

11.16.03

11-16-05



Exxon Valdez Oil Spill Trustee Council

441 W. 5th Ave., Suite 500 • Anchorage, Alaska 99501-2340 • 907/278-8012 • fax 907/276-7178

AGENDA EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL MEETING

May 3, 2005 1:30 p.m.
441 West 5th Avenue, Suite 500, Anchorage

DRAFT

Trustee Council Members:

SCOTT NORDSTRAND
Deputy Attorney General
State of Alaska

JAMES BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service

KURT FREDRIKSSON
Commissioner
Alaska Department of
Environmental Conservation

DRUE PEARCE
Senior Advisor to the Secretary
for Alaskan Affairs
U.S. Department of the Interior

MCKIE CAMPBELL
Commissioner
Alaska Department of Fish
and Game

JOE MEADE
Forest Supervisor
U.S. Department of Agriculture
Forest Service

Teleconference meeting in Anchorage, Trustee Council Office, 441 West 5th Avenue,
Suite 500

_____ State Chair

1. Call to Order – 1:30 p.m.
- Approval of Agenda*
2. Public comment – 1:35 p.m.
3. Action Item
- FY 05 Herring Proposals*
- FY 05 Lingering Oil Proposal* – confirm action taken at February 4, 2005

Adjourn

* Indicates action items

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Cherri Womac

From: Gail Phillips
Sent: Monday, May 02, 2005 3:58 PM
To: 'Peter Hagen'; 'Scott Nordstrand'; 'Steve Zemke'; 'Cam_Toohey@ios.doi.gov'; 'Michael Baffrey (michael_baffrey@ios.doi.gov)'; Scott Nordstrand (scott_nordstrand@law.state.ak.us); David W. Marquez (david_marquez@law.state.ak.us); Drue Pearce (drue_pearce@ios.doi.gov); Jim Balsiger (jim.balsiger@noaa.gov); Joe Meade (jmeade@fs.fed.ak.us); Kurt Fredriksson (kurt_fredriksson@dec.state.ak.us); McKie Campbell (mckie_campbell@fishgame.state.ak.us)
Cc: 'Gina Belt (regina.belt@usdoj.gov)'; 'Craig Tillery'; 'Brenda L. Norcross'; richard_dworsky@evostc.state.ak.us; 'Rob Bochenek'; 'Bryn Clark'; 'Carrie Holba'; Cherri Womac; 'Michael Schlei'; Paula Banks
Subject: FW: Teleconference for Council approval of these L.O. projects

The Trustee Council meeting is scheduled tomorrow, May 3rd, at 1:30pm (Alaska Time). Either Cam or Michael will call in for Drue; Pete will call in for Jim and Scott will call in for Dave. I'm resending this message to all so that the Alternates will have the information before the meeting. This will be a teleconferenced, official meeting. It will require public comment and will be recorded. Please dial 1-800-315-6338 (code 9861) a few minutes before 1:30pm so we can get started on time and take up as little of everyone's time as possible. Thanks to everyone for working this out so these projects can be approved and the work started.
 Gail

-----Original Message-----

From: Gail Phillips
Sent: Friday, April 29, 2005 10:40 AM
To: jmeade@fs.fed.us; 'David Marquez'; Drue_Pearce@ios.doi.gov (Drue_Pearce@ios.doi.gov); jim.balsiger@noaa.gov; 'Scott Nordstrand'; 'Kurt Fredriksson'; 'McKie Campbell'
Cc: 'Richard Dworsky'; 'Brenda L. Norcross'; Cherri Womac; Paula Banks; 'Craig Tillery (craig_tillery@law.state.ak.us)'; 'Gina Belt'
Subject: Teleconference for Council approval of these L.O. projects
Importance: High

Hello Everyone...We have completed all the work to bring the two lingering oil synthesis proposals to the Council for official approval. Funding recommendations from the STAC, PAC, Science Coordinator and Executive Director are included.

We need to call a Trustee Council teleconference as quickly as possible for you to take official action on these two projects. Attached are the proposals for your consideration:

Lingering Oil Synthesis

FUND: Michel

DO NOT FUND: Weston

(You have already given me verbal and electronic approval for funding Michel; your vote now will officially confirm this action.)

Herring Synthesis

FUND: Rice

DO NOT FUND: Keifer

DO NOT FUND: Cherr (original non-responsive proposal on herring)

Following my memo to you dated 3-18-05, you agreed that the one herring proposal that we received in response to the original RFP was non-responsive and that we would need to repost the RFP and add additional funds. Originally we set a ceiling of \$50,000 for this synthesis. You subsequently increased the dollar amount for the new RFP to \$125,000.

