Exxon Valdez Oil Spill

Trustee Council

October 12, 2007

11,18.07

Exxon Valdez Oil Spill Trustee Council

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



DRAFT AGENDA EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL October 12, 2007 9:00 a.m. Anchorage, Alaska

DRAFT 9/27/07

DRAFT

Trustee Council Members:

TALIS COLBERG Attorney General Alaska Department of Law

LARRY HARTIG Commissioner Alaska Department of Environmental Conservation

DENBY S. LLOYD Commissioner Alaska Department of Fish and Game JAMES BALSIGER Administrator, Alaska Region National Marine Fisheries Service

RANDALL LUTHI Deputy Director U.S. Fish and Wildlife Service

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

Meeting in Anchorage, Trustee Council Office, 441 West 5th Avenue, Suite 500 Teleconference number: 800.315.6338 (contact EVOS for code)

State Chair

- 1. Call to Order 9:00 a.m.
- 2. Consent Agenda
 - Approval of Agenda*

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

- Approval of Meeting Notes*
- September 13, 2007
- 3. Public Advisory Committee comments
- 4. Public comment (no reopener comments accepted) 9:15 a.m. (3 minute per person)
- 5. FY 08 Draft Work Plan* Michael Baffrey
- 6. Alaska Forum on the Environment* Michael Baffrey

Executive Session if necessary

- 7. Adjourn
- * Indicates action items

September 13, 2007 Draft Meeting Notes .



2. Approval of June 27, 2007 meeting notes

APPROVED MOTION:

Motion to approve the meeting notes of June 27, 2007.

Motion by Colberg, second by Neidig

Public Advisory Committee (PAC) comments were offered by: Stacy Studebaker

Public comment period began at 9:15 a.m.

No public comments were received.

Public comment closed at 9:15 a.m.

3. FY 08 Funding for FY 07 Multi-year Projects

APPROVED MOTION:

Motion to approve the FY 08 funding of the FY 07 multi-year projects (As detailed within Resolution 07-06, Attachment A), with the following fundcontingent PJ 070816 funding to be released upon receipt of delinquent final report (PJ 050777).

Motion by Neidig, second by Lloyd

4. FY 08 - Project-080100 Program Development & Implementation Budget



Motion to approve the administrative budget, as presented by Barbara with the following fundcontingent: the Alaska Forum on the Environment budget item within the Community Involvement component is fund-contingent pending Trustee Council receipt and response to staff briefing document stating how the budget expense would meet restoration objectives. (As detailed within Resolution 07-07, Attachment A)

Motion by Hagen, second by Lloyd

Meeting adjourned at 10:23 a.m.

APPROVED MOTION:

Motion to adjourn Colberg, second by Lloyd

Public Advisory Committee Info

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KODIAK ISLAND Buskin Beach/Swampy Acres Property 700-acre parcel owned by Natives of Kodiak

Positive Aspects and Reasons for Acquisition

- Willing seller Natives of Kodiak (NOK)
- Prime coastal property with rocky beaches, kelp beds, cliffs, and two sandy beaches accessible by old roads.
- Predominantly covered with Sitka Spruce trees. Alder-willow and salmonberry cover a smaller portion of the land. Small wetlands surround lakes.
- Two lakes with nesting Common Loons and other ducks such as Buffleheads, Common Goldeneye, Mallards, and Red-breasted Mergansers.
- Direct nexus with EVOS Injured resources include Sea Otters, Bald Eagles, Black Oystercatchers, Pigeon Guillemots, Harlequin Ducks and possible Marbled Murrelet. Beaches in area impacted by EVOS.
- Directly offshore, Chiniak Bay has been recently registered as an Important Bird Area of state, national and international significance by the National Audubon Society as habitat for three bird species of conservation concern; Black Oystercatcher, Steller's Eider and Emperor Goose that all frequent the beaches and nearshore habitat of the Buskin Beach property.
- Located only 2 miles from the City of Kodiak.
- Property straddles the road between town and Lake Louise USCG housing and the airport.
- Property is adjacent to Buskin River State Recreation Area. If acquired, it would add to already well-established public recreation area.
- Property is also adjacent to USFWS headquarters and their housing complex on the Buskin River Road.
- Beautiful trail system already established on old gravel military roads. Wellestablished recreational use for hiking, x-country skiing, birding. Natives of Kodiak gated off entrances to trails to exclude motor vehicles and promote foot access only. People who seek quiet recreation recognize the value of these protected trails since most other trails on the road system are accessible by ATVs and thus create user conflicts and trail degradation.
- Since the property is also adjacent to the Lake Louise USCG housing area, it provides immediate access to trails and recreation for Coast Guard personnel and families.
- Because it is also very close to town, many people who like to hike and ski on improved trails use the area for recreation.
- Natural condition of forested land provides a buffer between developed lands on either side. This also provides wildlife habitat and a natural corridor connecting the coast to the inland mountains for deer, bear and other wildlife.
- Well-established Northern Goshawk nest on property. Boreal Owl habitat.

- Immediate coastal waters used heavily for subsistence fishing of Sockeye and Silver Salmon entering the Buskin River on adjacent State Park land.
- Because land is forested, straddles the road, and Boy Scout Lake is adjacent to the road, it provides an aesthetic, non-developed scenic belt between town and the airport.
- Property was occupied by US military during WW2. Many WW2 vintage structures exist on the land that might be of interest for historical preservation. Structures include cement bunkers, cannon mounts, ammunition storage structures etc. Housing Quonsets have already been removed and many flat cement foundations remain.
- Property could be added easily to the Buskin River State Recreation Area creating more opportunities for recreation in this heavily used area.
- Purchase of this property and conveyance to Kodiak State Parks would be supported by the community and following groups:
 - Kodiak Audubon Society
 - Kodiak Borough Parks and Recreation Committee
 - Kodiak State Parks Citizen's Advisory Committee
 - Island Trails Network
 - USCG
 - Kodiak Island Convention and Visitor Bureau
 - Boy Scouts
- NOK cannot develop the land due to HAZMAT issues from WW2 military occupation of the area. Development would require disturbance of topsoil to build foundations, sewer and water lines etc. and expose people to HAZMAT.
- The big question is whether recreational use on trails and beaches would expose people to HAZMAT.
- The Army Corp of Engineers has been mitigating various sites on the property for many years. Monitoring wells are in place to monitor ground water for contamination.
- A map of the WW2 structures should be obtained from the owner so that all the hazmat sites can be identified
- A careful publicity campaign would be needed to get the general public behind the idea and particularly those interested in commercial development. NOK would have to clearly explain why they couldn't develop the land for housing.Likewise, DNR would need to fully investigate the contaminants issues and ensure the public that recreational use would be safe.

Meeting Summary

A. GROUP: Exxon Valdez Oil Spill (EVOS) Public Advisory Committee (PAC)

B. DATE/TIME: August 30, 2007

C. LOCATION: Anchorage, Alaska

D. MEMBERS IN ATTENDANCE: (T = via teleconference)

Name	Principal Interest
Torie Baker	Marine Transportation
Jason Brune	Public-at-Large
Kurt Eilo (T)	Sport Hunting/Fishing
Larry Evanoff (T)	Native Landowners
Gary Fandrei	Aquaculture/Mariculture
RJ Kopchak	Commercial Fishing
Pat Lavin	Conservation/Environmental
Steve Lewis	Regional Monitoring
Vern McCorkle	Public-at-Large
Ron Peck	Commercial Tourism
Stacy Studebaker	Recreation Users
Ed Zeine (T)	Local Government
Martha Vlasoff	Subsistence Users

E. NOT PRESENT:

<u>Name</u>	Principal Interest
Mark King	Tribal Government
Martin Robards	Science/Technical

F. OTHER PARTICIPANTS:

Name	Organization
Michael Baffrey	Executive Director, Trustee Council
Doug Mutter	Designated Federal Officer, Dept. of the Interior
Cherri Womac	Trustee Council Staff
Catherine Boerner	Trustee Council Staff
Mandy Migura	Trustee Council Staff
Barbara Hannah	Trustee Council Staff
Michael Schlei	Trustee Council Staff
Shane Sinclair	Trustee Council Staff
Carrie Holba	Alaska Resource Library and Information System
Barat LaPorte	Patton Boggs
Pete Hagen (T)	National Oceanic and Atmospheric Administration
Dede Bohn (T)	U.S. Geological Survey
Carol Fries (T)	Alaska Department of Natural Resources
Howard Ferren (T)	Alaska SeaLife Center

Jenifer Kohout David Irons Steve Zemke Nancy Bird (T) Tim Linley (T) Rob Bochenek (T) U.S. Fish and Wildlife Service U.S. Fish and Wildlife Service U.S. Forest Service Prince William Sound Science Center Alaska SeaLife Center Axiom Data Management

G. SUMMARY:

At 9:05 a.m. Stacy Studebaker, PAC Chairperson, opened the session with a welcome and introductions. Mutter confirmed that a quorum was present.

The session was open for public comment. None was offered.

Baffrey provided the Executive Director's report. Preparation of a herring restoration plan by a technical writing group is progressing. A draft outline is due in September, with a draft for review by January and a final for input into the FY 2009 invitation for project proposals by February. This may serve as a prototype process for dealing with other injured resources. Fandrei and Baker emphasized the need to have this information vetted through the Herring Steering Committee. Lavin and McCorkle agreed. Ferren asked if it was too late to contribute to this process. Boerner said no, that this fall would be the appropriate time for input. Baffrey noted that a herring website would be established to provide information on reports, activities, and events; and that all herring meetings were open to the public. Vlasoff said herring are a large part of subsistence lifestyles.

Baffrey stated that the FY 2008 invitation for new proposals was deferred until FY 2009.

Baffrey reported that the Federal trustees are concerned about the possible need to update the programmatic National Environmental Policy Act (NEPA) documentation for the restoration program. Hagen said the National Oceanic and Atmospheric Administration (NOAA) would be the lead agency if NEPA work is to be done. It is not clear if this is required. Currently, funded projects each must do NEPA compliance. Studebaker noted that this was a large undertaking. Brune said this could be a long costly process diverting resources away from restoration—is it required by regulations? McCorkle agreed that this could stop progress. Baffrey said many programmatic NEPA documents have a "shelf life." Kopchak recommended that an informational memorandum be developed on this topic to examine the requirements and pros and cons.

Lavin moved, second by Baker, that the PAC Chairperson report to the Trustee Council on the PAC's desire to see a briefing paper on the need for NEPA documentation before action is taken on this question. Passed unanimously.

Baffrey discussed the collaboration proposed with the North Pacific Research Board (NPRB). In the past, the PAC recommended that EVOS collaborate with other research organizations when interests overlapped. Funds for joint projects would not be commingled or transferred between organizations. Projects may be funded on an annual or a five-year basis for work in the Gulf of Alaska. The Trustee Council has agreed to continue to discuss this with NPRB. Vlasoff noted that many of the same Principal Investigators (PIs) had projects funded by both organizations. Brune said he hoped collaboration would not result in funding lower priority projects or double-

dipping. Baffrey said jointly funded projects would not begin until 2008 and he will keep the PAC apprised of progress on a cooperative approach.

Studebaker asked if there was a clear picture on the future of the restoration program. Baffrey responded that the Trustee Council agreed to examine recovery objectives and criteria through the Science Panel and a legal and public review process. At the October 12 Trustee Council meeting he expects action on "bricks and mortar" projects, and that should help answer the question about direction of the program.

Studebaker reported on her field trip to Afognak Island to examine potential parcels for acquisition under the EVOS habitat protection program. The 2,200-acre Portage Lake and River parcel was examined as a potential linkage in a wildlife habitat corridor along the north end of the island. There are multiple participants in the purchase, and the Natives of Kodiak are unanimous in their desire to sell the property for habitat protection. Fries noted that the "due diligence" process was underway, involving appraisal, hazardous materials survey, etc. Fandrei asked if there was local opposition or support of the purchase. Studebaker replied that all were supportive. Most of Afognak has been logged and there is a desire to make this particular area available for public use for posterity. Baffrey said the question is still being pursued as to the Governor's position on the acquisition, which would become part of Afognak State Park.

Studebaker also discussed a parcel between Kodiak and the airport, along Buskin beach, that has resource and recreation values which the Natives of Kodiak would like to sell, but it has contaminated sites from past military operations.

Baffrey stated that staffer Mandy Migura was leaving to take a position with NOAA. He noted that a selection has not been made for a new Science Director.

Hannah provided an overview of the FY 2008 budget. There are some increases due to cost of living, benefit increases, etc. She said that the oversight agency for each funded project gets one month of EVOS funding for a Project Manager, outside of the general and administrative funds within the project budgets. The group discussed the format and contents of the budget sheets. Hannah noted that an audit would begin in November.

Vlasoff asked about EVOS staff visiting communities as they did in the past. Baffrey said that has not taken place, but will in the future. Lewis noted that many people have changed since last EVOS visits and that it would be good to re-visit spill-impacted communities to familiarize folks with restoration progress to date.

Boerner discussed the proposed FY 2008 projects. She said that five FY 2007 projects were to be funded into FY 2008. The Trustee Council asked for other funded projects to present a case for continuing support into FY 2008. Fifteen PIs responded. Also for discussion in the FY08 Draft Work Plan is the EVOS administrative budget and a proposal for buildings in Cordova and Kodiak. Hannah reviewed the budget limits previously established (4.5% of the research fund amount). That amount, \$119,712,476, minus EVOS Administrative costs and the five carryover projects, comes to \$996,962 remaining for additional project expenditures.

Baker raised a point about ensuring that data management was incorporated into projects so that data would be available and shared. Boerner said that also was a concern echoed by the Science Panel.

Boerner briefly reviewed each of the proposed projects for funding in FY 2008. The PAC voted on whether to keep each project on the table for discussion and action. Several PAC members noted that these decisions did not reflect on the merit of a particular project or whether it should be funded at some time, but rather on the need to move ahead at this time within budget constraints. PAC members reiterated their desire to stay close to the budget limitation noted above (the PAC principle is to not spend the principal) and avoid capital expenditures on facilities. They also reiterated a desire to focus on lingering oil and on herring as priorities.

