O'CONNOR: Yes, ma'am.

10 MS. PEARCE: I'm happy to do that. I'm  
11 going to be transitioning from the office into my vehicle  
12 and I will call back in once I am there. I do -- let me  
13 double check -- I have the number.

14 MR. CAMPBELL: This is McKie. Let me ask,  
15 is there a separate number and code that has been sent  
16 out.....

17 CHAIRMAN O'CONNOR: Yes.

18 MR. CAMPBELL: .....for the executive  
19 session?

20 CHAIRMAN O'CONNOR: Yes, there has been.

21 MR. CAMPBELL: Okay. I'll pick it up.

22 MR. MEADE: So it sounds like if.....

23 MR. CAMPBELL: Where is that.....

24 MR. MEADE: .....Drue needs some drive  
25 time, McKie and Kurt and Craig need some grab some food

1 time, so should we convene in executive session a quarter  
2 after 12:00 and then could we set a.....

3 MR. CAMPBELL: That would be good and if  
4 Michael is still there or Cherri, if you could just make  
5 sure -- email that number to us and we'll pick it up here.

6 MR. BAFFREY: We'll do it.

7 MR. MEADE: Then can we set an assumed  
8 time?

9 MR. CAMPBELL: (Telephonic beep) email the  
10 new number.

11 CHAIRMAN O'CONNOR: All right.

12 MS. WOMAC: I emailed it to Drue.

13 CHAIRMAN O'CONNOR: 12:15 and the number  
14 has been emailed.

15 MR. CAMPBELL: Thank you. All right.  
16 Thank you.

17 MR. BAFFREY: Did you email it to the  
18 State?

19 MS. WOMAC: And I called Kurt.....

20 MR. BAFFREY: Hey, Kurt.....

21 MR. MEADE: Can we also set a time when we  
22 anticipate reconvening? A realistic time so we can have  
23 our guests be aware of how long we anticipate being in  
24 executive session?

25 MS. PEARCE: Somebody needs to say why

1 we're going into executive session.

2 CHAIRMAN O'CONNOR: I had mentioned to

3 discuss matters of legal and personnel import.

4 REPORTER: And we need a motion.

5 MS. PEARCE: Okay. I apologize.

6 CHAIRMAN O'CONNOR: Oh.

7 MS. PEARCE: I didn't hear that.

8 REPORTER: You need a motion.

9 CHAIRMAN O'CONNOR: We need a motion to go

10 into executive session. Hearing no object.....

11 MR. TILLERY: Craig, can you say those in

12 the form of a motion?

13 CHAIRMAN O'CONNOR: I would move that we,

14 at 12:15, convene in executive session to discuss matters

15 of legal and personnel import.

16 MR. FREDRIKSSON: I'll second. This is

17 Kurt.

18 CHAIRMAN O'CONNOR: Any objection to that?

19 Hearing none. We're tidied up.

20 MR. MEADE: Now that you're the man who

21 made the motion, can you give us an estimate on how long

22 you anticipate the need for the session so we can inform

23 our guests.....

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

25 (On record - 1:10 p.m.)

1                   CHAIRMAN O'CONNOR: Why don't we begin.  
2   Jenn's here in Drue's stead until such time that Drue can  
3   call in. We're going to begin with the discussion on the  
4   '07 work plan, which will be orchestrated by our good Chief  
5   Scientist, Kimberly. All yours.

6                   DR. TRUST: Okay. What I would like to do  
7   in the discussion of the work plan is separate, continue to  
8   separate the work plan, Part I, Herring; and work plan,  
9   Part II, Injured Resources and Services. I think it will  
10  be easier for discussion purposes and we have most of our  
11  documents and paperwork separated that way too.

12                  CHAIRMAN O'CONNOR: Can you folks hear that  
13  are on the line?

14                  MR. FREDRIKSSON: We can. It might be --  
15  Kim, if you could get a little closer to a microphone.

16                  DR. TRUST: Okay. Here we go. How is  
17  that?

18                  MR. FREDRIKSSON: That's good.

19                  DR. TRUST: That's the one. I got closer.  
20  Joe can hear me well now. Okay. How's that?

21                  MR. FREDRIKSSON: Good.

22                  DR. TRUST: Okay. Let me know if start  
23  making too much rustling paper sounds. Okay. So the first  
24  things I want to do are go over the two tables that are in  
25  your workbook behind the tab FY-07 work plan. There's



1 Table 1 and Table 2 and they are both separated into  
2 herring and non-herring proposals.

3                   So Table 1 -- are we all at Table 1? Table  
4 1 is the amount that the PI's originally requested in the  
5 first go round of the proposal. That total requested is  
6 what they had originally requested and then it was broken  
7 down by years.

8                   In some instances, for example, the  
9 Herschberger proposal, we had gone back, after the science  
10 panel met, I went back to some of the PI's, the PI's that  
11 were either fund contingent or -- well, the PI's that the  
12 science panel felt were fund contingent, I went back and  
13 asked them to explain a point or remove an objective, or  
14 lower their budget, if they could. There are a couple of  
15 small items that we felt that we could go back and ask them  
16 to address. And if they did and it had to do with funding,  
17 then they came back with a revised financial proposal, and  
18 that is what is under that column budget adjustments.

19                   The travel adjustments were -- I asked  
20 Barbara to go through all of the proposals and look for  
21 meetings and conferences other than the annual science  
22 symposium that Michael did not feel he wanted to fund,  
23 things like the marine mammal conference in South Africa,  
24 for example. So if there were some foreign travel or  
25 things that were not directly related to the project --

1 this is not to say that all travel was taken out of the  
2 projects, because that's not the case -- this was foreign  
3 travel or travel for meetings other than the annual science  
4 symposium. So that's what came out of the travel  
5 adjustment column.

6 And then you got the total adjusted column  
7 for all of the proposals. So take the total adjusted  
8 column now and move over to Table 2 and you'll see that  
9 first column, total adjusted, is what is on this work  
10 sheet, which is the funding recommendations for the FY-07  
11 work plan. Okay. Is everybody clear on that? Does  
12 anybody have any questions before I go forward?

13 CHAIRMAN O'CONNOR: I don't -- just a  
14 moment, Kimberly. I don't have the Table 2. Let me see if  
15 I took it out, because I was going over these earlier.

16 DR. TRUST: Okay. We're on hold until  
17 Craig gets Table 2.

18 CHAIRMAN O'CONNOR: I got it.

19 DR. TRUST: Okay.

20 CHAIRMAN O'CONNOR: We're good to go.

21 MR. FREDRIKSSON: So Kim, this is Kurt.

22 DR. TRUST: Sure.

23 MR. FREDRIKSSON: So Table 1 is how you  
24 adjusted the requests with respect to travel and perhaps  
25 some other costs. And then what we see on Table 2 is those

1 numbers translated into the spreadsheet that kind of shows  
2 the actual adjusted numbers plus the recommendations for  
3 science panel, PAC, blah, blah, blah, correct?

4 DR. TRUST: That's correct. Yep, that's  
5 correct.

6 MR. FREDRIKSSON: Okay.

7 DR. TRUST: Okay. So then -- so now we're  
8 working just off of Table 2. The reason we put in Table 1  
9 is because if you look at some of the earlier drafts of the  
10 work plan and things -- the numbers didn't add up. And  
11 what we wanted to do is just show the progression of how  
12 the original funding got changed to this total adjusted  
13 funding.

14 Okay. So now we're going to start working  
15 off funding recommendations for the FY-07 work plan and  
16 I'll explain this table a little bit. You have the,  
17 obviously, the funding amounts for each year for each of  
18 the projects and then you have the priority ranking and  
19 then you have the science panel recommendations, the PAC  
20 recommendations, my recommendations, and Michael's  
21 recommendations.

22 The priority ranking for the herring  
23 proposals are different than the way the projects were  
24 ranked for the non-herring proposals. So each of them got  
25 ranked -- each batch of proposals got ranked by priority

1 but the rationale behind them is a little bit different.

2                   For the herring proposals, the science  
3 panel went through and reviewed all of the herring  
4 proposals and made funding recommendations. And then,  
5 given that they're -- and this was given no constraints on  
6 budget or time lines or anything like that. And then after  
7 that it was just on scientific merit, whether it would help  
8 the program, whether it was relevant to herring, et cetera,  
9 et cetera.

10                   After that was all done, they went back  
11 through and they ranked them as -- zeros were just the do  
12 not fund, so I just kind of put a zero in there as a  
13 placeholder. They don't really mean anything. They rank  
14 them as 1's or 2's. All of the proposals that were ranked  
15 with a number 1 were those proposals that the science panel  
16 felt could be funded and should be funded without the  
17 guidance of a herring steering committee, a herring czar,  
18 or a herring recovery plan. That the information from all  
19 of these projects would be relevant to any kind of herring  
20 program that was developed.

21                   The 2's were those projects that they felt  
22 warranted funding but if there was some sort of constraints  
23 put on this, whether it be the funding cap or whether it be  
24 the need to wait until a plan was developed, that these  
25 were good projects, they would contribute to the body of

1 information needed for herring, but they could wait until a  
2 herring recovery program was underway.

3 Just for folks on the phone, Tom Dean is  
4 sitting up here, he's the chair of the science panel and I  
5 -- if you have questions specifically, he's up here to  
6 answer those, and I may also ask him to chime in at some  
7 point.

8 MR. BAFFREY: Do we want to bring Stacy up  
9 here also? Stacy, do you mind coming up?

10 DR. TRUST: And Michael has just invited  
11 Stacy Studebaker to come to the table in case there are  
12 questions about the PAC recommendations.

13 Okay. So that's how the herring projects  
14 got ranked, 1's and 2's. 1's and 2's both warranted  
15 funding. 1's were higher prior -- were -- could be funded  
16 in lieu of a herring plan. 2's were great projects, should  
17 be funded, but maybe should wait until a more comprehensive  
18 plan was put in place.

19 On the non-herring proposals, they were  
20 also ranked -- remember the non-herring proposals were  
21 reviewed by the science panel a month after herring  
22 proposals were reviewed. When they got together -- because  
23 this wasn't a batch of comprehensive projects, they were  
24 individual projects for individual resources -- they were  
25 ranked more in terms of low, medium, high priority in terms

1 of what the science panel felt was appropriate for the  
2 program right now. So it was more the -- again, the 1's,  
3 2's and 3's were recommended for funding, the zeros were do  
4 not funds.

5 But if there was some need to cap how much  
6 money was spent, if there was some need to -- you know, for  
7 some other policy decision, do something differently with  
8 the funding, then these were the rankings that the science  
9 panel gave the projects. So the number 1's were the  
10 highest priority and the number 3's were obviously the  
11 lowest priority of the ones that were recommended for  
12 funding.

13 Okay. So if you look back at the bottom --  
14 okay, are there any questions about how the table is laid  
15 out?

16 (No audible responses)

17 DR. TRUST: Okay. If you look at the  
18 bottom of the table, you can see that there are subtotal  
19 Priority 1, subtotal Priority 2, subtotal Priority 0, and  
20 then the adjusted total. So that's just if you looked at  
21 all of the proposals regardless of funding recommendations,  
22 this is how much they all cost in total. By total amount  
23 and by FY-07, which you guys will be voting on today.

24 And then if you look at that next column  
25 where it says recommended Priority 1 and recommended

1 Priority 2 and then there's a total, those are the  
2 recommended projects under Michael's recommendation. So  
3 these are the Executive Director recommendation total  
4 costs. And then those columns are the same on the second  
5 page as well.

6 Okay. So are we all clear? Okay. Any  
7 questions on the phone? Okay. So what I'd like to do now  
8 is move into the actual work plan itself, kind of working  
9 off of these spreadsheet for funding recommendations, Table  
10 2, and then just discussing the herring proposals and the  
11 non-herring proposals.

12 For the herring proposals, I'd like to sort  
13 of discuss them a little more conceptually than just by the  
14 funds and the do not funds or the 1's and the 2's because I  
15 think it's easier to think about the complexity of the  
16 proposal package if you look at them as they're broken down  
17 by groups or factors and how they affect herring.

18 So what I'd like to do now is, if you move  
19 to the back, there's not anything that delineates the work  
20 plan 1 from the work plan 2, but if you look at the back of  
21 work plan 1, you'll see a color diagram of sorts. It's  
22 page 52 in the back of your tab or whatever, it would be  
23 52. It's not numbered. But it's a colored diagram with a  
24 bunch of crazy colored boxes and things like that.

25 And then the next page is a grouping of the

1 Prince William Sound Science Center proposals and they're  
2 grouped geographically, so you can see how the Prince  
3 William Sound Science Center proposals overlap with each  
4 other in space essentially over the Sound.

5                   So there were two groups of proposals that  
6 came in that had a bit of a programmatic element to them.  
7 The Prince William Sound Science Center put together sort  
8 of a package of herring proposals. And UAF, to a lesser  
9 degree, did that as well. And so what I asked them to do,  
10 each of the -- sort of the lead PI's on those projects, is  
11 to get together and provide me with a way of looking at  
12 their proposals interdependently because it was obvious  
13 after reading them that they all -- that there was a lot of  
14 mixing -- not mixing of the proposals but relationships  
15 among the proposals.

16                   So this map here from the Prince William  
17 Sound Science Center is one of the things that they sent to  
18 me. UAF did not send me something like this because it was  
19 a different sort of set of proposals.

20                   So what I think would be the best  
21 way to go about this at this point is to just look at this  
22 colored map and discuss the proposals in sort of discussion  
23 categories. And I think probably the easiest thing to do  
24 would be to start -- I'm going to jump around a little bit  
25 because in my mind I sort of have a way that I think they



1 fit together.

2                   And we'll start off with the workshops.

3 There were three workshop proposals in this package, one by  
4 Adams, one by Allee/Norcross, and then one by Dick Thorne.

5 And these workshops were all -- they were varied in what  
6 they wanted to accomplish and what their particular tasks  
7 were. There's money in -- well, there's a couple of things  
8 here. The workshops were in relation to the invitation,  
9 however, there is in our administrative budget, money to do  
10 a herring recovery plan in conjunction with a herring  
11 workshop. There's money in the restoration budget here  
12 administratively. And I think the thought, our thought,  
13 was that we would take the workshop and it would funnel  
14 directly into whatever kind of herring recovery program was  
15 developed or herring recovery plan was developed from this  
16 office.

17                   So in light of that, when we looked at the  
18 workshops, none of them were directly related to any -- to  
19 the herring recovery plan. I mean, they were not  
20 necessarily bad workshop ideas, but they were fairly global  
21 in their presentation and we may get some information out  
22 of those workshops, but it wasn't going to be a focused,  
23 directed effort at the herring recovery plan.

24                   So with that said, the Adams proposal, they  
25 wanted to bring together -- I believe this was the

1 interpretation of this proposal -- they wanted to bring  
2 together the PI's that had gotten funded at the end of this  
3 funding cycle from the trustees and sort of have all the  
4 PI's get together and discuss how they wanted to go forward  
5 as a group. If they could, you know, work with each other,  
6 bounce ideas off each other, that kind of thing. There was  
7 also some objective in there to go to the modeling field  
8 tests this summer and some other miscellaneous things.

9                   The Allee/Norcross one, this was by -- this  
10 was proposed by Alaska Sea Grant and they wanted to bring  
11 together a group of international and national experts to  
12 talk about herring enhancement ideas. And then from that  
13 was going to be a symposium or a -- proceedings from the  
14 symposium that was going to be put forth to the trustees  
15 two years after the workshop actually got funded.

16                   And then the Thorne/Crawford workshop  
17 proposal, they wanted to bring together many of the  
18 scientists that were working with Prince William Sound  
19 herring and try and get at the, oh, discrepancy between the  
20 -- there's a couple of models out there that try and  
21 determine whether -- that try and explain the issue with  
22 the depressed herring population. And so a lot of that was  
23 focused on trying to see if there could be some consensus  
24 on those two models or where the discrepancies were and  
25 things like that.

1                   So in light of the fact that the workshops  
2 here were not proposed to directly funnel into a  
3 restoration recovery program and we have funding here  
4 administratively to do that, those workshops were  
5 recommended as a do not fund. Although there was  
6 acknowledgment that in the development of a workshop, we  
7 would like to involve the -- you know, we definitely would  
8 want the participation of people like Brian Allee at Sea  
9 Grant who was very knowledgeable at bringing together big  
10 workshops and certainly the folks in the community in  
11 Cordova, so.

12                   Any thoughts or questions? I can just move  
13 on. Okay. The next one, I'm going to skip over the  
14 intervention one because that's sort of the big enchilada  
15 at the end and what I'd like to do is talk about the  
16 databases and the model, modeling effort. There were two  
17 projects -- actually there's really -- Kiefer has a  
18 database component to his proposal, but that's not the  
19 biggest part of his proposal, and so I'm going to skip  
20 Kiefer and talk about him in the modeling component.

21                   Moffitt is one that they proposed to put  
22 together the architectural structure of a database for all  
23 of the herring work that is currently housed within ADF&G.  
24 And they proposed to take -- bring in all of that  
25 historical data into a geospatial database and work closely

1 with the IT staff here at this office so that it can be  
2 expandable to include other types of information as more  
3 herring projects get funded, it will -- they would be --  
4 you could put all of this information into a database. So  
5 it's kind of a one-stop shopping for herring data.

6                   Right now the proposal, it's a bit of a  
7 pilot study. They want to get the architecture up and  
8 running. They want to bring in all the historic ADF&G  
9 database and then next year come back and see how it's all  
10 working, see what they need to tweak, and then come in and  
11 start bringing in other types of herring data, or at least  
12 put in links and things to other types of herring data so  
13 that you can have a really nice one-stop shopping storage  
14 location for much of the herring information that's out  
15 there.

16                   I think this goes to -- this was very  
17 supported by the PAC. I think it goes to R.J.'s discussion  
18 about needing a place for all of this information that is  
19 being collected under Trustee Council funds. So that was  
20 recommended as a number 1, high priority for funding.

21                   Then we go into the modeling effort. This  
22 was -- these are, you have a 1, a 2, and a zero here, so  
23 they're kind of all over the place. The Thorne/Frid model  
24 -- I'm going to work backwards. The Thorne/Frid model was  
25 a model that looked at the -- that was modeling the --

1 modeling herring predation by stellar sea lions. And there  
2 was a thought that it seemed to be more of the impact of  
3 the loss of herring on sea lions than it did the impact of  
4 sea lions on herring. And there's also quite of money  
5 going to Dick to look at stellar sea lions. And so because  
6 it was -- it appeared to be more of a sea lion centric  
7 proposal than a herring centric proposal that it was not  
8 being -- it wasn't recommended for funding.

9                   The Wang model. The Wang model is a larval  
10 drift cycle model. Part of that has already been funded.  
11 There's actually been one sort of small scale field  
12 validation to my understanding of this particular model.  
13 There's been one small scale field validation of this model  
14 and they wanted to expand upon it, do more field testing,  
15 do more field validation.

16                   I think the general consensus is that this  
17 might be something that needs to be done but this would  
18 certainly be -- that having some sort of a herring recovery  
19 plan would benefit this proposal because it wasn't quite  
20 clear if further development of this model really needed to  
21 be done, what you would gain from it, what was going to be  
22 learned from the field effort this summer. So this was one  
23 of these ones that wasn't necessarily a bad proposal, it  
24 was just in light of there not being really a recovery  
25 program, it could be postponed.

1                   The other discussion that was -- happened  
2 at the science panel meeting and at the PAC meeting was  
3 that if there's a herring recovery plan or program  
4 developed, that there needed to be sort of a modeling  
5 committee, that people that were really experts on models  
6 could go and get together and say these are the kinds of  
7 models that would really help us understand what's going on  
8 in the herring world.

9                   So the key for proposal is interesting  
10 because it had -- I think it had all different kinds of  
11 funding recommendations that you could have. I think it  
12 had do not fund, fund, and -- maybe just those two. This  
13 model was an effort by these guys to look at the -- they  
14 call it a trophic PIT model in which they want to look at  
15 the influence of predation on herring but then they also  
16 want to be able to -- help me out here, Tom. I'm going to  
17 look at Tom because he has a -- he really likes this  
18 proposal. I'm going to let him speak to this proposal.

19                  DR. DEAN: Okay. Sounds good. If you look  
20 at the diagram that Kim put up, the way I like to think  
21 about this proposal is really -- two ways I like to think  
22 about this proposal. One is, it takes this diagram that --  
23 I forget who put it together, but somebody put it together  
24 in a nice color format here -- and it really puts numbers  
25 on all these things and allows you to evaluate the relative

1 importance of all these various factors based on a  
2 population model. So it's a biological population model,  
3 as opposed to the Wang model, which is really a model of  
4 physical processes in the environment.

5                   The other way I like to look at the Kiefer  
6 proposal -- and this isn't just me, this is actually the  
7 entire science panel -- was that it allowed you to do some  
8 what if kinds of analyses. And one of the ideas that's  
9 been floating around for a number of years, has some  
10 support in the general scientific literature on fish  
11 populations, is that a lot of times these populations have  
12 multiple stable states, if you will. And once they get  
13 depressed, they stay depressed for a relatively long period  
14 of time until such events occur where you get a huge  
15 recruitment event and you get a lot of juveniles that are  
16 being produced. And if you are able to exceed some  
17 threshold level, then all of a sudden this population could  
18 jump from a relatively low stable state to a relatively  
19 high stable state.

20                   And what happens in between is, perhaps you  
21 have a fairly good recruitment year, for example. It  
22 wouldn't quite be able to elevate the population to a level  
23 that's high enough to make it into the high stable state.  
24 It wouldn't quite get there. The predators would come  
25 along and they'd eat the excess young and it would depress

1 -- then again be depressed back down into this lower stable  
2 state.

3                   What was intriguing about this from a  
4 restoration perspective, I think, is it would allow you to  
5 address questions of -- well, if we were going to do a  
6 hatchery, how many fish might we need to put into the  
7 system in order to get the current population of herring  
8 from this low stable state up to the high stable state?  
9 And is that so many that it may not be either economically  
10 feasible or physically feasible in order to produce enough  
11 herring to have a potentially positive outcome.

12                   So it would -- if the Kiefer in our mind  
13 would allow us to play those sorts of games, how many  
14 herring would you have to add to the system in order to get  
15 it up to the appropriate level and is that so many that  
16 perhaps we shouldn't even consider doing some of these  
17 other proposals like mass culture of herring. And I think  
18 that's enough.

19                   DR. TRUST: That's great. All right.  
20 Thanks. Okay. So another part of the Kiefer proposal kind  
21 of goes back to it being put in this database box too. He  
22 does have or he is proposing to develop a database. He has  
23 a lot of the data and the layers that he needs to go forth  
24 with developing this proposal -- or with this model.

25                   And he's also -- so he's proposing to then



1 develop this database. The recommendation was that if he  
2 wants to do something with that database, he funnels it  
3 into the Moffitt database, which is more structured and  
4 more centrally built around just trying to figure out a way  
5 to get all of the herring information into one central  
6 location.

7                   So that pretty much covers the right side  
8 of this diagram. Are there any questions? Okay. So the  
9 next thing that I'd like to talk about is sort of the  
10 middle section of this diagram. As you can see, there's  
11 the herring life cycle -- it should say herring life stage  
12 really because it's the egg, the larval stage, the juvenile  
13 stage, and the adult stage.

14                   And the reason that some of those boxes are  
15 so multi-colored is that each of these different factors or  
16 some sort of global influences affect one or more of these  
17 herring life stages. And so what we were trying to  
18 demonstrate by all of these -- by this sort of kaleidoscope  
19 of boxes was to say that these are the life stages that  
20 these particular proposals would be looking at.

21                   So what I'd like to do now is look -- I  
22 want to start with the Thorne proposal at the bottom, the  
23 distribution and abundance proposal. This is sort of the  
24 keystone of the Prince William Sound Science Center group  
25 of proposal and it's also very important to several other

1 proposals that UAF has put together. Dick Thorne got money  
2 from -- I don't know where he got money from, but he has  
3 money to go out and do herring distribution and abundance  
4 surveys in the summertime and he has funding for that for  
5 the next couple of years.