You will note that the Rice proposal originally came in with a dollar amount of \$125,085 and that my

5/3/2005

recommendation for funding them is \$132,026. They forgot to include the GA to the University in their original proposal, and I am recommending that we include it for the slightly higher total price of the proposal.

Work on both of these projects is scheduled to begin immediately.

Please let me know when you can be available for a brief teleconference to approve these proposals on Tuesday, Wednesday or Thursday May 3rd, 4th or 5th. As soon as we can confirm the date and time, we will send you an official agenda, which will include only the items in this message. I would think that the teleconference would only take about 15 minutes at the most.

Thanks much, Gail

Cherri Womac

From: Brenda L. Norcross [norcross@ims.uaf.edu]
Sent: Thursday, April 28, 2005 1:31 PM
To: Gail Phillips
Subject: lingering oil recs

Gail-

Here is the final form for the Cherr proposal (herring) recommended not to be funded in March. You verbally had these approved by TC. The only thing that is needed in here (see red) is to add the date when TC approved.

Brenda L Norcross, Ph.D.
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Project: Cherr-FY05-Strategies for PWS Herring

Project Title: Research, Monitoring and Restoration Strategies for PWS Pacific Herring

Location: Alaska (Synthesis)

Proposer: Gary Cherr

Proposer Affiliation: UC Davis

Disbursing Agency: ADF&G

Funding Levels:

FY05: \$54,100

Abstract:

The Prince William Sound (PWS) Pacific herring stock has with a few exceptions been depressed since the Exxon *Valdez* oil spill. The fishery is closed and other stakeholder groups including native Alaskans have been impacted. The EVOS Trustee Council has sponsored research and monitoring efforts that have produced a large amount of data, that to be useful needs to be evaluated. The objective of this proposal is to delineate the state of knowledge concerning the status and future of herring in PWS. We will: 1) synthesize and evaluate pertinent publications and reports; and 2) conduct stakeholder surveys and meetings to acquire or confirm lay and traditional ecological knowledge concerning PWS herring. The goal of the project is a document of information that can be used by scientists, regulators, and stakeholders in developing restoration strategies and usage plans that provide for a self sustaining PWS Pacific herring stock.

Funding Recommendations:

STAC:	Do Not Fund
Science Coordinator:	Do Not Fund
Public Advisory Committee:	Do Not Fund
Executive Director:	Do Not Fund
Trustee Council Decision:	Do Not Fund

Rationales for Funding

STAC:

This proposal is not recommended for funding. This is a weak proposal from inexperienced persons, with the exception of Doug Hay, and do not appear to be qualified to do the proposed work. They have no Prince William Sound experience and do not indicate any intention to collaborate with researchers who have the necessary information and experience. The proposal contains typos and grammatical errors that were overlooked. It does not have much background information on herring in PWS. The literature cited is outdated and only cites EVOS reports, as opposed to the peer-reviewed publications that were produced. The proposal is somewhat simplistic in that it just says they are going to review EVOS reports, then review non-EVOS literature. The proposal itself does not give any indication of how it will accomplish its goals. This document does not acknowledge that one desired outcome is to find out if the downward trend in herring abundance can be attributed to the oil spill. The strong point of this project is the

proposed survey of stakeholders and scientists, though the proposers should be aware of the surveys of subsistence users that have been paid for every three years by EVOS.

Though this was the only proposal received in response to the RFP, STAC does not see that as a compelling reason to fund and recommends against funding. In addition to reasons given in the previous paragraph, STAC recommends against funding because the quality of deliverables is uncertain. We recommend reposting this RFP immediately.

Science Coordinator:

Concur with the STAC recommendation.

Public Advisory Committee:

No quorum on 18 March 2005 – sense of committee to not fund. Decision to not fund confirmed on 28 April 2005 when quorum present.

Executive Director:

Concur with recommendations of STAC and PAC not to fund.

Trustee Council:

Do not fund concurrence via voice and electronic vote following ED's memo to the Trustee Council dated 3-18-05.

Cherri Womac

From: Brenda L. Norcross [norcross@ims.uaf.edu]
Sent: Thursday, April 28, 2005 1:22 PM
To: Gail Phillips
Subject: lingering oil recs

Gail-

This has one file with both of the lingering oil proposals that we received in March, Michel - funded and Weston - not funded. You verbally had these approved by TC. The only thing that is needed in here (see red) is to add the date when TC approved.