Ferren and Linley presented information on the value of project 080821 during the course of discussions. Lavin noted that in the absence of receiving full proposals, it was difficult to determine merit—the PAC members need to receive proposals before making decisions. Lewis also said it would be helpful to know each project PI's affiliation.

Projects removed from further PAC consideration at this time were:

080837 Gifford 070853-A Irons 080800 Joyce 080822 Moffitt 080804 Rice 080829 Shigenaka

Kopchak moved, second by Peck, to remove the Linley proposal (080821) from consideration for FY 2008 funding. The motion carried.

Kopchak moved, second by Lavin, to remove the Rosenberg proposal (080759) from consideration for FY 2008 funding. The motion carried.

Kopchak moved, second by Peck, to remove the Batten proposal (080624) from consideration for FY 2008 funding. The motion carried.

Lewis voiced support for monitoring projects, especially for oiled areas beyond Prince William Sound. Kopchak said that herring intervention projects needed to await completion of the herring restoration plan. Brune noted that scientists were not an injured resource that require continued support from the Trustee Council.

The project proposals remaining for consideration for FY 2008 funding (see list below) come close to the PAC's desired budget limitation (the total comes to \$1,015,600). Lavin moved, second by Fandrei, that the following projects are supported by the PAC for funding in FY 2008:

080814 Bishop 080817 Gay 080751 Irons 080811 Kline 080742 Matkin 080834 Meuret-Woody 080290 Nelson

080806 Vollenweider

The motion carried.

Baffrey and Boerner presented a "very draft" recommendation for restructuring the Trustee Council process (see handout). The focus would be on recovery of injured resources and services, asking targeted questions, and revising the Injured Resources and Services List annually. Brune moved, second by Kopchak, that the PAC supports the draft restoration restructuring process and proposes that it move forward. The motion carried.

Migura presented a report on planned public outreach activities. EVOS will have a one-day track at the February 11-15, 2008, Alaska Forum on the Environment, to be held in Anchorage at the Egan Center. The following sessions are contemplated:

- 1—History of the spill and background on restoration
- 2—Herring restoration planning
- 3-Traditional Ecological Knowledge in restoration
- 4-A poster session on projects with some PIs in attendance

EVOS will help sponsor the Youth and Elders component of the Forum. Perhaps a student essay contest will be featured. Perhaps a questionnaire polling public perceptions will be used.

Fandrei said it would be good to have public exposure to restoration efforts. Lewis offered another venue for outreach at the Prince William Sound Regional Citizens' Advisory Council meeting in December. The October Tribal Environmental Conference, Alaska Federation of Natives, annual Alaska Tourism Conference in October 2008, and National Ocean Science Bowl in April are also possible venues for public outreach and student education. Studebaker noted that in 2009 the 20th anniversary of the spill would be a good time for doing exhibits or a special report or video on restoration progress.

The group discussed the value of a field trip to visit restoration project sites, locations of lingering oil, and spill-impacted communities. The PAC asked if the FY 2008 budget could include a PAC field trip. Hannah said that the budget already could accommodate such a trip. Baffrey said he would invite selected PAC members to accompany staff and Trustee Council members on trips as the opportunity arose.

Studebaker asked for closing PAC member comments. All were appreciative of the EVOS Trustee Council staff work in preparation of the meeting and believed that this meeting resulted in meaningful discussions.

The meeting was adjourned at 3:05 p.m.

H. FOLLOW-UP:

- 1. Hagen will suggest to the Trustee Council that a briefing memorandum on the need for additional NEPA documentation be put together for discussion.
- 2. Studebaker will provide Fries with a list of information on the Buskin Beach parcel.
- 3. PAC members are to send to Womac possible outreach venues and contact names and phone numbers.

I. NEXT MEETINGS:

--PAC meeting in Anchorage on December 6, 2007 to review the draft Update to the Injured Resources and Services List and discuss a PAC position on environmental monitoring.

--PAC meeting in Anchorage on January 24, 2008, in conjunction with the Alaska Marine Science Symposium, to review the draft FY 2009 Invitation for Proposals.

J. ATTACHMENTS (handed out at the meeting):

- 1. Draft EVOS Restructuring presentation slides.
- 2. Revised project summary for 080800, Cordova Center.

K. CERTIFICATION:

PAC Chairperson

Date

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FUNDING RECOMMENDATIONS FOR FY08 WORK PLAN

Project #	PI	Project Title	FY07 Funding Approved		FY 08 Requested	SP Recommendation	PAC Recommendation	Science Director Recommendation	Executive Director Recommendation
80624	Batten	Acquisition of Continuous Plankton Recorder Data (BAA)	\$ 135,40	0 \$	141,200	Fund	Do Not Fund	Do Not Fund	Fund
80814	Bishop	Seabird Predation on Juvenile Herring in PWS	\$ 197,00	0 \$	204,300	Fund	Fund	Fund	Fund
80817	Gay	Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats	\$ 71,40	0 \$	70,100	Fund	Fund	Fund	Fund
80837	Gifford.	Kodiak ADF&G Building	\$ 0	44	6,540,000	Not Reviewed	Do Not Fund	Not Reviewed	Do Not Fund
80751	Irons	Prince William Sound Marine Bird Surveys, Synthesis and Restoration	\$ 191,20	0 \$	36,000	Fund	Fund	Fund	Do Not Fund
070853a	Irons	Pigeon Guillemot Restoration in PWS	\$ 317,00	0 \$	522,400	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80800	Joyce	Cordova Center	\$ 0	5	38,700	Not Reviewed	Do Not Fund	Not Reviewed	Do Not Fund
80811	Kline	PWS Herring Forage Contingency	\$ 262,00	0 5	353,700	Fund	Fund	Fund	Fund
80821	Linley	Development of Culture Technology to Support Restoration of Herring in PWS:	\$ 92,70	0 9	310,000	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in Prince William Sound/Kenai Fjords	\$ 99,40	0 5	129,600	Fund	Fund	Fund	Fund Contingent
80834	MeuretWoody	Identification of Essential Habitat for Pacific Herring in Sitka Sound for Comparison to PWS	\$ 166,40	0	23,500	Fund	Fund	Fund	Fund
80822	Moffitt	Herring Data & Information Portal	\$ 132,10	0 5	202 100	Fund	Do Not Fund	Do Not Fund	Do Not Fund
80290	Nelson	The Exxon Valdez Trustee Hydrocarbon Database	\$ 30,10	0 5	11,100	Fund	Fund	Fund	Fund Contingent
80804	Rice	Signifcance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS	\$ 197,70	0 5	327,800	Fund	Do Not Fund	Fund	Fund Contingent
80759	Rosenberg	Harlequin Duck Population Dynamics in Prince William Sound: Measuring Recovery from EVOS	\$ 86,70	0 5	117,400	Fund	Do Not Fund	Fund	Do Not Fund
80829	Shigenaka	Bioavailability and Effects of Lingering Oil to Littleneck Clams and Population Recovery Status in PWS	\$ 239,90	00 5	417,400	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80806	Vollenweider	Are Herring Energetics in PWS a Limiting Factor?	\$ 139,10	00 5	187,300	Fund	Fund	Fund	Fund

FY08 Funding Requested: \$ 9,632,600

Total Funding Recommended by ED: \$ 1,448,600

00 9450,500 945,500

FUNDING RECOMMENDATIONS FOR FY08 WORK PLAN

October 12, 2007

Project #	PI	Project Title	FY07 Funding Approved		FY 08 Requested	SP Recommendation	PAC Recommendation	Science Director Recommendation	Executive Director Recommendation
UNANIMOU		DATIONS							
80814	Bishop	Seabird Predation on Juvenile Herring in PWS	\$ 197,0	000	\$ 204,300	Fund	Fund	Fund	Fund
80817	Gay	Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats	\$ 71,4	00	\$ 70,100	Fund	Fund	Fund	Fund
070853a	Irons	Pigeon Guillemot Restoration in PWS	\$ 317,0	000	\$ 522,400	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80811	Kline	PWS Herring Forage Contingency	\$ 262,0	000	\$ 353,700	Fund	Fund	Fund	Fund
80821	Linley	Development of Culture Technology to Support Restoration of Herring in PWS:	\$ 92,7	00	\$ 310,000	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in Prince William Sound/Kenai Fjords	\$ 99,4	100	\$ 129,600	Fund	Fund	Fund	Fund Contingent
80834	MeuretWoody	Identification of Essential Habitat for Pacific Herring in Sitka Sound for Comparison to PWS	\$ 166,4	100	\$ 23,500	Fund	Fund	Fund	Fund
80290	Nelson	The Exxon Valdez Trustee Hydrocarbon Database	\$ 30,	00	\$ 11,100	Fund	Fund	Fund	Fund Contingent
80829	Shigenaka	Bioavailability and Effects of Lingering Oil to Littleneck Clams and Population Recovery Status in PWS	\$ 239,5	000	\$ 417,400	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
80806	Vollenweider	Are Herring Energetics in PWS a Limiting Factor?		00	\$ 187,300	Fund	Fund	Fund	Fund
SPLIT REC	OMMENDATION	IS				ALC: NO			
80624	Batten	Acquisition of Continuous Plankton Recorder Data (BAA)	\$ 135,4	100	\$ 141,200	Fund	Do Not Fund	Do Not Fund	Fund
80751	Irons	Prince William Sound Marine Bird Surveys, Synthesis and Restoration	\$ 191,3	200	\$ 36,000	Fund	Fund	Fund	Do Not Fund
80822	Moffitt	Herring Data & Information Portal	\$ 132,	00	\$ 204,000	Fund	Do Not Fund	Do Not Fund	Do Not Fund
80804	Rice	Signifcance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS	\$ 197,	700	\$ 327,800	Fund	Do Not Fund	Fund	Fund Contingent
80759	Rosenberg	Harlequin Duck Population Dynamics in Prince William Sound: Measuring Recovery from EVOS	\$ 86,	700	\$ 117,400	Fund	Do Not Fund	Fund	Do Not Fund
BUILDING	PROJECTS								
80837	Gifford	Kodiak ADF&G Building	\$		\$ 6,540,000	Not Reviewed	Do Not Fund	Not Reviewed	Do Not Fund
80800	Joyce	Cordova Center	\$		\$ 38,700	Not Reviewed	Do Not Fund	Not Reviewed	Do Not Fund

FY08 Funding Requested: \$ 9,634,500

Total Funding Recommended Unanimously Recommended: \$ 979,600

Total Funding Recommended by ED: \$ 1,866,000

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL



DRAFT WORK PLAN

Issued October 9, 2007



Exxon Valdez Oil Spill Trustee Council 441 West 5th Avenue, Suite 500 Anchorage, AK 99501-2340 tel 907 278 8012 / fax 907 276 7178 www.evostc.state.ak.us

FISCAL YEAR 2008

DRAFT WORK PLAN

October 9, 2007

Prepared by: Exxon Valdez Oil Spill Trustee Council

DENBY LLOYD Commissioner Alaska Dept. of Fish and Game

LARRY HARTIG Commissioner Alaska Dept. of Environmental Conservation

JOE MEADE Supervisor Chugach National Forest US Department of Agriculture TALIS COLBERG Attorney General Alaska Department of Law

JIM BALSIGER Director, Alaska Region National Marine Fisheries Service

RANDALL LUTHI Director, Mineral Management Service US Department of the Interior

Notice

The abstract of each proposal was written by the authors of the proposals to describe their projects. To the extent that the abstracts express opinions about the status of injured resources they do not represent the views of the Executive Director, the Science Director or other staff of the *Exxon Valdez* Oil Spill Trustee Council, nor do they reflect policies or positions of the Trustee Council.

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- The department's ADA Coordinator can be reached via phone at the following numbers: (VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078.
- U.S. Fish and Wildlife Service, 4040 N. Fairfax Drive, Suite 300 Webb, Arlington, VA 22203.
- Office of Equal Opportunity, U.S. Department of the Interior, Washington DC 20240.

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EVOSTC FY 2008 Draft Work Plan

Dear Reviewer,

Each year, the *Exxon Valdez* Oil Spill Trustee Council funds activities to restore the resources and services injured by the 1989 *Exxon Valdez* oil spill. Public input is critical to the Council's decision making process and this draft work plan has been prepared to solicit your comments on which projects to fund in Fiscal Year 2008.

In FY08, the Council is considering many options for achieving the restoration goals and objectives of the 1994 Restoration Plan. Until such time that the Council reaches consensus on the future direction for the restoration program, the Council voted unanimously to defer a FY08 Invitation for Proposals. The proposals contained in this FY08 Draft Work Plan represent projects that were funded in the FY07 Final Work Plan. The Trustee Council realizes the importance of maintaining long-term data sets and continuing projects that are adding vital scientific information to the program and requested updated detailed project descriptions (DPD's) and progress updates for potential continued funding in FY08 only.

The following draft work plan contains proposal information and funding recommendations for proposals received in response to the Council's request for updated DPD's and progress reports. I am interested in your thoughts and ideas in regard to this draft work plan, as well as our restoration plan in general. Please see the "Please Comment" section prior to the Table of Contents for more information regarding how to submit comments.

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Sincerely,

Company Bay Juy

Michael Baffrey Executive Director

EVOSTC FY 2008 Draft Work Plan

PLEASE COMMENT

You can help the Trustee Council by reviewing this draft work plan and letting us know your priorities for Fiscal Year 2008. You can comment by:

Mail:	Exxon Valdez Oil Spill Trustee Council 441 W. 5 th Avenue, Suite 500 Anchorage, AK 99501 Attn: Draft Fiscal Year 2008 Work Plan
Telephone:	1-800-478-7745 (within Alaska)1-800-283-7745 (outside of Alaska)Collect calls will be accepted from fishers and boaters who call through the marine operator.
Fax:	907-276-7178
E-mail:	michael.baffrey@alaska.gov



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Acknowledgements

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Michael Baffrey, Executive Director

Catherine Boerner, Science Director (Acting)



Overview of the FY08 Work Plan

The Draft Work Plan comprises both multi-year projects submitted in previous years which have received continuous funding by the Trustee Council as well as project amendments received in response to the Council's request for updated DPD's and progress reports from FY07 funded researchers. This document allows the Council to review the projects proposed for fiscal year 2008, and the funding requested to implement the proposed work. The Draft Work Plan contains basic information about an individual amendment and its complete record of funding recommendations during the review process. The Draft Work Plan will be continually updated to include more funding recommendations as they become available.