6                   What he is proposing to the Trustee Council  
7 is that that get expanded so that he can go out in the  
8 wintertime and do these distribution and abundance surveys,  
9 which is part of the life cycle of herring, which very  
10 little is known about. So this I view this as sort of the  
11 cornerstone of most of the other proposals dealing with  
12 herring at this point. I mean, this got a big thumb's up  
13 from the science panel, from the PAC, from Michael, from  
14 myself.

15                   I think if this proposal doesn't get  
16 funded, then a lot of the other proposals that are out  
17 there and are being recommended for funding would either --  
18 well, if they got funded, they would have to go back out  
19 and find vessels of opportunity. Because a lot of these  
20 PI's are sort of on Dick Thorne's boat.

21                   And he's also -- even the PI's that are not  
22 necessarily on his boat, he's collecting samples. For  
23 example, Nate Bickford and Brenda Norcross want to look at  
24 otolith chemistry in different bays and he's collecting  
25 samples for that particular project.

1                   So there's a lot going on with Dick Thorne  
2 and his boat. And the information that he's collecting is  
3 very relevant and worthwhile and would be sort of keystone  
4 information that any program would need. But in addition,  
5 he's also being -- it's also very supportive of other  
6 projects going on.

7                   MS. PEARCE: Kim, can you move a little  
8 closer to the mike, please?

9                   DR. TRUST: Really? Gosh, I feel like I'm  
10 yelling. Okay. How's this?

11                  MS. PEARCE: That's worse.

12                  DR. TRUST: Really?

13                  MS. PEARCE: Talk loud.

14                  MR. BAFFREY: Why don't you put the big one  
15 over there.

16                  DR. TRUST: Okay. Hold on. We're going to  
17 get the big one closer to me. Okay. How's this?

18                  MS. PEARCE: Sounds better.

19                  DR. TRUST: Does it sound better? Okay.

20 All right. So the next thing, we'll just go over here to  
21 the -- stay in the global influence box and go over to the  
22 marking studies. Every single one of these has Nate  
23 Bickford in it, so he's a very prolific proposal writer.

24                  The Bickford, the very first Bickford  
25 proposal is one in which he wants to -- let me remember

1 this one, this is the one -- oh, this is the one where he  
2 wants to take fish into captivity and he wants to dip them  
3 strontium chloride and he wants to dip them in barium  
4 chloride and then he wants to look at the markers in the  
5 laboratory and then he wants to essentially repeat that  
6 same thing in the -- in holding pens in the environment.

7                   And I think there was some hesitation about  
8 funding this one if he had -- it was sort of a limited use  
9 if he only had two developed markers. There's some markers  
10 out there that are more globally useful, have been in use  
11 commercially over in Japan. It just wasn't seen that at  
12 this point this particular study was needed.

13                   In contrast, the next two studies, the  
14 Bickford/Norcross and the Meuret-Woody studies, these are  
15 using that same technique where he takes otolith chemistry  
16 -- otoliths are the ear bone in fish and they're taking  
17 those out, he grinds them down to a smooth surface and then  
18 he does laser analysis of the chemical composition of those  
19 otoliths and you can look at them -- look at the deposition  
20 of these chemicals in the otoliths by year of the fish or  
21 by seasonality of the fish. These rings are sort of laid  
22 down like tree rings and you can look at them in cross-  
23 section and you can start identifying the environment, the  
24 physical environment, the physical chemical environment  
25 that these fish have lived in.

1                   And so what he wants to do, what they want  
2 to do in those next two studies is to use this technique to  
3 see if they can determine which nurseries produce the most  
4 fish for the adult herring population currently in Prince  
5 William Sound. And in conjunction with the Meuret-Woody  
6 study who wants to do that similarly down in Sitka Sound.

7                   So they want to -- so for example, the  
8 question is, do the herring in Prince William Sound, do the  
9 adult herring all come from one source or do they come from  
10 a multiple variety of nursery bays. And so if you could  
11 answer that question then you would -- you could go in and  
12 you could start to begin to understand the physical and  
13 biological parameters of those bays that would influence  
14 the adult herring population. And if you paired it with  
15 the Meuret-Woody study, you would actually get a comparison  
16 of a healthy stock of herring.

17                  I think one of the things that has been  
18 lacking in a lot of these studies and what was brought up  
19 several times in my discussions with folks about these  
20 proposal, is that for many years we've just been discussing  
21 or doing research on this depressed, unhealthy population  
22 of herring. And so the baseline information we're getting,  
23 the data that we're getting is always doing comparisons on  
24 an unhealthy stock.

25                  And previous to the spill, the Sitka Sound

1 stock of herring were pretty much tracking the Prince  
2 William Sound stock of herring. And then after the spill,  
3 the Prince William Sound herring took -- you know, diverged  
4 and the Sitka Sound herring stayed the same.

5                   And so if you could start making some of  
6 these comparisons between unhealthy and healthy populations  
7 of fish, you might get a better understanding of what those  
8 parameters are supposed to look like in a healthy  
9 population so that you can then gear your research and your  
10 recovery objectives towards getting to a healthy  
11 sustainable herring population.

12                   The next one in that box is the  
13 Otis/Bickford proposal and this is actually -- this is just  
14 sort of ponying on a study that's currently being funded by  
15 the Trustee Council where Ted Otis is taking otolith -- or  
16 no, he's not taking otoliths, he's got -- he collected fish  
17 and he was looking at fatty acid analysis to see if they  
18 could differentiate between different stocks of herring.

19                   And what Nate wants to do is use the  
20 otoliths from these fish and see if there's a chemical  
21 signature that would corroborate this fatty acid analysis  
22 technique. So essentially you would have two techniques  
23 that would help you identify separate stocks of herring. He  
24 already has the samples for this particular project, it's a  
25 relatively inexpensive project and most of the field work

1 has been done and funded by the Trustee Council already.

2 Any questions? Okay. The next group,  
3 let's move up a box into the ecological factors. And let's  
4 move into the biological box. All of these studies have to  
5 do with food resources on herring. How food influences  
6 herring, what food influences herring, how it influences  
7 survival of herring, where the food is. There's just a  
8 variety of questions that these particular proposals are  
9 asking in relation to herring.

10 The first one is by Sonja Batten. This is  
11 one that's been funded by the Trustee Council for the past  
12 three years at least. This is a proposal in which she  
13 starts off down in British Colombia and does a continuous  
14 plankton recorder survey across the North Pacific, Gulf of  
15 Alaska, and into Cook Inlet. And she is collecting  
16 plankton data that just keeps track of changes in the  
17 plankton data across time in areas outside of the Sound but  
18 certainly in some cases inside the spill area and just  
19 documents changes in potential herring food over time.

20 The second one is the Castellini project.  
21 This one and the next one, the Kline -- well, and even the  
22 Vollenweider. The next three projects are very similar in  
23 that all of these proposals are looking at energy content  
24 in herring, body condition, and the influence of food  
25 resources.

1                   The Castellini -- I have notes to myself on  
2 the differences in these two. The Castellini project is  
3 looking at physiological fitness, energy density, and lipid  
4 content in herring and they're trying to develop -- well,  
5 they're actually -- they say they're developing a herring  
6 condition index but what they're actually doing is adding  
7 to a condition index that was developed under the SEA  
8 project.

9                   They are also going to be looking at stable  
10 isotopes in herring from various nursery and then trying to  
11 look at relationships between herring condition and these  
12 stable isotopes and where the herring come from.

13                  Kline is doing a similar project but not  
14 exactly the same. This is also a project that was -- a  
15 similar project was started during the SEA program. Kline  
16 is going to be going out with Dick Thorne, he's one of the  
17 ones that are kind of in the Thorne camp, and they're going  
18 to be doing juvenile herring surveys and they're also going  
19 to be doing zooplankton surveys.

20                  If you look at the map that I gave you  
21 guys, you can see Kline's study covers the bays that are in  
22 blue -- this is where Dick Thorne is going to go. All of  
23 the squares that are surrounded in blue. That's where  
24 they're doing their juvenile herring surveys. And then  
25 he's also going to go out and do his plankton sampling out



1 in the middle of Prince William Sound where those green  
2 chevrons. And then he's also going to go out into the Gulf  
3 of Alaska and try and get zooplankton and herring  
4 information out in the Gulf of Alaska.

5                   And then what he's hoping to do is look at  
6 the contribution of the oceanic derived zooplankton on  
7 herring condition and on recruitment. And the theory going  
8 something like if there -- as oceanic zooplankton gets  
9 washed into the Sound, it provides higher energy resources  
10 for herring. Yeah, it gets washed into the Sound, it  
11 provides higher energy resources for herring using the  
12 Sound.

13                   And then the final one in that group is the  
14 Cokelet study. This is a project that's also been funded  
15 by the Trustee Council for the past three years. This is  
16 the project where they put recording devices, plankton  
17 recording devices -- and there's other -- I think he's also  
18 doing temperature and salinity. I think there's a couple  
19 of recording devices going on in the Cokelet project.  
20 Where he put this instrumentation on the ferries, so it's a  
21 vessel of opportunity that we haven't had to pay to use the  
22 ferry system, and they go back and forth across the Sound  
23 during the ferry season and collect physical, chemical, and  
24 biological data.

25                   This project, the boat that he has been

1 using is leaving the Sound and it's going down -- I think  
2 it's going to be traveling out of Homer now, and he wants  
3 money to put this instrumentation on the new ferry that's  
4 coming into Prince William Sound and continue collecting  
5 the data on the ferry that's leaving the Sound as well.

6                   So of all of those studies, the Batten one  
7 was supported for funding. This is one that we've got a  
8 lot of requests to support from outside of the -- certainly  
9 outside of the Trustee Council office, outside of the  
10 immediate scientific community. Folks in the international  
11 community would like this project supported because it's  
12 the only -- it's right now the only long term project that  
13 is collecting this type of data in the North Pacific.

14                   The Castellini project was not recommended  
15 for funding because it's so similar to the Kline project.  
16 Kline is working with Dick Thorne. His project is much  
17 more involved and it will be collecting information in  
18 conjunction with sort of a programmatic suite of proposals  
19 that the Prince William Sound Science Center put in.

20                   Oh, I forgot Vollenweider. Vollenweider is  
21 doing something similar to Kline in a small section of  
22 Prince William Sound. Whereby she's collecting plankton  
23 information as well and body condition, but she's comparing  
24 all of these things to Sitka Sound and someplace in Juneau.  
25 It's not -- Dougl -- it's.....

1 DR. DEAN: I don't remember.

2 DR. TRUST: One of the water bodies outside  
3 of Juneau.

4 DR. DEAN: Craig.

5 DR. TRUST: I'm sorry. I could look in the  
6 proposal. Anyway, but the point being is that she's  
7 comparing all of these things. Again, it's one of the -- I  
8 think there's only two or three proposals where they're  
9 actually doing a comparison of Prince William Sound, the  
10 Prince William Sound population -- which as we know has  
11 been depressed for a very long time -- and making those  
12 comparison with healthy stock of herring and trying to  
13 figure out how those things compare and what a healthy --  
14 what healthy productivity would look like in terms of food  
15 supply and in herring condition.

16 So the Cast -- so I was at Kline -- Kline  
17 and Vollenweider, again, these were proposals that were  
18 recommended for funding in the context of a broader plan.  
19 Kline is one of the ones that we've heard about today a  
20 couple of times being recommended for funding because he  
21 does rely on much of the activity going on with other  
22 comprehensive programs. The Thorne proposal -- and we'll  
23 get into -- the Bickford/Norcross proposal. The -- we'll  
24 get into the other ones, the Gay proposal -- in the next  
25 batch of projects.

1                   So -- and then Vollenweider is also  
2 recommended for funding as a 2 and she is with the NOAA  
3 folks down in Auke Bay.

4                   Cokelet was not recommended for funding.  
5 There were a couple of issues with the Cokelet project, one  
6 being that it was, you know, we funded some work to be done  
7 on the ferry that's there now. The ferry is leaving so now  
8 there's a request for additional funding for the new ferry.  
9 And, you know, I'm assured that the ferry schedule is  
10 written in stone, but there was just some question as to  
11 whether that that would be something for the long term that  
12 would be reliable.

13                  Also the timing of when Ned collects his  
14 data is such that it may be useful for some information on  
15 summer herring but not necessarily on year-round herring  
16 work. And it's expensive. I think that was the other one.  
17 It's pretty -- it's fairly expensive, even though we do  
18 have this vessel of opportunity.

19                  Any questions? Do you want to add  
20 anything, Tom?

21                  DR. DEAN: Not right now.

22                  DR. TRUST: Okay. So we'll move onto the  
23 physical, chemical, and habitat projects. So these are all  
24 proposals that want to measure physical and chemical  
25 characteristics of the environment in salmon. So these are

1 the ones that are measuring temperature and salinity and  
2 nitrogen and -- I'm making stuff up now. I don't -- I  
3 mean, a lot of them have just a big suite of things that  
4 they're measuring but they're all physical/chemical  
5 properties of herring environment.

6                   The Crawford one, this is also one that's  
7 proposed by the Prince William Sound Science Center.  
8 Crawford is -- in his proposal he actually does have vessel  
9 time. He may also be ponying onto Dick Thorne's project,  
10 but I can't remember that specifically. I know he has  
11 vessel time for his project specifically.

12                   If you'll look at the map that I gave you,  
13 Crawford's proposal are the ones that will cover the bays  
14 that have the little blue dots in them. So what he wants  
15 to do is he wants to go in these nursery habitats and he  
16 wants to do really fine scale measurements of  
17 physical/chemical characteristics in the environment.

18                   The next one on the list is the Gay  
19 proposal. And if you'll look here Gay is in red on the  
20 map. It's the red with the blue dots around it. He is  
21 going to be going out. He's on Dick Thorne's boat and he  
22 is going to be going out and doing similar work to Crawford  
23 only at a broader geographic scale. He's also going to be  
24 deploying CTD's, which stands for.....

25                   DR. DEAN: Conductivity.....

1 DR. TRUST: Temperature and.....

2 DR. DEAN: Yeah.

3 DR. TRUST: .....Depth. Yeah.

4 Conductivity, temperature -- these buoys that he's going to

5 mount out there, they're going to collect a bunch of

6 information over time. So he's going to be deploying these

7 buoys and then collecting all that information over time.

8 The next one on that list is the Lindeberg

9 proposal. Now this is a little bit -- this was kind of --

10 one of those ones that was not really well placed anywhere

11 in this particular suite of proposals. The Lindeberg

12 proposal wants to do the rest of the shore zone mapping of

13 Prince William Sound. The Trustee Council have funded

14 several shore zone mapping projects. This one will

15 essentially get all of the shore zone mapping done for

16 Prince William Sound.

17 This was one of the things that was

18 specifically mentioned in the herring workshop and

19 everybody is very supportive of this particular proposal.

20 It would not only benefit herring but it would certainly be

21 beneficial to understanding injury and restoration of many

22 of the other in-shore, nearshore resources.

23 The Weingartner proposal. The Weingartner

24 proposal is the GAK1 line that this office has funded for

25 the last couple of years. This is the buoy outside of

1 Seward that maintains monitoring of -- just collects  
2 zillions of data points consistently for temperature,  
3 salinity, and a variety of other physical/chemical  
4 parameters.

5                   And then again, the Cokelet proposal is  
6 also in this group because he also measures things like  
7 salinity and temperature as well.

8                   So the Crawford proposal, back to the top,  
9 was not recommended for funding because it was felt that he  
10 was doing something on such a fine scale that it would be  
11 very beneficial to have a larger group, a herring steering  
12 committee, a herring recovery plan, look at it and even  
13 determine if that was the scale at which this information  
14 was needed to be collected.

15                   So instead of this being a 2 -- this was a  
16 do not fund until somebody determined, you know, a recovery  
17 team determines that this is the exact type of information  
18 we need at a such a small and fine scale.

19                   The Gay proposal on the other hand was  
20 collecting very similar information but he was working in  
21 coordination with other projects and he was collecting this  
22 information at a broader geographic scale across the Sound,  
23 so you could do more -- you could interpret it across a  
24 broader spatial coverage where herring actually are in the  
25 Sound.

1                   The Lindeberg proposal, that was a number  
2 1. Everybody was behind this. Like I said, the shore zone  
3 mapping. One of the issues with the Lindeberg proposal, it  
4 was pretty expensive. It was \$600,000 to do the shore zone  
5 mapping. And so the recommendation was that they -- one of  
6 the things that they wanted to do was go in and do some  
7 beach seining of fish and at individual sampling locations,  
8 kind of in a one-shot deal.

9                   The science panel didn't think that that  
10 would provide very much useful information since it was  
11 just sort of a snapshot in time. If I go out on Tuesday,  
12 what kind of fish do I catch. So what they recommended was  
13 that get removed from the proposal, which Mandy came back  
14 and did, and it reduced the cost of this particular  
15 proposal by \$100,000. So you would still get all of the  
16 shore zone mapping and interpretation of that data, you  
17 just wouldn't get that biological component of the fish  
18 seining.

19                  The Weingartner proposal, this was  
20 recommended for funding because this is a long term data  
21 set. It's the only kind of data of it's kind that would --  
22 that looks at the physical/chemical changes over a long  
23 period of time with multiple parameters being measured.

24                  I think for both the Weingartner and the  
25 Batten proposal, which remember is one that is doing the



1 continuous plankton recorder across the Sound, that this is  
2 one of those things that -- this should be funded this year  
3 but then the PI's need to be encouraged to seek funding  
4 from those oceanographic organizations that look more  
5 broadly at oceanographic type questions, such as AOOS or  
6 NPRB or something like that.

7                   And again, the Cokelet project was not  
8 recommended for funding. Does anybody have a question so I  
9 can stop talking?

10                  DR. DEAN: Well, I'll give you break. I'll  
11 make a comment. How does that sound?

12                  DR. TRUST: Okay. Sure.

13                  DR. DEAN: I wanted to comment a little bit  
14 about the Kline proposal and I think all of the scientific  
15 panel members were in agreement that the energetics of  
16 juvenile salmon was critical information that we needed for  
17 any kind of modeling effort, any kind of assessment effort,  
18 and would really be valuable in assessing restoration  
19 options.

20                  There were other parts of the Kline  
21 proposal, however, that we felt weren't as necessary. And  
22 there were the -- a large portion of the budget, for  
23 example, went into sorting plankton. And there was a lot  
24 of effort going into sorting and identifying the various  
25 zooplanktors, that would be the food of the juvenile

1 herring. And we weren't really certain whether that was  
2 really a necessary component.

3                   Sort of as a general comment, there were --  
4 almost all these proposals, there were elements of them  
5 that the review panel liked and didn't like. And for the  
6 herring proposals, we were willing, to a large extent I  
7 think, to in a sense rewrite the proposals a little bit, or  
8 at least give them a lot of leeway in what they did. We  
9 were less likely to do so when we evaluated some of the  
10 non-herring proposals, which we can get to.

11                   So there was some good ideas in the  
12 non-herring proposals that we didn't feel like we were  
13 willing to rewrite at this -- during the review process as  
14 much as we were for the herring proposals. Anyway, back to  
15 the Kline. So our feeling was parts of the Kline proposal  
16 we thought would be -- are pretty critical to this process.  
17 The other parts are not. So I don't know how that's going  
18 to be handled.

19                   DR. TRUST: Yeah. And in addressing this,  
20 the Kline proposal was also very expensive. And so I did  
21 go back to him and express some of our -- the science panel  
22 concerns to him. And to his credit, he came back with a 15  
23 percent reduction in his request. So I think it was 907 or  
24 something was his original request, over the course of four  
25 years, and he came back and now it's only 770,000. But he

1 did reduce the cost of his proposal, you know, without  
2 sacrificing what he felt was any of the data.

3                   Okay. The next batch of proposals are all  
4 of the ones that are in the top box labeled predators,  
5 which include disease at this point. Let's go -- since I'm  
6 left handed, let's go right to left. The stellar sea lion  
7 one, that was the Thorne/Frid one, that was also the  
8 modeling one that I already talked about where they wanted  
9 to model the impact of stellar sea lions and herring. And  
10 again, it seemed like a more stellar sea lion centric  
11 proposal.

12                   The next one is the Wright proposal where  
13 he wanted to go out and catch salmon sharks and lavage them  
14 and essentially pump their stomachs and see what they ate.  
15 He also wanted to look at fatty acid. He wanted to do some  
16 fatty acid work where he looked at salmon sharks to see  
17 where their carbon nitrogen was coming from.

18                   This was a proposal that was very salmon  
19 shark centric as opposed to herring centric. We do have  
20 some preliminary data that talks about the diet of salmon  
21 shark -- that's the other thing he wanted to -- he was  
22 trying to get at the diet of salmon shark during the spring  
23 migration of herring into the Sound.

24                   So -- but it seemed to be a more salmon  
25 shark centric proposal than, you know, what that was going

1 to do to the herring themselves. So it just wasn't felt  
2 like that that was an appropriate direction for the --  
3 looking at the predation of salmon sharks. Not that  
4 there's not a predation effect of salmon sharks on herring,  
5 but just this particular angle didn't seem to get at that  
6 question.

7                   The next predator project is the sea bird  
8 project. And this is also one that we've heard support for  
9 a couple of times here today. This again is part of the  
10 Prince William Sound Science Center herring package and  
11 Mary Ann Bishop is proposing to go out on Dick Thorne's  
12 boat -- he's going to have a really big boat -- and look at  
13 the effects of sea birds on herring.

14                   So what they wanted to do was go out with  
15 Dick and find those assemblages of sea birds and try and  
16 identify the birds that were actually feeding on herring  
17 and then get at how much herring they were taking out of  
18 the population. Try and get an idea of if we have 50  
19 kittiwakes feeding on herring for so many hours a day, what  
20 would be the reduction on the herring population from sea  
21 birds.

22                   The next one is the Rice proposal. That's  
23 also a predation proposal and this one is looking at the  
24 predation effects on herring of humpback whales. And they  
25 too are going to be looking at humpback whales in Prince

1 William Sound and down in Southeast to do the comparison of  
2 predation in both of those areas.

3                   There is indication that the number of  
4 humpback whales in Prince William Sound over winter has  
5 been increasing over the past few years, and so because of  
6 that, there could be an increase in the predation on  
7 herring as well.

8                   And finally, the Herschberger project is --  
9 it's a disease program. I mean, it's -- I think it's a  
10 million dollars. It's a huge project that tries to look at  
11 the -- well, it tries to do a large number of things -- but  
12 it's essentially -- everybody is in agreement that disease  
13 at this point has a strong influence on the herring  
14 population in the Sound.

15                   These guys want to find out the effects of  
16 three diseases in particular on the varied life stages of  
17 herring. And they also want to be able to develop  
18 diagnostic tools where they can go back out into the Sound  
19 and into other places and determine, just look at the  
20 effects of disease on particular herring life cycles.

21                   The Bishop proposal -- sorry, I'm skipping  
22 back and forth. The Bishop proposal is one of those ones  
23 that was -- it was a good proposal, it needed to be done.  
24 Everybody talks about how predators affect herring but not  
25 much empirical data has been collected, especially with

1 regards to sea birds or humpback whales specifically.

2                   This one was recommended for funding by the  
3 science panel, as was the whale project. It was thought  
4 that this could benefit from some guidance from a recovery  
5 program. Just like there was sort of the suggestion that  
6 there be this modeling committee, there was a suggestion  
7 that maybe all of the predator projects could be  
8 coordinated so that you would get similar information on a  
9 lot of different types of predators so that you could this  
10 very comprehensive view of predation on herring.

11                   That said, they were recommend -- they're  
12 in the 2 category because they were not bad proposals, they  
13 were just -- it seemed like that they could benefit from  
14 some guidance.

15                   And then finally, the disease program.  
16 This is the only project in the lot that dealt with disease  
17 and these guys, Dick Kocan and Paul Herschberger, they're  
18 sort of the world renowned herring disease guys. So I mean  
19 if anybody is the folks to look at disease and how disease  
20 affects herring throughout their life, this is -- you know,  
21 these are really good guys to do it.