Brenda L Norcross, Ph.D.
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Institute of Marine Science fax: 1-907-474-1943
School of Fisheries and Ocean Sciences
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Project: Weston-FY05-Remedial Options for Lingering Oil

Project Title: Remedial Options for Lingering Oil in the Subsurface Sediments of PWS, Alaska

Location: Alaska (Synthesis)

Proposer: Alan Weston & M.T. Balba **Proposer Affiliation:** Conestoga Rovers & Assoc.

Disbursing Agency: DEC

Funding Levels:

FY05: \$50,000

Abstract:

This proposed research project will identify and evaluate oil remediation technologies that are applicable to lingering oil in the subsurface sediments in Prince William Sound, Alaska. In a study conducted by Short et al. (2004), it was demonstrated that lingering oil consisting of PAH's was found on 78 of the 91 beaches randomly selected. Although the oil was not chemically characterized in this study, it was determined that the oil from Exxon Valdez remains the largest reservoir of biologically available polycyclic aromatic hydrocarbons on the beaches and provides a continual exposure to biota. By identifying the conditions in Prince William Sound and characterizing the lingering oil, relevant remediation technologies can be identified for the region. The results of this project will fully assess the most effective active remediation technique selected and natural recovery.

Funding Recommendations:

STAC: Do Not Fund

Science Coordinator: Do Not Fund

Public Advisory Committee: Do Not Fund

Executive Director: Do Not Fund

Trustee Council Decision:

Rationales for Funding

STAC:

This proposal is not recommended for funding. The writing in this proposal is non-specific and redundant and provides little detail on the proposed approach. It relies on the fact that Dr. Watson has rather extensive experience with oil spills and their remediation and that he will probably do a professional job. He shows a good knowledge of the literature in the introduction to the proposal, but then the proposer appears to have become weary and the detail falls off. Also, Dr. Watson appears to have no direct experience with the Exxon Valdez oil spill. The proposer's experience is in working with wastewater contamination, groundwater and soils. He has no specific experiences in rocky shore clean up and demonstrates no knowledge of PWS. The one interesting possibility that is mentioned is that he believes that bacterial action at the oil-water interface produces a layer of calcium carbonate that may inhibit further degradation.

Science Coordinator:

Concur with the STAC recommendation.

Public Advisory Committee:

No quorum on 18 March 2005 – sense of committee to not fund. Decision to not fund confirmed on 28 April 2005 when quorum present.

Executive Director:

Concur with recommendations of STAC and PAC not to fund.

Trustee Council:

Do not fund concurrence via voice vote on teleconference date

Project: Michel-FY05-Identify and Evaluate Remediation Technologies

Project Title: Identify and Evaluate Oil Remediation Technologies Applicable to Lingering Oil in PWS, Alaska

Location: Alaska (Synthesis)

Proposer: Jacqueline Michel

Proposer Affiliation: Research Planning, Inc.

Disbursing Agency: DEC

Funding Levels:

FY04: \$48,965

Abstract:

Based on studies conducted in 2001, there are 7.8 hectares containing an estimated 56,000 kilograms of subsurface oil in Prince William Sound. This lingering subsurface oil is the source of bioavailable material that continues to threaten sensitive resources. This study will answer the following question: "Is there a clean up strategy that can feasibly be implemented for sub-surface oil in Prince William Sound that would be better than natural recovery?" The study objective is to determine if there are feasible, effective, and environmentally sound cleanup methods that can speed the removal of subsurface oil over that of natural recovery. A systematic evaluation of feasible cleanup methods will be conducted, using criteria based on effectiveness, implementability, operational considerations, and costs. The methods that are of highest feasibility will be further evaluated so as to assess the likely environmental impacts and benefits of remediation, including natural recovery, and the associated costs.