The Trustee Council has an open, competitive contracting process that is designed to allow proposals from any source to be considered for funding as an external project. The system works well for this purpose as demonstrated by the fairly even distribution of funding across the home institutions of the principal investigators of external projects.

FY07 Funded Projects Continuing in FY08

Project Number	Principal Investigator	Project Title (abbr.)	FY08 Funding	First Year Funded
070808	Ballachey	Sea Otter Recovery and Nearshore Synthesis	\$97,700.00	FY07
070782	Bickford	Herring Restoration: Identifying Natal and Nursery Habitats	\$134,600.00	FY07
070836	Boufadel	Factors Limiting the Degradation Rate of EVOS Oil	\$552,500.00	FY07
070816 Esler Evaluating Harlequin Duck Population Recovery		\$23,900.00	FY07	
070819	Hershberger	PWS Herring Disease Program	, \$257,100.00	FY07
070853	Irons	Pigeon Guillemot Restoration	\$284,300.00	FY07
070810 Kiefer		Ecosystem Model of PWS Herring	\$250,800.00	FY07
070805	Lindeberg	ShoreZone Mapping for PWS	\$322,300.00	FY07
070801	Michel	Assessment of Lingering Oil in PWS & GAO	\$128,600.00	FY07
070830	Thorne	Trends in Adult and Juvenile Herring Distribution and Abundance in PWS	\$103,400.00	FY07
070340	Weingartner	Alaska Coastal Current Monitoring	\$131,300.00	FY07
FY08 Continuing Project Funding Total			\$2,286,500.00	



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FY08 Project Amendment Recommendations

Project	Principal	Project Title (abbr.)	Total	FY08	Total	Science	Science	PAC	Executive	Trustee
Number	Investigator		Requested	Requested	Approved	Panel	Director		Director	Council
080624	Batten	Acquisition of Continuous Plankton Recorder Data	\$141,200.00	\$141,200.00	\$0.00	Fund	Do Not Fund	Do Not Fund	Fund Ab NOT	Pending
080814	Bishop	Seabird Predation on Juvenile Herring in PWS	\$412,200.00	\$204,300.00	\$0.00	Fund	Fund	Fund	Fund	Pending
080100	EVOS Administration	EVOS Administration	\$2,063,269.00	\$2,063,269.00	\$0.00	Not Reviewed	Not Reviewed	Not Reviewed	Not Reviewed	Fund
080630-A	EVOS Administration	NOS Grant Funding	\$89,040.00	\$89,040.00	\$0.00	Not Reviewed	Not Reviewed	Not Reviewed	Not Reviewed	Fund
080817	Gay	Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats	\$96,400.00	\$70,100.00	\$0.00	Fund	Fund	Fund	Fund	Pending
080837	Gifford	Kodiak ADFG Building	\$6,540,000.00	\$6,540,000.00	\$0.00	Not Reviewed	Not Reviewed	Do Not Fund	Do Not Fund	Pending
070853-A	Irons	Pigeon Guillemot Restoration	\$570,800.00	\$522,400.00	\$0.00	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund	Pending
080751	Irons	PWS Marine Bird Surveys, Synthesis and Restoration	\$36,000.00	\$36,000.00	\$0.00	Fund	Fund	Fund	Do Not Fund	Pending
080800	Joyce	Cordova Center	\$7,464,070.00	\$38,700.00	\$0.00	Not Reviewed	Not Reviewed	Do Not Fund	Do Not Fund	Pending
080811	Kline	PWS Herring Forage Contingency	\$521,000.00	\$353,700.00	\$0.00	Fund	Fund	Fund	Fund	Pending
080821	Linley	Culture Technology to Support Restoration of Herring in PWS	\$310,000.00	\$310,000.00	\$0.00	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund	Pending
080742	Matkin	Killer Whales in PWS/Kenai Fjords	\$129,600.00	\$129,600.00	\$0.00	Fund	Fund	Fund	Fund Contingent- t	Pending
080834	Meuret-Woody	Identification of Essential Habitat for Pacific Herring	\$23,500.00	\$23,500.00	\$0.00	Fund	Fund	Fund	Fund	Pending
080822	Moffitt	Herring Data and Information Portal	\$202,100.00	\$202,100.00	\$0.00	Fund	Do Not Fund	Do Not Fund	Do Not Fund	Pending
080290	Nelson	Hydrocarbon Database	\$11,100.00	\$11,100.00	\$0.00	Fund	Fund	Fund	Fund .Contingerf	Pending
080804	Rice	Significance of Whale Predation	\$327,800.00	\$327,800.00	\$0.00	Fund	Fund	Do Not Fund	Fund Contingent	Pending
080759	Rosenberg	Harlequin Duck Population Dynamics in PWS	\$117,400.00	\$117,400.00	\$0.00	Fund	Fund	Do Not Fund	Do Not Fund	Pending
080829	Shigenaka	Bioavailability and Effects of Lingering Oil to Littleneck Clams	\$417,400.00	\$417,400.00	\$0.00	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund	Pending
080806	Vollenweider	Are Herring Energetics a Limiting Factor	\$187,300.00	\$187,300.00	\$0.00	Fund	Fund	Fund	Fund	Pending
Total Fund	s Requested and	d Approved	\$20,246,079.00	\$11,700,606.00	\$0.00		<u> </u>			



Descriptions of FY07 Funded Projects Continuing in FY08

Project Number:	070808				
Project Title:	Sea Otter Recovery and Nearshore Synthesis				
Principal Investigator:	Brenda Ballachey				
Affiliation:	DOI				
Disbursing Agency:	USGS				
Project Location:	Prince William Sound				
Project Type:	Continuing				
Funding Approved by Fiscal Year:					
FY07: \$154,000.00		FY08:	\$97,700.00		
FY10: \$0.00		FY11:	\$0.00		
Total Funding Approved: \$251,700.00					

Abstract:



Sea otters, and other nearshore birds and mammals were severely impacted by the 1989 Exxon Valdez oil spill. In areas where acute effects were greatest and lingering oil persists longest, recovery for some of those nearshore birds and mammals remains incomplete through 2005. We present three objectives in this proposal: (1) Evaluate progress toward sea otter recovery through surveys of abundance and carcass deposition. (2) Evaluate factors contributing to the status of sea otter populations through the synthesis of long-term data sets on individual exposure to oil, health, condition, behavior, and home range in the context of long-term survival. (3) Conduct spatial synthesis of elevated biomarkers in mammals, birds, and fishes. Anticipated outcomes will identify shorelines where lingering oil most likely persists and which may be candidates for restoration or remediation.

Science Panel Comments:

The proposed project will extend long-term data sets on the population abundance and survival that are critical to the continued evaluation of injury and recovery of sea otters. In addition, the project will provide important syntheses of past data on population dynamics of sea otters and exposure of sea otters and other injured nearshore resources to oil. These syntheses will allow further assessment of the relative importance of continued oil exposure to sea otter recovery, provide information that will help in evaluation of the efficacy of potential restoration activities, and help to guide decisions regarding locations where clean up of oiled shorelines might be considered. The panel recognizes the excellent publication record of the Principal Investigators, but urges them to publish results of biomarker work that has yet to be fully addressed in peer reviewed publications.

Science Panel Recommendation: Fund

Science Director Comments:

Objectives in the Study: 1) Evaluate sea otter population dynamics through carcass recovery and surveys 2) Integrate existing data to evaluate constraints to otter recovery 3) Identify areas where otters are exposed to oil and overlap with other injured resources still being exposed to oil. This proposal is directly responsive to the 07 Invitation. The modeling component will address the question regarding the temporal need for sea otter recovery. It will address how the spatial overlap of animals with elevated CYPIA are related. It's cost effective.

Concur with Science Panel. It is necessary to continue the carcass surveys in order to determine age-specific mortality which can be used in a population model. To be useful this information needs to be collected every year. The spatial

FY09: \$0.00 **FY12:** \$0.00 synthesis of elevated biomarkers in a suite of nearshore species may allow them to identify 'hot spots' of oil exposure which could be beneficial in prioritizing areas of lingering oil.

Science Director Recommendation: Fund

Public Advisory Committee Comments: Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

Concur with Science Panel and Science Directors comments and recommend funding.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:070782Project Title:Herring Restoration in PWS: Identifying Natal and Nursery HabitatsPrincipal Investigato:Nate BickfordAffiliation:Nate BickfordDisbursing Agency:ADFGProject Location:Prince William SoundProject Type:Continuing

FY07:	\$122,700.00	FY08:	\$134,600.00	FY09:	\$77,700.00
FY10:	\$0.00	FY11:	\$0.00	FY12:	\$0.00

Total Funding Approved: \$335,000.00

Abstract:

More information is required to understand the life history of Pacific herring and thus success of future enhancement experiments designed to improve the survival rate of juveniles into adulthood. Chemical analysis of trace element concentrations in otoliths can be used to identify geographic signatures of natal habitats used by fishes captured either as juveniles or adults. Because survival of the population is dependent on successful spawning, it is imperative to understand if distinct groups of herring are contributing to the success of the population. If most of spawning success comes from a distinct groups of herring we need to know which population survived and why. This will allow us to protect the most important populations and also identify those environmental variables needed to enhance other populations. With the information gained from this project, we will be able to identify other habitats that may be suitable for herring recolonization projects.

Science Panel Comments:

Not Available

Science Panel Recommendation: Fund

Science Director Comments:

This project will result in the identification of bays used as natal habitat by individual herring. Upon determining where fish are raised, specific characteristics of these bays can be measured. This will then help decide where enhancement activities such as larval or egg transport would best succeed. Reduce funding by the amount needed for meeting travel other than the annual EVOS meeting.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments: Not Available

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Trustee Council Comments: Not Available

Trustee Council Decision: Fund

070836				
actors Responsible for Limiting the Degradation Rate of Exxon Valdez Oil in Prince Villiam Sound Beaches-Submitted under the BAA				
Michel Boufadel				
Non AK University				
NOAA				
Prince William Sound				
Continuing				
Fiscal Year:				
FY08: \$552,500.00 FY09: \$266,600.00				
FY11: \$0.00 FY12: \$0.00				
1				

Total Funding Approved: \$1,253,900.00

Abstract:



This proposal will provide important data for explaining the cause of the lingering oil in many of the Prince William Sound beaches affected by the 1989 Exxon Valdez oil spill. Because biodegradation of oil occurs at the oil-water interface, limitations occurring in the vicinity of that interface are hypothesized to be the primary reason for the lingering oil. In this study, we propose to investigate the two major sources of limitation; (1) environmental limitations, which involve nutrient concentrations (nitrogen, phosphorus, and dissolved oxygen) and their transport to the oil-water interface, and (2) the existence of an impenetrable layer or "skin" on the oiled sediment, which inhibits the bioavailability of oil. This often occurs when oil is stranded in the subsurface. The latter will be assessed by use of Scanning Electron Microscopic (SEM) examinations of oiled sediment. The effects of hydrodynamics will be assessed using tracer studies and 2-D or 3-D physics-based modeling of solute (i.e., nutrient) transport through the beach matrix. Hydrodynamics studies are important to understand the delivery (i.e., transport) of limiting nutrients to the oil-water interface. Extensive measurement of nutrient concentrations on PWS beaches will also be conducted to ascertain the extent of nutrient limitations on the biodegradation process. To our knowledge, this is the first rigorous study that addresses how the hydrodynamics of PWS beaches relate to the potential of bioremediation in relieving the aforementioned limitations. The proposed research will provide important inputs to an overall understanding of the transport and fate of oil in the PWS beaches and will provide guidance on how to accelerate the disappearance of the lingering oil present in the subsurface.

Science Panel Comments:

This proposal will examine and attempt to explain the cause of the lingering oil on PWS beaches. The proposal is well written and would give us information that is needed to determine why EVOS oil continues to linger in PWS. However, there is concern that the proposers have no experience working in the PWS environment and may need to adjust their methods as the project proceeds. We recommend that they proposal be funded for FY07 only at this time and reviewed in FY08 to determine the need for continuing funding.

Science Panel Recommendation: Fund Reduced

Science Director Comments:

This project is technically sound and will provide answers related to the feasibility of implementing bioremediation activities in areas with lingering oil. The Science Panel and the Science Director raised several questions about the original proposal and asked the PIs to address them and provide revisions. Issues raised by the Science Panel included, 1) Small sample size (only two beaches) and related concerns with geographic scale of inference and statistical power; 2) Lack of temporal replication (summer only sampling) and possible differences in measured

variables among seasons; and 3) Evaluation of previous EVOS studies which may have provided similar information. The PIs were very responsive to the requests and produced a tighter, more focused proposal which will provide the information needed to determine if environmental conditions in areas with lingering oil will support a cost-effective bioremediation project. The Science Panel requested that the PIs provide a more robust study design and increase the number of sampling sites across several seasons. The changes that the PIs suggested, not surprisingly, increased the cost of the study.