22                   It's a very expensive project, however, so  
23 it might be one of those things that needs to be looked at  
24 on a yearly basis. However, there has been some  
25 suggestions that this particular program get funded on a --

1 just fund this year and kind of see where they are and then  
2 maybe fund them again next year. I think that's kind of a  
3 precipitous road to take given the -- when you're doing  
4 laboratory science, you can say that you're going to do  
5 something, but your results sort of dictate what you're  
6 next step is going to be.

7                   So as you're trying to develop these  
8 markers, you're trying to develop these tools that you can  
9 then go out and use in the field. You know, maybe you'll  
10 get something developed in a year but maybe you won't get  
11 something developed for a year and a half. So if in a year  
12 they haven't really developed something but they're kind of  
13 on the cusp, you know, just say well, we're not -- you  
14 know, you didn't do what you said you were going to do.  
15 You know, maybe they're right at the cusp.

16                   So to me, if you're going to embrace a  
17 disease -- if you're going to embrace this particular  
18 proposal, you kind of have to embrace it as a program, not  
19 just as a year by year, we'll trickle out some money to  
20 them and see how far they can get.

21                   The final group of projects here are the --  
22 go back over to the right hand side of the boxes -- the  
23 intervention projects. The Linley project is interesting.  
24 The Linley project, these guys proposed to do some --  
25 figure out how to culture herring such that they could grow

1 them up quickly and potentially release them, either  
2 commercially or on a pilot scale or whatever was deemed  
3 necessary if there was going to be some sort of commercial  
4 enhancement.

5                   So it's not a hatchery, these guys would be  
6 working -- this is a proposal that's in conjunction with  
7 the Sea Life Center. They would working at the Sea Life  
8 Center to develop this -- to develop all of these  
9 techniques, similar to what they're doing for pink salmon  
10 down there already.

11                   This proposal, there was a lot of  
12 discussion about this proposal because I think there was  
13 some -- there was definitely some recognition and a lot of  
14 discussion within the science panel meetings specifically  
15 that talked about the potential need for doing some kind of  
16 herring enhancement, whether that be produce a bunch of  
17 eggs or produce a bunch of larvae, you release a lot of  
18 fish.

19                   I mean, obviously all those questions need  
20 to be asked and figured out but if that was going to be  
21 something that was going to be needed in the long term,  
22 that this proposal would kind of be a kicking off point for  
23 that.

24                   That said, these guys have a lot of  
25 experience with salmon. Obviously they have this whole



1 program going on at the Sea Life Center with salmon but it  
2 was unclear from the proposal if they had a lot of  
3 experience with herring. And then a lot of this work has  
4 already been done over in Japan. The Japanese produce --  
5 have a big commercial facility -- I don't know if it's a  
6 facility -- a big commercial operation where they  
7 essentially pump fish out for commercial fishers to go and  
8 harvest. And it's just kind of an ongoing thing that they  
9 do over there.

10                   So there's a lot of discussion about having  
11 these guys go over to Japan, funding them for a year to go  
12 over to Japan. Essentially, you know, live over there in  
13 the facilities for awhile to understand what their culture  
14 techniques are. How do they grow up herring fast enough to  
15 release them in large commercial amounts so that the  
16 commercial fishery can -- well, the fishery itself is not  
17 self-sustainable. They continue to pump fish into the  
18 environment. But that maybe they could learn something  
19 from the Japanese on a large scale that they could then  
20 bring back to Alaska and promote on a small scale.

21                   So I went back to them, talked to them  
22 about it. They kind of put in a revised proposal where  
23 they were willing to do that. They have Japanese folks  
24 that they work with already, but they also wanted to do a  
25 pilot study on some of their feeding regimes at the Sea

1 Life Center and start developing food resources. So they  
2 came back sort of with a counter-proposal.

3                   Then when I went back to the science panel,  
4 the discussion was that this was that this is one of those  
5 things that really would benefit from guidance of a plan.  
6 That there was -- oh, there's also an element of this  
7 proposal where they're doing some calcium receptor work,  
8 which is a patented process. It's still a little unclear  
9 to me how it relates directly to herring but there was some  
10 concern that if the Trustee Council funded this project --  
11 and it's really expensive too, I believe it's also over a  
12 million dollars. If the Trustee Council went down this  
13 road, they would then be stuck with being -- having to pay  
14 for this patented process for how ever many years it was  
15 that herring needed to be enhanced.

16                   So again, from the perspective of if  
17 culture and enhancement is something that we need to do,  
18 that these guys seem knowledgeable and they have a facility  
19 to do it, et cetera. If you wanted to do a small pilot  
20 study, just send them to Japan and see what's known over  
21 there and bring them back and apply it here, that there was  
22 that element of it. But if you wanted to wait until there  
23 was a herring restoration plan, that that was probably the  
24 best of all worlds.

25                   And then the final proposal is the Mullins

1 proposal, which Ross has spoken to. In this proposal they  
2 want to do a couple of things. They want to move roe on  
3 kelp -- eggs on kelp to different places and let them grow  
4 out. And hopefully that they would be moved to those areas  
5 that were more amenable to producing healthy herring.  
6 There as also some other parts of this project where they  
7 wanted to grow larval -- they wanted to buy a boat and  
8 build a tank and grow larval fish in tanks and then release  
9 the larval fish after the get past a certain size that they  
10 would be more likely to survive.

11                   This is also an expensive project. I  
12 believe this was three million dollars. There were a lot  
13 of concerns that the science panel had about this. If --  
14 again, this is one of those things that maybe in a couple  
15 of years or I don't know how -- I don't want to put a time  
16 scale on it -- but that this might be a way that needs to  
17 be -- to move forward for herring enhancement, however,  
18 that it was a little premature to invest quite that much  
19 money. And there was also concerns that a lot of the  
20 specifics in the proposal were not addressed.

21                   I think the two biggest issues on that were  
22 the disease element. If you take fish from the wild and  
23 grow them out, are you going to be releasing diseased fish  
24 into healthy stock? Are you going to releasing healthy  
25 into diseased stock? There was not really a good clear

1 explanation of how they were going to monitor success. How  
2 many fish do you have to release? And the regulatory --  
3 and additional questions, just besides that.

4                   And then the whole regulatory element was  
5 not at all addressed, and I can only think that if you are  
6 proposing to do all of these manipulations, that there  
7 would be a huge regulatory process that you would have to  
8 go through, and none of that was addressed in the proposal.

9                   So although I think a lot of these  
10 proposals are all sort of geared towards some sort of  
11 herring enhancement, this one was premature and needed to  
12 be fleshed out a lot more before it could be supported as  
13 it was proposed.

14                   Tom, any comments?

15                   DR. DEAN: No, you did great.

16                   DR. TRUST: Okay. All right. So any  
17 questions on any of those proposals?

18                   MR. FREDRIKSSON: Kim, this is Kurt.

19                   DR. TRUST: Okay.

20                   MR. FREDRIKSSON: Or Craig.

21                   CHAIRMAN O'CONNOR: Yes.

22                   MR. FREDRIKSSON: Just a couple on that --  
23 I understand you had kind of walked through in much greater  
24 detail with all the liaisons, just what you gave us. And  
25 it's nice to, you know, kind of get a full blown picture of

1 what's going on here. And I'm now looking at your chart.

2 DR. TRUST: Okay. Table 2?

3 MR. FREDRIKSSON: It's the one on Page 52,

4 which I.....

5 DR. TRUST: Oh, yeah, yeah. Okay. Got it.

6 MR. FREDRIKSSON: So, you know, what we

7 have is the different life stages of the herring, herring

8 life cycle, and then you have all the variables of

9 predators, ecological factors, global influence. And I see

10 where on the juvenile and adult side there are a number of

11 those different variables where we're looking at

12 considering proposals.

13 With respect to larval considerations, only

14 predators and global influence are listed, and then there's

15 nothing that's listed for egg. Is that -- could you

16 explain that to me? Is that because we don't consider

17 global influence, ecological factors, or predators to be a

18 consideration with respect to egg or larval life cycles or

19 is that because no proposals came forward?

20 DR. TRUST: It's the second one, Kurt. The

21 way that these boxes are assigned is these particular

22 proposals address the juvenile and adult stage of herring.

23 MR. FREDRIKSSON: Okay.

24 DR. TRUST: So it's not that -- obviously,

25 you know, physical/chemical parameters of the environment

1 are going to directly affect the egg stage and the larval  
2 stage. It's just that within those proposals, they didn't  
3 specifically address those life cycle stages.

4 MR. FREDRIKSSON: Well, let me follow up on  
5 that, because I think at least it's a wonderful graphic  
6 that gives me an opportunity to share with the other  
7 trustee councils one of the concerns I've always had with  
8 the invitation process and actually getting to the end  
9 point of restoration. And the fact that Michael has come  
10 forward with the Prince William Sound Herring Restoration  
11 Plan steering group, which makes great sense to me -- we're  
12 going to deal with proposals now but as Kim has  
13 appropriately laid out for us, we're in some ways operating  
14 blind because we don't have that herring restoration plan  
15 now.

16 Even though we have restoration proposals  
17 that will ultimately, I think under that category one or  
18 that priority ranking one will work with respect to the  
19 plan that Michael hopes to develop. But I would hope a  
20 graphic like this would be used for purposes of defining  
21 our herring restoration. And if in fact we need to do work  
22 in the egg and larval life cycles as we have proposed for  
23 juvenile and adult, then I think we somehow -- and maybe  
24 this is one of these future looks that Craig was talking  
25 about earlier -- we need to get away from being driven just

1 by what people propose and we need to start getting studies  
2 designed and requested that fill in the gaps that might  
3 otherwise come about because nobody has made a proposal.

4                   And this is just -- to me it was a great  
5 example, this graphic was a great example because clearly  
6 nobody made any proposals for egg life cycle. But that may  
7 not be because that's not an important consideration that  
8 the trustee should spend any energies on. So I appreciate  
9 your graphics. Very good.

10                  DR. TRUST: Oh. Well, thank you. I'm glad  
11 it was helpful. It certainly helped me present it and it  
12 helped me in the way I thought about all the proposals.

13                  MR. FREDRIKSSON: Let me, if I might  
14 just.....

15                  CHAIRMAN O'CONNOR: Go right ahead, Kurt.

16                  MR. FREDRIKSSON: .....to dominate for a  
17 second here, but -- and since Stacy I think is there  
18 representing the PAC. I guess there were two  
19 recommendations I saw from the PAC that weren't -- that do  
20 not fund. One was the Kiefer/Brown ecosystem model and  
21 then there was one which we heard earlier today from both  
22 Chuck Meacham and Nancy Bird, the Bishop/Kuletz that the  
23 PAC had recommended against funding. Could you explain to  
24 me, Stacy, why the PAC didn't support those proposals?

25                  MS. STUDEBAKER: Well, it was the cart

1 before the horse problem. The PAC members just had a  
2 problem funding these kinds of projects until a plan was in  
3 the works. They felt uncomfortable about that, and that  
4 pretty much sums it up.

5 MR. FREDRIKSSON: Okay. And so the plan  
6 that at least Michael has -- and I don't know how widely  
7 his email has gone out, but I suspect it's been shared with  
8 everybody -- the PAC does support development of that plan?

9 MS. STUDEBAKER: Oh, yes.

10 MR. FREDRIKSSON: Okay. And then maybe one  
11 final question to you, Kim. And this has to do with the  
12 recommendation. I appreciate the recommendation. I think  
13 it's on the Batten project. And, let's see, I think it  
14 was.....

15 DR. TRUST: Weingartner.

16 MR. FREDRIKSSON: The Weingartner proposal  
17 for a one year funding and then a recommendation that they  
18 seek to continue their projects under other programs, you  
19 know, maybe like the North Pacific Research Board or  
20 something. But it -- did we tell them that last year or  
21 was -- I guess I just need some clarification as to what  
22 they were advised last year, if they were -- if we had made  
23 that kind of comment to them last year or not.

24 DR. TRUST: No, we didn't. We said to --  
25 that we would -- I think the recommendation was that they



1 would put in a proposal for this year and see how it fell  
2 out within all the other proposals.

3 MR. FREDRIKSSON: Okay. That helps me with  
4 my question. Thank you very much.

5 MS. PEARCE: Mr. Chairman.

6 CHAIRMAN O'CONNOR: Go ahead.

7 MS. PEARCE: When you're ready, when people  
8 are finished asking their questions, I would like to make a  
9 motion.

10 CHAIRMAN O'CONNOR: Okay. Any other  
11 trustees have any questions? Comments? Amazements?

12 MR. CAMPBELL: I'm ready for Drue's motion.

13 CHAIRMAN O'CONNOR: Okay. Drue.

14 MS. PEARCE: Okay. I'm looking at Table 2.  
15 I would move that we fund the projects that are ranked on  
16 Table 2 funding recommendations for the '07 work plan --  
17 and I think it's the final recommendation that came from  
18 Michael -- I would move that we fund the Priory 1's and 2's  
19 with the following covenants.

20 On Linley, 70821, I would move that we not  
21 fund the outer years and then in '07 we only send the  
22 appropriate number of people to Japan to gather the  
23 information about the projects and programs that the  
24 Japanese already have in place. I think that information  
25 will be extremely valuable to the herring plan group and

1 also to work that we do in the future. There's absolutely  
2 no reason to reinvent wheels.

3 I would also add to the list 70699, the  
4 ferry system observations and continue gathering that  
5 information.

6 Part of my -- oh and then the two  
7 contingent proposals, Kiefer/Brown and Lindeberg would be  
8 contingent upon the Executive Director's -- the same as his  
9 recommendation. So that would fund the 1's and 2's with a  
10 change to Linley and an adding Cokelet.

11 My suggestion would be that we fund the 1's  
12 through their life cycle and that the 2's we fund for '07.  
13 And if they fit into the plan -- assuming we get it  
14 developed in the next six months -- we would then consider  
15 continuing those in the outer years. I've looked through  
16 them. I've talked to our science advisor and others and I  
17 don't think we are going to gather any information with  
18 those Priority 2's that it's not going to be useful in the  
19 future, even if we don't continue the specific projects.

20 Long motion but 1's and 2's plus Cokelet.

21 CHAIRMAN O'CONNOR: Okay. Is there a  
22 second to that motion?

23 MR. CAMPBELL: Once there's a second, I  
24 have questions.

25 CHAIRMAN O'CONNOR: Right. Okay. I will

1 second that motion for purposes of discussion.

2 MR. CAMPBELL: Okay. This is McKie, if I  
3 may.

4 CHAIRMAN O'CONNOR: Please.

5 MR. CAMPBELL: I definitely agree on all  
6 the 1's and then I just -- I had some questions on some of  
7 the 2's. In talking with Jim Seeb, our science director,  
8 he felt that there were two 2's, and they are 70769,  
9 Otis/Bickford, and 70804, Rice/Heintz/Moran, that he felt  
10 were very useful to proceed right now.

11 On all the other 2's, while he definitely  
12 felt they all had merit, he also felt -- you know, we've  
13 had discussions about a herring coordinator and he felt  
14 that within these various other -- these other 2's, there  
15 was a good deal of overlap and, the way he put it is that  
16 every project seems to want to have their own platform out  
17 in the Gulf.

18 And I guess I'm not opposing the motion but  
19 I am, for purposes of discussion, throwing out whether some  
20 of these 2's, those they are worthy and eventually I would  
21 definitely support them being funded, would benefit from  
22 our looking at the idea of a herring coordinator who would  
23 come in and try to bring some greater efficiencies by  
24 combining a number of these projects.

25 CHAIRMAN O'CONNOR: All right.

1 MS. PEARCE: Mr. Chairman, do you want me  
2 to speak to that?

3 CHAIRMAN O'CONNOR: If you would like to,  
4 Drue, please.

5 MS. PEARCE: Well, my thought, McKie, is A,  
6 we're focused on herring and want to hit the ground hard  
7 and running, so to speak.

8 Second, I don't think it makes sense to  
9 have a herring coordinator until somebody falls out of the  
10 process of the herring plan as the appropriate person. So  
11 I think we are a ways away from that.

12 And since I've been advised that none of  
13 this information -- certainly nothing would be hurtful to  
14 have and it will feed into our future decision making, that  
15 we should just go ahead and fund the first year of those  
16 projects and see where they fall out in the grand plan.  
17 There may be coordination that we could do later but my  
18 motion would accommodate that in year two.

19 MR. CAMPBELL: Okay. And so you -- Drue,  
20 in your motion, you would be agreeable to -- I mean, just  
21 at least a potential commitment to the idea of when we look  
22 at year two funding, at that point looking at all the  
23 various number 2 projects and seeing if there are some --  
24 whether through the use of a herring coordinator or other  
25 means, whether we could look at maybe combining a number of

1 those projects for year two.

2 And I guess I'm asking that of you and then  
3 I wanted to kind of ask Kim, if I could, if she had  
4 thoughts about the ability to consolidate these down the  
5 road, once we've gotten them started.

6 MS. PEARCE: Well, my motion -- Mr.  
7 Chairman, may I?

8 CHAIRMAN O'CONNOR: Please.

9 MS. PEARCE: My motion was to fund just the  
10 first year of the Priority 2's with the understanding that  
11 those Priority 2's on a long term basis would have to fit  
12 in the plan. And if that means that they should be  
13 combined with others, to me that would be part of the plan  
14 that would come out of this process that we're going to go  
15 through. And so yes, I would feel quite comfortable with  
16 that, McKie.

17 MR. CAMPBELL: Okay. Great.

18 MS. PEARCE: I think you're saying  
19 that.....

20 MR. CAMPBELL: Drue, I thank you for that  
21 and appreciate it.

22 Kim, let me ask you, they're not problems  
23 that I see but do we set ourselves up for any problems by,  
24 you know, funding projects to go the first year and then  
25 saying, but guys, we're going to -- may mash a bunch of you

1 together in the second year? As opposed to simply waiting  
2 a year to fund them and then fund them in the combined  
3 state to start off with?

4 DR. TRUST: You know, I think that might be  
5 on a project by project basis. Just generally, I would say  
6 no. I would think that, you know, after we get projects  
7 funded, I mean, there was some discussion of having the  
8 PI's come together and discuss their projects and see where  
9 they could build on each other and coordinate, given that  
10 they were going to have funding at this point. So I think  
11 that that would be a -- for just generally, again, that  
12 there probably are specifics that I can't think of right  
13 off the top of my head, but I think that that would not be  
14 something that would be -- I don't think it would be  
15 detrimental.

16 I think -- if I could clarify what you  
17 said, Drue, on the Linley proposal, that would be the only  
18 one that I would be very clear on because it is such an  
19 expensive proposal that you're only recommending the  
20 funding for '07 and then they would come back with a  
21 different proposal in '08, given what they've learned in  
22 Japan. Is that what I understand.....

23 MS. PEARCE: Well, quite honestly.....

24 DR. TRUST: .....you to say?

25 MS. PEARCE: .....I don't even know if they

1 need the entire '07. I know Japan is expensive but I would  
2 want you and Michael to sit down with them and figure out  
3 what they need to go to Japan and do the week's worth of  
4 work we want them to do.

5 DR. TRUST: Yeah, it's not really.....

6 MS. PEARCE: To address then what we have  
7 for '07, perfect. But you are correct.

8 DR. TRUST: Okay.

9 MS. PEARCE: Sending them to Japan and  
10 bringing back all that information is what I'm trying to  
11 get to, not the additional pieces.

12 DR. TRUST: Okay. So yeah, just to  
13 clarify, their proposal to go to Japan is to spend two  
14 separate three week periods over there where they actually  
15 culture the fish, grow out the eggs, and then release the  
16 fish later and things like that. So it's more -- it's a  
17 little bit more in-depth than -- it's fairly in-depth what  
18 their proposal is.

19 So to answer your question, McKie, back to  
20 it, I don't think -- I can't think generally that there  
21 would be a problem with that approach. Some of these  
22 actually fall out after the first year. Otis/Bickford is  
23 only a one year project. The Vollenweider project is only  
24 a one year project. So a lot of these fall out.

25 I think a couple of them would certainly

1 benefit from some collaboration and coordination. Again,  
2 the modeling effort of Wang comes to mind and I think if  
3 the predator people could get together and talk, the  
4 seabird folks and the whale folks, that it would be very  
5 beneficial if they could collect the same types of  
6 information. You know, obviously it's not going to be the  
7 exact information but if they could coordinate on the data  
8 that would overlap, then it would just be a broader -- you  
9 could apply the information more broadly.

10 MR. CAMPBELL: Okay. I guess then the only  
11 thing that I would ask is that for those projects that are  
12 going to be -- well, for all the projects, we do tell them  
13 that we're going to very strongly urge consolidation where  
14 appropriate. I am concerned about making sure that all of  
15 these researchers want to continue based on a one year  
16 scope of funding. And -- because, you know, some of them  
17 may, some of them may not. And.....

18 DR. TRUST: That's a good point.

19 MR. CAMPBELL: And I'm not urging more than  
20 one year. I'm just saying that we need to make sure that  
21 they do want to continue under those circumstances. And I  
22 am concerned about, you're running down the road for a year  
23 on two different projects and then all of a sudden we say,  
24 okay you two guys got to combine, and they're each saying,  
25 wait a minute, you know, I think this should be the main



1 thrust of the project and I should be the PI. And the  
2 other is saying, no I should and it should be that. And  
3 so, anything the EVOS office can do to head off those  
4 crashes would be very, very helpful.

5 DR. TRUST: Well, I think if we approached  
6 them with it ahead of time, like right now, and tell them  
7 what they're getting funded for and say, you know, what  
8 we'd be looking for next year is for you to do some  
9 consolidated effort and coordination and collaboration. I  
10 think that they -- if they knew ahead of time when they  
11 were acknowledged that they got funding, that they could  
12 proceed in a more collaborative way.

13 MR. CAMPBELL: Okay. Okay. With those  
14 questions and caveats, I believe I'm in support of the  
15 motion.

16 MR. TILLERY: This is Craig Tillery. I  
17 have a question. If I understand this correctly, of the  
18 projects that are not Priority 1, five out of nine are  
19 recommended as don't fund by the PAC -- I'm sorry, six out  
20 of nine are recommended don't fund by the PAC. Five out of  
21 nine are recommended as don't fund by the Executive  
22 Director. I guess I'd be curious as to why those -- and  
23 some of these are actually recommended as don't fund by  
24 everybody that has been proposed to funded in this motion.  
25 Could perhaps the PAC explain why the believe they

1 shouldn't be funded?

2 MS. PEARCE: May I make a comment first?

3 CHAIRMAN O'CONNOR: Please.

4 MS. PEARCE: I don't see a 2 that is a do  
5 not fund by everybody. I think a lot of the.....

6 MR. TILLERY: Look at.....

7 MS. PEARCE: .....science panel suggested  
8 that they all be funded, and that's how I chose them. With  
9 the exception of Cokelet. It's my understanding on Cokelet  
10 that there was concern about the ferry schedule. If  
11 there's going to be a ferry in Prince William Sound, then I  
12 think it would be useful to use it as a base to continue  
13 collecting information. And I was told, not by the  
14 Executive Director but by others, and I know that the PAC  
15 had a conversation.

16 Because of extenuating circumstances of  
17 other things that were going on, there was a discussion  
18 about us staying under the cap. And I believe that that  
19 discussion drove recommendations by both the PAC and also  
20 the Executive Director to try to keep the costs down. I'm  
21 the one who first said I was willing to spend more than  
22 just the interest if we had good proposals and that's why I  
23 put the motion on the table.

24 MR. TILLERY: Well, that would actually be  
25 good to hear that from the Executive Director and from the

1 PAC if that's a reason for their do not fund.

2                   And as for the do not fund across the  
3 board, the Linley one is do not fund by everybody except  
4 for the science panel, who I understand did not have  
5 exactly the same -- they were looking at it from a  
6 different viewpoint, more of a systemic programmatic  
7 viewpoint rather than the individual merits of the  
8 particular projects. So I lump their recommendations  
9 somewhat differently than the other -- than the PAC, the  
10 Science Director, and the Executive Director.