Funding Recommendations:

STAC:	Fund
Science Coordinator:	Fund
Public Advisory Committee:	Fund
Executive Director:	Fund
Trustee Council Decision:	Fund

Rationales for Funding

STAC:

This proposal is recommended for funding. This is an extremely well-written and excellent proposal with a solid approach to the existing information through the literature and in using extant unpublished data on oil composition. It also directly draws on the experience of both Dr. Michel and Dr. Short, two of the most knowledgeable and skilled people with regards to sub-surface oil in PWS. Dr. Michel has laid out a clear path as to how she can answer the question asked by EVOS by applying a systematic approach to evaluating the effectiveness and risk of various cleanup technologies. She also provides specific examples of factors to be considered and matrix analyses. This is a highly defensible approach using established NOAA methods. There will also be solid products in the final report and a publishable manuscript. The principal investigator is extremely well qualified to do the work. Dr. Michel has experience working in PWS and around the world. She is well known and has an excellent reputation. Furthermore, there is an in-kind match from RPI and NOAA. Perhaps a little less field work is necessary to reanalyze what has been already been done By Dr. Short, but this is a good deal for

\$50K.

Science Coordinator:

Concur with the STAC recommendation.

Public Advisory Committee: No quorum on 18 March 2005 – sense of committee to fund. Decision to fund confirmed on 28 April 2005 when quorum present.

Executive Director:

Concur with recommendations of STAC and PAC not to fund.

Trustee Council:

Fund concurrence via voice vote on teleconference **date**

Cherri Womac

From: Brenda L. Norcross [norcross@ims.uaf.edu]
Sent: Thursday, April 28, 2005 1:18 PM
To: Gail Phillips
Subject: STAC, PAC recs

Here are the new herring recs. The draft for your recommendations is red in Track Changes.
Lingering oil ones in next email.

bln

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Project: Rice et al. – FY05-Expert Review – PWS Herring

Project Title: Prince William Sound Herring: An updated synthesis of the population declines and lack of recovery

Location: Alaska (Synthesis)

Proposer:

Proposer Affiliation:

Disbursing Agency:

Funding Levels:

FY05: \$125,085

Abstract:

This project will update the synthesis by Carls et al. (2002), from an oil/herring interaction perspective, but also from the perspective of “uniqueness”. Are the PWS herring unique in their population collapse and lack of recovery? This synthesis will conduct comparison population dynamics modeling of PWS and Alaska herring stocks, as well as other stocks throughout the West Coast, including some stressed stocks. Disease information will be updated, and will include 2 years of data not previously published. The synthesis will focus on uniqueness of the PWS herring stocks (or not) relative to oil, disease, recruitment success, and will also examine the ability of the stock to be resilient through genetic diversity. The potential of different restoration or mitigation strategies will be investigated.

Funding Recommendations:

STAC:	Fund
Science Coordinator:	Fund
Public Advisory Committee:	Fund
Executive Director:	Fund
Trustee Council Decision:	

Rationales for Funding

STAC:

In general this seems like a well-designed project. The proposal by Rice et al. lays out the steps they would take in identifying the possible factors involved in the lack of herring recovery in PWS. Five strategies are listed for looking at the central problem of failed stock recovery. The investigators propose to use modeling to address the problem. This proposal seems to cover the items requested in the RFP and therefore is recommended for funding.

Methods are outlined fairly well, and the investigators are clearly familiar with the subject. The principal investigators have assembled a solid team with expertise in all areas covered in the proposal. The proposed approach, to use a variant of the standard catch-age analysis along with other models to examine recruitment variation, should be fruitful. They will re-examine the disease angle in some detail, using other experts in the

field to assist with the modeling work as well as to examine parallel assessments of Cherry Point and SF Bay stocks, which are also showing limited signs of recovery from depressed levels. Two notes of caution: (1) minimal attention is given to the study of ecosystem factors such productivity, prey availability, predator abundance, cold and dry marine conditions in Spring 1989, etc.; (2) very little detail is given on the methods to be employed and potential benefit of Objective 5, especially relative to the other objectives. However, these should not affect the ability of the proposers to answer the pressing questions that the Trustee Council is asking, i.e., an evaluation of relevant information to assess the cause of injury, reason for failure to recover, and restoration options for Pacific herring in PWS.

Science Coordinator:

Concur with the STAC recommendation.

Public Advisory Committee:

Fund with encouragement that further attention be given to the study of ecosystem factors, such as productivity, prey availability, predator abundance, and cold and dry marine conditions in Spring 1989.

Executive Director:

Fund – negotiate PAC recommendations with PIs. Recommend funding at \$132,326 as requested (overestimate because of GA.)

Secondary Review by Science Staff:

Agree with potential inclusions recommend by PAC. Additional negotiations as needed.