The Science Panel recommended that one year of the study be funded, and future funding be reviewed in FY08. While I agree that the results of the FY07 field season should be evaluated and the study modified to incorporate results as they are learned, I don't agree with the Science Panel that only one year of funding should be provided. In order for the PIs to have a complete picture of the environmental conditions present in PWS, and data collected from enough sites to have a broad geographical scale of inference, the study should be funded in its entirety. If the Trustee Council is interested in pursuing bioremediation of areas with lingering oil as part of the restoration program, this project will provide information that will be necessary in determining whether bioremediation on a large-scale in PWS is feasible.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Applicable

Public Advisory Committee Recommendation: Not Reviewed

Executive Director Comments:

This proposal will provide an explanation of the cause of lingering oil and the feasibility of implementing bioremediation activities in areas with lingering oil. Because biodegradation of oil occurs at the oil-water interface, limitations occurring in the vicinity of that interface are hypothesized to be the primary reason for the lingering oil. However, I recommend only funding a one-year study with a much reduced scope that specifically addresses these limitations and whether bioremediation is a feasible alternative for removing lingering oil. If feasible, the Trustee Council can invite the PIs to submit a future proposal that builds on the findings of this proposal which integrates direct restoration.

Executive Director Recommendation: Fund Reduced

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	070816			
Project Title:	Evaluating Harlequin Duck Population Model	Population Recovery: CYP1A Monit	oring ar	nd a Demographic
Principal Investigator:	Daniel Esler			
Affiliation:	Non AK University			
Disbursing Agency:	USGS			
Project Location:	Prince William Sound			
Project Type:	Continuing			
Funding Approved by	Fiscal Year:			
FY07: \$177,800.00	FY08	: \$23,900.00	FY09:	\$0.00
FY10: \$0.00	FY11	: \$0.00	FY12:	\$0.00
Total Funding Approved: \$201,700.00				

Abstract:

Harlequin ducks are one of the few species defined as "not recovered" from the 1989 Exxon Valdez oil spill. In this document, we propose 2 areas of inquiry to (1) evaluate the status of population recovery, specifically the degree of exposure to lingering oil, and (2) more fully understand the demographic processes underlying population recovery, through application of a quantitative population model.

Cytochrome P4501A (CYP1A) has proven to be an extremely useful tool for documenting the spatial and temporal degree of exposure to lingering oil, and there is a large body of historical CYP1A data (1998 to 2005) for harlequin ducks. The most recent data from March 2005 irrefutably demonstrated that harlequin ducks continued to be exposed to lingering oil. Because population recovery requires cessation of exposure to oil, we propose to resample harlequin ducks from throughout the oiled area of Prince William Sound, along with nearby unoiled areas, to determine whether they continue to be exposed to lingering oil.

A considerable volume of demographic data on harlequin ducks has been collected during research and monitoring efforts since the spill. We propose to assemble these data in a population model, which will be valuable for: (1) identifying the timing and magnitude of oil spill injury, (2) identifying the mechanisms by which injury occurred and population recovery was constrained, (3) evaluating the current status of recovery, including predictions for timing of full recovery, and (4) recommending future restoration activities.

Science Panel Comments:

The proposed project will extend long-term data sets on potential exposure of Harlequin ducks to oil that is critical to the continued evaluation of injury and recovery of harlequin ducks. In addition, the project will provide important syntheses of past data on population dynamics of harlequin ducks. These syntheses will allow further assessment of the relative importance of continued oil exposure to harlequin recovery and provide information that will help in evaluation of the efficacy of potential restoration activities.

Science Panel Recommendation: Fund

Science Director Comments:

This proposal will tie together years of harlequin duck data from the spill area that prior to now has not been synthesized in such a way that leads to a comprehensive understanding of harlequin population dynamics that have occurred as a result of the spill. This project will provide a predictive tool for understanding initial population impacts of the spill and possible population recovery scenarios.

Science Director Recommendation: Fund

Public Advisory Committee Comments: Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments: Concur with Science Panel and Science Directors comments and recommend funding.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund
Project Number:070819Project Title:Prince William Sound Herring Disease ProgramPrincipal Investigator:Paul HershbergerAffiliation:DOIDisbursing Agency:USGS

Project Location: Prince William Sound

Project Type: Continuing

Funding Approved by Fiscal Year:

FY07:	\$246,500.00	FY08:	\$257,100.00	FY09:	\$258,600.00
FY10:	\$272,800.00	FY11:	\$0.00	FY12:	\$0.00

Total Funding Approved: \$1,035,000.00

Abstract:



A leading hypothesis accounting for the decline and failed recovery of the herring population in Prince William Sound involves epizootic mortality resulting from infectious and parasitic diseases. Ongoing and past surveillance of herring diseases in PWS, initiated by Dr. Gary Marty and continued by ADF&G through the herring disease index, is extremely valuable and necessary to document changes in disease prevalence, but field surveys are unable to unequivocally demonstrate epidemiological relationships that modulate disease cycles. This proposed multi-year Herring Disease Program (HDP) consists of three components intended to provide predictive metrics that forecast future disease epidemics and offer empirical relationships useful in developing adaptive management policies to mitigate the effects of epizootic and chronic diseases. The first component involves laboratory validation of the ongoing PWS herring disease index. Long-term continuation of the herring disease index, paired with laboratory validation, is necessary to confirm the efficacy of future adaptive disease management strategies. The second component involves empirical studies intended to determine the basic epidemiological relationships between environmental and biological factors influencing infection / disease prevalence. The final component involves development of immunological and molecular tools that will be useful in predicting the potential for future disease epidemics. Combined, this three-tiered approach will provide the basic epidemiological information necessary to develop and validate adaptive management techniques intended to mitigate the effects of influencing infection disease epidemiological information necessary to develop and validate adaptive management techniques intended to mitigate the effects of future herring disease outbreaks in PWS.

Science Panel Comments:

Disease is an important consideration in the development of a comprehensive herring restoration program, and this is the only project that proposes to take an in-depth look at disease factors. The PIs are experts in the field and qualified to conduct the work. The panel recommends removing the immune gene expression objective, which is not well conceived or detailed in the proposal. Also, the PI should expedite the development of lab methods, so they can be used as tools to assess disease status in the field while captive work continues. A field component should also be added in Year 2 with concentration on Sitka (healthy stock) population for field validation.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with the Science Panel. No other disease proposals were submitted to the Trustees, and disease plays an important role in the current state of PWS herring. However, disease is not fully understood in the PWS herring population. Understanding disease is vital to any direct intervention activity, so that the spread and expansion of disease problems can be prevented.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments: Concur with Science Panel.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:070853Project Title:Pigeon Guillemot Restoration Research in Prince William SoundPrincipal Investigato:David IronsAffiliation:DOIDisbursing Agency:USGSProject Location:Prince William SoundProject Type:Continuing

Funding Approved by Fiscal Year:

FY07:	\$317,000.00	FY08:	\$284,300.00	FY09:	\$48,400.00
FY10:	\$0.00	FY11:	\$0.00	FY12:	\$0.00

Total Funding Approved: \$649,700.00

Abstract:

This proposed study would investigate the efficacy of direct restoration techniques for the Pigeon Guillemot population in Prince William Sound. This seabird is the only EVOS injured species that has failed to show any signs of recovery. The post-EVOS guillemot population in PWS is only 15% of the pre-EVOS population; about one-third of PWS guillemots nested on Naked Island pre-EVOS. Post-EVOS, mink predation was identified as a limiting factor for recovery of Naked Island guillemots. We propose testing the hypothesis that mink were introduced to the Naked Island Archipelago by fur trappers and, if not, determine if the mink population on the Naked Island Archipelago a distinct population segment. We also propose investigating the feasibility and efficacy of removing mink from the Naked Island Archipelago as a restoration activity for Pigeon Guillemots. In addition, we propose testing the hypotheses that (1) nest predation by mink continues to be a major limiting factor for guillemot recovery at Naked Island, and (2) the availability of key prey resources does not limit guillemot nesting success at Naked Island. A final report will be prepared upon completion of the two years of field and lab work that will propose the most effective and justifiable plan for management action to restore Pigeon Guillemots in the Naked Island Archipelago.

Science Panel Comments:

This proposal investigates the efficacy of direct restoration techniques for the pigeon guillemot population in PWS. They will genetically sample mink that reside on Naked Island Archipelago to determine if the population was introduced or native and make recommendations for a recovery plan for pigeon guillemots based on the findings. Pigeon guillemots are one of two non-recovered species and this project represents one of the few restoration based proposals that have been submitted. The genetic sampling of mink and studies examining the relative contribution of mink vs. other predators to pigeon guillemot survival and reproduction are important in evaluating mink removals as a potential restoration activity. However, there is some concern that removal of mink may not be an appropriate restoration activity if the mink are in fact native. Also, food limitation studies may be difficult to interpret with respect to restoration and are perhaps premature. Mink removal may still prove an effective restoration tool even if food quality is poor. Furthermore, given the likely annual variation in food supply, a lack of food in one year may not be a reasonable predictor of future food limitation. We recommend funding the initial year of this proposal and suggest that efforts be made to provide genetic evidence on mink at the end of that year so that reasoned decisions can be made regarding future funding

Science Panel Recommendation: Fund Reduced

Science Director Comments:

The Science Director is on a long-term detail from the FWS and must therefore, recuse herself from making recommendations on FWS proposals. The PI on this proposal is employed by the FWS.

Public Advisory Committee Comments:

Not Applicable

Public Advisory Committee Recommendation: Not Reviewed

Executive Director Comments:

Salaries and logistics are the major expenses of this proposal. Assuming mink predation on pigeon guillemots, any direct restoration will likely involve controlling the mink population on Naked Island. Before this can be undertaken a determination must be made whether the mink population is indigenous or introduced. Therefore, I only recommend funding the minimum mink capture and genetic testing program necessary to determine where the population is indigenous or introduced. I further recommend local trappers and logistics be utilized in this effort to reduce expense.

Executive Director Recommendation: Fund Reduced

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	070810					
Project Title:	An Ecosystem Model of Prir Tool	ice William Sound Herring: A Mana	gement	& Restoration		
Principal Investigator:	Dale Kiefer					
Affiliation:	Non AK University					
Disbursing Agency:	NOAA					
Project Location:	Project Location: Analysis/Modeling of data from Prince William Sound & Gulf of Alaska					
Project Type:	Continuing					
Funding Approved by	Fiscal Year:					
FY07: \$250,800.00	FY08:	\$250,800.00	FY09:	\$250,800.00		

FY10: \$0.00 **FY11:** \$0.00

Total Funding Approved: \$752,400.00

Abstract:

Over a three-year period, we propose to develop a life-stage specific, ecosystem based model of the Prince William Sound (PWS) herring that will aid in the integration of ecological data that has been gathered on herring over the last 2 decades, evaluation of proposed restoration activities, and attempt to simulation of the processes that cause the chronic decrease in herring stocks since the 1989 spill. More specifically, it will be used to test the unresolved hypotheses of why the herring have not recovered to pre-spill densities. The model and associated data will be housed in a geographic information system that we have developed specifically for marine applications. The geo-spatial information from field surveys and simulations with the model will available for interactive viewing and downloading of files over the Internet.

The model will provide a mathematical description of the population dynamics of annual herring cohorts as they mature through their life stages. In particular we will focus on arrival of larvae to the Bays of PWS, the maturation and survival of juveniles in these bays, and the survival and reproductive success of adults as they move seasonally from spawning grounds, feeding grounds and wintering grounds. The system of coupled differential equations that describe these processes will be tuned to prove a best fit between model calculations and field and laboratory measurements. In its final form the model will consist of 3 sets of such equations that will simulate the unique conditions found in herring habitats of the eastern, northern and southwestern regions of PWS. Most importantly, the model will be formulated according to the principals of the trophic trap in which 2 metastable states for herring exist, low-density and high-density. We propose that a sequence of events following the spill drove the herring from high-density to low-density and a trophic trap prevents stocks from recovering. Thus, we will tune our model to both high-density and low-density states and then run the tuned models in the forward or backward direction to identify both the most probable causes of the injury and the most promising approaches to restoration.

Our team has the scientific and technical experience to succeed, and we will work closely with researchers from the other herring projects, especially those working on larval drift, disease, otolith marking, and intervention. Our webbased system will promote such collaboration particularly with such groups as PWSFRAP and with the PWS Science Center.

Science Panel Comments:

This proposal is one of the most original and synthetic of the proposals reviewed. The predictive capability of the proposed model makes it a valuable tool for examining population dynamics of herring. This project could provide a central data gathering point for several of the other, more detailed, modeling proposals. The Panel suggests that the PIs accelerate the model development, such that it would be useable to assess efficacy of various potential restoration methods. The Panel was concerned that the model is inextricably linked with the patented EZ software system and *w*ants to ensure that the model could stand alone as a predictive tool.

FY12: \$0.00

Science Director Comments:

Concur with Science Panel. The PI will need to work directly with the data management staff at the Trustee Council office to create a web-based product that is user-friendly and available to the public. The life-stage model will be useful in understanding how different stressors affect the PWS herring population, which until now has not been developed.

Data Systems Manager Comments: Defer: This project proposes to develop a comprehensive herring model for PWS based upon the previous work of Evelyn Brown and others. The PIs also propose to work with Vince Patrick to enhance the accuracy of the model by applying concepts learned at PWSFRAP when implementing the pink salmon model. They propose to house and run the model using the EASy GIS software system and to install this product on the EVOS server.

Though I am not a mathematical modeler, and thus cannot evaluate the proposal at that level. I do think that the conceptual modeling approach is responsive to the invitation and potentially valuable. However, I think this proposal may be a case of "too much too soon" for several reasons. First, a final report has not been received or peer reviewed for project 060784 (Adams FY06), which involved implementation of the pink salmon survival model. It would be good to evaluate the results of this project before embarking on a new modeling effort partially based upon it. Secondly, I like the idea proposed in the Moffitt proposal of building a centralized data portal for housing herring research data. I feel that first bringing together herring research data into a centralized electronic system will improve the availability of herring data and result in the building of better models and GIS systems. Thirdly, I recently met with Vardis Tsontos to install the GIS system software produced in project 040710. The product showed promise, but we encountered some technical problems with the software. These issues appeared to be due mostly to slight differences between the server configurations here at EVOS and the environment under which the software was developed. Thought I am confident the technical issues will be worked out (currently waiting on their database manager for a resolution), I would like to get the opinion of other scientists who might use the completed EASy GIS product as to its usefulness before we commit substantial resources towards development of additional products based upon it. The budget for this project is rather large, and I would also like to explore the question of GIS software standardization in the EVOS office before we commit to development of this system.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

Fund but require the PIs accelerate model development as suggested by the Science Panel.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:070805Project Title:ShoreZone Mapping for Prince William SoundPrincipal Investigator:Mandy LindebergAffiliation:NOAADisbursing Agency:NOAAProject Location:Prince William SoundProject Type:Continuing

Funding Approved by Fiscal Year:

FY07:	\$237,900.00	FY08:	\$322,300.00	FY09:	\$0.00
FY10:	\$0.00	FY11:	\$0.00	FY12:	\$0.00

Total Funding Approved: \$560,200.00

Abstract:



This proposal will continue ShoreZone mapping in Prince William Sound (PWS), Alaska. Approximately 8,400 km of shoreline has been mapped in the central Gulf of Alaska, including 1,600 km of shoreline in western PWS in 2004. The majority of the spill area inside PWS, including Knight island area and all of northern and eastern PWS have not been mapped. To support both future oil remediation efforts as well as restoration activities, such as possible herring intervention programs like moving spawn to rearing areas, would be supported by a single mapping protocol that included geomorphology, substrate type, as well as the biological substrate on all beaches. Completing PWS would fill the gap by providing a contiguous data set from across the entire spill area using a standard protocol. Most importantly, this data set will be useful to managers, as it combines photographs of the entire beach area, as well as having a data set that can be sorted by location, substrate type, and other factors. The ShoreZone data set is recognized as a significant tool for oil spill response planning, identifying essential fish and wildlife habitat, and for monitoring long-term changes in coastal habitat that may result from development, restoration, or even global climate change. Three 6-day aerial video imagery surveys (about 4,000 km of shoreline), mapping, ground-truthing, and nearshore fish sampling are proposed. Aerial video imagery would be completed in the first summer, mapping in the following winter, with ground truthing/fish sampling at a limited selection of sites the following summer.

Science Panel Comments:

This proposal provides Sound-wide data on important physical and biological characteristics of the environment that would be applicable to herring restoration, as well as lingering oil issues and injured resource recovery. The Panel did not see the value in the fish sampling effort and suggested its removal, along with a reduction in the amount of ground-truthing proposed. A great deal of information is already known about the PWS, and the field effort should be enough to validate the aerial surveys. However, it is not necessary to cover such a large proportion of the area. The cost seemed high, but with a reduction in the field effort this project should be more cost effective.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel. The information derived from this project will be applicable to most injured resources and services, especially those reliant on the nearshore environment. The fish collections should be removed, the number of ground-truthing events reduced and costs trimmed accordingly.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments: Not Available

Executive Director Recommendation: Fund Contingent

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	070801						
Project Title:	Assessment of the Areal D Sound and the Gulf of Alas	Assessment of the Areal Distribution and Amount of Lingering Oil in Prince William Sound and the Gulf of Alaska					
Principal Investigator:	Jacqueline Michel	acqueline Michel					
Affiliation:	Private Enterprise	rivate Enterprise					
Disbursing Agency:	NOAA						
Project Location:	Prince William Sound and the Gulf of Alaska (Kenai Peninsula and Kodiak Strait)						
Project Type:	Continuing						
Funding Approved by Fiscal Year:							
FY07: \$1,465,500.00	FY08	B:	\$128,600.00	FY09:	\$0.00		
FY10: \$0.00	FY11	1:	\$0.00	FY12:	\$0.00		
Total Funding Approved: \$1,594,100,00							

Abstract:

The proposed study is to develop and implement a statistically rigorous field study and spatial modeling analysis to produce maps showing the probability of lingering oil in areas of Prince William Sound and the Gulf of Alaska that were affected by the Exxon Valdez oil spill. We will also estimate the area and volume of oiled sediments in these areas as of 2007. Sediment samples will be analyzed to fingerprint the source of the oil residues, characterize them as to the degree of weathering and risk to exposed biota, and determine treatability using bioremediation. The results will provide key data for use in developing more detailed remediation plans and priority areas for remediation. The probability maps will allow researchers to identify locations where oil persists with much greater precision, leading to more sensitive studies of the long-term effects of the lingering oil on biota in the spill-impact regions.

Science Panel Comments:

The study will provide information critical to restoration, is well designed, and is to be conducted by qualified investigators with a strong track record at a reasonable cost. The panel recommends that the work be funded. The panel did have some questions regarding the qualifications of persons responsible for the modeling and statistical analyses. These should be explicitly identified and a resume provided for Dr. Pella who it appears will play a key role with respect to these aspects of the project. Also, it is unclear as to if or how the extent of oil on armored beaches will be evaluated. As described, the methods described do not appear applicable to sampling in these potentially important habitats. If necessary, the design should be modified to incorporate these.

Science Panel Recommendation: Fund

Science Director Comments:

The location, distribution and amount of lingering oil remaining in the spill area are key questions that may influence all future activities related to the restoration program. The PIs have excellent qualifications and the expertise to conduct this project.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Executive Director Comments:

In comparing of this proposal with the PI's FY05 Trustee Council funded project, the stated overhead rate has increased from 120% to 170%; and this proposal also includes a 6% profit. In the FY05 project, the requested overhead was 15%, with a 120% in-kind contribution from Research Planning, Inc--this is not offered in this proposal. While I believe this proposal is scientifically sound and would provide valuable information for Trustee Council deliberations, funding should be contingent on the PI providing a current copy of the indirect rate reference in Research Planning, Inc current accounting practices and the inconsistencies referenced above are addressed.

Executive Director Recommendation: Fund Contingent

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	070830					
Project Title:	rends in Adult and Juvenile Herring Distribution and Abundance in Prince William ound, submitted under the BAA					
Principal Investigator:	Richard Thorne					
Affiliation:	NGO					
Disbursing Agency:	NOAA					
Project Location:	Prince William Sound (PWS)					
Project Type:	Continuing					
Funding Approved by Fiscal Year:						
FY07: \$103,400.00	FY08: \$103,400.00 FY09: \$226,800.00					
FY10: \$0.00	FY11: \$0.00 FY12: \$0.00					

Total Funding Approved: \$433,600.00

Abstract:



Information on abundance, distribution and condition of key herring life stages is needed as a basis for restoration. Critical barometers of the PWS herring population are the adult abundance and condition, as monitored in March, and the juvenile abundance and condition going into and coming out of the long winter period (October to March). Some of this information is currently provided through a program at PWSSC that focuses on herring as a critical food source for Steller sea lions. We propose to fill data gaps in this program with juvenile herring surveys in March of 2007 and 2008 and three additional surveys in FY 2009. These surveys can be conducted in a very cost efficient manner because of the much larger concurrent program that will conduct two surveys each year in FY 2007 and 2008. In addition, the direct capture effort associated with all surveys will be expanded, and biological samples will be available for other uses including disease, marking and stable isotope research. Several collaborations have been established in this regard with investigators at the University of Alaska, Fairbanks, Auke Bay and PWSSC.

Science Panel Comments:

This proposal describes the "backbone" project for many of the other herring proposals submitted to the TC this year. It is a core field project for gaining information about abundance and distribution of herring in PWS, and other management and restoration activities will rely on this data. The project design yields a broader coverage of PWS, and because of matching funds the costs are reasonable. The PI is qualified and has many years of experience. This proposal received strong support from the Science Panel.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel. This is a keystone project that will provide status and trend data on herring (juvenile and adult) abundance and distribution throughout PWS across multiple seasons.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

Concur with Science Panel.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	070340
Project Title:	Long-Term Oceanographic Monitoring of the Alaska Coastal Current
Principal Investigator:	Thomas Weingartner
Affiliation:	Alaskan University
Disbursing Agency:	ADFG
Project Location:	Hydrographic Station GAK 1, Entrance to Resurrection Bay,
Project Type:	Continuing

Funding Approved by Fiscal Year:

FY07:	\$128,200.00	FY08:	\$131,300.00	FY09:	\$129,500.00
FY10:	\$0.00	FY11:	\$0.00	FY12:	\$0.00

Total Funding Approved: \$389,000.00

Abstract:

This program continues a 36-year time series of temperature and salinity measurements at hydrographic station GAK 1. The data set, which began in 1970, now consists of monthly CTDs and a mooring with 6 temperature/conductivity recorders throughout the water column, a fluorometer and nitrate sensor at 20 m depth and a nitrate sensor at 150 m depth. The project monitors five important Alaska Coastal Current ecosystem parameters and to quantify and understand interannual and longer period variability in:

- 1. Temperature and salinity throughout the 250 m deep water column,
- 2. Near surface stratification,
- 3. Near and subsurface nitrate supply on the inner shelf,
- 4. Fluorescence as an index of phytoplankton biomass, and
- 5. Atmosphere-ocean heat fluxes.

In aggregate these variables are basic descriptors of the Alaska Coastal Current, an important habitat and migratory corridor for organisms inhabiting the northern Gulf of Alaska, including Prince William Sound.

Science Panel Comments:

This proposal, which is an extension of an existing TC funded project is well-written and clear in its design. The project measures physical/chemical data from one point in the Alaska Coastal Current that has been measured continuously for over 36 years. The ACC flushes PWS with water, thereby bringing nutrients and food into the system from the Gulf of Alaska. The project would provide basic, environmental measurements of constituents that affect all organisms inhabiting PWS including herring.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available



Public Advisory Committee Recommendation: Fund

Executive Director Comments: Concur with Science Panel.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Descriptions of FY08 Project Amendments

Project Number:	080624		
Project Title:	Acquisition of Continuous Plankton Recorder Data		
Principal Investigator:	Sonia Batten		
Affiliation:	NGO		
Project Location:	Cook Inlet, Alaskan Shelf, Gulf of Alaska		
Funding Requested by	Fiscal Year:		
FY08: \$141,200.00	FY09: \$0.00		
FY11: \$0.00	FY12: \$0.00		

FY10: \$0.00 **FY13:** \$0.00

Total Funding Requested: \$141,200.00

Abstract:

This project will use a Continuous Plankton Recorder to collect plankton samples from Cook Inlet, the Alaskan shelf and Gulf of Alaska to determine variability in abundance and distribution of plankton. Understanding variability in their food source is one requirement for understanding variability in higher trophic levels such as Prince William Sound herring populations. Recent CPR data have shown large differences in mesozooplankton biomass on the Alaskan shelf in 2004, 2005 and 2006. This project will increase the time series of data collected with previous EVOS TC funding (since 2000) and improve our understanding of how the food chain supporting Alaskan fisheries is regulated.

Science Panel Comments:

This project has been funded for several years by the Trustee Council and funds are being requested for an additional year. This project provides the only long-term record of plankton abundance and species composition important to understanding the inter-annual variation in herring food from the Gulf of Alaska. This information is necessary to understand herring mortality and long term trends in herring abundance. This project is cost effective because the PI is utilizing ships of opportunity transecting the entire Gulf of Alaska thus funding for a vessel is not required.

Science Panel Recommendation: Fund

Science Director Comments:

There are several other projects that are currently gathering zooplankton data in PWS that will provide more applicable data for the restoration of injured resources and services in PWS. This project is scientifically solid but the link to PWS is not clear from the proposal.

Science Director Recommendation: Do Not Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

While the project does not establish a direct link to the Council's recovery goals for the resources, services and ecosystems injured by the Exxon Valdez Oil Spill, it does provide time series data on the abundance and distribution of

plankton in the Cook Inlet and Gulf of Alaska. There will likely be a gap in this data if FY08 funding is not provided by the Council and I encourage the PI to seek alternative funding sources. Future funding requests to the Council needs to establish a direct link to the Council's restoration program.

Executive Director Recommendation: Fund

Trustee Council Comments:

Trustee Council Decision: Pending

EVOSTC FY 2008 Draft Work Plan

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Project Number:	080814					
Project Title:	Seabird Predation on Juven	ile Herring in Prince William Sound				
Principal Investigator:	Mary Anne Bishop					
Affiliation:	DOI					
Project Location:	PWS & NE PWS (Sheep Bay, Simpson Bay, Port Gravina)					
Funding Requested by	Funding Requested by Fiscal Year:					
FY08: \$204,300.00	FY09:	\$196,000.00	FY10:	\$11,900.00		
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00		

Total Funding Requested: \$412,200.00

Abstract:

Based on population trends, the Prince William Sound (PWS) Pacific herring population does not show signs of recovering. Predation pressure on juvenile herring may be an important factor in preventing recovery. Here we propose a large-scale, three-year study to investigate seabird predation on juvenile herring during winter months (October-March), a season about which relatively little is known. Juvenile herring are heavily predated by multiple species of seabirds including five species injured by the Exxon Valdez Oil Spill, one recovering species, and one recovered species. We will examine the spatial and temporal abundance of seabird predators in and around juvenile herring schools, as well as the physical and biological characteristics of the schools they feed on. Our project relies on seabird surveys being performed onboard vessels associated with three other projects (2 proposed EVOS studies, 1 PWSSC study) conducting hydroacoustic surveys for juvenile herring schools. Our estimates of juvenile herring consumption will aid in planning future restoration efforts as well as in assessing the role of seabird predation on herring recruitment by providing data to both herring and ecosystem modeling efforts.

Science Panel Comments:

This proposal fills an important gap in our knowledge of herring predators and their impacts on herring populations. Therefore, the proposal is being recommended for funding.

Science Panel Recommendation: Fund

Science Director Comments:

While there are several PI's conducting seabird studies in PWS, this project is the only one that links predation pressure of seabirds to the continuing decline of herring.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I agree with the comments of the Science Panel and Science Director and the recommendation of the PAC.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number: 080100

Project Title: Annual Program Development and Implementation

Principal Investigator: EVOS Administration

Affiliation: Not Available

Project Location: Trustee Council Office

Funding Requested by Fiscal Year:

FY08:	\$2,063,069.00	FY09:	\$0.00	FY10:	\$0.00
FY11:	\$0.00	FY12: \$	0.00	FY13:	\$0.00

Total Funding Requested: \$2,063,069.00

Abstract:

Federal Fiscal Year 2008 marks the third year of the Annual Program Development & Implementation Budget formally adopted by the Trustee Council. The revised budget structure that has been utilized over the past two federal fiscal years has provided a more clearly identifiable allocation of the funds supporting Trustee Council activities. As was specifically identified in the past two annual budgets, the program components are:

•Administration Management

- •Data Management
- Science Management
- •Community Involvement
- •Public Advisory Committee (PAC)
- Small Parcel Program
- •Trustee Council Member Direct Expenses
- •Program Support/Project Management by Agencies



The budget estimates detailed within those specified program components are projected based upon prior year actual expenditures and include the application of an estimated 3.1% consumer price index increase and an approximate 4% increase in personnel costs to cover budgeted merit step increases, as well as payroll benefits increases. Detailed budget component items are either "continuing" or "ongoing" from program directives already approved by the Trustee Council and cover necessary day-to-day operational costs of the Exxon Valdez Oil Spill Restoration Office and administrative costs associated with overseeing current Trustee Council program objectives. Program priorities include the completion of the Herring Restoration Plan and continuance of the Herring Recovery efforts.

The focus of FY 08 is to continue with efforts initiated in FY 06 and FY 07 until the Science Program activity results are reviewed and a determination is made providing guidance for future program priorities. Although a FY 08 Invitation requesting proposals for the forthcoming federal fiscal year was not offered during Federal Fiscal Year 2007, a decision was made to provide projects that were only approved funding for FY 07 an opportunity to request project extensions with requests for FY 08 funding. Upon completion of the peer review processes and the Trustee Council's funding decisions, associated project management fees will be requested and allocated at that time. To ensure continuance of Trustee Council support, Trustee Agency Liaison salary allocations have been equally budgeted within the Program Support component and are being requested to cover these services for the entire federal fiscal year. A minimal allotment of Project Management funds is also being requested to ensure Trustee Agencies have sufficient funds to manage FY 07 project close-outs and to provide necessary compliance with the annual audit efforts.

The Trustee Council Restoration Office is administratively located within the Alaska Department of Fish and Game and over the past two federal fiscal years has significantly advanced towards being a self-supportive administrative office. The office is structurally organized with one or two professional staff overseeing each of the program component activities identified within this budget request and operates efficiently and effectively when fully staffed as a nine-member team.

Science Panel Comments:

Not Applicable

Science Panel Recommendation: Not Reviewed

Science Director Comments: Not Applicable

Science Director Recommendation: Not Reviewed

Public Advisory Committee Comments: Not Applicable

Public Advisory Committee Recommendation: Not Reviewed

Executive Director Comments: Not Applicable

Executive Director Recommendation: Not Reviewed

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number: 080630-A Project Title: **NOS Grant Funding** Principal Investigator: EVOS Administration Affiliation: Not Available Project Location: **Trustee Council Office** Funding Requested by Fiscal Year: **FY08:** \$89,040.00 FY09: \$0.00 FY10: \$0.00 FY11: \$0.00 FY13: \$0.00 FY12: \$0.00 Total Funding Requested: \$89,040.00 Abstract: Not Available **Science Panel Comments:** Not Applicable Science Panel Recommendation: Not Reviewed

Science Director Comments: Not Applicable

not applicable

Science Director Recommendation: Not Reviewed

Public Advisory Committee Comments: Not Applicable

Public Advisory Committee Recommendation: Not Reviewed

Executive Director Comments: Not Applicable

Executive Director Recommendation: Not Reviewed

Trustee Council Comments: Not Available

Trustee Council Decision: Fund

Project Number:	080817						
Project Title:	Physical Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats, submitted under the BAA						
Principal Investigator:	Shelton Gay						
Affiliation:	NGO						
Project Location:	Prince William Sound						
Funding Requested by	/ Fiscal Year:						
FY08: \$70,100.00	FYO	09: 3	\$26,300.00	FY10:	\$0.00		
FY11: \$0.00	FY1	12: 3	\$0.00	FY13:	\$0.00		

Total Funding Requested: \$96,400.00

Abstract:

Past research of juvenile Pacific herring in PWS has shown that recruitment is highly influenced by conditions within nursery sites affecting survival within the first year. Studies of the physical oceanography of nursery fjords has indicated that each site has a unique set of hydrographic conditions that are influenced by both local processes and water exchange between the GOA and PWS. These factors vary significantly depending on geographic location. The proposed study will build upon past research by continuing a hydrographic time series within nursery fjords and collect high resolution data on currents and hydrography to determine the dominant mechanisms of water exchange and circulation within two experimental fjords; one located in a highly productive sub-region (Simpson Bay) and one located in less productive sub-region influenced by tidewater glacial outflow (Whale Bay). Also, this project will provide a physical context for a suite of biological sampling proposed for these sites.

Science Panel Comments:

This project is the only one continuing to make key hydrographic and circulation measurements in PWS. Such measurements are critical to other studies, like that of Kline, and to constructing a synthetic population model for herring.

Science Panel Recommendation: Fund

Science Director Comments:

This project has already provided critical information that will be utilized by herring researchers on the physical oceanographic changes that are occurring in herring nursery bays. This project is comprehensive in scope in that it is replicating and building on a previous SEA study examining physical oceanographic factors in four environmentally distinct nursery bays in PWS, and is incorporating past and present data. The PI is also examining ocean current flows leading to advection/retention of zooplankton and herring larva in nursery bays to help understand the productivity of nursery bays.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I agree with the comments provided by the Science Panel and Science Director and the recommendation of the PAC.

Executive Director Recommendation: Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080837				
Project Title:	ADF&G Building/Research Facility - Kodiak				
Principal Investigator:	Rick Gifford				
Affiliation:	Local Government				
Project Location:	Kodiak				•
Funding Requested by	Fiscal Year:				. w ^a tu
FY08: \$6,540,000.00	FY09:	\$0.00	FY10:	\$0.00	
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00	
Total Funding Request	ed: \$6,540,000.00				

Abstract:

The objective of this proposal is to acquire construction funding for the new Alaska Department of Fish and Game Research Facility to replace the aging existing facility. The state-of-the-art facility will be collocated adjacent to the federally operated Kodiak Fisheries Research Center on Near Island in Kodiak, Alaska. This building will provide for the continuation of long-term monitoring and research of the Gulf of Alaska ecosystem initiated by the Gulf of Alaska Ecosystem Monitoring and Research (GEM) Program. The facility's mission is to answer questions about how the Gulf's ecosystem responds to various climatic, environmental, and manmade changes by conducting research. This mission will be enhanced and expanded with a modern, cohesive facility. The facility will also play an important role in the lives of people who live and work in the Gulf as they rely upon the natural resources for subsistence purposes and bring consistency to the Island's economy.

Science Panel Comments:

Not Applicable

Science Panel Recommendation: Not Reviewed

Science Director Comments:

Not Applicable

Science Director Recommendation: Not Reviewed

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

Policy 21 in the 1994 Restoration Plan addresses the concern that restoration funds should not support activities that government agencies would do anyway. Also, the Restoration Plan lists factors to be considered when funding projects. Under these factors, the question is asked whether a project duplicates an action of another agency or group. The objective of this project as proposed is to acquire construction funding for the new ADF&G research facility to replace the aging existing facility which is contrary to guidance provided within the Restoration Plan.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

Project Number:	070853-A					
Project Title:	Pigeon Guillemot Restoratio	igeon Guillemot Restoration Research in Prince William Sound				
Principal Investigator:	David Irons	avid Irons				
Affiliation:	DOI					
Project Location:	Prince William Sound					
Funding Requested by Fiscal Year:						
FY08: \$522,400.00	FY09:	\$48,400.00	FY10:	\$0.00		
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00		
Total Funding Requested: \$570,800.00						

Abstract:

In the summer of 2007 we resurveyed Pigeon Guillemot populations on the Naked Island complex, Naked, Storey and Peak islands. We were extremely surprised and distressed to find that the Pigeon Guillemot population declined roughly 90%, from about 1000 to about 100, since our last survey in 1998. Also the populations of about 500 Tuffed Puffins and 700 Parakeet Auklets were decimated, only a handful of each remains. The EVOS funded marine bird surveys of PWS showed a sound wide decline of Pigeon Guillemots, excluding the Naked Island complex and during the same time period of about only 20%, so we know the declines on Naked. Storey and Peak do not reflect the soundwide population trends. Based on these findings, we feel it is of paramount importance to examine the remaining Pigeon Guillemot colonies in the sound to compare population changes among three categories of colonies in relation to presence of mink: colonies without mink, colonies with mink, and colonies where mink were recently introduced. Additionally, given the magnitude of the declines and the fact that, because of the bird's life history strategy of having few offspring and delayed maturation, it will likely be several years before the population rebounds significantly, we feel it is important to begin examining how quickly Pigeon Guillemots begin to increase in the absence of predation pressure from mink. Therefore we would like to severely reduce the population of mink on Storey island in the Naked Island complex. This would allow us to immediately begin examining population trends of Pigeon Guillemots on a island with many mink, Naked Island and an island with few mink, Storey Island. We have found only 11 active Pigeon Guillemot nests on the Naked Island complex. All of these nests are inaccessible due to the impossible to climb crumbly rock. We were planning on using chick parameters such as clutch size, growth rate, diet and fledgling mass to determine if there were similar amounts of food available to guillemots as there was in the 1990's during the APEX project. After this summer it appears that we will not be able to use chick parameters to determine relative food availability. An alternative would be to repeat the benthic fish surveys done by Tom Dean and Steve Jewett and the aerial forage fish surveys done by Evelyn Brown during the APEX and NVP projects to determine if prey availability has changed. We suggest repeating both of these surveys in 2008.

Science Panel Comments:

This project is a departure from their original FY07 scope which was examining the impact of potentially introduced mink on the Naked Island complex. The PI's were unable to access the 11 PIGU nests that were spotted in FY07 and the genetic testing of collected mink has not been completed. This lack of data on either mink or PIGU's makes funding for additional scope difficult to recommend. There are also concerns that the results from this revised scope will not provide any new information toward the restoration of PIGU's in PWS.

Science Panel Recommendation: Do Not Fund

Science Director Comments:

I do not believe that this project will provide any further information that links mink predation to the lack of recovery of pigeon guillemots on the Naked Island complex. The links that are made in the project amendment between mink predation and the lack of recovery of pigeon guillemots are circumstantial at best. One year of forage fish studies have been added and include aerial and scuba surveys of potential food sources for the PIGU's. However, given the likely

annual variation in food supply, a lack of food in one year may not be a reasonable predictor of future food limitation. I also have concerns that the impacts of predators other than mink (river otter, magpies, crows, ravens) may continue to keep the PIGU population in decline after the mink are removed. Even if a link could be made that the mink on the island are keeping the populations depressed and a predator removal program was implemented, there is concern that mink from adjacent islands would begin to re-populate the island.

Science Director Recommendation: Do Not Fund

Public Advisory Committee Comments:

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

This project currently has a Council funding commitment from FY07 through FY09 for a total of \$649,700. This includes \$284,300 for FY08. As requested in this amendment request, the PI is requesting an additional \$522,400 for FY08. The basis of the FY07-09 Council-funded project was that any direct restoration will likely involve controlling the mink population on Naked Island. Before that effort can be undertaken, a determination must be made whether the mink population is indigenous or introduced. I do not recommend additional funding or amending the scope of the FY07-09 project until this basic question is answered.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080751				
Project Title:	Prince William Sound Marine Bird Surveys, Synthesis and Restoration				
Principal Investigator:	David Irons				
Affiliation:	DOI				
Project Location:	Prince William Sound, Alaska				
Funding Requested by Fiscal Year:					
FY08: \$36,000.00	FY09: \$0.00 FY10: \$0.00				
FY11: \$0.00	FY12: \$0.00 FY13: \$0.00				

Total Funding Requested: \$36,000.00

Abstract:

We propose to write a report for the survey that was conducted to monitor abundance of marine birds in Prince William Sound, Alaska during March and July 2007. Eight previous surveys have monitored population trends for >65 bird and 8 marine mammal species in Prince William Sound after the Exxon Valdez oil spill. We will use data collected in 2007 to examine trends from summer and from winter to determine whether populations in the oiled zone are increasing, decreasing, or stable. We will also examine overall population trends for the Sound. Continued monitoring of marine birds and synthesis of the data are needed to determine whether populations injured by the spill are recovering. Data collected from 1989 to 2005 in the oiled area indicated that bald eagles (Haliaeetus leucocephalus), common loons (Gavia immer), and cormorants (Phalacrocorax spp) are increasing in winter. Numbers of all other injured species are either not changing or are declining in the oiled area. Populations of harlequin ducks (Histrionicus histrionicus), black ovstercatchers (Haematopus bachmani) and common murres (Uria aalgae) are showing no trend in the oiled area; pigeon guillemots (Cepphus columba), marbled murrelets (Brachyramphus marmoratus), and Kittlitz's murrelets (Brachyramphus brevirostris) are declining in the oiled areas of Prince William Sound. Results of all surveys have been summarized in reports and results through 1998 have been published by Irons et al. (2000) and Lance et al. (2001). Analyses and synthesis of these survey data are the only ongoing means to evaluate the recovery of most of these injured species. Please note: The cost of report writing was not included in the original proposal because I was told that in FY 2007 the Trustees wanted only a one year proposal and the report cannot be written in the same year as the surveys because of timing of the surveys.

Science Panel Comments:

This request for funding is only for report writing for marine bird surveys conducted as part of this PI's FY07 funding.

Science Panel Recommendation: Fund

Science Director Comments: Concur with Science Panel

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

In the budget justification for Project 070751/Irons - Prince William Sound Marine Bird Surveys, Synthesis and Restoration, the PI references requesting funding for a final report. The PI is aware of the final report requirements and to request appropriate funding when submitting the original proposal. This also sets a bad precedent that other PIs may choose to follow.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

EVOSTC FY 2008 Draft Work Plan

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Project Number:	080800					
Project Title:	EVOSTC Outreach and Information Sharing Venue - Cordova Center				(
Principal Investigator:	Timothy Joyce	ïmothy Joyce				
Affiliation:	Local Government					
Project Location:	Cordova					
Funding Requested by	Fiscal Year:					
FY08: \$38,700.00	FY09:	\$2,239,370.00	FY10:	\$5,186,000.00		
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00		
Total Funding Requested: \$7,464,070.00						

Abstract:

The Cordova Center will be a 34,000 sq. ft. ADA accessible multiuse facility designed to address EVOSTC, community and regional needs for: public outreach, EVOSTC research and information sharing; symposia; museum oil spill history and new response technology exhibit; library research support; visitor center; oil spill response center; science discovery room; restoration effort results; and art representing ecosystems of the Delta and Sound.

Science Panel Comments:

Not Applicable

Science Panel Recommendation: Not Reviewed

Science Director Comments:

Not Applicable

Science Director Recommendation: Not Reviewed

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

Generally, the library services described in this proposal duplicate existing services available at ARLIS and the Trustee Council website. The schedule for fund-raising and the bid process seems ambitious, with construction to begin 14 to 17 months from Council funding. The history of the Alaska SeaLife Center has shown the importance of researching the anticipated annual operating costs of a facility and how they will be paid. Also, as stated in the supporting EIS for the SeaLife Center, no Joint Trust Funds were involved in the construction and maintenance of the public education and visitation component of that project.

This proposal states "the Center will function as a repository [library] for data generated by EVOS projects that will make this information readily available to..." ARLIS has served this function since 1997. ARLIS houses the most comprehensive collection of its kind. ARLIS also acquires oil spill related materials from other sources to meet the information needs of EVOS researchers. In addition to the Trustee Council, the ARLIS partnership includes six state and federal resources agencies and an institute of UAA, all with mandates to provide information to the public. This

partnership maximizes budget funds. ARLIS also borrows 15,000 documents each year from other research libraries for its researchers, many of whom are EVOS funded. Interlibrary loans costs, including copyright fees and postage, are built into the budget. Expanding the Cordova collection to meet the needs of researchers would require considerable funding, staff time, and space.

This proposal states the Center will "present educational programs for all ages regarding research results; provide online links and access to EVOS Trustee Council related educational materials and share resources for research needs of Prince William Sound Science Center, Native Village of Eyak, and Prince William Sound Community College." Full-text EVOS TC publications are web available at the EVOS TC website and the ARLIS catalog. The PWSSC and OSRI are currently ARLIS partners, receiving desktop access to databases and electronic journals. EVOS related materials and other ARLIS research materials are also available to everyone in Alaska via interlibrary loan from their local library.

This proposal still contains a reference to archival materials, which will remain at the Alaska State Archives by statutory mandate.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080811				
Project Title:	rince William Sound Herring Forage Contingency, Submitted Under the BAA				
Principal Investigator:	nomas Kline				
Affiliation:	NGO				
Project Location:	Prince William Sound and Adjacent Gulf of Alaska				
Funding Requested by Fiscal Year:					
FY08: \$353,700.00	FY09: \$167,300.00	FY10: \$0.00			
FY11: \$0.00	FY12: \$0.00	FY13: \$0.00			

Total Funding Requested: \$521,000.00

Abstract:

Prince William Sound (PWS) herring recruitment is hypothesized to be contingent on young of the year herring attaining from zooplankton sufficient whole body energy content (WBEC) to survive their first winter. PWS recruitment is presently variable, having changed since the Trustee Council funded Sound Ecosystem Assessment (SEA) project ended. Juvenile herring will be sampled and analyzed for WBEC and natural stable isotope abundance (SIA) for comparison with SEA data. The PI has direct familiarity with WBEC and SIA done during SEA enabling duplication. Oceanic subsidies (detected with SIA) are hypothesized to augment zooplankton energy density, which varies in time and locations. High zooplankton energy density is hypothesized to enable herring to acquire high WBEC in certain areas at certain times. To test these hypotheses, herring forage will be assessed in terms of species composition and density, SIA, and energy density, which will be related to herring WBEC by location and time.

Science Panel Comments:

Strong recruitment of juvenile herring is required for healthy viable herring populations, and it is important for young of the year fish to acquire enough energy to survive their first winter. The relationship between herring food resources (e.g., species, source, abundance etc) and body condition can be used to understand herring survival which will ultimately influence the regulation of population densities.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I agree with the comments provided by the Science Panel and the recommendation of the PAC.

Executive Director Recommendation: Fund

Trustee Council Comments:

anisi sing ta

Not Available

Trustee Council Decision: Pending



Project Number:	080821					
Project Title:	Development of Culture Technology to Support Restoration of Herring in Prince William Sound: Use of In Vitro Studies to Validate and Optimize Restoration Actions					
Principal Investigator:	Timothy Linley	ïmothy Linley				
Affiliation:	Private Enterprise					
Project Location:	Prince William Sound, Resurrection Bay					
Funding Requested by Fiscal Year:						
FY08: \$310,000.00	FY09:	\$0.00	FY10:	\$0.00		
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00		

Total Funding Requested: \$310,000.00

Abstract:

This proposal is based on fundamental preliminary work conducted in 2007 and, as such, will address the potential that stock supplementation can help rebuild the herring population in PWS. The proposed project is the next step in a carefully planned effort to address the problems of herring abundance in PWS. If successful, this approach will provide a mechanism to expand supplementation to a large-scale program that will contribute substantially to adult recruitment. This project can be scaled and its infrastructure and collaborations will provide the means to develop this effort in a cost-effective manner.

Science Panel Comments:

The Panel was disappointed that the PI's visit to Japan to study herring culture techniques in FY07 was so brief. While the project is scientifically sound, enhancement is still under consideration as a potential restoration tool for herring in PWS. This project should be reviewed next fiscal year in relation to the Herring Recovery Plan, which will be in place.

Science Panel Recommendation: Do Not Fund

Science Director Comments:

I concur with the Science Panel.

Science Director Recommendation: Do Not Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

When receiving FY07 funding, the PIs were directed to collaborate with the Japanese on herring culture techniques and to remove the calcium receptor gene objective because it is unclear how that relates to herring. They were also requested to consider a larger range of environmental factors in their culture methods and analyze their effects on growth and survival. The PIs also needed to define a source for their captive fish, describe how they will consider the role of disease in their work and resolve permitting issues. The PIs spent a total of 4 days in Japan and also chose to work on the calcium receptor gene objective. I recommended not funding their FY07 proposal because the work on the PWS Herring Restoration Plan was not complete. Before the Council considers funding this amendment, I continue to recommend waiting for the Herring Restoration Plan to guide their decisions.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080742				
Project Title:	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in Prince William Sound/Kenai Fjords in 2007				
Principal Investigator:	Craig Matkin				
Affiliation:	NGO				
Project Location:	Prince William Sound/Kenai Fjords				
Funding Requested by Fiscal Year:					
FY08: \$129,600.00	FY09:	\$0.00	FY10:	\$0.00	
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00	
Total Funding Requested: \$129,600.00					

Abstract:

The proposed project is a continuation of the monitoring of AB pod and the AT1 population killer whale populations in Prince William Sound. These groups of whales suffered serious losses at the time of the spill and have not recovered at projected rates. This proposal seeks to extend the scope of the basic monitoring to include an innovative satellite tagging program to examine habitat preference and to aid in a more extensive examination of feeding habits using observational and chemical techniques. Results will allow us to more closely examine the potential for restoration. The project will more clearly delineate the role of killer whales in the nearshore ecosystem and possible effects on the restoration recovery of harbor seals and sea otters. Community based initiatives such as Youth Area Watch and educational programs for tour boat operators educational programs will continue to be integrated into the work to help foster restoration improving public understanding and reducing harassment of the whales.

Science Panel Comments:

The proposal asks for additional funds to employ additional satellite tags on killer whales. The panel recommends that more emphasis be placed on tagging the AB pod, which is currently listed on the Injured Resources and Services list as "recovering".

Science Panel Recommendation: Fund

Science Director Comments:

Currently, tracking whales over large areas and understanding where and how they spend the majority of their time is measured by how frequently the investigators encounter whales and how long they are able to watch them. The proposed technique would allow the principal investigator to remotely track whales throughout their home range, which includes a much bigger area than can be reasonably covered by small boat. As part of their FY08 work, I would expect to have at least one tag on the AB pod, which is the injured resident population.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I recommend FY08 funding; however, prior to releasing funds the PI must receive my approval on the following
conditions:

Explain why no AB pod and only one AT1 population killer whales were tagged this past summer.
Explain the methodology to ensure AB pod and the AT1 population killer whales will be tagged in FY08.

Executive Director Recommendation: Fund Contingent

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080834			
Project Title:	Identification of Essential Ha Comparison to Prince Willia BAA	abitat for Pacific Herring (Clupea P m Sound i.e. Source vs. Sink Habit	allasi) in at– Subi	Sitka Sound for mitted under the
Principal Investigator:	Heather Meuret-Woody			
Affiliation:	NGO			
Project Location:	Sitka Sound, Sitka Alaska, So	utheast Alaska		
Funding Requested by	Fiscal Year:			
FY08: \$23,500.00	FY09:	\$0.00	FY10:	\$0.00
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00

Total Funding Requested: \$23,500.00

Abstract:

Once herring hatch and the larvae drift to retention areas, they begin metamorphosis. As juveniles, herring forage in productive waters of the North Pacific. Adult herring then return to natal beaches to spawn. What is unknown is where the herring go and if certain regions contribute more to the spawning population. Once we know which population contributes more to the spawning groups, we can then identify those variables that enhance the life histories of the source population. We can identify these groups and track their movements using otolith chemistry. The adult herring that return to spawn are the survivors. If most of the survivors come from a distinct population, then we need to know which population survive and why. This will allow managers to protect the most important populations and also identify those environmental variables needed to enhance other populations.

Science Panel Comments:

This proposal was submitted by the southeast Alaska Sitka Tribe. It is well-written and in context, responsive to the Invitation. The Sitka stock is healthy, and it would be valuable to understand the habitats associated with herring in those areas vs. areas inhabited by the depressed herring stocks of PWS.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I concur with the Science Panel and Science Director and the recommendation of the PAC.

Executive Director Recommendation: Fund

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

Project Number:	080822	
Project Title:	Herring Data and Informatio	n Portal
Principal Investigator:	Steven Moffitt	
Affiliation:	State Of Alaska	
Project Location:	Prince William Sound	
Funding Requested by	Fiscal Year:	
FY08: \$202,100.00	FY09:	\$0.00
FY11: \$0.00	FY12:	\$0.00

FY10: \$0.00 **FY13:** \$0.00

Total Funding Requested: \$202,100.00

Abstract:

This project will consolidate, document, and enter data sets, metadata, and other electronic resources into a web portal. The web portal will provide public access to information, data, and GIS visualizations. Scientists and researchers will utilize the web portal as a resource to assist in consolidating, accessing and synthesizing herring data. This project will also develop an ArcPad application for collecting herring aerial survey data directly into a GIS format. The project was conceived during an EVOS sponsored workshop in April 2006 that was tasked to identify Prince William Sound herring data gaps and develop restoration or research projects to help herring recovery. Participants indicated that knowledge of the spatial and temporal aspects of herring abundance trajectories. Currently there are many herring related data sets that are not easily accessible to restoration researchers and managers. Several restoration projects proposed at the April 2006 meeting would require spatial and temporal knowledge of herring data as input to a model or as a measure of the success of a restoration project. This project would provide easier access and visualization of selected herring data sets and other electronic resources.

Science Panel Comments:

The web portal could be used by managers, researchers and the public, and it would provide a central location for historical data.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Executive Director.

Science Director Recommendation: Do Not Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

I anticipate that the time frame for the final incorporation of all historical data sets (geospatially enabled) into the data model is going to take much longer than any of us understood and the fully enabled data will not be available until long after the FY07/08 herring projects have completed. With the PWS Herring Restoration Plan scheduled for completion to input into the FY09 Invitation, I am recommending this amendment request be denied and a submission of a well

formulated proposal at that time.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080290			
Project Title:	The Exxon Valdez Trustee H	ydrocarbon Database		C
Principal Investigator:	Bonita Nelson			
Affiliation:	NOAA			
Project Location:	Project: Auke Bay Lab JNU,Ał	K. Service: entire spill area via interne	t	
Funding Requested by	Fiscal Year:			
FY08: \$11,100.00	FY09:	\$0.00	FY10:	\$0.00
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00

Total Funding Requested: \$11,100.00

Abstract:

This project is an on-going service project providing data and sample archiving services for all samples collected for hydrocarbon analysis in support of Exxon Valdez Oil Spill Trustee Council projects. These data represent samples collected since the oil spill in 1989 to the present and include environmental and laboratory Response (National Resource Damage Assessment–NRDA), Restoration and recovery projects data. Additionally, we provide interpretive services for the hydrocarbon analysis, provide public releases of the database which includes several FOIA requests annually and maintain the hydrocarbon sample archives.

Science Panel Comments:

This proposal provides ongoing support for maintaining, updating, and servicing of hydrocarbon data that is critical to future evaluations of recovery and restoration. We recommend funding. The only recommendation of the panel was that the web interface be updated in consultation with EVOS Trustee Staff to ensure that it is compatible and non-duplicative with other ongoing web server tasks.

Science Panel Recommendation: Fund

Science Director Comments:

This database is a long-term project that has been funded by the TC. It provides a storage and archival repository for hydrocarbon data generated from projects centered in the spill-affected area.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I agree with the Science Panel and Science Director comments and the recommendation of the PAC.