11                   MR. BAFFREY: Well, let me respond. This  
12 is Michael Baffrey. I am concerned about the cap. You  
13 know, you guys did pass that resolution to live within the  
14 interest back in November of 2002 -- or 2002, 2003. And we  
15 -- my primary purpose for do not funds is based upon a plan  
16 not being in place. And I didn't feel that the ones that I  
17 recommended do not fund could not wait until we actually  
18 had a plan in place to guide our funding decisions.

19                   MR. TILLERY: And how about the PAC?

20                   MS. STUDEBAKER: And this is Stacy. Yeah,  
21 we feel pretty much the same way. We were looking at the  
22 cap and we were also looking ahead at needing a plan in  
23 place. We don't want to, you know, have the tail wagging  
24 the dog anymore than we need to at this point. And we only  
25 wanted to go forward with the proposals, the number 2's

1 that we thought would be needed regardless of a plan. That  
2 would just be important to have regardless of any plan.

3 So we were looking at the fiscal  
4 responsibility, staying within the cap, as well as waiting  
5 for a plan so that we really have some clear guidelines  
6 what to do with herring.

7 CHAIRMAN O'CONNOR: Joe.

8 MR. TILLERY: It.....

9 CHAIRMAN O'CONNOR: Just a moment. Joe.

10 MR. MEADE: I just was going to lend my  
11 support to Drue's motion. I think it's important that we  
12 take a robust step forward with herring so that as soon as  
13 we have the plan in place, we've got data that is both in  
14 part helping to inform that plan but then data that can  
15 move forward without a season of operational loss. So our  
16 view is both the Priority 1 and Priority 2's are important  
17 for the relative cost risk analysis for the extra cost for  
18 the data being collected. I like Drue's motion in that it  
19 only funds the Priority 2 for the first year. So it hedges  
20 on economic prudence.

21 The one that I would like to ask a little  
22 bit more detail on is the proposal that involves the trip  
23 to Japan. I think getting a group together and going and  
24 exploring and discerning as much as we can is a very  
25 important goal. The question I have is that -- unless

1 Drue's proposal addresses only securing that which can be  
2 public information versus what is under a pending patent,  
3 that would be a concern I have with the PI's proposal  
4 anyhow.

5 MR. TILLERY: This is Craig. If I could  
6 get back to Stacy. If you took away the consideration of  
7 staying under the cap, therefore you didn't feel  
8 artificially limited by money, but you did take into  
9 consideration, of course, the idea of not having a plan in  
10 place, would you still recommend do not fund on those  
11 projects?

12 MS. STUDEBAKER: I'm speaking for, you  
13 know, 14 other people and that's what they directed me to  
14 present today.

15 MR. TILLERY: Okay. But if you -- you see  
16 you had two bases for it, one of them was the cap and one  
17 of them was the lack of a plan, and I'm wondering if you  
18 disregard the cap factor, what about -- would you still  
19 recommend do not fund just because of a lack of a plan in  
20 place?

21 MS. STUDEBAKER: Yes.

22 CHAIRMAN O'CONNOR: Did you hear that,  
23 Craig?

24 MR. TILLERY: I heard that.

25 CHAIRMAN O'CONNOR: Okay.

1 DR. TRUST: Joe, did you want me to address  
2 that comment.....

3 MR. MEADE: Please

4 DR. TRUST: .....that you made?

5 MR. MEADE: Uh-huh. (Affirmative)

6 DR. TRUST: I think that -- I had a  
7 conversation with the -- one of the PI's the other day  
8 about that because he had called and expressed concern  
9 about, you know, it was fund and then it was a do not fund  
10 across the board. And I said that the patented process  
11 something that I would think that the Trustee Council would  
12 be concerned about. And he said that he thought  
13 contractually that that could be overcome. You know,  
14 obviously he didn't make any promises and we didn't go into  
15 any contract negotiation or discussion, but he felt that  
16 that was something that -- that that was not -- that  
17 wouldn't be a holdup in the long term. You know, that's  
18 what he said, I don't -- I can't hold him to it, obviously,  
19 but that -- we did have that discussion.

20 MR. MEADE: If I may?

21 CHAIRMAN O'CONNOR: Please.

22 MR. MEADE: The piece to me that's  
23 important is I don't feel I could support something that  
24 was subject to a patent restriction. I am in strong  
25 support of the need to have perhaps the Science Director,

1 perhaps other representatives of EVOS and PI's of interest  
2 in the Sound, scientists of interest taking that field trip  
3 but garnering that knowledge and bringing it back for the  
4 benefit of the herring plan and then orchestration then of  
5 the best science and the best approaches to be able to  
6 implement restoration. I don't -- I'd have great concerns  
7 if it was subject to restricting ourselves to a patented  
8 process with a specific PI.

9 DR. TRUST: Okay.

10 CHAIRMAN O'CONNOR: We could -- could we  
11 not make that determination before we went any further,  
12 looking at the patent and the ramifications of it?

13 DR. TRUST: Well, certainly the field trip  
14 and involving people in that field trip could be even  
15 viewed as a separate item underneath this project. But  
16 yeah, that's what I was going to suggest, is that we work  
17 with them and get assurances that you wouldn't be beholden  
18 to a patented process that you would have to pay for for  
19 how ever many years you'd be using it.

20 MR. MEADE: And I guess -- just one last  
21 comment -- in strong respect for the PAC's recommendation  
22 or input, Stacy, I highly value the input. The piece that  
23 I have to weigh out or I am weighing out is the loss of a  
24 season versus the modest investment by funding Priority 2  
25 for one year and being able to have as much expedited

1 knowledge as we can to be able to take a more aggressive  
2 posture in moving forward with the restoration plan and  
3 aim.

4                   So I didn't want my comments to be  
5 disrespectful to the advice and insights that the PAC is  
6 offering. I'm just trying to balance out as a decision  
7 maker the relative risk and the small cost increase versus  
8 the hopeful gain we may secure by having afforded the  
9 ability to get as much data to inform the plan as it forms  
10 together as well. So a bit of, if you will, continuous or  
11 adaptive management.

12                   DR. TRUST: Craig, can I make a comment?  
13 Craig?

14                   CHAIRMAN O'CONNOR: Yes.

15                   DR. TRUST: Can I make a comment?

16                   CHAIRMAN O'CONNOR: Please.

17                   DR. TRUST: One thing to keep in mind, when  
18 we -- when all of these proposals came in in response to  
19 the invitation, the invitation had an appendix A. In that  
20 appendix A were a list of categories of projects that were  
21 being solicited and then examples of types of projects that  
22 would fit under that proposal and under that invitation.  
23 And those proposal ideas and suggestions were directly --  
24 they directly came from -- they were the direct outcome of  
25 that workshop that happened in April. So these proposals



1 were not developed in a vacuum and they were responsive to  
2 an invitation, which was responsive to the workshop, which  
3 was funded by the Trustees housed in this office and  
4 included many of the herring people and agencies and  
5 entities that were going to be working on herring the  
6 Sound.

7                               So just keep that in mind as to how [sic]  
8 these proposals came from.

9                               CHAIRMAN O'CONNOR: Somebody has their.....

10                              DR. TRUST: Where these proposals came  
11 from.

12                              MS. PEARCE: I have a question for Kim, if  
13 I could.

14                              CHAIRMAN O'CONNOR: Yeah, whoever has got  
15 their microphone someplace where it sounds like their heart  
16 beating or something, could you please move it? Because  
17 all we're hearing is static. All right, go ahead, Drue.

18                              MS. PEARCE: Kim, I know you don't want to  
19 comment on the one you abstained from, but I wonder if you  
20 would comment on the Rice, 70804, where even though the PAC  
21 said do not fund, you said it should be funded. And the  
22 herring restoration, the Wang project, you hadn't reviewed  
23 its fund, this was put together, then I wonder if there's  
24 someone else there from the science panel who can discuss  
25 the seabird predation, Bishop one. Those are the ones that

1 the PAC had do not fund that you differed from.

2 DR. TRUST: Okay. I don't mind talking  
3 about the Bishop one, I just can't recommend whether I  
4 think it should be funded or not. They -- my thoughts on  
5 the whole predation element, there's been a lot of  
6 discussion about how big of an influence predation  
7 currently has on the population of herring in Prince  
8 William Sound and that they're caught in this predator pit.  
9 And that's been a theory that's been put out there and  
10 proposed and argued back and forth and there's not a lot of  
11 empirical data that has been collected to either support or  
12 refute it.

13 And there hasn't been a lot of empirical  
14 data that has been collected that can be put into a model  
15 that would be able to address it on a time scale or on a  
16 geographic scale. So I think collecting information,  
17 especially on seabirds and whales, which we certainly know  
18 seabirds have a big impact on herring, I think that those  
19 are two worthwhile projects.

20 I think the flip side of that too is a lot  
21 of the injured resources, a lot of the injured seabirds,  
22 there's this question hanging out there, how much the  
23 demise of herring is actually impacting them. So I think  
24 that that's kind of a question that cuts both ways and that  
25 information collected on predation would be useful

1 information. The fact that the number of whales are  
2 increasing in Prince William Sound, humpback whales are  
3 increasing in Prince William Sound, I think that that could  
4 be very influential on the herring populations now and in  
5 the future.

6                   The Wang proposal, I'm not a modeler -- my  
7 feeling on the Wang proposal is that it could wait. And  
8 they're going -- like I said, there was a field test done  
9 on that. It was a preliminary field test, is my  
10 understanding, and that they're doing some sort of a field  
11 exercise this summer that incorporates at least parts of  
12 this model. When I say they, I believe it's funded or it's  
13 being promoted by AOOS and NPRB and some other folks who  
14 are involved in that. And so I think that that one could  
15 wait until the outcome of this summer's field test to see  
16 what exactly needs to be tweaked in that model. And again,  
17 I'm not a modeler so I don't want to specifically address  
18 the components of that model but just in talking with folks  
19 that have knowledge of this, that's something that I think  
20 could wait for the development of the plan.

21                   MS. PEARCE: Mr. Chairman?

22                   CHAIRMAN O'CONNOR: Yes.

23                   MS. PEARCE: Can I amend my motion?

24                   CHAIRMAN O'CONNOR: Yes, you may.

25                   MS. PEARCE: I would remove the Wang

1 proposal, 70833, from my motion.

2 CHAIRMAN O'CONNOR: Okay. Is there a --  
3 oh, I seconded that, didn't I? What's it worth to you,  
4 Drue? I will accept that as the second -- or as an  
5 amendment to your motion.

6 MR. BAFFREY: Mr. Chairman.

7 MR. FREDRIKSSON: Craig.

8 CHAIRMAN O'CONNOR: Yes. Go ahead, Kurt.

9 MR. FREDRIKSSON: Yeah, this is Kurt. I  
10 guess I would like to -- the one that Drue has offered  
11 here, the Cokelet study, I've just kind of -- one, it's a  
12 very expensive study and it's also a study which, according  
13 to the science panel comments, they have difficulty linking  
14 it to any kind of hearing restoration. So I was hoping  
15 maybe since we have the science panel representative there,  
16 if Tom could speak to that.

17 CHAIRMAN O'CONNOR: All right.

18 DR. DEAN: Yeah, this is Tom. I think the  
19 panel felt that it was difficult to link to restoration.  
20 One of the concerns, for example, was they have, on the  
21 ferry schedule, they have a period of outage when they're  
22 not going to be operating and that runs, if I remember it  
23 correctly, from early April through May, which is a really  
24 critical time for herring spawn, for example. So you're  
25 going to miss one of the most critical times in terms of

1 gathering physical and chemical information. That's really  
2 unfortunate but it's the way it is.

3 And given those sorts of difficulties, we  
4 found it pretty unlikely that the information provided by  
5 the Cokelet proposal would buy you a lot more information  
6 than you'd get from the Batten proposal.

7 CHAIRMAN O'CONNOR: Michael, did you.....

8 DR. DEAN: And Kline.

9 CHAIRMAN O'CONNOR: .....have a comment?

10 MR. BAFFREY: I did. Is Kurt done?

11 CHAIRMAN O'CONNOR: Yeah. Kurt, is that  
12 it?

13 MR. FREDRIKSSON: Yeah, I just had that  
14 question. Thanks.

15 CHAIRMAN O'CONNOR: Okay. Michael.

16 MR. BAFFREY: This goes back to what Joe  
17 was saying about patent restrictions. The Kiefer study,  
18 the Kiefer/Brown study, that model is based upon a patented  
19 model. And I was wondering, Joe, if that -- if your  
20 concern would apply to that also?

21 MR. MEADE: I would need to have a bit more  
22 detail about the Kiefer/Brown to know how it relevantly  
23 ties to that.

24 MR. BAFFREY: Okay. Can you explain that?  
25 I'm not a modeler either.

1 DR. DEAN: My understanding is, the model  
2 doesn't really depend on a patented process. Some of the  
3 presentation of the output of a model that would be used in  
4 a computer interface and allow users to sort of visualize  
5 the output of a model depends on a proprietary GIS.....

6 MR. BAFFREY: Right.

7 DR. DEAN: .....format. So that part of it  
8 would but it doesn't mean you couldn't use the model  
9 without this proprietary user interface part of it at the  
10 end.

11 MR. BAFFREY: Okay.

12 DR. TRUST: And if I can comment on that  
13 further, by proprietary, you can purchase the software.  
14 It's not that nobody has access to it, you can actually  
15 purchase -- anybody can purchase that software. The PI  
16 also, in my discussion with him about that, it's the EASI  
17 GIS software. He said that he would be willing for anybody  
18 working on herring projects funded by the Trustee Council,  
19 he would just provide that software to anybody.

20 There's also an internet access to the  
21 software right now. It's kind of slow and cumbersome, so  
22 people don't really like to use it, but it is available to  
23 the public. And as Tom said, the model itself is not  
24 dependent on any sort of proprietary software. He would --  
25 it's a mathematical model, so he would develop the

1 mathematical model and then that could be used by math  
2 types. It's just the 3D visualization that is dependent on  
3 the GIS software.

4                   And he's going to make the code for the  
5 model available. So if you have the code for the model,  
6 it's my understanding in talking to Michael Schlei, that  
7 you could then use that code and visualize it in other  
8 software if you felt like you could develop the programs to  
9 do that.

10                   MR. MEADE: So I guess the answer to your  
11 question, Michael, with all that good and excellent science  
12 detail. My interest is that if there is a PI that is  
13 sponsored through us to go to Japan to sponsor gathering up  
14 some very important data, that that data is fully available  
15 in whatever way it's modeled and portrayed. And that we  
16 don't find ourselves restricted from access to it and not  
17 afforded the benefit from it, to be able to inform our  
18 actions. So.....

19                   CHAIRMAN O'CONNOR: Are there any other  
20 questions?

21                   (No audible responses)

22                   CHAIRMAN O'CONNOR: I have one for Kim.

23                   DR. TRUST: Yes.

24                   CHAIRMAN O'CONNOR: On the Linley once  
25 again. Why was it that you say don't fund that?

1 DR. TRUST: I think at the time when I said  
2 don't fund it was -- I had concerns over that patented  
3 process, I really did. I thought that that would  
4 potentially confound the ability of the Trustees to, you  
5 know, utilize the million dollars that they're going to  
6 fund these guys to do. I mean, they were very responsive  
7 when I asked them to sort of work their proposal -- you  
8 know, to work with this first year of the proposal to go to  
9 Japan and that kind of thing.

10 They were very willing to work with that  
11 but I guess what it -- when it came down to it, the hinge  
12 on the patented process that they were going to use to  
13 enhance development of fish was concerning to me.

14 CHAIRMAN O'CONNOR: Okay. So you didn't  
15 have any difficulty with the fundamental merits of the  
16 project or.....

17 DR. TRUST: No, I think if it's going to be  
18 that some sort of culture enhancement technology is going  
19 to be needed in the future, you know, we should get a jump  
20 start on it. And they do have the facilities and the  
21 people with the background that I think to develop it.

22 CHAIRMAN O'CONNOR: Okay.

23 DR. TRUST: They just need to make sure  
24 that it's accessible.....

25 CHAIRMAN O'CONNOR: Okay.



1 DR. TRUST: .....publicly.

2 CHAIRMAN O'CONNOR: All right.

3 MR. FREDRIKSSON: Craig?

4 CHAIRMAN O'CONNOR: Yes.

5 MR. FREDRIKSSON: This is Kurt. I would

6 just having now kind of quickly read the draft work plan on

7 the Linley, and it does seem as though the science panel

8 thought it had real merit, at least for the first year, and

9 then to kind of stand back, see what you learned, and see

10 if it's something that Trustee Council would want to move

11 forward on in terms of actually taking on direct

12 enhancement and intervention. And I would just also note,

13 I guess, that when I heard Tom talk about the Kiefer/Brown

14 and the querying that would provided by the ecosystem

15 model, that they could actually query about whether it's

16 low stable, medium stable, or high stable. And in those

17 queries, you could ask things like, is there going to be

18 any benefit about adding fish, to be very blunt about it.

19 It seems to me if the answer is yes, you could restore the

20 herring by adding so many fish. Those fish have to come

21 from somewhere and I think the Linley project could at

22 least provide some answers on that kind of question about

23 whether or not we could actually introduce new fish into

24 the system.

25 So I think the Linley, I think Drue's

1 recommendation for a one year funding on those 2's,  
2 particularly the Linley, has merit, having now read the  
3 science panel comments. But I am really having a hard time  
4 with the Cokelet given what the science panel has said  
5 about its contribution or lack thereof to herring  
6 restoration.

7 CHAIRMAN O'CONNOR: All right.

8 MS. PEARCE: Mr. Chairman, others can make  
9 amendments to the motion.

10 CHAIRMAN O'CONNOR: You're breaking up,  
11 Drew. You disappeared.

12 MS. PEARCE: I'm sorry. No, I'm here.

13 CHAIRMAN O'CONNOR: Okay.

14 MS. PEARCE: I said others can make  
15 amendments to the motion.

16 MR. FREDRIKSSON: If I could make a  
17 friendly amendment. I think the motion is to adopt all the  
18 1's, the 2's first year, with the exception of Wang, I  
19 think we amended that. But a friendly amendment to also  
20 drop the Cokelet project from this year's funding approval.  
21 I would offer that as a friendly amendment.

22 MS. PEARCE: I'll second that, Mr.  
23 Chairman.

24 CHAIRMAN O'CONNOR: All right. Are there  
25 any other questions? Any comments?

1 MS. STUDEBAKER: I have a question.

2 CHAIRMAN O'CONNOR: Stacy.

3 MS. STUDEBAKER: Has anybody added up what  
4 we're at right now? Barbara?

5 CHAIRMAN O'CONNOR: We're a little over a  
6 total of two million dollars, adding -- now we just -- we  
7 may drop out the Cokelet, which would drop us back to  
8 roughly a million seven as modified by the Linley.

9 MR. BAFFREY: Barbara, what do you have?

10 MS. HANNAH: I believe we're at 3,888,700  
11 for all the number 1's and 2's for all of them.

12 MR. FREDRIKSSON: Craig, if I might.

13 CHAIRMAN O'CONNOR: Well, I'm looking at  
14 '0....

15 UNIDENTIFIED SPEAKER: Are we doing herring  
16 right now?

17 CHAIRMAN O'CONNOR: Yeah, herring and.....

18 UNIDENTIFIED SPEAKER: Oh.

19 CHAIRMAN O'CONNOR: .....just the '07  
20 funding numbers.

21 UNIDENTIFIED SPEAKER: Right.

22 MR. FREDRIKSSON: Craig, this is Kurt. I  
23 would just kind of maybe just echo the comments from Drue  
24 in terms of the cap and actually Joe in terms of what we're  
25 proposing to do here, is to really emphasize the treatment

1 on herring and to move, if you will, very aggressively  
2 forward on that, even though with recognition that we will  
3 exceed the cap limitation that I think is a little less  
4 than three million, 2.9 or some 2.8. Michael has it.

5 MR. BAFFREY: I will as soon as Barbara  
6 gives it to me.

7 MS. HANNAH: I'm sorry, I thought you were  
8 doing both series. I'm sorry.

9 MS. PEARCE: Mr. Chairman, while they're  
10 adding, can I make one last comment?

11 CHAIRMAN O'CONNOR: Please.

12 MS. PEARCE: Last unless there are any more  
13 questions. Two things. First, once again, as we've gone  
14 to the spill affected areas, particularly the small  
15 communities, what we've heard is herring, herring, herring,  
16 Tatitlek, Chenega, all of the villages. They've seen their  
17 subsistence take of herring decimated.

18 And I'm looking at this as the first step  
19 toward restoring the subsistence population along with  
20 getting some science that I think will put us in good stead  
21 for the future. I don't think any of this money is going  
22 to be wasted. The information that we get will be very  
23 useful to the Trustee Council of the future, of which I  
24 ain't gonna be one.

25 CHAIRMAN O'CONNOR: All right.

1 DR. TRUST: Can I make a comment, Craig?

2 CHAIRMAN O'CONNOR: Please, Kim.

3 DR. TRUST: Just roughly, for cost, if you

4 look at the subtotal, Priority 1's, it you fund the whole

5 life of the program, that's about 3.9 million. And if you

6 fund the FY-07 versions of Priority 2, that's about 1.1

7 million. So roughly that's five million dollars.

8 CHAIRMAN O'CONNOR: What is the.....

9 MR. MEADE: When you mentioned Priority 1,

10 about life cycle funding, what is the '07 segment of that?

11 DR. TRUST: 1.5.

12 MR. MEADE: So for our cap constraints,

13 we're looking at the 1.5 plus the '07 Priority 2 costs,

14 correct?

15 DR. TRUST: That's correct.

16 MR. BAFFREY: That's correct.

17 DR. TRUST: Right. So it's a little bit

18 less than that because I forgot to take out Wang, but yeah.

19 MS. STUDEBAKER: So what are we at?

20 DR. TRUST: So FY-07 is just over two and a

21 half.

22 MR. MEADE: Yeah, it would be about 2.5.

23 DR. TRUST: Correct.

24 MR. MEADE: And so again, you know, again

25 to me we're exceeding the cap -- and again, in very strong

1 respect for the PAC's concerns, I share the same -- what I  
2 think that we've identified and we've heard clearly in our  
3 communities, the meetings that the state trustees helped to  
4 sponsor, we've heard clearly that herring is a real  
5 critical issue. So this is a rob -- it's a slight increase  
6 -- a slight exceeding of the cap, at least conceivably, for  
7 a very important and strategic outcome. I think it will --  
8 I think the benefits outweigh the risk.

9 CHAIRMAN O'CONNOR: All right. Would  
10 anybody.....

11 MR. BAFFREY: We do have the figure, if you  
12 want to know what the figure is.

13 UNIDENTIFIED SPEAKER: For '07.

14 MR. BAFFREY: For '07 funding.

15 MS. HANNAH: 2,519,500.

16 MR. BAFFREY: Yeah.

17 MR. MEADE: I was only 19,000 off. I'll  
18 sharpen my pencil.

19 CHAIRMAN O'CONNOR: All right.

20 MR. MEADE: Call for the question or.....

21 CHAIRMAN O'CONNOR: Yeah, would somebody  
22 call for the question, please.

23 MR. MEADE: Call for the question.

24 CHAIRMAN O'CONNOR: Oh, great idea, Joe.

25 Thank you. Is there any objection to the question being

1 called for?

2 (No audible responses)

3 CHAIRMAN O'CONNOR: Hearing none, would --  
4 do you want us to go with a roll call vote or do we have  
5 consensus here? Anybody object?

6 MR. TILLERY: Craig, this is Craig Tillery.  
7 It's sort of -- I think it's -- it's not something we have  
8 to follow but the general rule in the State law is that  
9 when you're doing these telephonics, you need to do a roll  
10 call.