Trustee Council Decision:

Project: Keifer – FY05-Expert Review – PWS Herring

Project Title: The Status of PWS Pacific Herring

Location: Alaska (Synthesis)

Proposer:

Proposer Affiliation:

Disbursing Agency:

Funding Levels:

FY05: \$125,059

Abstract:

We propose to determine the status of PWS Pacific Herring by subjecting relevant fishery and ecological data to statistical and modeling analyses. Populations within the Sound may not have recovered from the spill due to a combination of factors that occurred during and following the spill. Specifically, direct mortality from the spill, disease, and poor food supply reduced stocks to a level where recovery is extremely difficult because of continued predation from fish, birds, and marine mammals. The analysis will require identifying causes and effects and determining their relationships and importance. We will conduct such an analysis by gathering all environmental data relevant to population dynamics of herring stocks in PWS. We will then test the hypothesis described above as well as reasonable alternatives by conducting time series statistical analyses of the environmental data. Finally, we will test our understanding of the events from 1989 to present by tuning and running a PWS herring simulation model that has been developed for EVOS.

Funding Recommendations:

STAC:	Do Not Fund
Science Coordinator:	Do Not Fund
Public Advisory Committee:	Do Not Fund
Executive Director:	Do Not Fund
Trustee Council Decision:	

Rationales for Funding :

STAC:

This proposal offers to analyze several diverse time series datasets from Prince William Sound and then to model Pacific herring population dynamics. Although the approach sounds interesting and pertinent, this proposal does not adequately respond to the specific goals and objectives described in the RFP and therefore it is not recommended for funding.

The RFP clearly defines the scope of work, activities, deliverables, minimum requirements and time frame required. The objectives of this proposal focus on the analysis of existing data through correlation analyses and through the construction of an

ecological model of herring population dynamics. There was no mention of conducting a literature review of EVOS reports and publications and of other relevant research on herring, which is clearly required for a synthesis. Similarly, the RFP requests a determination of the availability of an effective recovery strategy, which is not fully addressed in the proposal beyond identification of factors that may prevent recovery. While that is an important first step, it does not address the issue of what recovery strategies may be available. Furthermore, the time frame proposed is for two years, whereas preliminary results are needed by October 2005 and final recommendations by February 2006.

There was no detailed explanation of the proposed statistical and model analyses. The proposal is to apply GIS capabilities for synthesizing the existing information, but the document does not show how GIS will help. The proposed correlation analyses do not provide a synthesis and cannot adequately distinguish alternative hypotheses. The modeling approach is probably appropriate to the task, but it is not described adequately to allow an evaluation. This proposal is vague on details of the analysis, and also on products to be produced. The reader is unsure of how the proposers will synthesize the information, alleviate the problem, and who will benefit. The PI and Brown are qualified to undertake such a project. However, the capabilities and experience of the three other personnel listed in the budget are not described in the proposal, or in the budget justification. Because the proposal is lacking several key components, funding is not recommended.

Science Coordinator:

Concur with the STAC recommendation.

Public Advisory Committee:

Concur. Do not fund because not responsive to request. Liked the ecosystem components.

Executive Director:

Concur with STAC and PAC recommendations not to fund.

Trustee Council:

2005 EXXON VALDEZ TRUSTEE COUNCIL PROJECT BUDGET

October 1, 2004 - September 30, 2005

Budget Category:	Proposed FY 2005	Proposed FY 2006	PROPOSED FY 2005 TRUSTEE AGENCIES TOTALS					
			ADEC	ADF&G	ADNR	USFS	DOI	NOAA
				\$28,755.54				\$72,485.00
Personnel	11,058.30	\$1,228.20						
Travel	12,500.00	\$705.00						
Contractual	54,562.18	\$15,675.74						
Commodities	9,484.50	\$4,984.50						
Equipment	0.00	\$0.00	PROPOSED FY 2006 TRUSTEE AGENCIES TOTALS					
Indirect UAF 25%	5,276.25	\$5,648.36						
Subtotal	92,881.23	\$28,241.80		ADF&G				NOAA
General Administration	8,359.31	\$2,541.76		\$30,783.56				\$0.00
Project Total	101,240.54	\$30,783.56						
Full-time Equivalents (FTE)	0.0	0.1						
Other Resources	\$0.0	\$0.0				\$0.0		
Comments: Total Project Cost (FY05 + FY06) = \$132,024.10								

FY05

Project Number:050794
Project Title: Herring Synthesis
PI: Rice/Quinn
Lead Agency: NOAA/ NMFS Auke Bay Lab/ADFG

FORM 2A
MULTI-TRUSTEE
AGENCY
SUMMARY

Prepared: