

09.22.06

1 EXXON VALDEZ OIL SPILL
2 TRUSTEE COUNCIL
3 Public Meeting
4 Monday, September 29, 2008
5 9:00 o'clock a.m.
6 441 West 5th Avenue, Suite 500
7 Anchorage, Alaska
8 TRUSTEE COUNCIL MEMBERS PRESENT:
9 U.S. DEPARTMENT OF AGRICULTURE, MR. STEVE ZEMKE for
10 U.S. FOREST SERVICE MR. JOE MEADE, Supervisor
11 (Chair)
12 STATE OF ALASKA - DEPARTMENT MR. LARRY HARTIG
13 OF ENVIRONMENTAL CONSERVATION: Commissioner
14 STATE OF ALASKA - DEPARTMENT MR. DENBY LLOYD
15 OF FISH AND GAME: (By Phone) Commissioner
16 U.S. DEPARTMENT OF INTERIOR: MR. RANDALL LUTHI
17 Director, U.S.MMS
18 STATE OF ALASKA - MR. TALIS COLBERG and
19 DEPARTMENT OF LAW: MR. CRAIG TILLERY
20 U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for
21 National Marine Fisheries Svc: MR. JAMES W. BALSIGER
22 (By Phone) Administrator, AK Region
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1	STAFF PRESENT:	
2	CARRIE HOLBA	Acting Executive Director
3	ELISE HSIEH	Interim Executive Director
4	JENNIFER SCHORR	Interim Deputy Director
5	LYNETTE SCHROEDER-EINWILLER	Administrative Manager
6	CHERRI WOMAC	Associate Coordinator
7	MICHAEL SCHLEI	Data Systems Manager
8	BRENDAN McGEE	Analyst Programmer
9	JoELLEN LOTTSFELDT	Envir. Prg. Specialist
10	LYNETTE ORTOLANO	Administrative Assistant
11	REBECCA TALBOT	Communication & Outreach
12	CAROL FRIES	ADNR
13	JENNIFER KOHOUT	U.S. Fish & Wildlife Svc.
14	DOUG MUTTER	Department of the Interior
15	HANS NEIDIG	Department of the Interior
16	DEDE BOHN (By Phone)	USGS

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1 P R O C E E D I N G S
2 (Anchorage, Alaska - 9/29/08)
3 (On record - 9:00 a.m.)
4 CHAIRMAN ZEMKE: Okay. I guess I'd like to
5 start the September 29th, 2008 Oil Spill Trustee Council
6 meeting. And to begin with, I guess I'd like the council
7 members to introduce themselves to establish a quorum,
8 starting with you, Larry.
9 MR. HARTIG: Larry Hartig, Commissioner of
10 Alaska Department of Environmental Conservation.
11 MR. LUTHI: Randall Luthi, Department of
12 the Interior.
13 MR. COLBERG: Talis Colberg, Alaska
14 Department of Law.
15 CHAIRMAN ZEMKE: And on the phone?
16 MR. O'CONNOR: Craig O'Connor, NOAA.
17 MR. LLOYD: Denby Lloyd with the Department
18 of Fish and Game.
19 CHAIRMAN ZEMKE: And this is Steve Zemke
20 with the Chugach National Forest. So I guess the meeting
21 is called to order. We all have our agenda. I guess the
22 first item on the agenda is the approval of the consent
23 agenda. And the first item on that is the approval of
24 today's agenda.
25 MR. HARTIG: Move to approve.

1 MR. COLBERG: Second.

2 CHAIRMAN ZEMKE: Are there any discussion
3 on changes to the agenda?

4 (No audible responses)

5 CHAIRMAN ZEMKE: Hearing none, I guess the
6 agenda is approved as written. Next item is approval of
7 the meeting notes from August 28th, 2008. That's in our
8 packet under the 8/28 meeting tab.

9 MR. LUTHI: I would so move.

10 MR. HARTIG: I'll second.

11 CHAIRMAN ZEMKE: Okay. The motions has
12 been to approve the meeting notes from August 28th. Do I
13 hear any objections? Hearing none, the meeting notes from
14 August 28th are approved.

15 The next item on today's agenda is Public
16 Advisory Committee comments. And I think on our table we
17 have basically a two page write up that Stacy Studebaker
18 has kindly submitted to us for our edification and Stacy's
19 here to be able to give comments directly to the council.
20 Stacy.

21 MS. STUDEBAKER: Thank you. Good morning,
22 Trustee Council members. It's usually customary for me to
23 give some kind of a summary of the activities of the PAC
24 since we last met. So I'll do that. I always try to
25 provide you a written form of those comments so you have

1 those on record if you ever want to refer to those for
2 anything.

3 The PAC met two times by teleconference
4 this month, September 3rd and as a continuation of that
5 meeting on September 17th since much of the material
6 required for the PAC to review and make recommendations on
7 was not available at the first meeting.

8 The PAC was disappointed that the draft
9 Trustee Council Vision Statement that we had received and
10 were supposed to comment on had been pulled from our
11 consideration. We generally supported the content of the
12 draft building agreed that it needed to include something
13 on public transparency in Trustee Council operations. We
14 look forward to a round of discussions on the next draft of
15 the Vision Statement when it is available from the next
16 Executive Director. We want to emphasize the importance of
17 the Vision Statement and hope you will all have something
18 for us to look at in the near future and at our next
19 meeting.

20 Lynette then reported on the FY09
21 Administrative Budget. The PAC supported the major
22 differences between the '08 and '09 budgets, and these
23 include the herring plan and the new position of herring
24 coordinator recommended by the herring workgroup. Also
25 supported by the PAC is the budget for the 20 year EVOS

1 anniversary and money for a PAC trip to Prince William
2 Sound next year to examine beaches with residual oil. The
3 PAC then discussed the idea of a joint PAC and Trustee
4 Council meeting and field trip to visit the oiled beaches
5 for a photo op that could be used at the 20 year
6 anniversary and be included in the EVOS 20 years after
7 publicity and sessions at the 2009 Alaska Forum on the
8 Environment.

9 Catherine Boerner then gave us an update on
10 the efforts of the Herring Work Group and the 40 page
11 Herring Restoration Plan that we all have been waiting
12 anxiously for many months to see. One of our PAC members,
13 Gary Fandrei, has served actively in this group as chairman
14 throughout this lengthy process and he is to be commended
15 and is greatly appreciated by the PAC for his Herculean
16 efforts. Two other Cordova residents and PAC members, RJ
17 Kopchak and Torie Baker have also been participating in the
18 herring plan discussions. We all agreed that a public
19 roll-out and briefing of the plan would be a very good
20 thing to do following its approval. The 10-member Herring
21 Work Group has already put in about 1000 hours of
22 face-to-face time in meetings and countless more time for
23 writing and research. This has been a thorough process
24 involving not only scientific expertise but good public
25 input.

1 We were also briefed on the Science Panel
2 recommendations to grant funding extensions for some of
3 the FY08 funded projects into FY09 and we were given a
4 summary of each project. The PAC unanimously approved the
5 Science Panel recommendations to fund 12 of the 13 FY08
6 projects proposes for continuation in FY09. This makes
7 better sense to us given the delays in creating the full-
8 blown FY09 Work Plan before the Herring Restoration Plan is
9 complete. We understand that due to delays, the next
10 invitation will be for FY10 and it will include the herring
11 plan information and recommendations.

12 Carol Fries then gave us an update on
13 current habitat protection projects and appraisals for the
14 Northern Afognak Island parcels as identified as Shuyak 2A
15 and 2B, Uganik 3A and 3B and timber rights on 5A. The
16 sense of the PAC, as well as the general public, is that
17 the habitat restoration program has been very popular and
18 is a successful component of the overall restoration
19 efforts to date. The PAC supports the acquisition of these
20 parcels, especially because these parcels will help to
21 bridge a big gap in Delphin Bay in the continuous corridor
22 of protected forested habitat on the north end of Afognak
23 Island. Having lived in Kodiak for the last 28 years and
24 having spent most of the summer on North Afognak doing
25 botanical survey work for the Fish and Wildlife Service, I

1 can personally attest to the richness and diversity of this
2 marvelous wild area. Streams full of salmon, bays with
3 abundant marine mammals, pristine forests full of nesting
4 marbled murrelets and roaming bears. In a wetland meadow
5 near a grove of Sitka Spruce trees, I documented the first
6 nesting record for the Solitary Sandpiper in the Kodiak
7 Archipelago this summer. Plant-wise, we collected nearly
8 600 specimens, documented over 25 new species for the
9 refuge, and about five new species for the Kodiak
10 Archipelago, just to give you an example of how diverse the
11 area, it is.

12 Rebecca Talbot briefed us on the
13 Communications Plan for next year, including events for the
14 20-year anniversary. The PAC is very supportive of this
15 plan, especially the updated Darkened Waters traveling
16 display, participation in the Alaska Forum on the
17 Environment, the funding of a short film on 20 Years After
18 the Oil Spill, and local community events during March.
19 Public outreach of the EVOS Restoration Program has slowed
20 down greatly in recent years and the PAC is very pleased to
21 see Rebecca come onboard and devote her time and expertise
22 to getting out the message of what we've learned working
23 our way towards restoration over the last 20 years. The
24 PAC wants to see a clear and bold message conveyed from
25 this office to the world media during the 20th anniversary.

1 That message is that restorations is by no means over and
2 the impacts from lingering oil and ecosystem disruption on
3 our injured resources and economy continue to this day from
4 the nation's worst human-caused, environmental disaster.

5 The PAC also wants to commend Michael
6 Baffrey for his work as the EVOS Executive Director as he
7 was fabulous to work with on rebuilding the program and its
8 processes over the last couple of years. We all will
9 greatly miss him and wish him the best in his next
10 professional life. We also thank the great staff members,
11 especially Cherri Womac, who since 1991, I believe, or '92,
12 has provided more stability and professionalism to this
13 program than can be measured.

14 So concluded the last meeting of this
15 particular group of PAC members. They have been a
16 wonderful bunch to work with as chair -- very diverse,
17 smart, vocal, opinionated, and generally took their civic
18 duty very seriously. However, at least half of them have
19 opted not to re-up their membership mainly because they
20 feel a great disconnect between the PAC and the Trustee
21 Council. There's also been frustration over not having an
22 annual schedule like we had under the Molly McCammon years.
23 I hope we can fix both of these problems in the next two
24 years. Today you'll be selecting some new PAC members and
25 I look forward to working with them, if you decided to keep

1 me on. Torie Baker and myself came to the PAC at the same
2 time in 1996 and have the longest tenure of all PAC
3 members, which is probably a good thing for historical
4 perspective considering the otherwise high turnover of PAC
5 members.

6 So with those comments I conclude, and
7 thank you very much, and would love to take any questions,
8 if you have any. Is there any questions from the Trustee
9 Council towards -- sure, Larry.

10 MR. HARTIG: Yeah, this is not for Stacy, I
11 guess, it's just I was trying to recall -- I didn't
12 remember that we withdrew the Vision Statement for comment.
13 I must have missed that.

14 CHAIRMAN ZEMKE: It has been removed from
15 the.....

16 MR. HARTIG: And we're going to go back and
17 work on it some more or.....

18 CHAIRMAN ZEMKE: Look at it, and one of the
19 ideas is to move forward to -- as we're transitioning. I
20 guess that would be a segue that I was probably looking to
21 do right before but it's -- since it's eight -- or 9:00
22 o'clock on Monday morning, I kind of missed out. But one
23 is that Michael Baffrey has indeed resigned. Obviously you
24 don't see him sitting here at the table. His resignation
25 is effectively immediately and he's moved back to his

1 previous position at DOI previous to the inter-agency
2 personnel agreement and the Trustee Council does wish him
3 well in his newest assignment.

4 And then also, as far as the staff
5 membership here, Lynette Schroeder has also resigned. I
6 think that's effective October 1st, and so she'll be moving
7 on. I think she saw that the non-profit sector might be a
8 wonderful place to go and we've -- the Trustee Council has
9 enjoyed very much working with her and having her counsel
10 us on trying to get our financial house in order. It's
11 been well appreciated.

12 And with that, I'm not -- I guess are there
13 any other questions?

14 MS. STUDEBAKER: As far as the Vision
15 Statement, we were told that it had been withdrawn until
16 the next Executive Director comes on and takes a look at it
17 and -- since that will be the Vision Statement they'll be
18 working under.

19 CHAIRMAN ZEMKE: Yeah, and I think
20 we're.....

21 MS. STUDEBAKER: Makes sense.

22 CHAIRMAN ZEMKE:kind of in transition
23 right now.

24 MS. STUDEBAKER: Yeah.

25 CHAIRMAN ZEMKE: The idea was that we're

1 maybe looking at trying to get the FY10 invitation out in a
2 timely manner and we didn't -- we needed to kind of do one
3 thing at a time and that might be.....

4 MR. HARTIG: Well, I think it's just clear
5 that we're going to get it out there. I mean, that's the
6 point whether -- I can understand taking it back for a
7 short while but it will go back out for comment.

8 CHAIRMAN ZEMKE: Sure. Thank you for that.

9 MR. HARTIG: We're certainly interested in
10 what the PAC -- get the PAC's input.

11 CHAIRMAN ZEMKE: Thank you for that
12 comment. Denby or Craig, any comment or questions?

13 MR. O'CONNOR: No.

14 CHAIRMAN ZEMKE: Okay.

15 MR. LLOYD: No, not from here. Thanks.

16 CHAIRMAN ZEMKE: Okay. Hearing that, none,
17 I guess we're ready to move on to our next topic, it would
18 be public comment. And again, it looks like we have some
19 members in the -- our audience, but I guess right now I
20 would like to extend invitation to anyone on the phone to
21 give public comment. Again, try to keep your comments on
22 topic and within the three minute time frame, and also
23 identify yourself for the record before you give me your
24 comment. Anyone on the phone?

25 (No audible responses)

1 CHAIRMAN ZEMKE: Hearing none, I guess
2 we're.....

3 MR. MULLINS: This is Ross Mullins.....

4 CHAIRMAN ZEMKE: Oh.

5 MR. MULLINS:in Cordova. Can you
6 hear me?

7 CHAIRMAN ZEMKE: Yes. Ross, go ahead.

8 MR. MULLINS: Yes, I'd like to make a brief
9 comment on the process that has been ongoing through August
10 re -- and into September here regarding the integrated
11 herring restoration project planning. I thought it -- I
12 was a participant in that venue and I thought it went
13 extremely well. It was a wonderful interaction among the
14 various science participants and there was a very strong
15 desire to see this integrated approach evolve into a
16 mission that will hopefully succeed and gain greater
17 understanding of herring as well as supplement the low
18 existing biomass of herring to see if that can be brought
19 up to a more sustaining level as we've had here in Prince
20 William Sound in the past.

21 The purpose of the integrated herring
22 program in my opinion is the fact that by combining
23 supplementation and science, there will be an immediate
24 benefit that derives from that because much of the science
25 that will come along as the herring are further understood

1 will derive from the actual on the ground experiments that
2 are taking place with the supplementation portion of the
3 restoration plan. And a lot of the science that will
4 evolve from that prototype structure will provide guidance
5 for further understanding of how the herring are inter-
6 reacting and what the bottlenecks could be that will --
7 that are keeping them from recovering.

8 So I just recommend that the process
9 continue. It's unfortunate that the staff upheavals that
10 seem to impact the EVOS Trustee Council on a fairly regular
11 basis has intruded again to somewhat, in my mind, derail
12 this process of working toward an integrated herring
13 restoration plan. And if that's the case, it would be most
14 unfortunate because the investment made under the authority
15 of Michael Baffrey and the hands-on work that was done here
16 in Cordova at our three meetings I think was significant
17 progress on getting to a point where the herring
18 restoration program can move forward in a meaningful way.
19 And by meaningful, I'm referencing the former approach of
20 the trustees where RFP's are submitted, individual
21 scientists are identified as having a worthy proposal and
22 then funded and -- for one, two, three years. They do
23 their work, they publish their paper. That's the extent of
24 it.

25 The whole intent of the integrated program

1 is to create a collegial collaboration among the science
2 people working in the field with the supplementation
3 project that is going to have to be recognized ultimately
4 as either the green light that goes ahead with an attempt
5 to restore herring in Prince William Sound to their former
6 state, or give it up as being too expensive or too lengthy,
7 because we're talking probably a minimum of eight years to
8 get to a point where we have a good handle on the resolves
9 of these types of efforts. I know this is all very vague
10 and I wish I were there at some point to discuss with the
11 trustees the nature of the supplementation program that
12 seemed to rise to the top in our meetings. But these are
13 large tasks and they're going to take a long time to
14 accomplish and I just hope that the trustees do not go off
15 the track on this new reorganization, whatever it is you
16 guys are up to there. The continuity of good management is
17 really important for the whole science community and the
18 community fishers in Cordova to feel confident that the
19 program has some legs and that it has some potential
20 continuity.

21 So I'd just encourage you gentlemen to work
22 with members of a integrated herring planning group and try
23 to ensure that the fruits of their labor is not for not
24 because a lot of people spent a lot of valuable time in
25 attempting to put this together and you really could have

1 used another round of one or two meetings to get it fully
2 fleshed out, but a lot of it was left to Catherine to fill
3 in the blanks. So it may not be fully birthed here at this
4 point but I think with a continued focus, you can get the
5 job done and come out with a world class herring
6 restoration plan that potentially could be the envy of the
7 fisheries' science community worldwide. Because we're
8 dealing on the cutting edge of many issues that involve
9 herring, and even though herring have been studied
10 intensely for probably over -- well over a hundred years in
11 the literature, there's still a number of factors that are
12 not understood. And I think with a properly integrated
13 program we could make significant headway in a further
14 understanding of the animals involved.

15 And I thank you for your time and I hope
16 you have a successful meeting and are able to get things
17 back on track eventually. Thank you very much.

18 CHAIRMAN ZEMKE: Thank you, Ross. Are
19 there any other people online that would like to make
20 comment?

21 (No audible responses)

22 CHAIRMAN ZEMKE: Okay. Hearing none, I
23 guess we'll need to come here at our -- here at the office,
24 would anybody like to make a comment? Please come up to
25 the desk, up to the -- all right. Please state your name

1 for the record.

2 MR. EBELL: Good morning. My name is Walt
3 Ebell and I'm Chief Executive Officer of Old Harbor Native
4 Corporation. And we recently submitted to you folks a
5 letter requesting a habitat ranking on Sitkalidak Island,
6 which is on the west coast of Kodiak Island. And I just
7 wanted to reiterate that request. I hope that you're able
8 to proceed with that ranking, and then after that, we can
9 proceed with discussions about placing a conservation
10 easement on the entirety of the island. And I just wanted
11 to see if there were any questions at this point in time,
12 otherwise I won't take your valuable time.

13 CHAIRMAN ZEMKE: Any questions?

14 (No audible responses)

15 CHAIRMAN ZEMKE: Denby or Craig, any
16 questions? No? Okay. Thank you very.....

17 MR. EBELL: Very good.

18 MR. LLOYD: No thanks, Steve.

19 MR. EBELL: Have a good morning.

20 CHAIRMAN ZEMKE: Thank you very much, Walt.

21 MR. EBELL: Thank you.

22 CHAIRMAN ZEMKE: Anybody else? Come up
23 here.

24 MR. PATRICK: Good morning. I'm Vince
25 Patrick from Cordova. And I'll just briefly remark on -- a

1 second, what Ross had to say about the integrated herring
2 effort. I was part of the working group, still working on
3 it, so I consider the working group to be still active.

4 Just to report from inside the group, the
5 sense that I have of the significance of that effort was
6 twofold. One is because of the work that the council did
7 during the nineties and then some of the work during early
8 2000, but most in particular, the last two and a half
9 years, the herring problem has come into much sharper
10 focus. And that was evident in the discussions in the work
11 group. The herring problem today to me looks like the pink
12 salmon problem looked in the nineties. The problem, the
13 formulation of the problem is much clearer and much more
14 sharp. The solution is you can see the outline of the
15 solution on the horizon. And so it is a -- it's a time to
16 do this.

17 And the second part was the process of the
18 -- of negotiating and describing the -- what the
19 integration should look like and describing an
20 implementation plan by this working group, which included
21 many of the projects that you have that produced the
22 progress over the last three years, contributed to the
23 advancing that whole agenda. That it brought the results
24 together on a time line that was faster than is typical for
25 these projects whose -- many of whom don't have a final

1 report due for another year and then a six -- three or six
2 months review and those -- their results would not be on
3 the table for discussion for another 12 months and maybe
4 longer. This brought everybody together in a forum that
5 they could put their heads together and put together a
6 plan.

7 So just the integration attempt so far is a
8 positive factor in the progress toward herring. I hope
9 that will get reflected in the next draft that you see of
10 the integrated plan. It needs another round, as Ross
11 mentioned, and I hope you will give it that opportunity. I
12 know there's some discussions on getting some review on it
13 and it may be a good thing to do, but it does need a bit
14 more to bring it to a point where it's an action item for
15 you guys. And I'm hoping we can do that. Thanks.

16 CHAIRMAN ZEMKE: Thank you, Mr. Patrick.

17 Any questions for Vince?

18 (No audible responses)

19 CHAIRMAN ZEMKE: Hearing none, anybody else
20 would like to testify in attendance?

21 (No audible responses)

22 CHAIRMAN ZEMKE: No. I guess that, since
23 nobody else -- anybody else on the phone?

24 (No audible responses)

25 CHAIRMAN ZEMKE: Hearing no other interest,

1 then that would close our public comment period. And at
2 this point in time the agenda calls for an executive
3 session. I guess I would like to entertain a motion.

4 MR. LUTHI: So moved. That we move --
5 let's see, I move that the council dissolve itself into
6 executive session for the purpose of discussion of
7 personnel. And was there one other issue we wanted to talk
8 about?

9 MR. HARTIG: Yeah, appointment of PAC
10 members.

11 MR. LUTHI: Appointment of PAC members.
12 Thank you.

13 MR. HARTIG: I'll second the motion.

14 CHAIRMAN ZEMKE: Okay. So we're moved into
15 executive session. Don't have a really good handle on how
16 long it's going to take. I would assume it's probably at
17 least a half an hour, but probably should be back at least
18 between 10:00 and 10:30, but that's only an estimate.
19 Thank you.

20 (Off record - 9:25 a.m.)

21 (On record - 10:35 a.m.)

22 CHAIRMAN ZEMKE:so online. So I
23 guess we're all back in attendance, though Craig Tillery is
24 no in sitting for Talis Colberg. And I'd like to move us
25 back into the regular public session, coming back out of

1 executive session where we discussed matters of personnel
2 issues and the Public Advisory Committee selection. So
3 we're back into regular session.

4 And moving onto the agenda, we're back onto
5 the PAC membership discussion. So with that, let's see, I
6 guess we got, what a trustee -- Trustee Council, what we
7 have before us on the PAC membership is everybody has
8 received their packet of material with the recommendations
9 from the Executive Director, acting Executive Director
10 Carrie Holba, on the members for the PAC. There's 15
11 members that were recommended and.....

12 MR. LUTHI: Mr. Chairman, I'd make a motion
13 that the Trustee Council approve the nominees as
14 recommended by the acting Executive Director.

15 CHAIRMAN ZEMKE: Okay.

16 MR. HARTIG: I'll second.

17 CHAIRMAN ZEMKE: And there's been a second.
18 Is there any discussion of the motion?

19 MR. TILLERY: Mr. Chairman, I would just
20 like to note that there has been some discussion that -- of
21 problems with getting a quorum with the PAC and of -- and
22 looking through the attendance that we have for some of the
23 people, there have been some members of the current PAC who
24 had fairly low attendance. But I would note that of the
25 ones who reapplied for appointment, almost without

1 exception, they have very high attendance marks, generally
2 more than 90 percent of the meetings. And generally I
3 think the people who didn't attend as well have decided to
4 move on and we have new people now for those positions. So
5 I think that's a good step in the right direction.

6 CHAIRMAN ZEMKE: Thank you, Mr. Tillery.

7 Any other comments?

8 (No audible responses)

9 CHAIRMAN ZEMKE: Yeah, examining the
10 nominations, it appears that there's a wide variety of
11 interests that are represented and I do appreciate people
12 being able to put their time online and work through, which
13 can be a frustrating situation at times. As we move
14 forward with our organization, I think the PAC was going to
15 continue to be a valued member of our process and we do
16 really appreciate the time and effort that people put into
17 their membership and the PAC. And looking at that, I think
18 I would -- looking at the names that the Executive Director
19 recommended, I intend on voting in positive for those
20 members. Any other discussion?

21 (No audible responses)

22 CHAIRMAN ZEMKE: I guess hearing no other
23 discussion, I hear a question? Call for the question?

24 MR. HARTIG: Call for the question.

25 CHAIRMAN ZEMKE: Okay. All those in favor

1 of the motion, say aye.

2 IN UNISON: Aye.

3 CHAIRMAN ZEMKE: All those opposed?

4 (No audible responses)

5 CHAIRMAN ZEMKE: Hearing none, it's
6 unanimously passed, the PAC membership recommendation.

7 Okay. The second -- moving on to item number, the
8 personnel item, as previously mentioned, Michael Baffrey
9 has resigned as Executive Director. Carrie Holba has been
10 acting as Executive Director for the last few days and we
11 sincerely appreciate her efforts in that manner. And
12 looking at trying to move forward with how to move to more
13 permanent executive director selection. We did discuss
14 several different possibilities and I guess one of the
15 things we're looking for is recommendations of where to --
16 or how to fill the new executive director position and what
17 process we would use. So I'd like -- is there any
18 discussion at this point in time or a motion of how we
19 would proceed?

20 MR. LUTHI: Well, Mr. Chairman, I think
21 it's important that we proceed with the -- at least the
22 search for a new executive director as soon as possible.
23 And of course comes with that is what do we do in the
24 interim. And certainly I think there's some excellent
25 suggestions out there. But for the purpose of motions, I

1 would say for right now, depending on how you wanted to
2 handle it, Mr. Chairman, I would recommend that we go ahead
3 and, as a trustee council, direct that the positions for
4 executive director and science director be advertised
5 through the -- and I don't know what to call it because I'm
6 new -- but the usual, you know, process of announcing such
7 positions. And maybe Mr. Tillery can help me out because
8 it's -- we do it through the state personnel
9 system as I understand. Is that correct?