11 CHAIRMAN O'CONNOR: Okay.

12 MR. TILLERY: I don't think you have to do  
13 it for every little thing, but this one's kind of  
14 important.

15 CHAIRMAN O'CONNOR: All right.

16 MR. MEADE: Can we do a roll call vote on  
17 if we want to do that?

18 CHAIRMAN O'CONNOR: All right.

19 MR. TILLERY: Don't go there, Joe.

20 CHAIRMAN O'CONNOR: Mr. Tillery, how do you  
21 vote?

22 MR. TILLERY: Yes.

23 DR. TRUST: Can you just clarify what  
24 you're voting on?

25 MR. BAFFREY: Yeah, what is the motion?

1                   CHAIRMAN O'CONNOR: Okay. Wait a minute.  
2   Somebody doesn't understand what we're doing.  
3                   MR. CAMPBELL: We're voting for Drue.  
4                   CHAIRMAN O'CONNOR: Other than us.  
5                   MR. MEADE: There's a motion with two  
6   amendments actually.  
7                   MR. CAMPBELL: There's a motion for all 1's  
8   as presented on the spreadsheet. I believe for all the  
9   2's, with the exception of Wang, for FY-07 only, and all  
10   the pre-proposals?  
11                  CHAIRMAN O'CONNOR: And Cokelet. Good try  
12   though, McKie.  
13                  MR. CAMPBELL: And no Cokelet -- no -- none  
14   in the zero category.  
15                  DR. DEAN: But the motion does include all  
16   1's for all years.  
17                  MR. CAMPBELL: Yeah.  
18                  DR. TRUST: Yes. Right. Okay. So all  
19   1's, all years; 2's, only '07; and no Cokelet.  
20                  MR. BAFFREY: And no Wang.  
21                  CHAIRMAN O'CONNOR: And no Wang.  
22                  DR. TRUST: And no Wang. Okay.  
23                  MR. CAMPBELL: Correct.  
24                  CHAIRMAN O'CONNOR: Right. And wasn't  
25   there some modification on the.....



1 MR. TILLERY: Yeah, there was a  
2 modification on the -- no.  
3 CHAIRMAN O'CONNOR: On the Linley.  
4 MR. BAFFREY: Right.  
5 DR. TRUST: But it's FY-07 only and he's a  
6 2, so he's already an FY-07.  
7 UNIDENTIFIED SPEAKER: Yeah.  
8 CHAIRMAN O'CONNOR: Okay. So we're good.  
9 All right.  
10 DR. TRUST: But the modification is that we  
11 can't if they're going to hold to that patented process.  
12 MR. MEADE: Correct. Right.  
13 MS. STUDEBAKER: Oh, what about the 92  
14 million or the 92.....  
15 CHAIRMAN O'CONNOR: That's all we're  
16 approving.....  
17 MS. STUDEBAKER: What about the price tag?  
18 CHAIRMAN O'CONNOR: .....is the 92,000 and  
19 you're going to make sure that they're coordinated on what  
20 they're doing.  
21 All right. Mr. Tillery, how do you vote?  
22 MR. TILLERY: Yes.  
23 CHAIRMAN O'CONNOR: McKie, how do you vote?  
24 MR. CAMPBELL: Yes.  
25 CHAIRMAN O'CONNOR: Kurt, how do you vote?

1 MR. FREDRIKSSON: Yes.

2 CHAIRMAN O'CONNOR: Drue?

3 MS. PEARCE: Yes.

4 CHAIRMAN O'CONNOR: Joe?

5 MR. MEADE: Yes.

6 CHAIRMAN O'CONNOR: And I vote yes. And we

7 are not going to go into a 10 minute break, unless somebody

8 objects to taking time off.

9 MR. MEADE: We have to do a roll call.

10 CHAIRMAN O'CONNOR: Roll -- well, guess

11 what? You're going to lose a consen -- or a quorum here in

12 a sec.....

13 (Off record - 3:05 p.m.)

14 (On record - 3:22 p.m.)

15 CHAIRMAN O'CONNOR: We're back onto the '07

16 work plan, non-herring proposals. Kim.

17 DR. TRUST: Okay. So on Page 2 of Table 2

18 are all the non-herring proposals. And I don't have a

19 little diagram for this batch of proposals because they

20 didn't really fall into any sort of categorization like the

21 herring proposals did. So I guess I'll just go over them

22 individually quickly.

23 Again, just to reiterate, the priority

24 ranking on these particular projects, all of the zeros

25 again were recommended as a do not fund. The 1's, 2's, and

1 3's were recommended as fund but if there was some sort of  
2 reason the Trustee Council wanted to restrict how they  
3 funded or what projects they funded, this was how the  
4 science panel felt that they should fall out in priority  
5 rank.

6                   So the first one is the Bodkin/Dean  
7 proposal. This is the database development and  
8 implementation of long term monitoring for evaluation of  
9 recovery of nearshore resources. This is sort of part two  
10 of a project that the Trustee Council has been funding for  
11 the last several years, the nearshore restoration and  
12 evaluat -- NREM. I'm looking at Tom.

13                   The NREM project in which they developed a  
14 set of protocols that could be used to monitor nearshore  
15 resources over the long term. This is project that's been  
16 developed in coordination and collaboration with the Parks  
17 Service and that set of protocols was delivered to the  
18 Trustee Council this year. The Parks Service has begun  
19 implementation of parts of this project in Katmai and they  
20 plan on going back to Katmai and Kenai this year. Kenai  
21 National Fjords this year.

22                   This particular part of the project then is  
23 phase two. So it's taking those protocols and the  
24 information that has been gathered with these protocols and  
25 then also historical on nearshore resources and putting

1   them into this database that's going to be developed.

2                   So the proposal is actually to develop this  
3   database similar to the Moffitt proposal for herring but to  
4   develop it for nearshore resources and then populate it  
5   with historical information, using the protocols that were  
6   developed and then make it expandable so that you could  
7   continue to populate it with data as it was collected on  
8   nearshore resources in the future.

9                   This one was ranked by the science panel,  
10   minus Tom Dean, as a priority ranking 1. Linger oil is  
11   in the nearshore. We know that a lot of the injuries to  
12   resources are those resources that use the nearshore. It's  
13   phase two of a project that the Trustee Council has begun  
14   to fund to look at the nearshore environment collectively.  
15   And so the trustee -- or the science panel felt that this  
16   was an important project to proceed with development of.

17                   The next project is the Esler project.  
18   This is evaluating harlequin duck population recovery.  
19   This is an extension of work that Dan has done since the  
20   mid-nineties where he goes out and he goes to oiled and  
21   unoiled areas and looks at CYP1A or otherwise known as P450  
22   induction in harlequin ducks in oiled and unoiled areas of  
23   the Sound.

24                   He has data for the last decade. Some of  
25   the data comes from sampling done in the spring and some of

1 the sampling comes -- was done in the winter. And there is  
2 some evidence that there may be some intra-annual  
3 variability. So he is going out -- he wants to go out in  
4 the winter and in the spring to do the P450 monitoring  
5 again.

6                   The other thing that he wants to do is he  
7 wants to use his historic data to put it into a demographic  
8 population model of harlequin ducks. This would be using  
9 much of the information that he's collected over the past  
10 decade and in conjunction with a lot of the information  
11 that Dan Rosenberg has collected from ADF&G. And look at  
12 what factors could be constraining recovery of harlequin  
13 ducks to this point. So putting in exposure to oil and  
14 food resources and life history traits and population  
15 characteristics, he believes he'll be able to hind-cast  
16 back to the time of the spill and then forward-cast how  
17 long it would take for recovery to actually occur.

18                   This was also a Priority 1 ranking for the  
19 science panel and believe that this would be supplementing  
20 some very good information that Dan Esler has collected  
21 over the years.

22                   Craig Matkin's proposal, this is a killer  
23 whale proposal, and this is actually a supplement to work  
24 that is getting funded this year by the Trustee Council.  
25 So he already has oh, a hundred -- no, he has \$24,000 this

1 year to go out and do his observations of killer whales and  
2 do his monitoring that he's been doing for a number of  
3 years.

4                   What he would like to do with this project  
5 is go out and actually put satellite tags on 10 killer  
6 whales and actually really understand where they go. His  
7 sightings and observations to date have been -- you know,  
8 he goes to where he has seen them before, he knows where  
9 they have been in the past, and he looks for them there.

10                   He would like to see where they go when he  
11 can't see them. When they go out into the Gulf, when the  
12 go through Montague -- go on the outside of Montague Island  
13 and things like that where he hasn't gone. He would like  
14 to look at them and find out where they actually go and  
15 spend most of their time.                   He also wants to try and  
16 identify some of the -- their feeding habits and what  
17 they're feeding on.

18                   The next project is the Nelson/Short  
19 project. This is the hydrocarbon database that the Trustee  
20 Council has funded, I'm pretty sure, since 1990. Since the  
21 beginning of time. And this is just one year to keep that  
22 hydrocarbon database going.

23                   The next one is the Ballachey project.  
24 Brenda Ballachey, Jim Bodkin doing sea otter recovery and  
25 nearshore synthesis. In this project they have three

1 objectives. They want to go out and continue their carcass  
2 surveys. They want to use -- similar to what Dan Esler has  
3 done, they want to use some of their information that  
4 they've collected in the past and do a population model.

5                   And then they also want to look  
6 geospatially at those injured resources that have elevated  
7 P450 and try and overlap them in a Geospacial way so that  
8 you could potentially identify hot spots of lingering oil  
9 that are affecting a multiple range of resources in the  
10 nearshore environment.

11                   The next project is the Irons proposal.  
12 These are the Prince William Sound marine bird surveys that  
13 have been funded, oh, I think eight or nine times over the  
14 past 12 years by the trustees. He had originally put in a  
15 much larger proposal, I think to the tune of -- I can't  
16 even remember now, 400 or \$500,000. And he.....

17                   MR. BAFFREY: It was a million plus.

18                   DR. TRUST: Oh, that's right. Yeah. Okay.  
19 It was 1.8 million. Yeah, that's what it was. Okay. So  
20 it was a much larger proposal. And he wanted to monitor  
21 birds for the next, I don't know, till 2011. And he also  
22 had a couple of other objectives in there where he wanted  
23 to do some population modeling. However those particular  
24 objectives were not well fleshed out and he was gone back  
25 to and requested to just put in a -- to scale down his

1 proposal substantially and just put in for doing the marine  
2 bird surveys one time in 2007. I believe 2005 -- 2004 or  
3 2005 was the last time he had got -- 2005 I believe was the  
4 last time he went out and did these surveys.

5                   The Rosenberg proposal. This is also a  
6 harlequin duck project. It's different from the Dan Esler  
7 proposal in that these are the surveys that Dan Rosenberg  
8 has been doing for many, many years as well where he goes  
9 out and he actually looks at population demographics of  
10 harlequin ducks in the oiled and unoiled areas of the  
11 Sound. So he looks at absolute numbers of birds, he looks  
12 at male to female ratios, he looks at the ratios of  
13 immature males to mature males. He just does a lot of  
14 looking at population demographics.

15                   His most recent studies have indicated that  
16 a lot of those population demographics are starting to  
17 become similar in unoiled and oiled areas of the Sound. So  
18 this is a project that he's proposing to go back and just  
19 do the sampling.

20                   One of the recommendations for this  
21 particular proposal, in his proposal he mentioned that he  
22 also collects information under sea birds. And I assume  
23 that he has been doing this in the past, but when he writes  
24 the report to the Trustee Council, he highlights harlequin  
25 ducks. And one of the recommendations was that he should



1 provide all of the sea bird, the nearshore sea bird info --  
2 sea duck information that he collects in his reports so  
3 that the Trustee Council will just have an idea of what the  
4 other nearshore resources look like.

5                   The next project is the Shigenaka project.  
6 Again, this was also a project that originally he asked for  
7 over \$500,000 and he wanted to look at population dynamics  
8 of little neck clams. And he also wanted to monitor them  
9 for lesions and some biomarker work. He wanted to do a lot  
10 of individual work on clams to see if they were still  
11 having any physiological effects of oil.

12                   This project was recommended as a do not  
13 fund by the science panel because a lot of that biomarker  
14 and histopathology work had been done in the early nineties  
15 and it didn't really show anything.

16                   My thought on the little neck clam proposal  
17 as he proposed it was that I think that little necks are  
18 one of those resources that are still recovering and are  
19 also one of those resources that have a lot of conflicting  
20 evidence as to what their status truly is. So my  
21 recommendation for this particular proposal was to have him  
22 cut it back substantially and not do any of that biomarker  
23 work but their general agreement, that will provide much  
24 useful information at this point. But to go back out there  
25 and look through the population, distribution, and

1 abundance surveys.

2                   These guys have done these surveys, from  
3 1990 to 2000 they did these surveys, and then at two thou  
4 -- and they were looking at oiled beaches, oiled and washed  
5 beaches, and reference beaches. And in 2000, it looked  
6 like the oiled and washed -- and pretty much the consensus  
7 is that the issues that are out there right now are  
8 problems with those beaches that were oiled and washed.  
9 And in 2000, their data indicates that there may be  
10 convergence between the oiled and treated beaches and the  
11 unoiled or the just oiled beaches. But then they stop  
12 their surveys.

13                   So as a wise person once told me, one point  
14 does not a trend make. And I think it would be beneficial  
15 to go back out there -- oh, and then in the interim,  
16 between 2000 and 2005, the Trustee Council also funded a  
17 project by Dennis Lees. And his project, he went out to  
18 different sites than the Shigenaka folks did. He used a  
19 subset of their sites but he also expanded his sites to  
20 include 25 other sites.

21                   He showed that there was still divergence  
22 in those population parameters. So what my recommendation  
23 was, was for them to go back out and do the population and  
24 distribution surveys but not -- and the PAH analysis but  
25 not do the other biomarker work.

1                   The next two projects are the Youth Area  
2 Watch projects. And they are repetition of the Youth Area  
3 Watch projects that have been funded for a number of years  
4 by the Trustee Council. The Prince William Sound Youth  
5 Area Watch put in a proposal that went for -- oh, I don't  
6 know, out to 2011. And the Kodiak folks put in a proposal  
7 that went for three years.

8                   This particular proposal generated a lot of  
9 discussion at the science panel meeting and at the PAC  
10 meeting. I think that there was consensus all around that  
11 environmental education was an important component of the  
12 Trustee Council program and that these Youth Area Watch  
13 projects were a part of that.

14                  I think there was also concern, however,  
15 that they had been funded for a number of years and that  
16 they had possibly lost their way or had drifted from the  
17 Trustee Council priorities and goals. And so there was  
18 discussion about perhaps funding these projects for one  
19 year, either at the FY-07 level that they requested or at  
20 the FY-06 level. Fund it for one year but in the meantime,  
21 before the next round of proposals or funding cycle comes  
22 up, to have some sort of a broader discussion on these  
23 particular projects but also include other venues that do  
24 environmental education and coastal education around the  
25 state.

1                   And so there's a little bit of a mixed bag  
2 of funding recommendations here. I think there was general  
3 consensus that there needed to be some sort of broader look  
4 at education. The recommendation from the science panel  
5 and myself were to recommend funding these for one year and  
6 the PAC and the Executive Director were do not fund, but I  
7 don't believe that was because of -- I know it wasn't a  
8 lack of support of environmental education, it was just a  
9 need to look at that concept more broadly.

10                   The Lauenstein proposal is one where the  
11 community apparently came to these guys as they were doing  
12 their mussel watch program and said, hey, are there heavy  
13 metals in our subsistence foods, our subsistence mollusks.  
14 And they said we don't know and we'll help look at that  
15 question. And so they put in a proposal to go out  
16 specifically and look at heavy metals, although they were  
17 also going to analyze PAH's in a variety of subsistence  
18 foods.

19                   They were theoretically -- they are  
20 theoretically going to create this index with mussels and a  
21 variety of index foods so that you wouldn't necessarily  
22 have to go out from now on and analyze all of the mollusks,  
23 you could do -- you could use this index by generate -- by  
24 just doing -- by just using the data from the mussel watch  
25 program.

1                   This was a project that the communities  
2   wanted and so -- and there was also -- we went back and  
3   looked historically at the information that had been  
4   collected by the Trustee Council in an earlier resource  
5   damage assessments projects. And there hadn't been any  
6   heavy metal data really collected. So this question really  
7   couldn't be answered. And so because it was a community  
8   generated question, the thought was to fund this project so  
9   it would answer the metals question for the community.

10                  All the rest of the projects were do not  
11   funds. The Brown-Schwalenberg proposal. This one was  
12   interesting. They had a -- their proposal was to develop  
13   this plan that would establish a program for enhancing  
14   clams in subsistence use areas. And it wasn't a program to  
15   actually enhance clams, it was just a proposal to create a  
16   plan that could enhance clams. And it wasn't clear from  
17   this proposal if this project would get implemented or who  
18   would implement it.

19                  There was also a lot of discussion at the  
20   science panel meeting that a lot of money has previously  
21   gone for subsistence clam enhancement and there's not -- in  
22   a lot of these areas, there's still not a sustainable,  
23   self-sustaining clam population.

24                  The proposal -- the folks that were  
25   involved in this proposal have experience in this area and

1 the proposal, there was no seeming -- they didn't go back  
2 and do a lessons learned kind of thing. Well, we got this  
3 money to do this originally and, you know, we were  
4 unsuccessful here and we were successful here and so the  
5 way that this program would be different than what we've  
6 done in the past is this way. And there wasn't that sort  
7 of dialogue within the proposal so that you could evaluate  
8 how what they were going to do now would be more successful  
9 or if it would be more successful than what they had done  
10 in the past.

11                   So while I think the idea of a subsistence  
12 clam enhancement program is a valuable one and everybody  
13 liked the idea, this particular proposal didn't actually do  
14 that.

15                   The next proposal is the Carls/Rice  
16 proposal. What they want to do is they want to go out to  
17 oiled beaches and put in these passive sampling devices and  
18 to see how much bio-available oil is out there. They want  
19 to go out to heavily oiled beaches and in addition to doing  
20 the chemistry on these, they're call LDPE's, they also want  
21 to -- the hydrocarbon analysis from these LDPE's, they also  
22 want to do a couple of biological -- they want to measure a  
23 couple of biologically parameters including infaunal  
24 community structure. They also want to do some amphipod  
25 toxicity testing. I think those were the big things that

1 they wanted to do.

2 I think the issue with this particular  
3 proposal was -- well, there was a couple of issues. One,  
4 they have -- sort of the general consensus was the  
5 chemistry part of the project was great and the biology  
6 part of the project was lacking. And there was a lot of  
7 money given to a benthic ecologist but that person wasn't  
8 named and it was exactly clear what they would do. So  
9 there was some hesitancy on the part of the science panel  
10 to fund a person of which they had no, you know,  
11 information. Because we request resumes and things like  
12 that in our proposal package.

13 The other part of it though, and I think a  
14 bigger concern, was just the tests that they were proposing  
15 were likely not going to give them the answers that they  
16 were looking for. That the power to detect any difference  
17 in these infaunal community structure analysis is pretty  
18 low. So if you got no detectable changes or differences  
19 that it could just be an artifact of the tests and not  
20 necessarily the true answer of what's going on in the  
21 environment.

22 And also there was some concern with the  
23 amphipod toxicity test. Again, those tests do have some  
24 issues with them because there's so many things that could  
25 affect toxicity to amphipods in the environment, including

1 grain size and other kind of environmental features. So  
2 take all that together, the recommendation was a do not  
3 fund.

4                   The next two projects, the Honnold projects  
5 and the Goldman projects were projects that have been  
6 funded in the past by the Trustee Council. This was --  
7 actually they both were ended in 2006.

8                   The first one, the Honnold/Finney project  
9 was looking at marine drive nutrients and they're input  
10 into -- from salmon into Karluk Lake down on Kodiak Island.  
11 I believe the recommendation here was scientifically this  
12 was a very sound project. It's been funded for quite  
13 awhile by the Trustee Council but there was really no tie  
14 to the invitation at all. Nobody could really make that  
15 link to the invitation.

16                   Same with the Goldman project. This is  
17 also one that's been funded by the Trustee Council. It's  
18 small mesh trawl surveys down out of Kachemak Bay. And  
19 it's something that's been done historically over a long  
20 period of time. There also is no real linkage to the  
21 invitation here.

22                   There was also some discussion on the  
23 shrimp -- the shrimp fishery has been closed down there for  
24 awhile but every so often ADF&G has to do this trawls to  
25 determine if the fishery can be opened, and so how often do



1 these trawls really need to be done and can you do them  
2 enough time to just, you know -- well, the times they do it  
3 for management of the fisheries, could that be -- would  
4 that be sufficient. But again, the tide of the invitation  
5 was the stronger motivator here.

6                   The next one is project by Lianna Jack,  
7 she's the Director of the Stellar Sea Lion and Sea Otter  
8 Commission. I probably said that backwards. And they want  
9 to go to five communities in the spill area and they want  
10 to do skiff surveys of sea otters for three years and they  
11 want to get population trends, abundance trends off of  
12 these coastal communities doing skiff surveys.

13                   Although there was a lot of discussion  
14 about the -- everybody was enthusiastic that this came from  
15 -- you know, within the communities however the method that  
16 they are proposing to use is -- has been supplanted by  
17 doing aerial surveys, that it's very difficult to get the  
18 data that they want out of skiff surveys and that they  
19 wouldn't be able to necessarily get population trends from  
20 the method that they're using and also from the short  
21 amount of time that they're proposing to do this.

22                   There was discussion in the science panel  
23 that perhaps if they wanted to do something that would be  
24 supplementary like going out and doing the carcass surveys  
25 so that they could get age related mortality of sea otters

1 to see if that, you know, is similar to what's going on in  
2 Prince William Sound. Or if they wanted to use the skiff  
3 surveys to do nearshore bird surveys that those -- that  
4 that method is much more applicable to those types of  
5 questions.

6                   The Lohmann/Burgess one. This one, these  
7 guys have done a lot of work in Boston Harbor. And they  
8 wanted to come out and put passive samplers -- and they  
9 didn't explain what kind of passive samplers, I assume  
10 they're one of the few that are out there commercially --  
11 in Prince William Sound and determine what the bio-  
12 availability of oil was in the Sound.

13                   This particular project, their methods that  
14 they proposed to use are obviously -- they've geared it for  
15 sort of soft sediment, soft-bottom ecosystems, not the  
16 gravelly type of environment we have in Prince William  
17 Sound. And also there was much discussion about the fact  
18 that this would probably not add any more information than  
19 we already have from, say example, the work that Jeff Short  
20 and those guys have already done.

21                   The Pawlowski proposal is, he has a bunch  
22 of time-lapse digital cameras and he wants to put them out  
23 in the Sound and take pictures of beaches over time and see  
24 if oil seeps out of the beaches into the water. And then  
25 he proposes to take the pictures and archive them and make

1   them available to anybody that may want to use them.

2                   And then the last project was the  
3   Rosenberg/Springman project. And this one, I have to say  
4   that I interpreted this differently than what it really  
5   said when I read it. I read it twice and I still  
6   interpreted it differently than what it was supposed to  
7   have said. What they're asking to do, is they want to go  
8   to lightly and moderately oiled beaches, which is one of  
9   those black holes of information, and put the LDPE's, these  
10  passive samplers in areas where harlequin ducks are known  
11  to forage.

12                  And then they want to see if there's any  
13  bio-available oil that harlequin ducks could be getting  
14  exposed to. And in doing so right now, we know that we  
15  have exposure of harlequin ducks to oil in heavily oiled  
16  areas of the Sound. And the question becomes is how  
17  localized is that effect or how applicable to a broader  
18  population of the Sound is it? And so because there is so  
19  -- I mean, there's such limited information on many of  
20  these resources in those areas that were lightly and  
21  moderately oiled back in 1989, their proposal is to go and  
22  put these out so that they can try and understand if there  
23  is any bio-available oil in these areas.

24                  And I just -- so that is my new  
25  understanding of this proposal, which like I said, was not

1 my understanding after I read it. I had to actually talk  
2 to Dan about it. And this was not recommended for funding  
3 by the science -- it was deferred -- it was recommended to  
4 be deferred from the science panel and myself because my  
5 original understanding was that they wanted to go to those  
6 areas where harlequin ducks were that Dan Esler was already  
7 going to put these LDPE's in.

8                   So our discussion was, well defer it until  
9 Dan comes back with his data to see if there's still  
10 continuing exposure to harlequin ducks. And then the other  
11 comment, and I still agree with this, is that his sampling  
12 design is such that if they don't find any oil, it may --  
13 or if there's no bio-available oil in the LDPE's, it could  
14 be an artifact of their sampling, given that what they want  
15 to do is they want to go along a kilometer stretch of beach  
16 and put an LDPE every hundred meters.

17                   So essentially on 600 feet of an LDPE, you  
18 wouldn't have anything monitoring them, so they may -- you  
19 know, given that we know even in heavily oiled beaches that  
20 a lot of this oil is patchy, if they just miss a patch,  
21 they may get information that it's not -- that there's not  
22 oil there, that they could have potentially missed it.

23                   So my concern now is with the sampling  
24 design and the fact that if they want to do this, they need  
25 to increase their samplers, the number of sampling devices

1 that they have out there dramatically.

2 MR. BAFFREY: But your recommend -- you  
3 said defer it until Dan, which could be Dan Rosenberg but  
4 you meant Dan Esler, right?

5 DR. TRUST: No, Dan Esler. Yeah.

6 MR. BAFFREY: Okay.

7 DR. TRUST: Correct. Until Dan Esler comes  
8 back with his P450 information this spring. But now that I  
9 understand what he wants to do, it's irrelevant. They  
10 don't want to go to the beaches that Dan's going to because  
11 they already know -- in the proposal he said they're going  
12 to use the beaches that Dan Esler has gone to as controls,  
13 and that didn't make any sense to me because when I think  
14 of controls, I think of non-oiled beaches.

15 What he meant was a positive control. We  
16 know we have birds that are being exposed in those beaches  
17 so they're going to go and put LDPE's out in those beaches  
18 as a positive control, but that wasn't very well explained  
19 in the proposal either, so I misinterpreted the proposal, I  
20 apologize, when I made my recommendation. So.....

21 MR. BAFFREY: Well, the science panel did  
22 too.

23 DR. DEAN: Yeah, it wasn't very well.....

24 MR. BAFFREY: Yeah, it wasn't clear.

25 DR. DEAN: .....laid out and I still there

1 are issues with the sampling design, like you said.

2 DR. TRUST: Yeah.

3 DR. DEAN: And the panel recognizes that.

4 DR. TRUST: So that's my comment. I was  
5 just going to ask if you had any comments you would like to  
6 make on any of the proposals?

7 DR. DEAN: Oh, boy. Just sort of a  
8 reiteration of what I said earlier, when it came to  
9 reviewing these proposals, we didn't feel that there was as  
10 much urgency or emphasis on doing these non-herring  
11 proposals this year. And therefore we -- I think the panel  
12 cut the proposals a little less slack in terms of asking  
13 for people, for example, to come back and rewrite things.  
14 Subsequent to that I think Kim actually did go back and ask  
15 several people to rewrite things.

16 And so for example, if you look at the  
17 Irons proposal, the proposal that we said do not fund was  
18 the -- I forget the number.

19 DR. TRUST: 1 point.....

20 DR. DEAN: 4.5.....

21 DR. TRUST: 1.8.

22 DR. DEAN: Or 1.8 million dollar proposal.

23 DR. TRUST: Yeah.

24 DR. DEAN: And when we balked at the 1.8  
25 million dollar proposal and didn't feel at that point that

1 we were going to go back and ask for more this year, and if  
2 they wanted to come in with a more reasonable proposal in  
3 subsequent years, that would be okay. But if they missed a  
4 year, it didn't seem like it would be all that critical.

5                   The same for the Shigenaka proposal, the  
6 proposal that we evaluated, I don't remember the price tag,  
7 but it was over 500,000, I believe. And they had a lot of  
8 information in there that we thought was really going to be  
9 useless. And so we said do not fund based on the idea that  
10 while there may be some useable information here, there  
11 clearly was a lot that wasn't useable and we couldn't  
12 justify suggesting that would be funded based on that.

13                   So those two particular that we have do not  
14 funds and other people had funds on, we actually had do not  
15 fund based on different cost estimates.

16                   We did struggle with these Youth Area Watch  
17 proposals. And I have to say that we were pretty  
18 uncomfortable with the proposals. And we were  
19 uncomfortable primarily because none of us had a very good  
20 handle on how the past projects had performed. So there  
21 really hadn't been a critical evaluation of those and, you  
22 know, for the most part we're bird people and benthic  
23 biologists and things like that. And so we didn't feel  
24 like we could very well evaluate an educational program.

25                   We thought it maybe would be useful to

1 continue to fund these for a year but really it needs to  
2 have some evaluation by somebody other than us I think and  
3 perhaps directing this program a little more so that it can  
4 serve a larger constituency. Right now most of these  
5 programs serve only a relatively few people and it seems  
6 like there is extremely high overhead costs. So we are to  
7 an extent funding a bureaucracy here.

8                   So we did have misgivings about some of  
9 those things and we came to the conclusion that perhaps the  
10 best thing to do was fund for a year -- I think we -- based  
11 on '06 levels, but I don't remember exactly whether that  
12 was the case.

13                   DR. TRUST: I think there was a discussion  
14 about.....

15                   DR. DEAN: Okay.

16                   DR. TRUST: .....that but I don't.....

17                   DR. DEAN: Anyway, we're funding for one  
18 year at any rate and then ask the Trustee Council to  
19 somehow empower someone with more expertise than us to do  
20 an evaluation of those programs.

21                   The Lauenstein project, I will say a couple  
22 of words about that as well. We all fought with this in  
23 that, yeah, there isn't a lot of information that some --  
24 on metals especially in mussels and other subsistence foods  
25 and it's probably something that should be done.



1                   You know, again, we didn't -- I think the  
2   proposal wasn't necessarily clearly written and probably  
3   could -- the design could be somewhat different than was  
4   proposed. But it clearly addressed an unmet need and  
5   provided some data that seemed to be critical to  
6   subsistence users especially. So we gave it a fund but  
7   with a low priority.

8                   I think that's it. The others are fairly  
9   straightforward.

10                  DR. TRUST: And the Rosenberg/Springman,  
11   did you have the same interpretation that I had of it?

12                  DR. DEAN: Yes.

13                  DR. TRUST: Okay.

14                  DR. DEAN: I have -- so the panel had the  
15   same interpretation that Kim had on her initial reading.  
16   But again, I agree with your final evaluation, that it was  
17   an issue of the sampling design. And we thought especially  
18   during a period in which there may be some litigation  
19   pending that the lack of power in this case and the lack of  
20   power to detect effects could be used as an indication that  
21   there are no effects, and that's not the correct  
22   interpretation from a scientific perspective but certainly  
23   could be used in that way.

24                  And so we were concerned that this design  
25   really should be a very powerful one if they were going to

1 use it at this point to examine effects. And as it's laid  
2 out, it wasn't a very powerful design because of the lack  
3 of concentration of these samplers. And that's it.

4 CHAIRMAN O'CONNOR: Stacy, would you like  
5 to add your comments where the PAC has made certain  
6 recommendations, principally of a negative nature?

7 MS. STUDEBAKER: You know, we didn't read  
8 the full out proposals like the science panel did. We  
9 didn't -- I think maybe only one PAC member requested the  
10 whole thing, you know, all the details. And so we were  
11 basing our decisions on previous knowledge, because some of  
12 us have been on the Public Advisory Committee for 11 to 12  
13 years.

14 CHAIRMAN O'CONNOR: Uh-huh. (Affirmative)

15 MS. STUDEBAKER: And also on the  
16 recommendations that came before us from the science panel  
17 and the Science Director. But I think the biggest  
18 discussion here, the biggest round of discussions fell out  
19 around the Youth Area Watch. And we kind of reached the  
20 same conclusions that Tom just explained, that it's an  
21 awful lot of money for a relatively small and focused  
22 number of students in the spill area.

23 And what the PAC would like to see is an  
24 overhaul, you know, just a change in the approach to  
25 community involvement through environmental ed, which is

1 more equitable to the whole spill area. And along those  
2 lines, what they were thinking, something of the effect of  
3 having a subset of the '08 invitation, a subset of the  
4 criterial for proposals, calling for proposals from any  
5 teacher or NGO environment ed group, or tribal council, or  
6 even a group of students who come up with a good idea, to  
7 have them submit proposals for ways to exercise restoration  
8 education or education about any of the injured resources  
9 or services. But there's so much expertise in the spill  
10 area and we just would like to see a more -- a better way  
11 of spreading out the funds to more people.

12                   There was also a big concern about the  
13 limited and focused ages of the Youth Area Watch students  
14 being primarily middle school to high school. And some of  
15 the PAC members thought we should be reaching down into the  
16 lower grades too, into the elementary grades. And so  
17 anyway, we have expertise on the PAC and some the PAC  
18 members have offered to help formulate a possible new  
19 approach.

20                   CHAIRMAN O'CONNOR: Okay. Were you done  
21 then, Kim?

22                   DR. TRUST: The only thing I wanted to  
23 follow up on, Tom brought up the Irons proposal and the  
24 Shigenaka proposal as a do not fund by the science panel  
25 and I just want to reiterate that I ran out of -- we ran

1 out of time and I was not able to go back to the science  
2 panel and discuss with them that we made those changes to  
3 the proposal. So what you see are their original  
4 recommendations without the benefit of knowing that I had  
5 actually gone back and done that because I just ran out of  
6 time.

7 CHAIRMAN O'CONNOR: And they would have  
8 changed, do you think?

9 DR. DEAN: That's speculation but I think  
10 -- my guess is it would have changed for the Irons proposal  
11 and I think we would have changed it to a fund.

12 CHAIRMAN O'CONNOR: Uh-huh. (Affirmative)

13 DR. DEAN: I'm not so sure about the other.  
14 I think there would have been a closely fought match within  
15 the panel as to whether it would have been recommended for  
16 funding or not.

17 CHAIRMAN O'CONNOR: Shigenaka's?

18 DR. DEAN: Yes, the Shigenaka.

19 CHAIRMAN O'CONNOR: All right. Open it to  
20 Trustee Council questions, comments, concerns. Any of you  
21 in Juneau?

22 MR. FREDRIKSSON: Craig, this is Kurt. And  
23 maybe if I could go back to Tom, just clarification.  
24 Because I think you were talking about the Lauenstein  
25 project. And I'm looking at -- I think you were talking

1 about if it moves forward, it needs to be a strong  
2 proposal. That when you looked at it, it may have been  
3 weak. And maybe this is reflected in the priority ranking,  
4 I'm not sure, but the science panel at least from what I  
5 see here was fund. Was that a mild fund? I guess if you  
6 could just kind of help me understand what you were  
7 advising on the Lauenstein.

8 DR. DEAN: Again, it was -- I think we  
9 concluded that we should fund it based on the fact that it  
10 was community driven, it was providing information on  
11 important subsistence, clams and mussels in particular, and  
12 the potential that those were contaminated by heavy metals.  
13

14 I think we also felt that probably that it  
15 could use a tweaking in terms of the design but we're,  
16 again, not at the point of rewriting proposals. So we  
17 concluded that it probably should be something that should  
18 be funded but we gave it a relatively low ranking, gave it  
19 a 3 in our priority ranking.

20 MR. TILLERY: Should it be funded  
21 contingent upon making some adjustments?

22 DR. DEAN: That would help, yes, I think.

23 MR. TILLERY: What are those adjustments?

24 DR. DEAN: You know, I'd have to go back  
25 and look at it to give you some specifics but my

1 recollection is that they're -- that they were using a lot  
2 of subsistence foods that weren't -- they were going to  
3 evaluate metals in a lot of subsistence food like razor  
4 clams, for example, though aren't even used in Prince  
5 William Sound to a large extent, or especially from the  
6 spill areas in Prince William Sound. So that they could  
7 eliminate looking at razor clams, as an example, and  
8 increase their sample size for some of the other species.

9                   There were a couple of other species I  
10 think that were being evaluated, Kim, and I don't remember  
11 exactly what they were but.....

12                   DR. TRUST: I think there was the index  
13 that they were going to try and derive from -- you know,  
14 they were going to compare grazers to mussels and try and  
15 derive an index. And there was kind of.....

16                   DR. DEAN: Yeah, I.....

17                   DR. TRUST: .....an issue with that  
18 being.....

19                   DR. DEAN: .....think my recollection, and  
20 I'd have to go back and read it to make sure but -- or look  
21 at my notes at least -- that -- and it was the panel's  
22 feeling that maybe they should just concentrate on little  
23 neck clams and mussels and not worry too much about the  
24 other subsistence food because A, that's where you're  
25 likely to see the oil; B, they're the ones that used the

1 most by the subsistence people -- oh, and the other thing  
2 was -- one of the other species, what they were going to  
3 look at, limpets. And, you know, there's almost no  
4 indication that limpets are going to be affected by  
5 hydrocarbons anyway -- are going to accumulate any  
6 hydrocarbons or metals for that matter.

7 DR. TRUST: I think there was also a  
8 discussion about going to the community and having them  
9 help them pick the sites.

10 DR. DEAN: Right. Oh, that was the other  
11 thing.

12 DR. TRUST: Yes.

13 DR. DEAN: You're right. Yes, there was a  
14 big concern about the travel in this. And most of the  
15 sampling was going to be done by people who work for the  
16 mussel watch program of NOAA and are based out of DC and  
17 there was -- they were going to fly out here and do the  
18 sampling on several occasions. And so there was like, I  
19 don't know, 20,000 -- yeah, I don't even remember, it was  
20 \$10,000 of the budget or some large portion of the budget  
21 that was going to be used for travel.

22 And we felt that it certainly could be done  
23 more efficiently by coming out once, training people to do  
24 it. There are a bunch of other people that are going to be  
25 out in the Sound that would have the capability of

1 collecting those samples as well, so it didn't seem like  
2 the most efficient use of funds.

3 MR. FREDRIKSSON: Tom, this is Kurt. Just  
4 -- and I've been able to turn to your -- in the work plan,  
5 Page 23.....

6 DR. DEAN: Uh-huh. (Affirmative)

7 MR. FREDRIKSSON: .....which has the  
8 science panel comments. And I just -- I think for purposes  
9 of my concern on this particular project, I thought the  
10 science panel's recommendations or suggestions on what  
11 improvements could be made were right on target.

12 DR. DEAN: Uh-huh. (Affirmative)

13 MR. FREDRIKSSON: In terms of working with  
14 the communities, identifying subsistence use areas that  
15 actually are subsistence use areas.....

16 DR. DEAN: Right.

17 MR. FREDRIKSSON: .....by subsistence  
18 users. And consultation with the community members, those  
19 all seem to me to make a lot of sense. And I think if --  
20 it's one of those where, you know, kind of fund contingent  
21 upon or kind of get those things worked out would  
22 definitely improve this proposal.

23 DR. DEAN: I think the panel would concur.

24 CHAIRMAN O'CONNOR: All right. Other  
25 questions?



1 (No audible responses)

2 CHAIRMAN O'CONNOR: All right. I have a  
3 couple. Is tagging killer whales really going to give us a  
4 lot of useful information in tracking where they go?

5 DR. DEAN: You know, that was my -- if I  
6 could answer. That was my first impression when I read  
7 this.

8 CHAIRMAN O'CONNOR: Uh-huh. (Affirmative)

9 DR. DEAN: And then I read it a little more  
10 and I looked at the data that they actually got from  
11 tracking these killer whales. And what it does is, it  
12 allows you to get a whole lot information on a particular  
13 whale, especially with respect to its feeding and what it's  
14 feeding on. And its habits and where it's -- are.

15 Because your contact time with a whale  
16 increases exponentially if you know where they are all the  
17 time. So you don't spend three-quarters of your day  
18 searching for whales. You wake up in the morning and you  
19 say, oh, there they are. You go to them, you watch them  
20 all day and then you go home. So it really is an  
21 incredibly valuable tool.

22 I think it's actually and the panel felt it  
23 was one of the most -- apart from its sort of application  
24 to the restoration of killer whales, it really was probably  
25 the most exciting in terms of new science that came along

1 in all of the proposals that we saw.

2 CHAIRMAN O'CONNOR: Okay. Okay. Any  
3 motions generating themselves among us?

4 (No audible responses)

5 CHAIRMAN O'CONNOR: All right. I -- go  
6 ahead. Somebody, please.

7 MR. FREDRIKSSON: Well, Craig, maybe just  
8 to throw a motion on the table, I would move that the  
9 council adopt the funding recommendations to the '07 work  
10 plan in the non-herring category with respect to those  
11 priority ranked 1 and 2. And that particularly those in  
12 the Youth Area Watch not be funded beyond FY-07. And I  
13 think that's -- that would be the recommend -- because the  
14 others are '07 except for Ballachey and Esler, which I  
15 think makes sense for going into a two-year program. But  
16 that would be my motion for discussion purposes.

17 MR. MEADE: I'd second that.

18 CHAIRMAN O'CONNOR: All right. We have a  
19 motion and a second. Drue, did you have comment? A  
20 question?

21 MS. PEARCE: No, I was talking to my  
22 daughter. Sorry.

23 MR. TILLERY: I would suggest that  
24 Lauenstein's project not be funded at this time but that it  
25 be -- that the council be open to them talking and working

1 it out with the science panel or the Science Director the  
2 concerns with the project and perhaps coming back at a  
3 later date. Essentially deferring it.

4 CHAIRMAN O'CONNOR: All right.

5 MR. FREDRIKSSON: I guess, Craig, I'd just  
6 accept that as a friendly amendment to the motion.

7 CHAIRMAN O'CONNOR: Joe, do you have any  
8 problems with the -- okay.

9 MR. MEADE: Well, just further question,  
10 and that's to ask, I guess -- you know, we do know also  
11 that one of the issues that has elevated itself here and  
12 again through some of the meetings in the different  
13 communities has been this issue with subsistence. And so I  
14 guess I'd ask perhaps Kim and Stacy, do we see -- what will  
15 a delay here mean as far as garnering information that  
16 might help address the -- I hate to say usability -- but to  
17 address the -- a better state of knowledge associated to  
18 the quality of the subsistence food product?

19 DR. TRUST: I think this particular  
20 proposal would be much better if we had time to go back and  
21 work with the PI. I mean, I think there are some sampling  
22 issues but I also think there's some timing issues. For  
23 example, they want to go out every month for five months  
24 and it's sort of unclear why exactly they want to do that.  
25 They don't have in there how they're going to work with the

1 communities. They say they are going to work with the  
2 communities but not really how they're going to do it.

3                   This was one of those proposals whereas  
4 with the Irons proposal, we could go back and say hey,  
5 knock everything out but one year of surveys. That was  
6 sort of an easy thing to ask them to do. The Lauenstein  
7 proposal could use a rewrite for -- I mean, it's a good  
8 question and I think that if the communities are concerned  
9 about metals in their subsistence food, that that's a  
10 question that we should help them answer. But I don't  
11 think that deferring this or having them come back with a  
12 better developed proposal next time would -- I think it  
13 would help the project more than hinder it.

14                   MR. MEADE: Thank you.

15                   MS. STUDEBAKER: And I'll say ditto on  
16 that.

17                   CHAIRMAN O'CONNOR: Okay.

18                   MR. MEADE: Thank you both. And so I would  
19 definitely be -- I'm interested to see that we address the  
20 issue but I'm hearing from both the science and the Public  
21 Advisory Committee that insuring that the scope of the  
22 proposal has got clarity is important.

23                   CHAIRMAN O'CONNOR: Any other comments?

24                   MR. BAFFREY: I have one.

25                   CHAIRMAN O'CONNOR: Okay.

1                   MR. BAFFREY: And it's regarding the Prince  
2 William Sound Youth Area Watch. I'm not opposed to funding  
3 that for FY-07. I do know that the program did not -- it's  
4 past funding was based upon 25 to 30 students. This past  
5 year they only had 20 in the program and they have not  
6 recruited for the FY-06 year, for this coming year FY-07.

7                   So I'm not really sure what funding them  
8 for FY-07 would gain if they haven't -- and they recruit  
9 their students in May and they didn't do that on the basis  
10 that they weren't certain about FY-07 funding. So I'm not  
11 really sure what we're getting by funding at the FY-07  
12 level. And they may be one that it would be good to defer  
13 until we have a program in place if in fact they don't have  
14 students in place for next year anyhow.

15                  MR. FREDRIKSSON: Michael, this is Kurt, if  
16 I might. I think that the funding should be adjusted  
17 relative to the number of students engaged in the program.  
18 I'm really looking at this -- I'm persuaded by the PAC's  
19 comments. I think this is an area that needs to move  
20 forward but I think it's again one of these areas instead  
21 of just waiting for somebody to come in with a proposal, I  
22 think the Trustee Council needs to actually seek to direct  
23 and outline exactly what kind of educational program we  
24 want to invest in. And if that's K through 12, then so be  
25 it. If this is just focusing on high school and middle

1 school and we want to get into the elementary grades, I  
2 think that's great.

3 I just think we need to get that education  
4 plan, you know, developed. I think we should take Stacy's  
5 offer up with respect to the PAC's assistance on that. I  
6 think Stacy herself is an educator that could help in that  
7 area. And we ought to have a directed education program.  
8 So I'm looking at this really as -- I think the FY-07 only  
9 is just a bridge because it has been something we've  
10 invested in the past to keep that education going. But --  
11 and if those funds need to be adjusted, if you will, to  
12 reflect kind of actual study body levels as opposed to just  
13 continuation based on previous levels, I think that's what  
14 we need to do.

15 MR. BAFFREY: Well, right now that student  
16 body level is zero for Prince William Sound.

17 CHAIRMAN O'CONNOR: Okay.

18 MR. FREDRIKSSON: Well, then if they're  
19 zero, if that's what their proposal was, I don't think we  
20 should be funding for no student education.

21 MR. BAFFREY: That's my point.

22 CHAIRMAN O'CONNOR: Joe.

23 MR. MEADE: Could we -- I agree. You know,  
24 to me sustaining the use -- a program is very important but  
25 with some targeted purposes. Would it be within the scope

1 of this proposal that we could earmark those resources to  
2 potentially -- if there are no students available to  
3 participate in the program, that those resources could be  
4 used to bring in educators and/or students from the  
5 relevant communities to help participate with the PAC or  
6 with a group in orchestrating, framing an educational  
7 proposal that indeed has active participation from the  
8 spill area communities in its inception?

9 MR. BAFFREY: That's exactly what Stacy and  
10 I have been talking about doing, is.....

11 MR. MEADE: So this would give you a bucket  
12 of resources to help.....

13 MR. BAFFREY: Exactly.

14 MR. MEADE: .....get the kids or the  
15 educators or the adults to that forum.

16 MR. BAFFREY: I would not do this through  
17 the Prince William Sound.....

18 MR. FREDRIKSSON: Michael, I'm looking at  
19 the meeting summary from the PAC meeting and I noticed, at  
20 least on Page 2 of 9, you've got a teacher from Chugach  
21 School District and a number of students.

22 MR. BAFFREY: Correct.

23 MR. FREDRIKSSON: So are those -- those are  
24 not Youth Area Watch students?

25 MR. BAFFREY: They are Youth Area Watch

1 students for the 05-06 year. The 06-07, the have none  
2 recruited yet.

3 MS. PEARCE: But -- I have a question.

4 MR. BAFFREY: Okay.

5 CHAIRMAN O'CONNOR: Go ahead, Drue.

6 MS. PEARCE: Is there non-recruitment  
7 because they are not sure they're getting funding?

8 MR. BAFFREY: Well, then that really  
9 doesn't count.

10 MR. BAFFREY: Well, it does because Cheryl  
11 Salasky's program is based upon recruitment in May for  
12 students to run through the program so they can get their  
13 training done and their programs implemented.