10 MR. TILLERY: That's correct, but then we
11 supplement it to get a wider distribution through federal
12 and then through even private and other organizations.

13 MR. LUTHI: All right. And rather that be
14 the motion you want now, Mr. Chairman, or if you want to
15 deal with the -- what to do in the interim?

16 CHAIRMAN ZEMKE: I think as -- since you
17 broached the subject about the advertisement and that, I
18 think I would prefer to discuss it now. Actually get the
19 motion onboard right now, discuss that, and then come to a
20 discussion and then move onto the interim.

21 MR. LUTHI: All right. I'll definitely put
22 that motion in forward then.

23 MR. HARTIG: Okay. I'll second it.

24 CHAIRMAN ZEMKE: So the motion is that we
25 immediately start a job vacancy announcement process and

1 look at advertising that as soon as possible and then --
2 for both the executive director and the science director
3 positions. So is there any discussion on that motion?

4 MR. O'CONNOR: I'd call for the question.

5 CHAIRMAN ZEMKE: Okay. The question has
6 been called by Craig O'Connor. So all those in favor, say
7 aye.

8 IN UNISON: Aye.

9 CHAIRMAN ZEMKE: Opposed?

10 (No audible responses)

11 CHAIRMAN ZEMKE: Hearing none, the motion
12 is passed. Okay. the second discussion item I think we
13 need to deal with is kind of the interim nature of being
14 able to fill in the position until the executive director
15 is hired under the new vacancy announcement that we just
16 passed. I guess in the interim we looked at several
17 different items. Ones, I guess we're looking at
18 potentially having a new interim director, also maybe
19 another deputy interim director position. That was maybe
20 one possibility. Others would be maybe to continue with
21 Carrie Holba as acting director, but I'm willing to -- I
22 would actually -- I think the discussion was to maybe
23 looking at that interim and deputy interim directorship in
24 a short period of time. And I would be willing to
25 entertain a motion to that effect.

1 MR. TILLERY: Mr. Chairman, I would move
2 that the Trustee Council appoint an interim executive
3 director and for that position they appoint Elise Hsieh,
4 and interim deputy director position for that they appoint
5 Jennifer Schorr. These are two individuals who have been
6 working a lot with the counsel over recent years. They
7 have agreed -- indicated that they would accept those
8 appointments so long as the emphasis was on interim.

9 CHAIRMAN ZEMKE: Thank you, Mr. Tillery.

10 MR. HARTIG: Do you want to add an
11 effective date to that?

12 MR. TILLERY: And the effective date, Mr.
13 Chairman, would be October 1st.

14 CHAIRMAN ZEMKE: Okay. Do I hear a second
15 to the motion?

16 MR. LUTHI: I would second it.

17 MR. O'CONNOR: I second that motion.

18 CHAIRMAN ZEMKE: Okay. Actually, Randall
19 beat you, Craig.

20 MR. LUTHI: That's all right. Craig can
21 have.

22 CHAIRMAN ZEMKE: Okay. Craig.

23 MR. O'CONNOR: Oh, yeah, yeah, yeah. All
24 right. Then I get to call for the question.

25 CHAIRMAN ZEMKE: Okay. But do we have

1 discussion on the motion?

2 MR. HARTIG: Well, see I -- Mr. Chairman, I
3 think it's important to have people serving in an interim
4 capacity here that have good familiarity with the program
5 and keep things on track and moving. We don't want to lose
6 a step here, whether it's the herring restoration effort or
7 any of the ongoing efforts that we have. You know, we want
8 this to continue to be a productive period and smooth
9 transition and I think that Elise and Jennifer can help us
10 do that.

11 CHAIRMAN ZEMKE: Thank you. Any other
12 discussion?

13 (No audible responses)

14 CHAIRMAN ZEMKE: I agree with you, Mr.
15 Hartig, that we do need to move forward in the -- having
16 people that are knowledgeable with the organization though.
17 You know, Carrie has been fully occupied with ARLIS and I'm
18 sure she would just love to be able to get back and work in
19 that capacity more on a full time basis. And so I think
20 the idea about having Elise and Jennifer moving over into
21 that interim basis would be certainly desirable in my mind.
22 Do I hear any other discussion?

23 (No audible responses)

24 CHAIRMAN ZEMKE: Hearing none.....

25 MR. O'CONNOR: I would call for the

1 question, Mr. Chairman.

2 CHAIRMAN ZEMKE: Okay. Question has been
3 called. All those in favor, say aye.

4 IN UNISON: Aye.

5 CHAIRMAN ZEMKE: All those opposed, say no.

6 (No audible responses)

7 CHAIRMAN ZEMKE: Hearing none, the motion
8 has been passed. So welcome Elise and Jennifer. If you
9 want, you can come sit up at the table with Carrie and --
10 or remain in the background for a few more.....

11 MR. HARTIG: Steve, may I just.....

12 CHAIRMAN ZEMKE: Sure.

13 MR. HARTIG: If I can just say, we do
14 really appreciate the work that everybody does in this
15 office and want to thank Michael Baffrey for his service,
16 you know, over the last several years. And the trustees
17 really do want to see a smooth transition here in a very
18 positive direction, and that includes working with the PAC,
19 that's important to us too. And so I look at this as an
20 opportunity to get out there and reassess, you know, what
21 we've been doing and how we're doing it and try to do a
22 better job and, you know, look forward to another two years
23 as trustee and accomplishing the things that we've set out
24 over the last year as things that we want to get done here.

25 CHAIRMAN ZEMKE: Well, thank you very much

1 for the comment, Larry. It's -- glad you were able to
2 articulate that so well.

3 MR. HARTIG: I tried.

4 CHAIRMAN ZEMKE: I made a couple vain
5 attempts at doing so and you certainly.....

6 MR. HARTIG: Well, we have to have a.....

7 CHAIRMAN ZEMKE:were able to express
8 my thoughts.

9 MR. HARTIG: Yeah, we have to the federal
10 and state back and forth, you know. So if the feds say
11 something, the state has to say the same thing.

12 CHAIRMAN ZEMKE: Thank you very much. As
13 far as the other personnel items, previously I announced
14 that Lynette Schroeder-Einwiller was also leaving our
15 trustee council administrative staff office on September --
16 or October 1st of this year, effective. And actually we
17 have a certificate of appreciation from all the Trustee
18 Council members that have been able to sign. Not everybody
19 was able to sign, because unfortunately a couple of people
20 weren't able to attend directly. But I do have a
21 certificate of appreciation for Lynette. I'd like to
22 present that to her right at this moment if she's here and
23 say thank you very much for your years of service.

24 MS. SCHROEDER-EINWILLER: Thank you. Thank
25 you everybody.

1 MR. LUTHI: Thank you. Yeah. Be better if
2 it came with a bonus, right?

3 (Applause)

4 CHAIRMAN ZEMKE: Right. So if there's no
5 other discussion on the personnel item.....

6 (No audible responses)

7 CHAIRMAN ZEMKE: I guess hearing none,
8 we're onto tab number -- Item 8, the habitat protection
9 discussion. And I guess Carol Fries is here to lead us
10 through that discussion.

11 MS. FRIES: Thank you. My name is Carol
12 Fries. For the record, F-R-I-E-S. In your packet you will
13 find a summary of the status of our efforts on Northern
14 Afognak. As you were aware, in March we -- it came to you
15 with a request for an authorization of 10 million dollars
16 for the purchase of parcels on Northern Afognak Island.
17 That resolution, 08-05, addressed the acquisition of the
18 Shuyak, Uganik, and Natives of Kodiak parcels as well as
19 the remaining timber rights on Parcel 5A. Parcel 5A was
20 previously acquired from Afognak Joint Venture.

21 Since that resolution, appraisals and
22 appraisal reviews have been completed for the Shuyak and
23 Uganik parcels and Parcel -- the 5A timber rights that
24 establish fair market value for Shuyak 2A and 2B at 2.9
25 million; Uganik 3A and 3B at two million; and the value of

1 the timber rights on Unit 5A at 1,200,000. Rocky Mountain
2 Elk Foundation and the American Land Conservancy have
3 continued negotiations with Shuyak Natives Incorporated and
4 Uganik Natives Incorporated and has secured option
5 agreements with these landowners to purchase the parcels.
6 As directed in resolution 08-05, these parcels are now
7 coming back to you for specific authorization of Trustee
8 Council funds from within this overall allocation.

9 Also, in 2005, Rocky Mountain Elk
10 Foundation, American Land Conservancy, and the State of
11 Alaska jointly implemented two national coastal wetland
12 grants resulting in the purchase of the waterfall parcel
13 located just to the north and east of Shuyak Parcel 2A.
14 And at that time, the timber rights on timber harvest Unit
15 5A and 5B were both acquired from AJV. 5B vested with the
16 state in conjunction with that grant project.
17 Concurrently, 5A was purchased and held by Rocky Mountain
18 Elk Foundation, American Land Conservancy, and at this
19 point in time, they would like to transfer their interest
20 in 5A to the state and recover the 1.2 million value of
21 those timber rights.

22 There have been many restoration benefits
23 of these parcels that were documented in resolution 02-02,
24 which is included in your packet, that was adopted by the
25 council in December of 2001. It's expected that

1 restoration benefits will accrue to anadromous fish, river
2 otters, harlequin ducks, bald eagles, marbled murrelets,
3 black oyster catchers, common murre, and pigeon
4 guillemots, as well as other injured resources and
5 services. In addition, the nearshore waters of Perenosa
6 Bay offer feeding, pupping, and calving habitat for many
7 species of marine mammals, including harbor seals and sea
8 otters.

9 So at this time we are requesting 1.9
10 million in Trustee Council funds for the purchase of Shuyak
11 Parcel 2A and 2B. That 1.9 million is a match for a Forest
12 Legacy grant. We anticipate being able to utilize one
13 million from the Forest Legacy grant in combination with
14 Trustee Council funds to complete that purchase. We are
15 requesting two million dollars for Uganik Parcels 3A and
16 3B, and additionally \$8,000 in closing costs that we
17 anticipate needing to complete the closing. And the timber
18 harvest unit, we're requesting authorization for 1.2
19 million for the purchase of those timber rights and \$5,000
20 in closing costs.

21 And does anyone have any questions on those
22 items?

23 CHAIRMAN ZEMKE: Are there any questions
24 for Carol on the three items that she's described?

25 (No audible responses)

1 CHAIRMAN ZEMKE: Denby or Craig, any
2 questions?
3 MR. LLOYD: No thanks, Steve.
4 CHAIRMAN ZEMKE: Okay.
5 MR. O'CONNOR: No, I don't think so.
6 Thanks, Carol.
7 CHAIRMAN ZEMKE: I guess I had one. And I
8 guess who would be the administering agency when the land
9 goes over to.....
10 MS. FRIES: Oh, I'm sorry. Department of
11 Natural Resources.....
12 CHAIRMAN ZEMKE: Okay. It would be DNR.
13 MS. FRIES:would accept title to
14 those. Yes.
15 CHAIRMAN ZEMKE: Okay. Looking at the
16 suggestions, I think we should probably break it down into
17 three motions, or three separate items as Carol described,
18 and I'd be looking for a motion to start off with.
19 MR. HARTIG: Okay. Mr. Chairman, this is
20 Larry. I move we authorize \$1,900,000 to be used as
21 matching funds for the purchase of Shuyak Parcels 2A and
22 2B, subject to the terms and conditions specified in the
23 resolution for these parcels.
24 CHAIRMAN ZEMKE: Okay. Do I hear a second?
25 MR. LUTHI: I'll second.

1 CHAIRMAN ZEMKE: Seconded by Mr. Luthi.
2 Discussion?
3 MR. TILLERY: Mr. Chairman, I would note
4 that I think we, to the large extent, have already had the
5 discussion on the merits of the acquisitions of these
6 parcels back when first approved the 10 million dollars. I
7 think the main issue sort of in front of the council today
8 is whether this is the proper price and the proper sort of
9 vehicle to do this. I am satisfied in looking at this that
10 the -- we have an appraisal that's been approved by a
11 review appraiser, both -- as I understand it, both the
12 state and federal governments seemed content with the
13 value, and based on that, I would recommend that we go
14 forward.
15 CHAIRMAN ZEMKE: Any other discussion?
16 (No audible responses)
17 CHAIRMAN ZEMKE: Okay. Hearing no
18 further.....
19 MR. LUTHI: Question.
20 CHAIRMAN ZEMKE: The question's been
21 called. All those in favor of this motion, say aye.
22 IN UNISON: Aye.
23 CHAIRMAN ZEMKE: Opposed?
24 (No audible responses)
25 CHAIRMAN ZEMKE: No. So the motion has

1 passed for the purchase of Shuyak Parcels 2A and 2B. I
2 guess now we're looking at Uganik Parcels 3A and 3B. Is
3 there a motion on that?

4 MR. HARTIG: Mr. Chairman, I move that we
5 authorize \$2,008,000 for the purchase of Uganik Parcels 3A
6 and 3B, subject to the terms and conditions specified in
7 the resolution for these parcels.

8 CHAIRMAN ZEMKE: Okay, Mr. Hartig. Do I
9 hear a second?

10 MR. TILLERY: Second.

11 CHAIRMAN ZEMKE: It's been seconded. Is
12 there any discussion?

13 MR. TILLERY: Mr. Chairman, just as a point
14 of clarification, the two million dollars is, I think, as I
15 understand it, for the actual purchase and the \$8,000 would
16 be for closing costs for that piece of land.

17 CHAIRMAN ZEMKE: Yeah, as from Carol Fries'
18 discussion, that was -- she had made that noted, but I
19 guess that -- for clarification.....

20 MR. HARTIG: Yeah, and that's my
21 understanding in making the motion, that that's how the
22 funds would be used.

23 CHAIRMAN ZEMKE: Thank you. Any other
24 discussion? I guess hearing Mr. Tillery's discussion on a
25 previous motion I would assume that those -- that rationale

1 would follow for this one also.

2 MR. TILLERY: That is correct.

3 CHAIRMAN ZEMKE: Any other discussion?

4 Hearing none, I would -- do I hear a question?

5 MR. LUTHI: Question.

6 CHAIRMAN ZEMKE: The question has been

7 called. All those in favor, say aye.

8 IN UNISON: Aye.

9 CHAIRMAN ZEMKE: Opposed? And opposed?

10 (No audible responses)

11 CHAIRMAN ZEMKE: Hearing none, it's -- the

12 motion has passed unanimous -- I guess the motion has

13 passed. It has to be unanimous.

14 I guess the final discussion item then

15 would be on the timber rights in Area 5A, Perenosa Bay. Do

16 I hear a motion in that regard?

17 MR. HARTIG: Yeah, Mr. Chairman, I move we

18 authorize \$1,205,000 for the purchase of timber rights on

19 Parcel 5A, subject to the terms and conditions specified in

20 the resolution for this parcel. And of that amount, 5,000

21 would be used for closing costs and the balance for

22 purchase of 5A timber rights from Rocky Mountain Elk

23 Foundation and American Land Conservancy.

24 CHAIRMAN ZEMKE: Thank you, Mr. Hartig.

25 MR. LUTHI: I'll second.

1 CHAIRMAN ZEMKE: It's been seconded. Any
2 discussion?

3 MR. LUTHI: I'd appreciate just a little
4 discussion of the -- and I don't want to go on forever.
5 Again, I'm relatively new, but if one of you that might --
6 that's been around here for awhile, explain the reason, you
7 know, we used the avenue we did of the Rocky Mountain Elk
8 Foundation and how it worked and -- just a little bit of
9 history for me.

10 CHAIRMAN ZEMKE: I.....

11 MR. LUTHI: Carol?

12 CHAIRMAN ZEMKE: Looks like Carol would
13 like to tell it.

14 MS. FRIES: The Rocky Mountain Elk
15 Foundation and the American Land Conservancy have been very
16 active in pursuing conservation efforts on Northern Afognak
17 Island. They initially came to the council in 2001 and the
18 resolution that was passed in 2001, 02-02, documents the
19 value, the attributes of that area. They were working with
20 the council at that point in time. There was an effort
21 that they were pursuing to acquire the land between the
22 previous EVOS acquisitions. Subsequent resolutions were
23 passed. The state was unable to act on those at the time
24 and they continued their efforts. They've secured national
25 coastal wetlands grants and private donations and continued

1 to work on Northern Afognak. They purchased the -- they
2 facilitated the purchase of the parcel that we call the
3 waterfall parcel and those timber rights and they have a
4 continuing interest in pursuing conservation efforts on
5 Northern Afognak. Their focus primarily is on protecting
6 elk habitat but that dovetails nicely with the goals and
7 objectives of the council.

8 And if you'd like further information, I
9 believe Ron Marcoux from the Rocky Mountain Elk Foundation
10 is online if you have questions for them.

11 MR. LUTHI: Ron, did you want to add
12 anything?

13 MR. MARCOUX: No, I think Carol did a good
14 job with it. Yeah, and I think we're looking at continuing
15 our efforts there and those funds would be utilized in that
16 regard.

17 MR. LUTHI: Who will be the administering
18 agency again? Department of Natural Resources?

19 MS. FRIES: Correct. The Department of
20 Natural Resources owns the rest of the land estate with the
21 exception of the timber rights on that parcel already. It
22 was part of the original Afognak acquisition.

23 MR. TILLERY: Mr. Chairman, I would note
24 that that is one of the advantages of this acquisition, is
25 that it will merge those two different estates and will

1 help and assist in the management of the parcel.

2 CHAIRMAN ZEMKE: Okay. Carol, on 5B, do we
3 also -- or does DNR have the timber on that already?

4 MS. FRIES: Yes, we have the timber rights
5 on 5B.

6 CHAIRMAN ZEMKE: Okay.

7 MS. FRIES: That was packaged with the
8 grant acquisition.

9 CHAIRMAN ZEMKE: And the rest of the 10
10 million that was previously authorized would be for the
11 Native village or Natives of Kodiak package, and that's not
12 in.....

13 MS. FRIES: The appraisal has not been
14 finalized on that particular parcel at this point in time.

15 CHAIRMAN ZEMKE: And there's probably
16 potential for other proposals to come forward in this area?

17 MS. FRIES: I -- yes, I think for those of
18 you that have the map available, there are -- the two
19 parcels, 4A and 4B, that are owned by Afognak Joint
20 Venture, that I think there is still continued interest in
21 acquiring those so that there is a consistent management
22 scheme across the northern tier of Afognak Island.
23 However, AJV is in the process of partitioning and that has
24 sort of taken a backseat until they've worked through that.
25 And Ron may have additional information on that if you're

1 interested.

2 CHAIRMAN ZEMKE: Ron, do you have anything
3 else?

4 MR. MARCOUX: Again, Carol, I think you've
5 summarized it well. We'd certainly look at that if the
6 potential is there and we'll maintain communication as we
7 go in that regard, in talking to both the Natives and the
8 state.

9 CHAIRMAN ZEMKE: Okay. Thank you for that,
10 Ron. Any other discussion?

11 (No audible responses)

12 CHAIRMAN ZEMKE: No further discussion. Do
13 I hear a question called?

14 MR. LUTHI: Question.

15 CHAIRMAN ZEMKE: The question has been
16 called. So all those in favor of Afognak timber harvest --
17 timber rights motion, say aye.

18 IN UNISON: Aye.

19 CHAIRMAN ZEMKE: Opposed?

20 (No audible responses)

21 CHAIRMAN ZEMKE: Hearing none, the motion
22 has been approved. So I guess that's -- if we have any
23 further -- I guess, do you have.....

24 MS. FRIES: There.....

25 CHAIRMAN ZEMKE:further discussions?

1 If you look in your packets there's some.....

2 MS. FRIES: Just primarily for
3 informational purposes, we have received nominations for
4 another parcel owned by the Tulins north -- slightly west
5 of Homer. It's been assigned number K -- identifier
6 KEN3004. That recently came in. It's also the subject of
7 a Forest Legacy grant application.

8 We also received a nomination for the Best
9 parcel, which is located in Safety Cove. It is outside of
10 Resurrection Bay and to the east in Day Harbor. It is the
11 only in-holding located in Safety Cove State Marine Park.
12 It's a two-acre parcel and it is one that the state would
13 definitely be interested in pursuing. We would like to
14 utilize existing funds to secure an appraisal of this
15 parcel.

16 The other item that has recently come
17 forward that Walt Ebell mentioned this morning is a package
18 from Old Harbor Corporation that we will be looking at
19 further.

20 CHAIRMAN ZEMKE: Thank you for that update.
21 Is there -- are any questions? Craig.

22 MR. TILLERY: Yeah, Mr. Chairman, just with
23 respect to the Sitkalidak parcel that was up earlier. Does
24 the staff, you, do you the executive directors need any
25 further authorization to look at that? We're not talking

1 about spending any money.....

2 MS. FRIES: No.

3 MR. TILLERY: Okay. So you will be trying
4 to figure out the best way to evaluate.....

5 MS. FRIES: Right. And based on
6 discussions and my initial review of the file, HPWG, the
7 Habit Protection Working Group did evaluate Sitkalidak
8 Island in the past as part of Sitka -- state land on
9 Sitkalidak Island was part of an exchange that was
10 specified in the original Old Harbor resolution and as part
11 of that exchange the HPWG working -- or the Habitat Working
12 Group did evaluate it but it's kind of been in the file.
13 So we'll look at that and determine what we need to do.
14 And we also need of find a sponsoring agency.

15 CHAIRMAN ZEMKE: Thank you. Any other
16 questions for Carol?

17 (No audible responses)

18 CHAIRMAN ZEMKE: Hearing none, thank you
19 very much for your report.

20 MS. FRIES: Thank you.

21 CHAIRMAN ZEMKE: Okay. Moving on, we're on
22 to Agenda Item Number 9, and that's the Integrated Herring
23 Restoration Program update. And JoEllen Lottsfeldt is
24 going to provide that for us. And Jeep Rice is being drug
25 up to the table as we speak.

1 MS. LOTTSFELDT: Is my lovely assistant.
2 DR. RICE: Willingly.
3 CHAIRMAN ZEMKE: Willingly. Thank you.
4 JoEllen.
5 MS. LOTTSFELDT: Okay. Well, I'm JoEllen
6 Lottsfeldt and I'm staff here at the EVOS office.
7 DR. RICE: Jeep Rice, Auke Bay Labs.
8 MS. LOTTSFELDT: And I'm going to give you
9 an update today on the integrated herring restoration
10 program. In February of this year the Herring Restoration
11 Plan was released and it gave -- we had three appendices
12 that identified some key areas having to do with management
13 enhancement activities and the science. And it sort of
14 laid out some of the data gaps. But we didn't really have
15 a mechanism in place for the program to -- how was the
16 program going to work. So that plan sort of metamorphosed
17 into what I'm going to talk about just briefly here today,
18 which is the Integrated Herring Restoration Program.
19 The -- as you recall, the FY-09 invitation
20 was deferred in anticipation of this document being
21 completed. So this summer we had four meetings, starting
22 in late April and the last meeting was just the first week
23 of September. And we had a large group of collaborators
24 working at break-neck speed to deliver a product. And I
25 wanted to point out, and it's been pointed out by some of

1 the members of the public that we had a lot of
2 participation and support in the Cordova community. We had
3 PI's in that community and fishermen who showed up and lent
4 their support as needed and helped facilitate some of the
5 work that the actual working group was doing.

6 So we've gotten to this point here today
7 and at the last meeting we had the last batch of writing
8 assignments. Catherine Boerner's been editing from those
9 writing assignments. But just with the recent changes in
10 our office and not being completely done, this looks like a
11 great opportunity for us to sort of step back for a moment,
12 assess where we are, get everybody up to speed, and use
13 this opportunity to send the document for a peer review,
14 which wasn't originally in the game plan. And that's all
15 in anticipation of moving the recommendations from this
16 peer review document into the FY-10 invitation process,
17 which we hope would be in February.

18 Our goal after the -- after it goes out for
19 peer review, in hopefully a short -- we don't have exact
20 dates, but we hope to have a short turnaround time on that
21 review, do some final editing, and then it would be
22 distributed to the public and you. And that would
23 hopefully all be feeding towards the FY-10.

24 So that's what I have to just kind of bring
25 you up to speed and in -- you know, the last time we met

1 somebody asked for a teaser on what the document holds, and
2 it could change, I don't think dramatically. But Jeep is
3 here today to just give a little bit of an overview of the
4 sections in the document as it stands today. And he's got
5 the scientific background to do that well. So I'm going to
6 turn it over to Jeep.

7 DR. RICE: Okay. Well, briefly, it's got
8 about five parts to it that are significant, I'll say. The
9 very first part has the goal statement. And this is not
10 very large in volume but it is very significant because it
11 guides the rest of the document. And it took quite awhile
12 to come up with this. This actually started two years ago
13 and -- you know, because it was kind of a conflict of do
14 you want the herring restored to what they were prior to
15 the spill? Well, that's not a realistic number because
16 they were at the all-time record high. And even if they
17 were, would that be good enough.

18 So the goal statement is relatively
19 complex. It was a team of three that ultimately wrote up
20 the scientific definition of what this goal would be, so to
21 speak. But it says it has to be some forty-plus -- 43,000
22 tons for 68 years. Has to be spawning in multiple areas of
23 Prince William Sound and there has to be at least two
24 strong cohorts within that. And that goal certainly hasn't
25 been met for the last decade, 15-plus years. And so that's

1 what we want to restore to.

2 If we have that, if herring -- we believe
3 that if herring are restored to that level, then we'll have
4 a healthy ecosystem. There would presumably a fishery that
5 would be managed by Fish and Game also, so it would take
6 care of lots of -- multiple objectives.

7 There's -- a second key part of the plan is
8 that there were be a core monitoring effort. Something
9 that would be done presumably over a 10 to maybe even 20
10 year time period. This is not just monitoring the adult
11 population, which is a Fish and Game responsibility now,
12 but monitoring a couple of more key aspects, recruitment
13 for example. Maybe predation levels or, you know,
14 phytoplankton or the -- I won't go into any details but
15 there would be a core group of things that would help us
16 assess when things are going down. We'd have a way of
17 assessing why they're going down. When they're going up,
18 we'd be able to detect they were going up before there was
19 actually a measurable increase in the adult population.
20 And presumably this would be very valuable in Fish and
21 Game, whether they would permit a fishery or not when the
22 levels were elevated. So it would be key to managing the
23 Prince William Sound population well into the future.

24 The third area that is very important would
25 be the actual restoration range of enhancement

1 opportunities, so to speak. There's a -- we would have a
2 range of actions going from some pretty large and
3 significant interventions all the way down to options of no
4 intervention at all. But there would be a range and
5 there's several things that need to go into that before we
6 really get set up rocking and rolling, so to speak. One is
7 that we need to have a method of marking supplement, fish
8 that are supplemented into the population. We have to be
9 able to evaluate whether the supplementation is working or
10 not. And that's just kind of a basic tool that's needed.
11 So there -- it's not just starting up a land-based
12 hatchery, as an example, and throwing fish in the water.
13 It's much more complicated than that. There will have to
14 be permitting and evaluations and a host of things that
15 need to be done. At any rate, this section covers the
16 ground in that area.

17 There's a fourth area that's really
18 administrative in nature. What's the mechanism for going
19 forward, the peer review process, how the group decide what
20 studies are needed next. Emphasis on peer review and
21 publications and things like that are covered in this
22 section, but it's basically the operating rules.

23 The last section is the part that is the
24 least developed right now, it's the part that's not quite
25 done. Certainly not vetted within the group, but that is

1 what is the sequence of efforts from now till whenever, the
2 time line, if you will. Which studies will kick in first,
3 what's the priorities, and that sort of thing. And so
4 we're at that point.

5 I think we're at the point right now where
6 we need to be, in order to make a February goal, so to
7 speak, of get -- of having this document done so that the
8 EVOS staff can put out a 2010 RFP that is logical and
9 significant, et cetera, we need to have this plan in place
10 by then. And I think the sequence of events to get it
11 there are basically, one, to get the document as it is now
12 basically peer reviewed, help that direct a -- the effort
13 that's still got to take place in order to get it written
14 and so that we can get it released later in the winter.

15 And that's kind of where we're at. Did I
16 miss anything? Okay.

17 MS. LOTTSFELDT: Got any questions?

18 CHAIRMAN ZEMKE: For that update, are there
19 any questions?

20 MR. LUTHI: Mr. Chairman, I have a couple.
21 Overall, is there a consensus with the group or is it
22 dividing down into different strong opinions or do you
23 think you've reached -- just overall, I guess this is more
24 on the personality of the group itself. How do you feel
25 that's coming along?

1 DR. RICE: It kind of -- there -- that's a
2 complicated question. I think that.....

3 MR. LUTHI: Well, that's why I asked it.

4 DR. RICE: I'll give you a complicated
5 answer then.

6 MR. LUTHI: All right. Yeah.

7 DR. RICE: Basically there are parts to
8 this, for example, the goal statement. I think we're in --
9 unanimous in that goal statement. So, you know, in terms
10 of the direction we're going, yes, we're in unanimous
11 agreement there. I think when you get down to specific
12 restoration activities, we basically don't know enough
13 right now, I think, in order to have that level of
14 agreement that we should do project A or enhancement
15 intervention A over B over C. These aren't developed
16 enough in order to know what the cost is. We don't have a
17 marking mechanism, et cetera. So there we start to bog
18 down a little bit. So we want to go forward but the rate
19 we go forward, the speed and the specific sequences is not
20 there yet. And part of that is that we've kind of had --
21 oh, we started off in a May meeting, for example, you say
22 April, April or May we had a meeting and we had about 20
23 cooks there during that four days. And then it's distilled
24 down to about 10, 11 or so cooks that have been working on
25 this document. So we got quite a few cooks, and that's why

1 I think we need the peer review in order to give us a
2 little bit better focus on how we finish this document.

3 But, you know, so I think in general we're
4 pretty well agreed it's -- but there's specific details
5 where -- it's not that we would object to one part, we
6 might not agree with the sequences, but.....

7 MR. LUTHI: And I think you actually -- my
8 next question dealt with the peer review and I think you
9 answered that. You know, originally there wasn't a thought
10 or at least I didn't remember a discussion of peer review.
11 Now there is.....

12 MS. LOTTSFELDT: Right.

13 MR. LUTHI:and I was curious of what
14 had changed the course? A maturing or an argument?

15 DR. RICE: No, no argument. I think it's
16 just a maturing. It's -- part of the -- you know, the good
17 news is you had about 10, 11 people that are really engaged
18 in this, developing this document. And they've been
19 engaged in herring before. Most of them, not all of them,
20 are here in Alaska. Doug Hay is in Canada, Herschberger is
21 in Puget Sound. So I mean, there were a few people that
22 weren't here but you had people that are engaged from
23 Cordova, people in a little bit broader scale in Alaska
24 engaged. And these are the most engaged people in the
25 entire state. So I mean you had, you know, I'll say the

1 best, you know, the best working on it. But these are also
2 going to be the PI's that are going to maybe be receiving
3 the funds. Fishermen who are going to put together the
4 enhancement proposal eventually. You know, so I mean,
5 there's vested interest here. So I think when we got to
6 those sorts of stages, you know, we said, well, gee, I
7 think we need to get a peer review and get this vetted.
8 How do we vet this without an independent peer review. So
9 the peer reviewers can't be part of that group, obviously.
10 They may be in state, I don't know, but I mean they're
11 going to be people that are competent, obviously, and
12 haven't been participating in the intensity of these
13 meetings, so.....

14 MR. LUTHI: Thank you. And thank you, Mr.
15 Chairman.

16 CHAIRMAN ZEMKE: So did you have discussion
17 and kind of an agreement that peer review was needed in the
18 meetings or.....

19 DR. RICE: Actually, I guess.....

20 CHAIRMAN ZEMKE: A grudging acceptance.

21 DR. RICE:not -- not.....

22 MS. LOTTSFELDT: Yeah, I don't think it
23 came up at the meetings.

24 DR. RICE: I think it's.....

25 MS. LOTTSFELDT: With the speed we were

1 operating at, I don't know if that was going to occur. Now
2 this is an opportunity to step back and the group hasn't
3 met since then, so, to discuss it with them.

4 DR. RICE: And we didn't finish. I think
5 if we'd have finished, hopefully we would have got to that
6 peer review state. We did discuss peer review as a process
7 within the plan in the sense that we need to have peer
8 review of the studies, et cetera, and we also recognize
9 that as a problem because a bunch of the best peer
10 reviewers are actually involved in the process, so they
11 would kind of be eliminated or not. So that was always an
12 issue. But, no, as a group we did not discuss that this
13 plan needed to be peer reviewed. But, you know, that's a
14 problem when you have these 10, 11 cooks, so to speak. You
15 know, how do you resolve some of the lower level -- well,
16 they're -- I hate to say -- they're not lower level, but
17 the details, the devil is in the details. We need to get
18 better focus and resolution there, so.....

19 CHAIRMAN ZEMKE: Well, thank you, Dr. Rice.

20 DR. RICE: I think the agencies would have
21 got to peer review if we didn't collectively, but leave it
22 at that.

23 MR. O'CONNOR: Mr. Chairman.

24 CHAIRMAN ZEMKE: Mr. O'Connor, go ahead.

25 MR. O'CONNOR: Yes, I would like to make a

1 comment at this point on the issue of peer review. I was
2 strongly encouraged and will continue to do so that the
3 peer review be engaged at this stage. As has been
4 indicated, this has been moving at break-neck speed and
5 rightfully so. But I want to be sure, because we're
6 dealing with very sensitive biological, ecological issues,
7 that we don't lose sight of the need to be sure that our --
8 the science that is going into the decision-making process
9 both for the committee as well as for us is the best
10 science available and that we have appropriate agreement at
11 a technical level on the course of action that's being
12 taken and the predicate scientific decisions that are
13 serving as the basis for that.

14 So I have been in a position to insist that
15 a peer review be considered and that the appropriate
16 representatives be put on a peer review committee at this
17 stage to take a look at it. Better to proceed with
18 knowledge and the feeling of sound scientific basis for our
19 decisions than to move fast and to make mistakes. And so
20 there I'm behind this to a large extent, the need for a
21 peer review at this stage, and that's a typical approach
22 that's taken by my agency as well as I'm sure the other
23 scientific agencies that I see that sit on the Trustee
24 Council.

25 CHAIRMAN ZEMKE: Thank you, Mr. O'Connor.

1 Any other comments? Denby, would you like to make a
2 comment?

3 MR. LLOYD: Actually, I think Craig
4 captured it pretty well, as comes as no surprise.

5 MR. O'CONNOR: Thanks, Denby.

6 MR. LUTHI: We're surprised.

7 MR. O'CONNOR: Yeah, yeah, yeah.

8 CHAIRMAN ZEMKE: Thank you.

9 MR. O'CONNOR: Thanks, Randall.

10 MR. LUTHI: Anytime.

11 CHAIRMAN ZEMKE: Yeah, from my
12 understanding it's -- the peer review I think is an
13 appropriate step that needs to be accomplished, though I
14 would recommend that it be done as expeditiously as
15 possible, particularly if we are looking at trying to have
16 those results by the FY-10 invitation. So I think staff
17 understands that also, so I think we'll move -- moving
18 along. Any other discussion? Mr. Tillery.

19 MR. TILLERY: Mr. Chairman. One of the
20 items in the budget is for a herring coordinator with a
21 notation though that Trustee Council approval is to be
22 determined. What's your take on the need for the herring
23 coordinator and what exactly their role would be?

24 DR. RICE: Well, we've discussed this in
25 maybe each of the four meetings and it's kind of morphed

1 around at times. And I think that it kind of -- it depends
2 on a couple of things. It depends on what you have here
3 available of staff. For example, are you going to have a
4 chief scientist, or what is it? What's the -- a science
5 director. If you have a science director then maybe the
6 need for a herring coordinator is a little less.

7 Under the past regime, with Michael for
8 example, there wasn't a science director so I think we were
9 feeling very strongly that we needed a herring coordinator.
10 And then the second -- so that's -- that kind of plays into
11 it. We -- there's basically a vacuum for the last year or
12 two in this general area, so, you know, that really pushes
13 a need.

14 The second factor is that we also talked
15 about the need -- because we really didn't have a plan yet,
16 so, you know, who's the chairman of this group and how do
17 we continue to modify the plan with new information as we
18 get it, et cetera. And without a science director there's
19 no leadership there, so it was kind of hard. So I think
20 that some of us in the group feel very strongly about it
21 and others are a little less so.

22 At this exact point in time, I think in
23 general we're all supportive of it but to me I think, for
24 me personally anyway, and I won't speak for anybody else
25 that's in the group, I'd like to see the plan finished and

1 then reevaluate that. But, you know, but then I'll also
2 say if you don't have a science director, if you're just
3 going to have an executive director, then I'd be pushing a
4 lot stronger for a herring coordinator.

5 MR. TILLERY: Okay. So your -- it sounds
6 like your suggestion is that we -- you wouldn't actually
7 bring a herring coordinator onboard until the plan is
8 finished, that's what I'm hearing.

9 DR. RICE: Well, my -- I think you should
10 get an executive director and then are you going to fill a
11 science director or not. And once you -- if you say no,
12 then my answer for a herring director -- herring
13 coordinator is much higher, much stronger push. If you
14 have a science director, well, then I think is the plan
15 finished or not and do you really still want it or need it.
16 You know, it's kind of a -- you know, it's how fast you
17 guys will be, are going to go, and how fast you will be
18 able to go in terms of hiring these vacant positions. What
19 levels of people do you get.

20 CHAIRMAN ZEMKE: Any follow-up?

21 MR. TILLERY: Thanks. No.

22 CHAIRMAN ZEMKE: Any other discussion?

23 (No audible responses)

24 CHAIRMAN ZEMKE: Hearing none, I guess

25 thank you very much.

1 MS. LOTTSFELDT: You're welcome.

2 DR. RICE: Okay. Thank you.

3 MS. LOTTSFELDT: Thanks, Jeep.

4 MR. O'CONNOR: Thank you, Jeep.

5 DR. RICE: Okay.

6 MR. O'CONNOR: JoEllen, thank you very

7 much.

8 CHAIRMAN ZEMKE: Okay. Moving on. It's

9 11:30. I guess one thing we need to probably -- a sense of

10 the group, you know, try to work straight through, complete

11 this before lunch or.....

12 MR. HARTIG: Yeah, I've got an appointment

13 at 12:30 that I have to make, but I can work -- keep going.

14 CHAIRMAN ZEMKE: Okay. How about you,

15 Craig? Okay.

16 MR. O'CONNOR: If you're talking about

17 O'Connor, I'm good to go.

18 CHAIRMAN ZEMKE: Okay. Yeah, that's.....

19 MR. O'CONNOR: You.....

20 CHAIRMAN ZEMKE: All right. So we'll just

21 move on. We've got -- next item is Agenda Item Number 10,

22 the project 090100. The FY-09 annual program development

23 implementation. So and Lynette Schroeder is here to give

24 us an update on that.

25 MS. SCHROEDER-EINWILLER: I'm Lynette

1 Schroeder and this document before you has been changed and
2 changed again, so I'm hoping that we all have -- we're all
3 on the same page, so to speak. Gone over it with the
4 liaisons. I hope that you've been briefed by your
5 individual liaisons at least as this has been going on.
6 The request is right now for 2.4 million and I'm not sure
7 how you'd like to proceed, if you want to open it for
8 specific questions, do you want to go page by page? I'll
9 entertain anything that you want to do to move this process
10 along. We're down to the end of the fiscal year, so there
11 is a slight sense of urgency to get something set up for
12 the next fiscal year.

13 CHAIRMAN ZEMKE: So any sense from the
14 council how we want to proceed.

15 MR. HARTIG: Yeah, Mr. Chair.

16 CHAIRMAN ZEMKE: Larry.

17 MR. HARTIG: This is Larry. I guess the
18 first thing I'd like to do is just kind of on the changes,
19 you know, like on the science manual, some of those where
20 we saw a shift. And I think I know what's in there but I'd
21 like to know what represents the change.

22 CHAIRMAN ZEMKE: I think to iterate, I
23 think the idea about comparing the '08 versus this '09
24 budget.....

25 MR. HARTIG: Right.

1 CHAIRMAN ZEMKE: kind of the.....
2 MR. HARTIG: Because overall.....
3 CHAIRMAN ZEMKE: science management
4 and the herring.....
5 MR. HARTIG: You know, what's causing the
6 budget.....
7 CHAIRMAN ZEMKE: portion.
8 MR. HARTIG: to go up and what have we
9 added and -- I mean, I think I know but since it's not in
10 here I want to make sure that what I'm thinking is correct.
11 MS. SCHROEDER-EINWILLER: Sure. The major
12 changes are in the contractual, in that we're in the
13 herring restoration plan and recovery planning efforts.
14 Given the project going on currently as JoEllen and Jeep
15 kind of reviewed, most of those costs come from the 10
16 herring steering committee members that would be at \$7500
17 per member. And then there's discussion of a semi-annual
18 workshop. The possibility of having one meeting in
19 Anchorage to save on costs and one meeting to resume in
20 Cordova, hopefully to -- the one in Anchorage might be able
21 to double-up with the Alaska Forum on the Environment or
22 the Science Symposium.
23 CHAIRMAN ZEMKE: Excuse me for one second.
24 As you go through there, I think right now you're talking
25 off basically page 8 of 16.....

1 MS. SCHROEDER-EINWILLER: Yes.

2 CHAIRMAN ZEMKE:on the implementation
3 document.

4 MS. SCHROEDER-EINWILLER: And then a lot of
5 these costs were requested by Michael Baffrey prior to the
6 last workshop held in Cordova, so I'm speaking as -- under
7 the best knowledge that I have for some of these items.
8 And I don't know if JoEllen can back up any of the items on
9 here as far as what they consist of. The herring marking
10 workshop with proceedings in white paper. And then the
11 strategies and technologies of the supplemental production
12 workshop with a white paper as well. And then
13 presentations at the Alaska Marine Science Symposium as
14 well as the Alaska Forum on the Environment.

15 Those items are major changes as well as
16 previously discussed was the herring coordinator position
17 that is included in this budget but is pending approval by
18 the council.

19 MR. TILLERY: Mr. Chairman.

20 CHAIRMAN ZEMKE: Mr. Tillery.

21 MR. TILLERY: I'm a little confused here.
22 If you can just work me through this. You have two
23 workshops with the herring committee, one in Anchorage, one
24 in Cordova. You have a herring marking workshop for
25 \$30,000. Then there's a strategies and technologies of

1 supplemental production. Is that -- does that actually
2 continue on -- is that like a workshop with proceedings in
3 white paper? Is that.....

4 MS. SCHROEDER-EINWILLER: Yes.

5 MR. TILLERY: That little bullet is not
6 supposed to be there. Okay. For \$30,000, and then you
7 have the Forum on the Environment. What's the difference
8 between the herring marking workshop and the strategies and
9 technologies of supplemental production workshop?

10 MS. SCHROEDER-EINWILLER: I'd have to defer
11 that question to JoEllen or Catherine Boerner, and
12 Catherine's not here, so maybe JoEllen and Jeep might be
13 able to shed some light on that.

14 CHAIRMAN ZEMKE: Certainly. Could you come
15 up to the mic and discuss, JoEllen?

16 MS. LOTTSFELDT: Okay. I'm.....

17 CHAIRMAN ZEMKE: For the record.

18 MS. LOTTSFELDT: I don't have a complete
19 understanding -- do I say my name again?

20 CHAIRMAN ZEMKE: Go ahead.

21 MS. LOTTSFELDT: I'm JoEllen Lottsfeldt,
22 EVOS staff. One thing that differentiates the two
23 workshops is that looking at technologies for measuring
24 what's going on with herring, you know, how can we mark
25 them to get data back is a technology that needs to be

1 developed kind of no matter what we do. And everybody in
2 our working group is in agreement that we've got to get a
3 handle on that. That's what that's about.

4 The second workshop really has more to do
5 with looking at different strategies. I'm not saying
6 that's what we're planning, but maybe land-based to ocean-
7 based rearing areas, more in the idea of hatchery. In
8 looking at that technologies around ways to actually do
9 supplemental, like additional fish in the water. Just to
10 -- and in terms of the prices with those, I wasn't involved
11 in actually coming up with the numbers there. I'd have to
12 go do a little digging to give you more detail on those.

13 MS. SCHROEDER-EINWILLER: Again, those were
14 amounts that were recommended by Michael before he left and
15 I believe that he and Catherine had agreed on those
16 amounts. But where they came up with those amounts, I
17 can't be specific.

18 MR. TILLERY: And would the herring
19 steering committee, are they part of those workshops?

20 MS. LOTTSFELDT: Not necessarily. I know
21 we were trying to cast the net wider in terms of looking at
22 marking technologies. You know, the Japanese, for example,
23 are doing things. There's herring all around the world.
24 You know, maybe get some expertise outside of our
25 environment.

1 DR. RICE: Maybe I could add just a little
2 bit of clarification.

3 CHAIRMAN ZEMKE: Jeep, hold on. Come up to
4 the mic.

5 DR. RICE: Briefly the herring steering
6 committee has lots of expertise on it but what we do not
7 have -- okay -- is anybody that's into marking fish. So we
8 recognize it as a need but we didn't have any skill sets
9 within the group to really ever discuss it. Because it
10 ranges from genetic marking, for example, to otolith
11 marking, to using chemicals, to using wire tags, I suppose,
12 or some other means. So the point is that it's a different
13 group of people. We would be interested in witnessing that
14 meeting but we can't lead that meeting because we didn't
15 have the expertise.

16 So that was the point of the herring
17 workshop. We'd have to go get some -- possibly a person or
18 two from Japan who may have done some -- well, they do mark
19 fish there, mark herring. We might get a salmon guy or
20 something like that to talk over that. We'd get a
21 geneticist in there to talk about the possibilities and
22 feasabilities of using that. Out of that meeting then
23 would be -- would come a recommendation. Yes, we should go
24 forward with genetic marking somehow or something like
25 that. And that's where the white paper would come in.

1 So I'm kind of guessing that of the 30k,
2 part of the funds of that 30k would be to get half a dozen,
3 six to eight people, appropriate experts at a meet to
4 discuss that. And a smaller portion of the funds might be
5 to task somebody, one of these guys, to write up a 10-page
6 white paper with a recommendation on the pros and cons and
7 what specifically should go forward. That sort of concept.

8 On the technology session, separate from
9 that would be probably a combination of people who might in
10 terms of hatcheries. What sort of water supplies would you
11 need, but there's permitting issues, I don't know what all
12 issues -- is something you ought to talk about, Howard.
13 But anyway, a variety of technologies there. Now there
14 might be scenario A, B and C, so what's the cost of
15 scenario A? This might be our first choice but it might
16 cost 50 or a hundred million dollars or something and not
17 be economically viable. So this would be the first cut at
18 trying to get us down in terms of scale and whatnot of what
19 -- which of those types of procedures, technologies, scope
20 of operations might fit for this Prince William Sound
21 problem.

22 CHAIRMAN ZEMKE: Okay. Is -- does that
23 answer your question?

24 MR. TILLERY: Yes, it does. Actually it's
25 very helpful.

1 CHAIRMAN ZEMKE: All right. Any other
2 discussions?
3 (No audible responses)
4 CHAIRMAN ZEMKE: Hearing none, I guess move
5 onto other portions of your -- I guess we're done with.....
6 MS. LOTTSELDT: Okay. Thank you.
7 CHAIRMAN ZEMKE:the herring portions
8 of it, JoEllen, so.....
9 MS. SCHROEDER-EINWILLER: The other major
10 change from '08 to '09 would be the public information and
11 outreach, which is the 20-year events and materials which
12 Rebecca Talbot has gone through with the council on several
13 occasions, so I'm not sure if there's questions there that
14 I could possibly answer.
15 CHAIRMAN ZEMKE: Okay. I think again
16 that's page 9 of 16 on the document. I think we've gone
17 over that quite often so probably -- I think we've got
18 support -- very significant PAC support of that item also.
19
20 MS. SCHROEDER-EINWILLER: Yes.
21 CHAIRMAN ZEMKE: So I think we iterated
22 that it was very important to get that 20th anniversary
23 message out, so that's good.
24 MS. SCHROEDER-EINWILLER: Any other items
25 that you want clarification on?

1 CHAIRMAN ZEMKE: I don't think so, though I
2 think there was -- I guess that's -- the idea about the
3 herring coordinator position, I guess we're back onto that.
4 It's kind of book-marked as a 12 month position but I guess
5 -- and it's funded toward that but it's -- doesn't have a
6 specific grade.....

7 MS. SCHROEDER-EINWILLER: Doesn't have to
8 be.....

9 CHAIRMAN ZEMKE:or series in it so it
10 can -- the other fact is it probably won't be filled for 12
11 months, so there would be some savings. I would assume
12 that money would be rolled back into the.....

13 MS. SCHROEDER-EINWILLER: Right.

14 CHAIRMAN ZEMKE:fund at the end of
15 the year if it wasn't expended. Any other questions for
16 Lynette?

17 (No audible responses)

18 CHAIRMAN ZEMKE: Okay. I guess we're done
19 with the general discussion. Do I hear a motion towards
20 the budget?

21 MR. O'CONNOR: Steve, can I ask a question.

22 CHAIRMAN ZEMKE: Sure.

23 MR. O'CONNOR: Since I don't have the
24 documents in front of me, I have one concern that was
25 raised to me by Pete. And I may be just completely off-

1 base on this but I think the way the administrative costs
2 are being allocated, nobody is being given more than one
3 year's worth of funding in terms of basically Pete's time
4 and reimbursement for his efforts. And he's good, but he's
5 not that good. A year -- paying for a year and a half for
6 a year's work is more than what we would like. And one of
7 the things that we wanted to do was see if we could strip
8 some of the funding and some of the work, particularly on
9 the Venosa's project, I think, Al Venosa's EPA project on
10 -- over to DOI and ask DeDe on to pick up management for
11 this. Is this something that is appropriate to raise at
12 this point?

13 CHAIRMAN ZEMKE: I.....

14 MR. O'CONNOR: I don't know what -- I can't
15 see the documents that you're dealing with and I apologize
16 for not being able to be there, but.....

17 MS. SCHROEDER-EINWILLER: I think that
18 comes in at a later.....

19 MR. O'CONNOR: Or am I just out of order?

20 CHAIRMAN ZEMKE: Yeah.

21 MS. SCHROEDER-EINWILLER:part of the
22 agenda.

23 CHAIRMAN ZEMKE: Mr. O'Connor, I think that
24 does -- this is the actual administration budget and those
25 costs of the kind of continuing projects are actually in

1 the FY-09 work plan costs specific to that individual
2 project. And so that would be kind of the next agenda item
3 -- or actually the -- come up under discussions of Agenda
4 Item Number 12. And so those.....

5 MR. O'CONNOR: Okay.

6 CHAIRMAN ZEMKE:occur in that period
7 of time.

8 MR. TILLERY: There's program support by
9 agencies.

10 CHAIRMAN ZEMKE: Mr. Tillery, you have a
11 question?

12 MR. TILLERY: The -- well, I'm just looking
13 at the item under program support by agencies, which
14 actually shows a reduction for this year, it's on page 14.
15 Is that the money that Mr. O'Connor is talking about?

16 CHAIRMAN ZEMKE: No, it's not. What the
17 discussion item was is those operating budgets for those
18 individual projects for the rollover costs which are
19 discussed in the FY-09.....

20 MR. TILLERY: Oh, okay.

21 CHAIRMAN ZEMKE:work plan have those
22 costs built into the individual projects rather than the
23 actual -- this other budget cost.

24 MR. TILLERY: Well, see I'm concerned.....

25 CHAIRMAN ZEMKE: It's somewhat confusing on

1 this.

2 MR. TILLERY: Yes, I'm concerned that NOAA
3 is also getting money there and we may actually be paying
4 for twice of Mr. Hagen's time for all I know.

5 CHAIRMAN ZEMKE: I think that's Craig
6 O'Connor's discussion is that, yeah, there was realization
7 that there was maybe over-amount of time that Pete had
8 available and so some of those costs were shifted over to
9 DOI as far as an actual project administration budget. But
10 then there was -- Pete also looked at reducing his overall
11 amount also, so I couldn't lead you line item through line
12 item on that portion. We'll probably best wait until
13 Agenda Item 12 to discuss that portion. Or would you like
14 to further examine.....

15 MR. TILLERY: Now I'm sort of clueless. I
16 just want to make sure that -- so he is not concerned about
17 reducing the liaison budget. Is that right?

18 MS. SCHROEDER-EINWILLER: No, he's.....

19 MR. O'CONNOR: No, I'm not concerned about
20 that.

21 MS. SCHROEDER-EINWILLER: It's the project
22 management fees.

23 CHAIRMAN ZEMKE: Any further discussion?

24 (No audible responses)

25 CHAIRMAN ZEMKE: Hearing none, I guess I'd

1 entertain a motion.

2 MR. LUTHI: Mr. Chairman, I would move that
3 we approve -- I think it's project 090100, the FY-09 annual
4 program development and implementation budget.

5 CHAIRMAN ZEMKE: Is there a second?

6 MR. O'CONNOR: Second.

7 CHAIRMAN ZEMKE: It's been seconded.

8 Discussion? Mr. Tillery, you've been sighing?

9 MR. TILLERY: No, I just.....

10 CHAIRMAN ZEMKE: Okay. Any discussion on
11 the motion?

12 MR. HARTIG: Mr. Chairman, I've been
13 pausing here thinking about this and I think overall the
14 budget is fine, it's just that I can see the need for a
15 science director, an executive director to help implement
16 this because there may be spending decisions along the way,
17 you know, that -- you know, such as a herring coordinator
18 or something, you know, you have to decide when and how
19 much. Or like the 20 anniversary publication. I see
20 things in there that I think we'll need to input, you know,
21 further input before the money is actually spent. And
22 decisions on how it's spent and would just be careful that
23 we watch that as the council until we were satisfied we got
24 the executive director and science director in place and up
25 to speed on it. But the budget overall I think is fine.

1 CHAIRMAN ZEMKE: Okay.

2 MR. LUTHI: We're discussing if I made the
3 right motion, so yes.

4 MR. TILLERY: Mr. Chairman, what I'm trying
5 to decided is are we -- is this motion to basically approve
6 resolution 08-19?

7 CHAIRMAN ZEMKE: That's correct. Yeah.

8 MR. TILLERY: And that is in the amount of
9 2.477,77 -- 722. Okay. All right. Okay. So it's to
10 approve that resolution.

11 CHAIRMAN ZEMKE: It's motion to approve
12 project 090100, the FY-09 annual program development
13 implementation budget.

14 MR. TILLERY: Okay. As described in
15 resolution.....

16 CHAIRMAN ZEMKE: As.....

17 MR. TILLERY:08-19.

18 CHAIRMAN ZEMKE: And.....

19 MS. SCHROEDER-EINWILLER: Yes.

20 MR. TILLERY: Okay.

21 CHAIRMAN ZEMKE: And that would include the
22 2.477 million but realizing that there's something like the
23 herring coordinator position that may not be expended out
24 to a full 12 months and there could be savings on that.
25 But that -- this is kind of like the upper end of the

1 anticipated budget. Any other discussion?

2 (No audible responses)

3 CHAIRMAN ZEMKE: Okay. So I guess.....

4 MR. LUTHI: Question.

5 CHAIRMAN ZEMKE:call for the

6 question. All those in favor, say aye.

7 IN UNISON: Aye.

8 CHAIRMAN ZEMKE: Opposed?

9 (No audible responses)

10 CHAIRMAN ZEMKE: Hearing none, the motion

11 is passed. Okay. That.....

12 MS. SCHROEDER-EINWILLER: Thank you,

13 gentlemen.

14 CHAIRMAN ZEMKE: Thank you, Lynette.

15 MS. SCHROEDER-EINWILLER: That was a nice

16 going away gift.

17 CHAIRMAN ZEMKE: Yeah.

18 MR. LUTHI: I would think so, yeah.

19 CHAIRMAN ZEMKE: I guess we'd wait until

20 the -- the new budget starts October 1st, we'd wait until

21 September 29th to approve it. So at least it was before

22 the start of the new fiscal year. Okay.

23 Moving on to Agenda Item Number 11, the

24 sole source short film production discussion. And Rebecca

25 Talbot is here to lead that discussion.

1 MS. TALBOT: As you might recall, that was
2 one item. All the items in the communication action plan
3 are all things I think you've seen before. What you asked
4 me last time was to have really gone through and made sure
5 that the cost estimates that we had were actually accurate,
6 so this is the last kind of piece of that to assess out
7 exactly what it would cost in order to produce a short film
8 just for purposes of collective memory. Remember, this is
9 a film that our major and federal and state facilities as
10 well as several partner organizations have all said this is
11 a product that they would use, not just during this year
12 but in subsequent years. That it would be a basis for a
13 lot of the programming they give and that it's actually
14 something that's requested right now by visitors.

15 So the proposal is for a sole source
16 agreement with Kevin Hartwell. He's someone you've done
17 work before, although if you have the tenure, you might
18 remember his name. He produced the film that we used at
19 the 10 year anniversary. That was a product you began a
20 couple of years in advance and that was a longer piece.
21 That was so successful that it was actually picked up with
22 additional funding support from Rasmussen and PBS and some
23 other funders and developed into a one hour piece that is
24 still used today. So I think that speaks to the quality of
25 his work. He also produced another film Alutiiq Pride. He

1 was the contractor for the RCAC with the film they did this
2 year. He has exclusive footage that he's produced over the
3 last couple of years that I think is material that we would
4 very much like to use.

5 So for those reasons, based on his expert
6 knowledge and his familiarity with the work of this
7 organization and the restoration work we do as well as his
8 copyright over material we'd like to use, I'm proposing to
9 you that you secure his services as a sole source
10 agreement. And I think you have the justification that
11 would warrant that.

12 CHAIRMAN ZEMKE: Any questions or
13 discussion?

14 MR. TILLERY: Mr. Chairman.

15 CHAIRMAN ZEMKE: Mr. Tillery.

16 MR. TILLERY: What agency would this go
17 through?

18 MS. TALBOT: I believe it would go through
19 the state.

20 MR. TILLERY: Who in the state? Would it
21 be -- just be -- would be through Fish and Game through the
22 office -- the Trustee Council office? Okay. And this
23 works procurement-wise because of that legal opinion we did
24 that says a trustee council can designate a recipient? Is
25 that -- am I right?

1 MS. TALBOT: Yes. I'm not going to
2 remember the name but we spoke with Lynette Schroeder about
3 this when it first -- after I first talked to her and
4 realized there might be a basis for this. And you cleared
5 it with -- we got advice from the department on that.

6 MS. SCHROEDER-EINWILLER: I did discuss
7 with Tom Taylor in our procurement at Fish and Game and he
8 stated that if the Trustee Council wants to approve a sole
9 source, that that's all we need to go ahead.

10 MR. TILLERY: Yeah, that's my recollection,
11 but that was several years ago that we did that so I just
12 want to be sure that's what you were planning. Okay.

13 MS. TALBOT: Yeah, we asked that question
14 and I was prepared to provide any written materials they
15 might need.

16 CHAIRMAN ZEMKE: So you just asked
17 recently, it wasn't several years ago.

18 MS. SCHROEDER-EINWILLER: No, it was just
19 recently.

20 MS. TALBOT: No, this was just a month ago.

21 MR. TILLERY: Right. We did. Yes.

22 CHAIRMAN ZEMKE: Okay. In the past. Any
23 other questions or discussion? Craig or Denby?

24 MR. LLOYD: No thanks.

25 MR. O'CONNOR: No, I'm good.

1 CHAIRMAN ZEMKE: Okay. I guess then I'd be
2 willing to entertain a motion then.

3 MR. TILLERY: Mr. Chairman, I would move
4 that the Trustee Council approve the amount of \$28,000 for
5 production of a 12 to 13 minute video for purposes of the
6 20th anniversary of the oil spill and that that money would
7 be intended to go a contract with Mr. Kevin Hartwell.

8 CHAIRMAN ZEMKE: Okay. Do I hear a second?

9 MR. O'CONNOR: I second that.

10 CHAIRMAN ZEMKE: Okay. Any discussion on
11 the motion?

12 MR. TILLERY: Mr. Chairman, I would just
13 note, my understanding, the reason that this would be going
14 out as a sole source contract is essentially because Mr.
15 Hartwell has performed this function in the past, that he's
16 familiar with it, that he has with the subject that he
17 would I believe do it quite a bit more efficiently and
18 expeditiously than if we were to go out with -- and also
19 because of the timing, he could do it, you know, quickly if
20 we have to go out for some kind of a regular procurement
21 process.

22 CHAIRMAN ZEMKE: Okay. Thank you, Mr.
23 Tillery. Any other discussion? I certainly agree that, as
24 you stated, Mr. Tillery, he certainly has the
25 qualifications and he expeditious nature that we're looking

1 at to be able to get this out for the 20th anniversary.
2 Certainly we need to move forward as quickly as possible.
3 Do I hear a question?
4 MR. HARTIG: I'll call for the question.
5 CHAIRMAN ZEMKE: Okay. Okay. The question
6 has been called. All those in favor of the motion, say
7 aye.
8 IN UNISON: Aye.
9 CHAIRMAN ZEMKE: Opposed?
10 (No audible responses)
11 CHAIRMAN ZEMKE: Hearing none, the motion
12 is passed. So I guess we're on to the final agenda item,
13 the FY-08 project amendments for FY-09. And JoEllen
14 Lottsfeldt is going to work us through that process. And
15 that's, if you look at Item 12 in your book, and that item
16 is the FY-09 draft work plan, without the most current
17 amendments.
18 MS. LOTTSFELDT: Right. I'm going to speak
19 to the amendments. The work plan also for FY-09, the draft
20 work plan, also includes ongoing projects, multi-year
21 funded, most of them in '07, fiscal year '07. Also, of the
22 amendments, we sent out -- we had -- in -- let me back up.
23 In anticipation of the FY-09 invitation being rather tardy,
24 we identified 14 projects that were kind of in midst of in
25 danger of maybe not being able to finish their work if the

1 next year's invitation didn't come out in a timely manner.
2 So we sent letters out to them asking those folks to put in
3 a request for some interim funding. And we couldn't really
4 identify the time frame because we weren't really sure when
5 the FY-09 invitation was going to come out. Thirteen of
6 those fourteen did respond. One person was going to wrap
7 up in April of '09 on the funds they already had, so they
8 didn't need any additional funding.

9 Of the 13, 12 have been recommended for
10 funding by the Science Panel, the restoration specialist,
11 the executive director. Seems like there's another
12 category I'm missing. And the PAC, I'm sorry. So to kind
13 of group these interim requests, and now especially with
14 perhaps not having an FY-09 invitation and just going to
15 FY-10, most of them did put in for a year. So that is
16 probably a benefit to them. Two of them -- three of the
17 projects are in the category I'm calling lingering oil.
18 They came in mid-cycle this year. They put in for one
19 year. They're just getting up and running and I've got
20 some information on where they're at or -- and is also in
21 your binder, in the work plan, where they're at. So
22 they're looking to move forward for another year at least.
23

24 One project that wasn't recommended for
25 funding sort of stands alone in terms of the marine birds

1 surveys, and this is looking for a start up of a new survey
2 in FY-09. And all the remainder are projects that
3 initially came in in FY-07 and received funding under the
4 umbrella of herring restoration work and got funding for
5 one year. And then FY-08, we didn't have an invitation, so
6 they came back, just like they are right now, and we gave
7 them another year. And they're now here basically
8 requesting funds to get them through their final year with
9 most of them wrapping up in April of '09 with a final
10 report.

11 And the exact amount -- I didn't really see
12 it in the work plan but it's \$1,961,722. Approximately two
13 million dollars for these interim.....

14 CHAIRMAN ZEMKE: Does that include the one
15 project that was not recommended for funding?

16 MS. LOTTSFELDT: That -- no. No, that's
17 not included.

18 CHAIRMAN ZEMKE: Are you also going to
19 discuss the currently funded through FY-09, kind of the
20 three you're funding -- yeah, you -- on.....

21 MS. LOTTSFELDT: Well, I wasn't.....

22 CHAIRMAN ZEMKE:page two of the
23 tables, you look at, you basically have 1.6 million dollars
24 of projects.....

25 MS. LOTTSFELDT: Right.

1 CHAIRMAN ZEMKE: that are currently
2 all approved as multi-year FY-07, 8 and 9 projects that we
3 need -- from my understanding also need approval.....

4 MS. LOTTSEFELDT: Yes.

5 CHAIRMAN ZEMKE: this year.

6 MS. LOTTSEFELDT: Okay. They're -- well,
7 they're all moving ahead as -- they're on schedule.
8 There's no problem that way and their amount that they're
9 seek -- the amount we need to keep those projects moving
10 through into FY-09 is \$1,612,638.