14 MS. PEARCE: So she didn't -- so she -- so  
15 now I'm confused.

16 MR. BAFFREY: Well, so what this means is,  
17 if you fund them for FY-07, they're going to recruit in  
18 May, is what their program talks about.

19 MR. MEADE: So they're recruiting for '08.

20 MS. PEARCE: And actually do the  
21 program.....

22 MR. BAFFREY: They're recruiting for '08.

23 MS. PEARCE: .....in the fall of '07,  
24 spring of '08?

25 MR. BAFFREY: No they recruit in spring of



1 '06 for.....

2 MS. PEARCE: No, we're past that.

3 MR. BAFFREY: Right. But it would be.....

4 MS. PEARCE: So they'd recruit this coming

5 May, May of '07.....

6 MR. BAFFREY: Their proposal is.....

7 MS. PEARCE: .....for the fall of 07-08?

8 MR. BAFFREY: Their -- yes, thank you.

9 MS. PEARCE: Yes or no?

10 MR. BAFFREY: It's a.....

11 MR. MEADE: You got thanked.

12 MR. BAFFREY: .....little confusing because

13 they -- correct, they would be recruiting next May for fall

14 of '08. Their proposal is multi-year. So they're looking

15 at this not just for '07 funding. Their program has

16 already transcended into '07 where they have no students

17 select -- recruited.

18 MS. PEARCE: Okay. Can we have -- act

19 together to have a -- define what we want by April so that

20 they can recruit in May, do we think?

21 MR. BAFFREY: Stacy, do you think we can

22 get that done?

23 MS. STUDEBAKER: I -- you mean you want a

24 proposal by next April?

25 MR. BAFFREY: No, she wants basically for

1 us to have the environment education community involvement  
2 summit before then so that we would actually -- I guess  
3 what Drue is saying, so it would feed into the.....

4 MS. STUDEBAKER: '08 invitation.

5 MR. BAFFREY: ..... '08 invitation.

6 MS. STUDEBAKER: Oh, yes. That's -- I  
7 think that's doable.

8 MS. PEARCE: Well, no. I mean, there's no  
9 reason to fund the Chugach side if they're not going to  
10 recruit until the spring.....

11 MR. BAFFREY: Correct.

12 MS. STUDEBAKER: I agree.

13 MS. PEARCE: Because that would just  
14 continue a program that we've already said we don't like.  
15 So we're better off to either say yes we'll fund you once  
16 we tell you what we want you to do, or not fund them at  
17 all. One or the other.

18 CHAIRMAN O'CONNOR: So while you're  
19 thinking about that, what I just heard was that we gave  
20 them funding for '06 but they didn't go get anybody to  
21 participate in the program.

22 MR. BAFFREY: For '07.

23 CHAIRMAN O'CONNOR: You're talking.....

24 UNIDENTIFIED SPEAKER: I think it's a  
25 school year.

1                   CHAIRMAN O'CONNOR: For the school year, so  
2 they would have begun in September.

3                   MR. BAFFREY: Correct.

4                   CHAIRMAN O'CONNOR: And so we're paying  
5 them for doing something -- to do something that they  
6 didn't do.

7                   MR. BAFFREY: We would be.

8                   MS. PEARCE: That's not what I heard. If  
9 we fund it, yes.

10                  MR. BAFFREY: That's correct.

11                  MS. PEARCE: But if we don't, no. Because  
12 they haven't started and we haven't given them money for  
13 the school year that's already begun.

14                  MS. STUDEBAKER: But we have students, they  
15 came to the PAC meeting. So they got funded in '05 to show  
16 up in fall of '06?

17                  MR. BAFFREY: Correct.

18                  MS. STUDEBAKER: Okay.

19                  CHAIRMAN O'CONNOR: Okay. All right.

20                  MR. BAFFREY: That's projects that  
21 have.....

22                  MS. PEARCE: But was that after they had  
23 done a program?

24                  MR. BAFFREY: .....been ongoing.

25                  MS. STUDEBAKER: Right.

1 MR. FREDRIKSSON: We've got Fish --  
2 actually Heather Brandon here is the Fish and Game project  
3 manager on this. So.....

4 MS. BRANDON: And my -- yeah, my  
5 understanding is that Cheryl Salasky with Chugach School  
6 District and the Youth Area Watch PI got a no-cost  
7 extension for this fall to keep the program going.....

8 MR. BAFFREY: That's correct.

9 MS. BRANDON: .....so that students could  
10 work this fall with EVOS PI's on various projects and that  
11 she was trying to make that money last until the decision  
12 was made today on Youth Area Watch for FY-07. So.....

13 MS. PEARCE: So she does have students.....

14 MS. BRANDON: .....now I haven't talked to  
15 her recently but the students -- my understanding of the  
16 students that showed up at that PAC meeting are current  
17 students to have -- want to do projects, Youth Area Watch  
18 projects with principal investigators who are doing  
19 projects right now. So she might not be able to recruit  
20 new students but I understand there are students that are  
21 ongoing and would like, if there was funding in FY-07,  
22 would continue those projects in the spring.

23 MR. BAFFREY: I'm not aware of that,  
24 Heather. I'm just going from her annual report where she  
25 did not recruit for this past May for next year's program.

1 MS. BRANDON: Well, she might not have  
2 recruited but you approved the no-cost extension, right,  
3 Michael?

4 MR. BAFFREY: Yes, that's correct.

5 MS. BRANDON: So what was that for?

6 MR. BAFFREY: That was through FY-06 and,  
7 you know, so they could finish up the program in FY-06 and  
8 with the intent of keeping that program alive through this  
9 invitation work plan process.

10 MS. PEARCE: But aren't you both saying  
11 that they -- well, they did not.

12 MR. BAFFREY: I think we are.

13 DR. TRUST: Can I ask a question?

14 CHAIRMAN O'CONNOR: Kim.

15 DR. TRUST: So Heather, let me just see if  
16 I got this clear. So if they don't get funded in this  
17 funding cycle today, then the funding will run out -- I  
18 don't know when the no-cost extension ends, say December --  
19 then there would be no students in Youth Area Watch in  
20 January?

21 MS. BRANDON: That's correct.

22 MS. PEARCE: And she has some students who  
23 would be in if we fund her.

24 MS. BRANDON: Yeah, there are students that  
25 are -- the students that showed up at the PAC meeting are

1 the students that have -- right now. I think the no-cost  
2 extension, I think, went through November 30 -- or will go  
3 through November 30th.

4 MR. BAFFREY: Yeah, it's sometime this  
5 fall.

6 MS. BRANDON: And that was to support the  
7 -- she has a little conference in the fall with all the  
8 students that want to do Youth Area Watch and they, you  
9 know, look at the projects that they can do with the PI's,  
10 EVOS PI's that are willing to take students. And I think  
11 she did some of that work but it was modified because she  
12 didn't have enough money for all the kids to travel to one  
13 central location.

14 MS. PEARCE: Mr. Chairman.

15 CHAIRMAN O'CONNOR: Yes, ma'am.

16 MS. PEARCE: I'm just wondering, Kurt,  
17 would you accept a friendly amendment that said we would  
18 fund that particular program for one more year contingent  
19 upon figuring out that they actually have some students.  
20 And we fund it at whatever level needs to be funded for the  
21 number that are actually going to do something.

22 MR. FREDRIKSSON: Absolutely, Drue.

23 MS. PEARCE: Because it sounds like there  
24 may be some and I don't want to cut them off if we've got  
25 some kids interested.

1                   MR. FREDRIKSSON: That was my interest as  
2 well, although I think we need to, as the PAC has  
3 recommended, I think we need to kind of tighten this up.  
4 But for those students in the middle, we don't want to cut  
5 them off.

6                   MR. BAFFREY: Okay.

7                   CHAIRMAN O'CONNOR: All right. Joe.

8                   MR. BAFFREY: I agree with that.

9                   MR. MEADE: The friendly amendment, I'd  
10 like to ask if Drue is willing to add to her friendly  
11 amendment Kurt's friendly amendment, would be to also ask  
12 Michael to work with Stacy and find deficiencies in the  
13 dollars allocated in this and in the '07 budget to be able  
14 to convene the group to get the new model built based on  
15 engagement of school interest within the Sound communities.  
16

17                  MS. PEARCE: And I have no problem.....

18                  MR. MEADE: In other words, we would fund  
19 students to -- the students that would be looking to  
20 participate and we'd use deficiencies of any of those  
21 resources to also help get students and/or instructors  
22 together in Sound communities to address a more sound youth  
23 education program.

24                  MS. PEARCE: I don't have any problem with  
25 that. I think we should have at least one trustees or

1 liaison a part of that group and then we need to come back  
2 to the full council with what the program is that they  
3 dream up so that there's buy-in by all the trustees.

4 CHAIRMAN O'CONNOR: Well, do I have a  
5 friendly second to the friendly amendment to the prior  
6 friendly amendment?

7 MR. FREDRIKSSON: I would be really  
8 friendly.....

9 MS. PEARCE: I'm not sure there are any  
10 trustees left.

11 MR. FREDRIKSSON: It would be really,  
12 really friendly if we could vote.

13 CHAIRMAN O'CONNOR: Okay. Well.....

14 MR. TILLERY: Well, wait a minute though.  
15 I noticed -- I had a question about that. Is Joe saying  
16 that we should expend money from this project in order to  
17 develop the future educational project? Because I don't  
18 see any sort of write-up or anything about that. Or is he  
19 just saying that we should do it, but not that it's really  
20 part of this project?

21 MR. MEADE: Well, maybe I'm saying a little  
22 bit of both, Craig. Presumably we're going to have  
23 deficiencies in this project, so it shouldn't run the cost  
24 that has been forecasted if they don't have the number of  
25 students participating. And I think Kurt's friendly



1 amendment was to reduce the funds made available based on  
2 the number of students participating.

3                   And so I guess I -- we're not restricted to  
4 having to fund based on the efficiencies, so I guess I am  
5 also then saying let's just get a cash group together,  
6 let's make sure we engage the Sound communities and get an  
7 education plan built that's responsive to their interests  
8 for their youth.

9                   MR. TILLERY: Well, I don't have a problem  
10 with the concept but I think that's a separate project. I  
11 just don't know -- how do you divide the budget? You're  
12 going to have people squabbling over money. That just  
13 doesn't -- it's not part of the.....

14                  MR. MEADE: I think you're right.

15                  CHAIRMAN O'CONNOR: All right. Let me  
16 exercise the prerogative of the chair. I've gotten lost in  
17 the rhetoric here. Let me see if I can summarize what I  
18 believe the motion to be at this stage.

19                  We're going to approve funding for the  
20 number 1's and the number 2's with the caveat -- and I will  
21 say this very loosely -- that we will provide funding for  
22 whatever makes sense for the next year to the Youth Area  
23 Watch programs with the understanding and the direction to  
24 the Executive Director that sense be made out of this and  
25 that we put together, that he put together a program for us

1 to evaluate an appropriate educational and outreach  
2 undertaking for the future.

3                   We defer on the number 3, which is the  
4 Lauenstein, until such time as the -- our Science Director  
5 can make some sense out of that and see if there is a basis  
6 for a re-submission sometime in the future.

7                   That is what I think the motion is that we  
8 are going to vote on, unless I have mis-characterized it in  
9 any way.

10                  MR. TILLERY: I think there is one  
11 clarification, which is that two of the projects, Esler and  
12 Ballachey would be approved for multiple years, that is for  
13 '07 and '08, but that the Youth Area Watches, which is the  
14 other -- are the other projects that have multiple years,  
15 are only approved for '07.

16                  CHAIRMAN O'CONNOR: Well, I thought I sort  
17 of said that but you're right on the out-years on the first  
18 two you mentioned, so. Is there anybody who doesn't  
19 understand where we are?

20                  MR. FREDRIKSSON: Craig, just -- not -- and  
21 I sure don't want to complicate anything, but I would note  
22 that Executive Director I think appropriately has  
23 identified two projects, if you will, fund contingent upon  
24 receipt of previous final reports. That's the Nelson/Short  
25 and Rosenberg. And I would just -- to me I don't -- I

1 support Michael's fund contingent on receipt of those  
2 reports.

3 CHAIRMAN O'CONNOR: All right. Michael,  
4 you had something to add?

5 MR. BAFFREY: No, we got Jeep's report,  
6 Kurt. So it's only the fund contingent on Rosenberg that's  
7 still in play.

8 MR. FREDRIKSSON: Then just the  
9 Rosenberg's.

10 MR. BAFFREY: Right.

11 CHAIRMAN O'CONNOR: All right. Okay.

12 MR. BAFFREY: Joe.

13 CHAIRMAN O'CONNOR: Joe.

14 MR. MEADE: Also if it addresses one of  
15 Drue's interests to have a trustee assigned to this task of  
16 the Forest Service, I don't know if I'll be the right  
17 person, but I would commit the Forest Service to a person  
18 to work with the effort in framing the educational  
19 strategy. These are often communities that are interlaced  
20 around our stewardship mission and responsibility and I  
21 think we could join that process with some of our skilled  
22 experts, so.....

23 MS. PEARCE: Excellent. That's terrific.

24 MR. FREDRIKSSON: That sounds great, Joe.

25 MR. BAFFREY: And I agree with that.

1                   CHAIRMAN O'CONNOR:  Would somebody please  
2  call for the question?

3                   MR. BAFFREY:  Please, not yet.

4                   CHAIRMAN O'CONNOR:  Oh, wait.

5                   MS. PEARCE:  Call for the question.

6                   CHAIRMAN O'CONNOR:  Wait a minute, wait a  
7  minute, wait a minute.  Michael has got something.

8                   MR. CAMPBELL:  Call for the question.

9                   CHAIRMAN O'CONNOR:  Michael has something  
10 to add.  Go ahead.

11                  MR. BAFFREY:  I think I had my hand up, you  
12 know, fast enough.  I'm still confused about fund  
13 contingent for the two area watch.  I'm hearing -- right  
14 now the motion is to fund at FY-07, FY-07 only.  Is that  
15 correct?  But is there a contingency on that or not?

16                  CHAIRMAN O'CONNOR:  Well, the  
17 qualifier.....

18                  MR. MEADE:  Based on participation.

19                  CHAIRMAN O'CONNOR:  The qualifier is make  
20 it make sense, Michael.

21                  MS. PEARCE:  Well.....

22                  MR. BAFFREY:  And you wonder why I'm  
23 confused.

24                  CHAIRMAN O'CONNOR:  Well.....

25                  MR. MEADE:  Well, here's how I read the

1     qualifier, if I may.

2                     CHAIRMAN O'CONNOR:   Sure.

3                     MR. MEADE:   If you have five students,  
4     you're not going to fund it at the level that it was funded  
5     for 25.

6                     MR. BAFFREY:   Okay.

7                     MR. MEADE:   And so have the funding match  
8     the students that are ready to participate and make sense  
9     of it.   And then secondly we'll need to work within your  
10    executive budget or come back to the trustees to have  
11    resources available to be able to.....

12                    MR. BAFFREY:   A summit.

13                    MR. MEADE:   .....help establish.....

14                    MR. BAFFREY:   Okay.

15                    MR. MEADE:   .....ability for people to get  
16    to a forum.

17                    MR. BAFFREY:   I'm clear.

18                    CHAIRMAN O'CONNOR:   Good.   That's one.   All  
19    right.   I heard the question being called for.   Is there  
20    any objection to the question being called for?   Any  
21    objection?

22                    (No audible responses)

23                    CHAIRMAN O'CONNOR:   All right.   Let's go  
24    through the roll call.   Joe.

25                    MR. MEADE:   Yes.

1 CHAIRMAN O'CONNOR: Drue.  
2 MS. PEARCE: Yes.  
3 CHAIRMAN O'CONNOR: McKie.  
4 MR. CAMPBELL: Yes.  
5 CHAIRMAN O'CONNOR: Kurt.  
6 MR. FREDRIKSSON: Yes.  
7 CHAIRMAN O'CONNOR: Craig.  
8 MR. TILLERY: Yes.  
9 CHAIRMAN O'CONNOR: O'Connor. Yes. It is  
10 carried. All right. Where the hell are we now.  
11 MS. PEARCE: Mr. Chairman.  
12 CHAIRMAN O'CONNOR: Yes, ma'am.  
13 MS. PEARCE: I would just like to make a  
14 comment and insomuch as any trustee can ask the staff to do  
15 something. As they fund -- as we have funded these  
16 projects and as they move forward working with the  
17 appropriate PI's, I contend that the use of local  
18 knowledge, TEK, is extremely important. And through the  
19 process, I think we lost that in the review.  
20 While the science panel was given a  
21 programmatic review question with percentages and numbers  
22 that they were supposed to assign, they didn't rank the  
23 projects with numbers. And then as every succeeding group  
24 looked, they really didn't assign numbers. And some of our  
25 TEK components in projects that we have just funded are

1 extremely weak. Like, oh, we'll let the community know  
2 what we're doing. That's not enough as far as I'm  
3 concerned.

4                   So while I understand that the language in  
5 the original invitation was not as strong as I would like,  
6 and I will certainly ask the future DOI trustees to make  
7 sure that it is there in the '07 invitation, but I would  
8 like the staff to ensure that PI's incorporate TEK in its  
9 meaningful capacity into these projects.

10                   CHAIRMAN O'CONNOR: Okay.

11                   MR. BAFFREY: And Drue, I agree. This is  
12 Michael. And I also feel the same thing about community  
13 involvement. I mean just saying that we want community  
14 involvement is not enough. And one of the things that  
15 Stacy and I have talked about is being real clear about  
16 what that means. And we'll do the same thing with TEK.

17                   MS. PEARCE: Thank you.

18 \*\*                   CHAIRMAN O'CONNOR: All right. We are now  
19 to, what has been described as pre-proposals. Am I  
20 correct, Michael?

21                   MR. BAFFREY: Yes.

22                   CHAIRMAN O'CONNOR: Yes. Now who is going  
23 to walk us through the pre-proposals?

24                   MR. CAMPBELL: Mr. Chairman.

25                   CHAIRMAN O'CONNOR: Yes.

1                   MR. CAMPBELL: I'm not sure exactly what  
2 order you want to take these in, but I do believe, if he  
3 has still managed to hang in there, that Mayor Selby is  
4 there.

5                   MR. BAFFREY: He has.

6                   CHAIRMAN O'CONNOR: Yes.

7                   MR. CAMPBELL: And the appropriate time  
8 would be -- have some comments on the Kodiak proposal. And  
9 Denby Lloyd, our Director of Commercial Fisheries, at least  
10 for now up until I officially steal him, is here also  
11 prepared to add a few comments about the research aspects  
12 of it.

13                  MS. PEARCE: Mr. Chairman.

14                  CHAIRMAN O'CONNOR: Yes, ma'am.

15                  MS. PEARCE: Not to short circuit them,  
16 particularly after they waited around all day, but I was  
17 going to propose in the way of a motion that we move all  
18 the pre-proposals forward and ask for a fleshing out of  
19 them. I think there are some good ideas embodied but it's  
20 certainly too early to make funding decisions, as we've  
21 already talked about today. It's my understanding that the  
22 Kodiak proposal still needs some additional work. And I  
23 just think we could move forward that way. And I would be  
24 very comfortable having more information about each one, I  
25 think, to the entire list.



1                   CHAIRMAN O'CONNOR: All right. And that  
2 would.....

3                   MS. PEARCE: I didn't make that as a  
4 motion, I was laying it out there to see what sort of  
5 response I got.

6                   CHAIRMAN O'CONNOR: Okay. And what  
7 response is she going to get, folks?

8                   MR. CAMPBELL: Well, this is McKie. And I  
9 don't know, one of the absolute iron rules of politics is  
10 if you have the votes, shut up, and I suppose I should do  
11 that. At the same time Mayor Selby has, you know, traveled  
12 to Anchorage and sat here all day long, and you know, I  
13 guess I'm concerned about us just at least not hearing just  
14 a little bit of additional background from him, better on  
15 where we are, they can then at least hopefully have in our  
16 thoughts as we proceed.

17                  CHAIRMAN O'CONNOR: Joe.

18                  MR. MEADE: I would just like to add, I  
19 like the temper to the motion and I also like McKie's  
20 recommendation. I think we out of respect owe an audience  
21 to the mayor who has come to share some insights for us,  
22 and in that he's made that trip, I feel that we can  
23 establish a frame of time and be able to gain insight and  
24 then continue to look forward to a more fleshed out  
25 proposal with it as well as other.

1 MS. PEARCE: Mr. Chairman. I have no  
2 problem with that. How many others are still with us who  
3 are going to want to speak to individual pre-proposals?  
4 Since we had quite the contingent show up thanks to the  
5 oiled mayors' letter.

6 CHAIRMAN O'CONNOR: Anybody else?

7 MR. BAFFREY: I think there's.....

8 CHAIRMAN O'CONNOR: A little show of hands?

9 MR. BAFFREY: Do you want to speak to your  
10 proposals?

11 UNIDENTIFIED SPEAKER: I don't know that --  
12 I'm here to answer questions, if you've got anything else.  
13 I've got a document this thick, about two.....

14 CHAIRMAN O'CONNOR: Okay. The Valdez  
15 proposal is represented but is -- and Seldovia, is that  
16 correct?

17 UNIDENTIFIED SPEAKER: Our proposal is not  
18 organized. We're at the first -- on this.

19 CHAIRMAN O'CONNOR: Okay. Real early.  
20 Anybody else?

21 (No audible responses)

22 CHAIRMAN O'CONNOR: Okay. So we have those  
23 representatives from those two communities, Drue, as well  
24 as Kodiak. And the two are standing by in case we have  
25 questions.

1 MS. PEARCE: Okay. Well, do you want me to  
2 make my motion and then have the mayor speak as discussion  
3 or do you want to have him, have Mayor Selby do his  
4 discussion first? Whichever way you want, Mr. Chairman.

5 CHAIRMAN O'CONNOR: Well, what I'd like to  
6 do is find out if anybody is going to object to your  
7 motion. I mean I think it's a facile way to proceed but  
8 then again, we haven't been very prompt in what we've done  
9 today. So -- and I've got nothing but time. So I'm happy  
10 to sit here until tomorrow if that's what it takes to do it  
11 right. But if we're prepared to move in a collective  
12 fashion with some additions on the Kodiak and send these  
13 back for further work, including such things as the PAC  
14 review on the Cordova project and so on.....

15 MR. MEADE: I was going to say I'll.....

16 CHAIRMAN O'CONNOR: .....I'm only to happy  
17 to move as smartly as we can on this.

18 MR. MEADE: I'll have a friendly amendment,  
19 if there is a amendment to give a friendly amendment to,  
20 associated to the Cordova proposal as far as seeking an  
21 expedited review through PAC and through legal to be able  
22 to have that addressed in a time frame. They did submit a  
23 full proposal. That full proposal was not provided to us  
24 in a way to be considered as a full proposal.

25 I feel we owe it to Cordova to ask that

1 full proposal be reviewed by PAC, reviewed by legal, and  
2 expedited because of the four year time frame they've  
3 already been working with us on. That proposal could be  
4 done by our January -- well, by the January PAC meeting and  
5 then come to this council at our next, you know, presumably  
6 a February -- so I would offer amendment to Drue's  
7 amendment that would address that if.....

8 CHAIRMAN O'CONNOR: If she comes up with a  
9 motion.

10 MR. MEADE: If she comes up with a motion.

11 CHAIRMAN O'CONNOR: Okay. Drue.

12 MS. PEARCE: Do you want the motion or do  
13 you want Mayor Selby first?

14 CHAIRMAN O'CONNOR: I want your motion.

15 MS. PEARCE: Okay. I would move that we  
16 ask the proposers who brought us the one-page pre-proposals  
17 to flesh those out to be brought back to us as full  
18 proposals, working with the staff to help them if some  
19 don't exactly fit the parameters of the original '07  
20 invitation. And I would accept Joe's comments as a  
21 friendly amendment where it comes to Cordova.

22 CHAIRMAN O'CONNOR: All right. Is there a  
23 second to that motion?

24 MR. MEADE: I'd second that.

25 MR. TILLERY: Yeah, this Craig Tillery. I

1 would second both Drue's motion and I would heartily second  
2 Joe's friendly amendment because I too believe that the  
3 Cordova proposal is qualitatively different in that it is  
4 far more complete and that at this point, it is ready for  
5 PAC review and for legal review. So I would second both  
6 the motion and the amendment.

7 MR. MEADE: Actually, you're thirding them.

8 MR. TILLERY: Or maybe I'm doing that.

9 CHAIRMAN O'CONNOR: All right. Without  
10 further ado.

11 MS. STUDEBAKER: Can I ask a question?

12 CHAIRMAN O'CONNOR: Well, it all depends.

13 MS. STUDEBAKER: I'm not sure which list of  
14 pre-proposals we're working off of.

15 CHAIRMAN O'CONNOR: Well, see I kind of  
16 thought that would.....

17 MS. STUDEBAKER: I have 12.....

18 CHAIRMAN O'CONNOR: .....be a useful bit of  
19 information too, but.....

20 MS. STUDEBAKER: Yeah. I have 12 here on  
21 one list and then I think there are some other ones that  
22 are being floated around too and so is it a comprehensive  
23 list of pre-proposals that we're approving or that you're  
24 approving?

25 MR. BAFFREY: That list that you're looking

1 at was the result of the invitation.

2 MS. STUDEBAKER: This is the one that's the  
3 result of the invitation.

4 MR. BAFFREY: Which I'm assuming is.....

5 DR. TRUST: Is that the one you have 12 on,  
6 Stacy?

7 MR. BAFFREY: Right.

8 MS. STUDEBAKER: Yeah, the one I have 12 on  
9 here.

10 DR. TRUST: Add the Kodiak Center, and then  
11 you have them all.

12 MS. STUDEBAKER: Okay.

13 CHAIRMAN O'CONNOR: All right. So.....

14 MS. PEARCE: Now I was speaking to the pre-  
15 proposals that are in my packet, my three-ring binder.

16 CHAIRMAN O'CONNOR: All right. Could I  
17 borrow that?

18 MR. MEADE: I think for clarity -- Mr.  
19 Chair.

20 CHAIRMAN O'CONNOR: Let me -- excuse me.  
21 Let me tell you what we're talking about here. Mineral  
22 Creek, integrated statistically valid assessment of status  
23 and trends in intertidal ecological conditions and oiled  
24 conditions. The assessment of water quality in harbors and  
25 marinas in five communities impacted by EVOS. Evaluating

1 and upgrading storm water pollution prevention  
2 infrastructure of EVOS impacted communities. The  
3 assessment of exposure of black oystercatchers to lingering  
4 oil on Western Prince William Sound. The Barrow's  
5 goldeneye population recovery. Prince William Sound pigeon  
6 guillemot synthesis and restoration. Recovery of shallow  
7 sub-tidal communities 17 years after EVOS. Assisting  
8 recovery of species injured in the EVOS by reducing  
9 incidental take of marine birds and gill net fisheries of  
10 Alaska. The Springman synthesized data sets from sea  
11 otter, harlequin ducks, and the SPMREROD using INTASS. The  
12 Cordova Center and the Kodiak project. Okay? That's it.  
13 Sorry for taking this out of your hand, Stacy.

14 MS. STUDEBAKER: No, that's fine.

15 CHAIRMAN O'CONNOR: Some of us have very  
16 short patience. Those are what we are talking about, and  
17 once again, without further ado, Mr. Mayor.

18 MR. FREDRIKSSON: Craig, this is Kurt. And  
19 I may just not have heard you mention, that was consistent  
20 with my list except I don't know -- did you mention the  
21 wastewater infrastructure deficiencies, because that should  
22 have been in the package as well.

23 CHAIRMAN O'CONNOR: Could I borrow that  
24 again?

25 MS. STUDEBAKER: Yeah.

1 DR. TRUST: You did. Griffith.

2 MR. BAFFREY: Yes.

3 CHAIRMAN O'CONNOR: I did.

4 DR. TRUST: Yes.

5 MR. FREDRIKSSON: Okay. Thank you.

6 CHAIRMAN O'CONNOR: I called it wastewater  
7 infrastructure deficiencies in EVOS communities.

8 MR. FREDRIKSSON: Oh, you're brilliant.  
9 Thanks.

10 CHAIRMAN O'CONNOR: I am. I am. And  
11 charming and witty too.

12 MS. STUDEBAKER: For 31 million.

13 CHAIRMAN O'CONNOR: Yes. Mr. Mayor.

14 MAYOR SELBY: Thank you, Mr. Chairman. I  
15 don't necessarily need to prolong you folks' day, because  
16 it's been a fairly long one already. I do appreciate the  
17 courtesy of giving me the opportunity but I don't want to  
18 over-testify either if the intent is to move ahead to the  
19 full blown proposals, which was basically our request and  
20 intent.

21 You know, consistently from Kodiak one of  
22 the things that we've learned during the 1989, when some of  
23 us were dealing with the day to day realities of an oil  
24 spill, it was beyond our wildest imaginations, was that  
25 there was a limited capacity in Alaska to deal with many of



1 the things that we needed to be able to do in that  
2 scenario.

3                   For example, we sent clams from villages  
4 down and there was no capacity in the state of Alaska to  
5 analyze those clams to see if they were safe for  
6 subsistence for folks to eat. We ended up with clams in  
7 Texas, Colorado, I think California. And by the time we  
8 got any of the analysis back, it was November. Now  
9 meanwhile the village folks were participating every day in  
10 our daily meetings, trying to find out, is it safe to eat  
11 the clams. And the great wisdom that we were able to offer  
12 from Alaska was, is if you open a clam and it smells like  
13 oil, don't eat it. Which was pretty unacceptable.

14                   And so we've consistently tried to bring  
15 forward projects to you folks that build capacity in Alaska  
16 at the same time that we were addressing the injured  
17 species and the other immediate results of the spill. And  
18 so we brought forward the artifact repository and you folks  
19 funded it to the tune of three million dollars. And in our  
20 view, it's a resounding success.

21                   There are thousands of artifacts that have  
22 been collected, cataloged, and assessed. A great deal of  
23 cultural information has been gleaned from them and in our  
24 view, it's one of the real success stories for you folks as  
25 well as certainly for the Kodiak community.

1                   Similarly you folks funded six million  
2 dollars in the Kodiak Fisheries Research Center, which  
3 primarily houses NOAA folks but the lab, the saltwater labs  
4 that are in that facility are also used by the University  
5 of Alaska and the Alaska Department of Fish and Game. But  
6 the capacity that we were able to grow, I think -- and I'll  
7 let the NOAA folks speak to that -- but I think it's been a  
8 quantum leap for them in terms of what they can do by  
9 having a circulating seawater system, live fish that they  
10 can hold in the tanks and do some of the studies with there  
11 in the facility. And that's a huge growth in capability.

12                   We're coming back now with basically a  
13 third facility, which is the Alaska Department of Fish and  
14 Game facility. Now we talked about, originally when we did  
15 the seawater lab facility, doing the office spaces for the  
16 researchers at that point in time. But because of the  
17 complexities of that building and the fact that you're  
18 circulating saltwater into a building, it's probably not  
19 your best office environment. And so we backed away from  
20 that and said, no, no, no, that needs to be a separate  
21 facility where we don't have to deal with saltwater issues  
22 in an office environment. So as a result of that, it was  
23 backed away at that time. And -- but we're now bringing it  
24 forward because we see the need for the capacity to  
25 increase the Fish and Game ability to do research.

1                   And our simple viewpoint is, is that if you  
2 really want to do something positive for research, not only  
3 on the injured species but on other species such as salmon  
4 and whatnot around Kodiak Island for the next 50 years,  
5 give these folks a decent facility to do the research. And  
6 that's the simple premise of why we're bringing this  
7 forward at this point in time. We think that this will  
8 have more impact than about anything else that you folks  
9 can do and it's a long term impact of 40 or 50 years of the  
10 use of a facility with state of the art technology in there  
11 that will let these folks ramp up the quality and quantity  
12 of research that they can do.

13                   And that's why we're saying, to us it's  
14 kind of one of those glaring omission type things of, if  
15 you looked at what we've been able to do with the result of  
16 the funding from the Exxon Valdez, what's missing? And  
17 this is a big, glaring omission, to be able to ramp up the  
18 research capacity for the Fish and Game folks. Similar to  
19 what we've already done with the NOAA folks is one of --  
20 what we consider to be a glaring omission, and that's why  
21 we're bringing it forward at this point in time.

22                   As I look down the list of injured  
23 resources here today, and some of the things that aren't  
24 being done, steelhead. We've got steelhead streams on  
25 Kodiak Island. No one knows what's going on with

1 steelhead. Fish and Game can certainly do that, but  
2 they've got to have room to put the people and to have the  
3 research done. And they don't right now. They're in a  
4 1960 vintage building. It has about twice as many people  
5 in it as it was designed to have in it when it was built.  
6 So they're stacked on top of each other. What used to be  
7 the laboratory in the building has I think three people and  
8 a whole bunch of storage in that space.

9                   And there isn't any lab work being done in  
10 there. Now part of it is because they get the co-use of  
11 part of the NOAA facility. But just to make the point, I  
12 mean, it's over-crowded, these folks cannot work  
13 efficiently. And we need to give them some quality  
14 efficient opportunity.

15                   And the final point I would make, Mr.  
16 Chairman, is just that the co-location -- because this  
17 facility will be co-located with the NOAA facility, the  
18 saltwater lab facility, and the University of Alaska  
19 Seafood Research Center. So we have kind of our own little  
20 research triangle, if you will, that includes University of  
21 Alaska, Alaska Department of Fish and Game, and then all of  
22 the Federal folks. Fish and Wildlife also has access to  
23 that on the Federal side.

24                   So the whole idea is to give our folks who  
25 work in Kodiak the opportunity to be able to do high

1 quality research there in Kodiak. And, you know, we feel  
2 very strongly that research that's done in Kodiak by folks  
3 who are onsite is going to be research work that's going to  
4 be used and referenced for many years as opposed to when  
5 you have to bring somebody in from Baylor University to do  
6 the research. When the research project is over, the  
7 person leaves.

8 My case in point if Guy Powell who did  
9 research on crab in Kodiak in the 1960's, he's still in  
10 Kodiak and he is still being consulted today on crab  
11 research. And his work, body of work, is located in the  
12 Fish and Game building and it's being referenced with  
13 virtually every crab study that's been done since. And  
14 that's the kind of capacity that we're looking to build, is  
15 where that can be done and held for the future and be built  
16 upon in the future as we do this research going forward.  
17 So I'll be glad to answer any questions.

18 CHAIRMAN O'CONNOR: Somebody is making  
19 noise with, what it sounds like, paper. Could you not do  
20 that? It's difficult to hear. All right. Joe.

21 MR. MEADE: Thank you, Mr. Mayor. A piece  
22 that would be useful for me and perhaps if you have  
23 insights today but in the scoped out proposal, would to  
24 help to -- for the purpose of the trustees to draw out the  
25 distinction between the research -- it sounds like there is

1 a residential capacity need, and that's clear. The  
2 research, the laboratory facilities, if -- having clarity  
3 between the existing facilities with the NOAA built lab and  
4 then the Sea Life Center and the remaining need for  
5 research capacity in that geographic area would be helpful  
6 for me.

7 MAYOR SELBY: Okay. We can certainly do  
8 that. And actually we have worked with Fish and Game -- I  
9 should have mentioned that -- and based on the schematic  
10 floor plan that's been developed already for this facility,  
11 they've gone through and analyzed what would take place in  
12 each of those offices and whether it's research or if it's  
13 administration. And their estimate came back that it's  
14 between 55 and 58 percent of the building would be  
15 research. We've asked for 50 percent because we didn't  
16 want to push that too tight. And so we felt to be  
17 appropriate that we would say 50 percent, and that's what  
18 we've come forward with you folks. But we'll have more  
19 detail on that certainly in a full blown proposal.

20 MR. CAMPBELL: And if it would be helpful,  
21 I have Denby Lloyd here who can speak to -- we don't want  
22 to take up folks' time, but he can speak very, very briefly  
23 about some of the -- you know, some of the approaches of  
24 research that we foresee there that are not happening and  
25 that we feel would be appropriate for EVOS.

1                   CHAIRMAN O'CONNOR: All right. Are there  
2 any questions for the Mayor before we have Denby speak?

3                   (No audible responses)

4                   CHAIRMAN O'CONNOR: No. Don't leave. Hang  
5 in there. All right. Go ahead, Denby. You've got  
6 something to say?

7                   MR. LLOYD: Well, thank you, Mr. Chairman.  
8 Just very briefly. The capacity in the Kodiak building  
9 basically was exceeded 10 to 12 years ago. And so the  
10 impact to the department's ability to respond to ongoing  
11 research demands under our own mandate, let alone those of  
12 EVOS, has been dramatically constrained. And there has  
13 been a very specific and purposeful constraint on the  
14 staff's part for submitting proposals for outside funding  
15 for research. Basically we've chosen, because we cannot  
16 fit anymore people or anymore activities in that building,  
17 not to engage in any broader spectrum of research than is  
18 absolutely necessary for the core mission there. I think  
19 that that is a crying shame for the ability of scientists  
20 in Kodiak to pursue some of these topics.

21                   Now some of the topics that they are fully  
22 prepared and qualified to pursue deal not only with the  
23 salmon issues that I think people would grant that the  
24 Department of Fish and Game has a resident expertise in,  
25 but as Mayor Selby mentioned, branching out to steelhead,

1 Dolly Varden, things like that, but also to rockfish and  
2 clams, these other types of nearshore resources that are  
3 under the management mandate and presumably under our  
4 research mandate for a state agency dealing with resources  
5 within three miles.

6                   You've gotten limited amounts of Federal  
7 funding over the past few years to do some clam  
8 reconnaissance and some rockfish basic life's history  
9 projects. But again, we have specifically shied away from  
10 engaging in the pursuit of broader research projects simply  
11 because we cannot fit more people or any more activity into  
12 that building. And we would view the expansion of our  
13 resources into a new building in Kodiak as really opening  
14 up our ability to engage in broader research there around  
15 the island.

16                   And just -- and one issue that Joe had  
17 raised in connection with that is this versus the Seward  
18 Sea Life Center. We have great respect for the work they  
19 do there, but with the combination of Fish and Game staff,  
20 NOAA staff, and University staff in this research triangle,  
21 as the Mayor referred to it, we think offers some unique  
22 opportunities to do research that is simply not -- that  
23 there is not the staff and not the ability or the resources  
24 to do at any other facility currently and that would be  
25 directly EVOS related.



1                   CHAIRMAN O'CONNOR: All right.

2                   MR. MEADE: It helps a great deal, McKie.

3 I appreciate all three of your insights.

4                   CHAIRMAN O'CONNOR: All right. Does

5 anybody else have any questions for the Mayor or Denby?

6                   (No audible responses)

7                   CHAIRMAN O'CONNOR: Does anybody have

8 anything to say about the motion that's on the floor to

9 move forward with each of these pre-proposals for further

10 development and appropriate procedural review and comment?

11                   (No audible responses)

12                   CHAIRMAN O'CONNOR: We've got five minutes,

13 guys.

14                   MR. FREDRIKSSON: Okay, Craig, I won't let

15 go of that then. So one thing I would point out was, while

16 I think we've done a lot of good work here today in terms

17 of the update and moving forward on some of the projects, I

18 still look at -- there are about nine injured species and

19 human services that are nowhere covered in the proposals.

20 And I think some of these pre-proposals do address those.

21 In fact, I was impressed that we had some black

22 oystercatcher proposals in the pre-proposal category and

23 some of the bird studies. So I think these pre-proposals

24 kind of help us down that path and I hope in the future

25 we'll see -- have a greater ability to do more directed

1 research, kind of a long the lines we talked about with the  
2 Youth Area Watch and education in other areas. So, yeah.

3 CHAIRMAN O'CONNOR: All right. Well, I  
4 have a comment or two. I don't mind proceeding with the  
5 further development of some of these projects. I think we  
6 have a fundamental issue that needs to be addressed,  
7 however, and that is harkening back to the comments earlier  
8 today, that we have got to define our future. And we have  
9 got to figure out where we've been and where we're going.  
10 And a number of these projects would fall into what I would  
11 describe as new territory for us. And that new territory  
12 particularly includes addressing issues of pollution,  
13 pollution control, and developing some of the  
14 infrastructure that associated with the communities around  
15 the spill area to address future pollution events.

16 I don't disagree that we should be looking  
17 at these sorts of issues, but I do think it has to be done  
18 in an informed and constructed fashion. And to the extent  
19 that we would move forward with requests to develop further  
20 some of these pre-proposals, I would add to that the caveat  
21 that we get a clue before we send people off working on  
22 things that are not cheap to develop, that are not less  
23 than complex to write up, and that we know exactly where  
24 we're going before we send them on what may well prove to  
25 be a frolic and detour.

1                   So to the extent that I would vote in favor  
2 of this motion, it would only be with the very clear  
3 understanding that some of these projects, most notably  
4 those that are addressing pollution issues and those that  
5 may ultimately be developed through the course of our  
6 looking at the future, that they be tasked with further  
7 work after we have done our work.

8                   And with that in mind, if someone would  
9 like to call the question, if it hasn't been done so  
10 already, I would entertain a vote on that motion.

11                  MR. CAMPBELL: Question.

12                  MS. PEARCE: Mr. Chairman.

13                  CHAIRMAN O'CONNOR: Yes, ma'am.

14                  MS. PEARCE: In response to what you just  
15 said, my thought on these pre-proposals, since we don't  
16 have anything else in place at the moment, is that the  
17 proposals should be fleshed out and the Trustee Council and  
18 the -- all -- and the PAC and everyone else, should look at  
19 them with the present restoration goals in mind. We don't  
20 have new goals, so we have to use the ones that we have in  
21 place under the ROD that we have.

22                  So the proposals, as they're fleshed out,  
23 still have to fit the ROD or they should not be funded in  
24 the future. I agree that we need to move forward with  
25 looking at the restoration plan and updating it. Making

1 some decisions on new restoration goals along with  
2 decisions about -- additional decisions about the future.  
3 But for the moment, we are what we are and we have what we  
4 have. And so the restoration plan that we have in place is  
5 the one that these projects should be looked at under.

6 CHAIRMAN O'CONNOR: All right. The  
7 question has been called for. Roll call vote. Mr.  
8 Tillery.

9 MR. TILLERY: Yes.

10 CHAIRMAN O'CONNOR: Joe.

11 MR. MEADE: Yes.

12 CHAIRMAN O'CONNOR: Mr. Campbell.

13 MR. CAMPBELL: Yes.

14 CHAIRMAN O'CONNOR: Drue.

15 MS. PEARCE: Yes.

16 CHAIRMAN O'CONNOR: Kurt.

17 MR. FREDRIKSSON: Yes.

18 CHAIRMAN O'CONNOR: And I vote in the  
19 affirmative as well. I would very much entertain a motion  
20 to adjourn.

21 MR. MEADE: We still have the Executive  
22 Director report.

23 CHAIRMAN O'CONNOR: Except for the  
24 Executive Director's report.

25 \*\* MR. BAFFREY: You know, all I was going to

1 say was the accomplishments. So I'd just suggest that  
2 people grab a copy of this as they walk by the table in the  
3 hall. I do want to say that the work products that were on  
4 the agenda today and this report and a report that Michael  
5 Schlei put together and all the accomplishments of the year  
6 have been due to exceptional staff work. And the Trustee  
7 Council knows but I want the remaining public to know that  
8 two staff, Cherri Womac and Carrie Holba, have been  
9 nominated for the Governor's Customer Service Excellence  
10 Award for Outstanding State Employees, and I think they  
11 both deserve it. So.....

12 (Applause)

13 CHAIRMAN O'CONNOR: All right. Well, I add  
14 -- that's your report?

15 MR. BAFFREY: That's it.

16 MS. PEARCE: Mr. Chairman.

17 CHAIRMAN O'CONNOR: Yes, ma'am.

18 MS. PEARCE: Before we have a motion, I  
19 will announce that yesterday the President signed my  
20 commission. I will be sworn in officially probably later  
21 this week and then ceremonially later. But I do have  
22 provisions in place that I can continue to act as the DOI  
23 trustee till the end of the year. But Jennifer should be  
24 welcomed as your new trustee.

25 CHAIRMAN O'CONNOR: Well, congratulations

1 to both of you.

2 MR. MEADE: Indeed.

3 CHAIRMAN O'CONNOR: Yes.

4 MR. MEADE: And Mr. Chair, before we do  
5 adjourn, I also want to reflect, Michael, again,  
6 congratulations on the two staff that you have nominated  
7 for excellent work accomplished through those two  
8 individuals. I know a lot of our preparation work, to be  
9 able to effectively be here, rests on particularly Cherri's  
10 skills. But also I just want to continue to commend your  
11 leadership here as well. I heard the Public Advisory  
12 Committee speak to it this morning. I feel that you've  
13 brought some stability and some -- I almost senility but  
14 I'll leave it at stability.

15 (Laughter)

16 MR. BAFFREY: Soon.

17 MR. MEADE: And I'd just continue to urge  
18 you to continue as you are. I find it very effective to  
19 have the neutrality, the objectivity and the leadership  
20 into facets of the program that you're able to invest.  
21 So.....

22 MR. BAFFREY: Thank you.

23 CHAIRMAN O'CONNOR: Well, I will add my  
24 commendation to our Science Director, who in my opinion did  
25 a phenomenal job. Led us through a morass of complicated

1 projects, without any notes, which I found astounding. So  
2 I would have to say that this was an extremely good  
3 meeting. And I hope to the extent that we had some  
4 contention and we had some frustrations and we had some  
5 anxieties about our relationships that we have been able to  
6 put them behind us. Nothing has changed. Just  
7 occasionally we screw up. And I think we're over that for  
8 awhile. No promises on the duration, but nonetheless,  
9 we'll do our best.

10 MR. MEADE: Well, you've certainly earned  
11 the honor of being the Federal permanent chair.

12 (Laughter)

13 CHAIRMAN O'CONNOR: Yes. All right. So a  
14 motion to adjourn in order.

15 MR. MEADE: I so move.

16 MS. PEARCE: I would move we adjourn.

17 MR. MEADE: And I'll second Drue's.

18 CHAIRMAN O'CONNOR: Without opposition, I  
19 would assume.

20 MR. MEADE: You got to do a roll call.

21 CHAIRMAN O'CONNOR: Oh, geez. All right.  
22 We're done.

23 MS. PEARCE: He's got the gavel. He  
24 doesn't have to do a roll call.

25 CHAIRMAN O'CONNOR: No, we're done.

1 (Off record - 5:05 p.m.)

2 (END OF PROCEEDINGS)



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

2 UNITED STATES OF AMERICA )

3 ) ss.

4 STATE OF ALASKA )

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

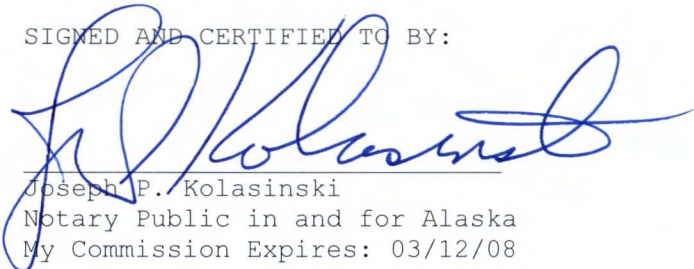
8 THAT the foregoing pages numbered 4 through 304  
9 contain a full, true and correct transcript of the Exxon  
10 Valdez Oil Spill Trustee Council's Meeting recorded  
11 electronically by me on the 14th day of November 2006,  
12 commencing at the hour of 8:30 a.m. and thereafter  
13 transcribed under my direction and reduced to print:

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

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

18 DATED at Anchorage, Alaska this 4th day of December  
19 2006.

20 SIGNED AND CERTIFIED TO BY:

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