11 CHAIRMAN ZEMKE: Okay. Thank you.

12 MS. SCHROEDER-EINWILLER: That does not
13 include project management fees.

14 CHAIRMAN ZEMKE: Could you explain what you
15 mean by that?

16 MS. SCHROEDER-EINWILLER: The work plan
17 that Catherine put together only included the G&A and did
18 not include the project management fees associated with
19 those projects. The resolution that you have, 08-20, has
20 all of the projects outlined as well as the project
21 management fees. And I'm not sure if you were given an
22 updated one that Pete Hagen had sent last evening.

23 CHAIRMAN ZEMKE: We've got this on our
24 table, I guess. We haven't had time to really review it in
25 detail. Now, so I guess you need to probably walk us

1 through what the changes are then.

2 MS. SCHROEDER-EINWILLER: The changes to
3 the project management piece.....

4 CHAIRMAN ZEMKE: Exact.....

5 MS. SCHROEDER-EINWILLER:that were
6 made?

7 CHAIRMAN ZEMKE: Yeah, for the FY-09 --
8 from my understanding the -- kind of the.....

9 MS. SCHROEDER-EINWILLER: The continued,
10 multi-year.

11 CHAIRMAN ZEMKE:continued projects,
12 those are the ones that don't have project management fees
13 associated with them. The ones that were kind of single
14 year funding and then they're coming back, the 13 -- the 12
15 projects of the 14 original ones, did those have project
16 management fees associated with them?

17 MS. SCHROEDER-EINWILLER: The amount that
18 JoEllen just gave you does include the project management
19 fees and the G&A. That 1.9 million.

20 UNIDENTIFIED SPEAKER: Dede is on the phone
21 and is here to assist with understanding.....

22 CHAIRMAN ZEMKE: Okay.

23 UNIDENTIFIED SPEAKER:the project
24 management (indiscernible - whispered).

25 CHAIRMAN ZEMKE: Okay. That's true.

1 UNIDENTIFIED SPEAKER: Dede's input.

2 CHAIRMAN ZEMKE: So I guess what we need to
3 do is find -- figure out what the bottom line is about what
4 changes need to be done. And I think, Pete, in portions of
5 that -- those changes were between Pete Hagen with NOAA and
6 Dede Bohn with USGS about changes in project management,
7 though they weren't additional fees, they were just some
8 changes and who was going to be counted. But there's
9 probably also discussions about whether this budget that we
10 passed in front of us includes all of these. So, but Dede,
11 do you have discussion items that would help us understand
12 where we're at right at the moment?

13 MS. BOHN: Yeah, this is Dede Bohn with
14 USGS. The revised resolution 08-20 that you should have
15 received this morning includes the following three changes
16 that kind of speak to what Craig O'Connor was mentioning
17 earlier. Number one, we reduced Pete Hagen's project
18 management fees in NOAA back to a mere 12 months for the
19 year. So that's a decrease in the funding there of 29,430.
20 And that's taken care of in this document.

21 The second thing we did was moved the EPA
22 project that Al Venosa is doing out from under NOAA project
23 management and moved the project management portion of the
24 project into DOI. And that increased some project
25 management fees there by 9,000, plus the GA.

1 And the third thing we did was move a
2 project by Bishop, project number 090814, that had
3 incorrectly listed as a USGS project and we moved it to the
4 Fish and Wildlife Service, which is where it should go. So
5 those are the three changes that I'm aware of that are on
6 the document in front of you.

7 CHAIRMAN ZEMKE: Okay. So I guess what
8 we'd be looking for in this to approve the motion would be
9 a motion for an approved distribution of about \$3,649,952
10 in addition to what we previously approved on the project
11 090100 budget of about 2.447 million dollars. So it would
12 be approximately 1.1 million -- or 6.1 million total
13 dollars. I guess.....

14 MR. LUTHI: Might someone -- I think
15 there's two sheets on the back, and these don't appear to
16 be -- I mean they don't necessarily roll up, they're --
17 we're looking at them separately; correct?

18 MS. SCHROEDER-EINWILLER: Yes.

19 MR. LUTHI: Because they're different types
20 of projects and different funding.

21 MS. SCHROEDER-EINWILLER: Yes.

22 MR. LUTHI: Maybe that might help, if we
23 all looked at the sheets on the back. I don't know if that
24 would help or not. It's a summary, I think. Yeah.

25 MS. SCHROEDER-EINWILLER: One of those

1 sheets is for the FY-09 work plan for the 12 projects that
2 were approved by the PAC and were brought forward by.....

3 MR. LUTHI: Okay.

4 MS. SCHROEDER-EINWILLER:the science
5 staff.

6 MR. LUTHI: And that would be the first
7 page, probably.

8 MS. SCHROEDER-EINWILLER: Yes.

9 MR. LUTHI: 1.9.

10 MS. SCHROEDER-EINWILLER: Yes. In the
11 second page are the multi-year projects that were
12 previously approved for FY-07 and FY-08. So what we're
13 asking for is approval of the FY-09 portion for those
14 projects. And to include the project management fees and
15 the G&A, which is the 3.6 million.

16 MR. LUTHI: And that's in the final column.

17 MS. SCHROEDER-EINWILLER: Yes.

18 MR. LUTHI: The 3.6.

19 CHAIRMAN ZEMKE: So those roll up to -- in
20 fact you mentioned that project management and G&A wasn't
21 included but this table would indicate.....

22 MS. SCHROEDER-EINWILLER: This.....

23 CHAIRMAN ZEMKE:that they are.

24 MS. SCHROEDER-EINWILLER: Yes.

25 CHAIRMAN ZEMKE: Okay. And that would

1 square to this resolution of the actual amount. And what
2 we had in our package, the resolution there for this
3 portion of the budget is actually 3,669,572, whereas the
4 amended budget now is actually 3,649,952. So it's actually
5 a reduction of approximately \$20,000, so.....

6 MS. SCHROEDER-EINWILLER: Yes.

7 CHAIRMAN ZEMKE:actually there's a
8 positive for this latest -- usually it's the other way
9 around of asking for more money, but this is actually
10 asking for less, though not by much. So I guess the
11 discussion is kind of two-fold. Do we think this is the
12 appropriate suite of projects to fund for FY-09 as
13 recommended by the acting executive director, and if so,
14 then is the budget appropriate to fully implement that
15 suite of projects.

16 MR. LUTHI: Mr. Chairman, possibly one
17 question.

18 CHAIRMAN ZEMKE: Sure.

19 MR. LUTHI: And it goes back to a PAC
20 recommended not funding as well as a -- maybe the executive
21 director as well. And that was dealing with the ongoing
22 monitoring of birds, I believe, in Prince William Sound.
23 And make sure I understand I read the information
24 correctly, and it's to shift it to a two-year, every other
25 year, I should say, survey? Or is it discontinuing it all

1 together?

2 MS. LOTTSELDT: There's no interest -- I'm
3 thinking what the Science Panel led off with is they
4 respect this project highly, that there's no critical data
5 that would be lost if it was waiting till the next
6 invitation process. There may be a little bit of
7 discussion around how -- what space of time should be
8 between survey period -- you know, what period of time
9 between surveys. And I know that the PI has done some
10 analyses that would indicate every two years gives a
11 greater certainty with the numbers when you're doing
12 population estimates.

13 The Science Panel felt that three years
14 probably would be okay also. And I believe that the least
15 survey was in '07 and he's looking for monies for '09, so
16 in reality it's probably really more like '10, not 010, but
17 '10 when he would do his next survey if he waited till the
18 next round of the invitation process.

19 CHAIRMAN ZEMKE: Does that answer your
20 question?

21 MR. LUTHI: I think so. And I -- yeah, I
22 don't have any other questions, although it would be fun to
23 debate each of these projects, but I really.....

24 MS. SCHROEDER-EINWILLER: I know. That's
25 the fun part.

1 MR. LUTHI: Yeah, that's the fun part.
2 We'll just leave it at that, that's the fun part, yeah.
3 CHAIRMAN ZEMKE: Well, you have to
4 understand where Randall is coming from about what debates
5 are fun.
6 MR. LUTHI: That's right. Yeah, so.....
7 CHAIRMAN ZEMKE: But anyway.....
8 MR. LUTHI: I don't have a life.
9 CHAIRMAN ZEMKE:any other questions?
10 MR. LUTHI: Thank you, Mr. Chairman.
11 CHAIRMAN ZEMKE: Any other questions?
12 Comment?
13 (No audible responses)
14 CHAIRMAN ZEMKE: Hearing none, I guess I'd
15 like to entertain a motion.
16 MR. O'CONNOR: I move the budget as
17 described, and I guess this will be reflected in Resolution
18 08-20, be approved.
19 CHAIRMAN ZEMKE: Do I hear a second?
20 MR. LUTHI: Second.
21 CHAIRMAN ZEMKE: It's been seconded.
22 Discussion?
23 (No audible responses)
24 MR. LUTHI: Question.
25 CHAIRMAN ZEMKE: The question has been

1 called. All those in favor of the budget, the motion as
2 proposed by Craig O'Connor, say aye.

3 IN UNISON: Aye.

4 CHAIRMAN ZEMKE: All those opposed?

5 (No audible responses)

6 CHAIRMAN ZEMKE: The motion is passed
7 unanimously. So with that, we are through with our regular
8 council agenda. Is there any other items of interest that
9 anybody would like to bring up?

10 MR. O'CONNOR: Mr. Chairman.

11 CHAIRMAN ZEMKE: Mr. O'Connor.

12 MR. O'CONNOR: Yeah, I would like to
13 apologize for not being there. I sent out an email last
14 night explaining what had happened and I'd like to thank
15 those folks who expressed concern and condolences, I would
16 like to thank them, and I will see you guys next time.
17 Thank you very much.

18 CHAIRMAN ZEMKE: You're.....

19 MR. LLOYD: Craig, I didn't receive that
20 email, so I couldn't respond, but if you feel like it,
21 would you forward it to me one more time?

22 MR. O'CONNOR: Sure. Will do.

23 MR. TILLERY: This is Craig Tillery. I
24 didn't receive it either, but you have my condolences and
25 concern.

1 MR. O'CONNOR: Thank you.

2 CHAIRMAN ZEMKE: Thank you, Mr. O'Connor,

3 we certainly understand why you couldn't be up here at this

4 moment, and like I said, the van was ready to go down to

5 Whittier as soon as you got -- we got done with the

6 meeting, but -- and it's a sunny day, so I kind of missed

7 out on that. But anyway, again our.....

8 MR. O'CONNOR: Yeah, well thanks. Thank

9 you, Steve.

10 CHAIRMAN ZEMKE: Again, our condolences.

11 MR. O'CONNOR: Yeah, I was looking forward

12 to it myself, so.....

13 CHAIRMAN ZEMKE: Yeah. Are there any other

14 discussions?

15 MR. LUTHI: Do we have a hit of the next

16 meeting?

17 CHAIRMAN ZEMKE: I'd be looking towards our

18 new acting executive.....

19 MR. LUTHI: Okay.

20 CHAIRMAN ZEMKE:director for.....

21 MS. HOLBA: No hints.

22 CHAIRMAN ZEMKE: No hints.

23 MR. LUTHI: No hints. Okay.

24 CHAIRMAN ZEMKE: Hopefully it won't be

25 within.....

1 MR. LUTHI: Not even going to tease us with
2 it, are you?

3 MS. HOLBA: We have no teasing.

4 CHAIRMAN ZEMKE: Hopefully not in October
5 if at all possible. Okay. Thank you very much. Any other
6 words for the good of the order?

7 MR. O'CONNOR: Good job, Mr. Chairman.

8 CHAIRMAN ZEMKE: Okay, well.

9 MR. HARTIG: Yeah, we had a good meeting.

10 CHAIRMAN ZEMKE: Thank you very much and I
11 appreciate everybody coming in, the testimony we had, Stacy
12 and members of the public. That's always valued input and
13 we -- I know it's frustrating at times and I hopefully will
14 -- at least I'll try to do better. I can work on -- all I
15 can say is I myself what I want to do. So thank you again
16 for your time.

17 MR. LUTHI: Mr. Chairman, I move we
18 adjourn.

19 CHAIRMAN ZEMKE: And with that.....

20 MR. HARTIG: Second.

21 CHAIRMAN ZEMKE: I hear a motion for
22 adjournment, second. It's -- hearing no objections, we're
23 adjourned.

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

25 (END OF PROCEEDINGS)

1 CERTIFICATE

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:

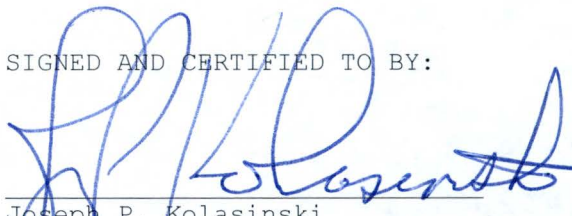
8 THAT the foregoing pages numbered 4 through 91
9 contain a full, true and correct transcript of the Exxon
10 Valdez Oil Spill Trustee Council's Meeting recorded
11 electronically by Computer Matrix Court Reporters on the
12 29th day of September 2008, commencing at the hour of 9:00
13 a.m. and thereafter transcribed under my direction and
14 reduced to print:

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

17 EXXON VALDEZ TRUSTEE COUNCIL, 441 W. 5th
18 Avenue, Suite 500, Anchorage, Alaska 99501;

19 DATED at Anchorage, Alaska this 8th day of October
20 2008.

21 SIGNED AND CERTIFIED TO BY:

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