Executive Director Recommendation: Fund Contingent

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

Project Number:	080804				
Project Title:	Significance of Whale Preda William Sound	tion On Natural Mortality Rate of Pa	acific He	erring in Prince	(
Principal Investigator:	Stanley Rice				
Affiliation:	NOAA				
Project Location:	Prince William Sound, Sitka S	ound, and Southern Lynn Canal			
Funding Requested by	Fiscal Year:				
FY08: \$327,800.00	FY09:	\$0.00	FY10:	\$0.00	
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00	
Total Funding Request	ed: \$327,800.00				

Abstract:

Pacific herring (Clupea pallasi) in Prince William Sound (PWS) have been classified as "not-recovered" by the Exxon Valdez Oil Spill Trustee Council. Predation by marine mammals has been cited as a factor in the failure of this population to rebound. We will assess the significance of humpback whale predation on herring in PWS, particularly in winter. Specifically we will estimate the number of whales foraging in winter, determine when and if there is a prey switch to herring, and how long whales focus on herring as prey. Year one was funded, small in scale with an intense monitoring strategy; year 2 would expand the scale up in area significantly. These data will be combined in a bioenergetic model to determine numbers of herring consumed (and energy content consumed). Lastly, the estimated numbers of herring recovery can be evaluated.

Science Panel Comments:

This proposal is responsive to the Invitation and the PIs are well qualified. Predator impacts on herring, especially in winter, are poorly understood and need to be quantified. The number of whales over-wintering in PWS is growing each year, and it is important to understand their contribution to the population dynamics of herring as part of a successful restoration program. This proposal also incorporates comparisons in whale predation among multiple sites (southeast vs. PWS) with both depressed and healthy populations of herring.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel.

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

Concur with Science Panel. However, funding should not be released until the PI complies with Trustee Council approved reporting procedures for projects 050794 - PWS Herring Synthesis and 040620 - Lingering Oil: Pathways of Exposure and Population Status.

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080759
Project Title:	Harlequin Duck Population Dynamics in Prince William Sound: Measuring Recovery from the Exxon Valdez Oil Spill
Principal Investigator:	Daniel Rosenberg
Affiliation:	State Of Alaska
Project Location:	Prince William Sound
Funding Requested by	Fiscal Year:
FY08: \$117,400.00	FY09: \$0.00 FY10: \$0.00
FY11: \$0.00	FY12: \$0.00 FY13: \$0.00
Total Funding Request	ed: \$117,400.00

Abstract:

This project will monitor the recovery of harlequin ducks in PWS and is directly linked to recovery objectives in the EVOS Restoration Plan. The outlook for recovery is improving, however, oil remains in the intertidal, ducks are exposed to oil, populations in oiled areas while no longer declining have not increased more than those in unoiled areas, and proportions of females in oiled areas remain lower than reference areas. This suggests a lack of full recovery. We will conduct winter boat surveys to test if harlequin ducks have recovered from the EVOS by comparing population structure and trends between oiled and unoiled treatments in four areas (2 oiled, 2 unoiled) of PWS. Similar structure and increasing trends in oiled areas, when interpreted with complimentary data, will indicate recovery status. Work will be complimentary to studies addressing lingering oil, cytochrome P450 induction, and population modeling to provide a more comprehensive assessment of recovery.

Science Panel Comments:

The proposal provides a potentially useful tool in evaluating the potential exposure of harlequin ducks and other animals that feed and/or live in the intertidal to lingering oil.

Science Panel Recommendation: Fund

Science Director Comments:

Concur with Science Panel

Science Director Recommendation: Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

Harlequin ducks will have recovered when breeding and nonbreeding season demographics and biochemical indicators of hydrocarbon exposure in harlequin ducks in oiled areas of PWS are similar to those in unoiled areas, taking into account geographic differences that are not related to the Exxon Valdez oil spill. The monitoring proposed in this study appears to be a useful tool for the Council to gauge its progress toward meeting this recovery objective. However, there are other Council funded harlequin duck studies and I'm unclear how this proposal fits when compared. (I also question whether annual monitoring in necessary. I am aware the PI has consistently done excellent work in his

role as PI on Council funded projects. I recommend not funding this proposal in FY08 due to these concerns. If the Council makes a fund decision, I recommend prior to releasing funds, the PI must receive my approval on the following condition:

•Explain how this proposal is or will be integrated with projects: 070816/Esler – Evaluating Harlequin Duck Population Recovery, 070751/Irons – PWS Marine Bird Survey, Synthesis and Recovery, 070750/Bodkin – Database Development for Long-Term Monitoring of Nearshore Resources, and other related projects.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments: Not Available

Trustee Council Decision: Pending

Project Number:	080829				
Project Title:	Bioavailability and Effects of and Population Recovery S	of Lingering Oil to Littleneck Clams tatus in Prince William Sound	(Prototh	aca Staminea)	(
Principal Investigator:	Gary Shigenaka				(
Affiliation:	NOAA				
Project Location:	Prince William Sound				
Funding Requested by	Fiscal Year:				
FY08: \$417,400.00	FY09:	\$0.00	FY10:	\$0.00	
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00	

Total Funding Requested: \$417,400.00

Abstract:

In response to the FY07 EVOS Trustee Council Invitation, NOAA/OR&R proposed to investigate the current status of a key intertidal infaunal organism, the littleneck clam (Protothaca staminea). We would determine recovery status of P. staminea across different site impact categories monitored by NOAA over the last decade (1990-2000), and would also characterize the biological availability of lingering oil at these sites. These results could then be evaluated in the context of other EVOSTC projects gauging impacts to the status of clams and other infaunal organisms in the spill-affected area, and ultimately would help to determine the need for further research or remedial action.

Science Panel Comments:

While the results from this project's FY07 surveys are alarming, there appears to be no connection between the decline (of littleneck clams and EVOS. Given the high cost of the project and the concerns about many of the metrics to be examined, we recommend that the project not be funded.

Science Panel Recommendation: Do Not Fund

Science Director Comments:

Concur with Science Panel.

Science Director Recommendation: Do Not Fund

Public Advisory Committee Comments:

Not Available

Public Advisory Committee Recommendation: Do Not Fund

Executive Director Comments:

I concur with the Science Panel and Science Director and the recommendation of the PAC.

Executive Director Recommendation: Do Not Fund

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

Project Number:	080806			
Project Title:	Are Herring (Clupea Pallasi) Recruitment of Juveniles an	Energetics in PWS a Limiting Factor d Reproduction Investment of Adul	or in Sud Its?	ccessful
Principal Investigator:	Johanna Vollenweider			
Affiliation:	NOAA			
Project Location:	Prince William Sound, Sitka So	ound, Lynn Canal		
Funding Requested by	Fiscal Year:			
FY08: \$187,300.00	FY09:	\$0.00	FY10:	\$0.00
FY11: \$0.00	FY12:	\$0.00	FY13:	\$0.00

Total Funding Requested: \$187,300.00

Abstract:

We propose to determine if the availability of energy is limiting production of PWS herring. In year 1 of the study, we made field collections of Pacific herring to examine two energetic mechanisms that could potentially inhibit herring recruitment in Prince William Sound (PWS). These were (1) overwinter mortality of juveniles, and (2) low reproductive energy investments by adults. These processes were compared among thriving (Sitka Sound) and depressed (Lynn Canal) herring stocks to calibrate PWS observations. Differences among stocks would suggest site-specific conditions that may translate into recruitment success. We propose extending these analyses over two more years to better estimate interannual variability. Collection costs can be decreased because of sampling efficiency with other projects. However, it is necessary to develop bioenergetic parameters for Pacific herring so energy consumption rates among herring from different locations can be directly compared. Energy consumption is a function of size, temperature and physiological condition. In order to compare the energy consumption rates of herring from different locations it is necessary to know how metabolic rates vary with respect to the temperatures in those locations. Therefore, we propose to supplement the field observations with a detailed bioenergetic analysis of YOY, juvenile and adult herring. The physiological parameters to be monitored (food intake, assimilation efficiency, growth, and resting metabolic rate), will be supplemented with 2 commonly used proxies for growth (RNA/DNA and enzyme analysis) to determine their suitability for measuring growth in the field. The additional data provided by the lab component will provide a secure foundation for weighing the evidence for or against energy limitations contributing to the population decline in PWS. Currently the data we seek are unavailable, however recent advances in culturing herring will allow us to make the necessary laboratory manipulations to obtain the data. While fulfilling our immediate needs for comparing herring populations, we anticipate that these data will be invaluable for future bioenergetic models describing herring growth, consumption, reproduction and response to disease. In year 3 (FY 2009) we propose to apply these data by examining the energetic cost of overwintering among healthy and disease challenged herring. This examination specifically tests the hypothesis that low levels of disease in PWS stocks are inhibiting recruitment. All of the herring culturing will be conducted at the USGS facility at Marrowstone Harbor, Washington, where herring capture, culture, and disease challenges are routine. The energetics measurements will be conducted over a range of temperatures, encapsulating the temperatures of Alaska, and will focus on three developmental stages of herring (age 0, age 1, and adults).

Science Panel Comments:

Whole body energy content is measured in herring from three areas in Alaska, and energy consumption rates are compared among healthy (southeast) and depressed (PWS) populations. The strength of this project is the comparison of the depressed PWS population with other, healthy populations. Understanding how the environments differ between areas with healthy fish and those with a stressed population of herring will enhance our knowledge of factors potentially contributing to the continued decline of herring in PWS.

Science Panel Recommendation: Fund

Science Director Comments:

Understanding the state of herring in PWS can only be enhanced by comparing similar attributes (e.g., habitat characteristics, body condition, age and size distribution and abundance, etc) between areas with depressed population and areas with healthy populations. This project is one of the few that is making these comparisons.

Science Director Recommendation: Fund

Public Advisory Committee Comments: Not Available

Public Advisory Committee Recommendation: Fund

Executive Director Comments:

I concur with the Science Panel and Science Director and the recommendation of the PAC.

Executive Director Recommendation: Fund

Trustee Council Comments:

Not Available

Trustee Council Decision: Pending

Motions for Action Items – Pg. 1 of 1

Motion by:		Second by:	
	Motion Approved:	Motion Failed:	
Meeting Notes: I mov	ve that we adopt the meeting note (as present	s of September 13, 2007 ed/as corrected)	
Motion by:		Second by:	
	Motion Approved:	Motion Failed:	
FY 08 Draft Work Pla	an: (Separate motion for each pr	oject)	
I move that we fund Pr	oject # for fiscal y	ear(s) in the amount of	of \$
Motion by:		Second by:	
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel	Motion Approved:	Motion Failed:	0,000 within the PJ 08 Alaska Forum on
FY 08 – PJ 080100 Pr move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by:	Motion Approved: ogram Development & Implement ze the Alaska Forum on the Envir lopment & Implementation budge gh the presentation of EVOS scie is designated by the Executive Dir Motion Approved:	Motion Failed:	0,000 within the PJ 08 Alaska Forum on ed from the
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by: Executive Session: I m	Motion Approved: ogram Development & Implement ze the Alaska Forum on the Envir lopment & Implementation budge gh the presentation of EVOS scie is designated by the Executive Dir Motion Approved: Motion Approved: nove that we adjourn to Executive (as presented)	Motion Failed:	0,000 within the PJ 08 Alaska Forum on ed from the
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by: Executive Session: I m Motion by:	Motion Approved:	Motion Failed:	0,000 within the PJ 08 Alaska Forum on ed from the personnel matters.
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by: Executive Session: I m Motion by:	Motion Approved:	Motion Failed:	0,000 within the PJ 08 Alaska Forum on ed from the personnel matters.
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by: Executive Session: I m Motion by: Adjorn: I move that w	Motion Approved: ogram Development & Implement ze the Alaska Forum on the Envir lopment & Implementation budge gh the presentation of EVOS scie is designated by the Executive Dir Motion Approved: Motion Approved:	Motion Failed: entation Budget – AFE Budget Item: onment budget item in the amount of \$1 tt to assist with the support of the FY 200 nce at the forum; funding to be distribute ector. Second by: Motion Failed: Second by: Motion Failed: Mo	0,000 within the PJ 08 Alaska Forum on ed from the personnel matters.
FY 08 – PJ 080100 Pr I move that we authoriz 080100 Program Devel the Environment throug appropriate accounts as Motion by: Executive Session: I m Motion by: Adjorn: I move that w	Motion Approved: ogram Development & Implement ze the Alaska Forum on the Envir lopment & Implementation budge gh the presentation of EVOS scie is designated by the Executive Dir Motion Approved: Motion Approved:	Motion Failed:	0,000 within the PJ 08 Alaska Forum on ed from the personnel matters.

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Oct. 12, 2007 EVOS Trustee Council Meeting Public Advisory Committee Chair Comments

Good Morning,

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I'm Stacy Studebaker, the Chair of your Public Advisory Committee and the face of the public. Thanks for the opportunity to comment today.

The members of the Trustee Council or their representatives change every time there is a meeting so I'll begin with a little background.

The PAC is a very diverse group of 15 people that represent many of the spill area communities and other regions of Alaska. Each comes with a unique perspective on the EVOS and the aftermath over the last 18 years. They are a smart, dedicated, fiscally conservative bunch and not afraid to roll up their sleeves and do some hard work to represent the public by scrutinizing the operations of the EVOS Restoration Program. They volunteer countless hours to be on other EVOS TC related committees and workgroups, gather information from their constituents, write reports for the TC and make recommendations. One member was on the original Public Advisory Group and others including myself have been on the PAC for 13 years. What I'm trying to say is that the PAC has a good grasp of the restoration program from the very beginning to the present day. And so, I do hope you will listen to our recommendations today.

We also would like to recognize the outstanding job that Michael Baffrey and his staff are doing. In just a little over a year following the very chaotic 2 1/2 years under the previous administration, Michael has picked up the pieces and has gotten the restoration program back on track. The public is very pleased with the openness, professionalism, and good communication of both Michael and his fine staff and we hope that we can continue the positive momentum that is underway.

I gave a short report at your last teleconference meeting on the 13th of September about the PAC comments on the FY 2008 Administrative Budget that you approved. Today I'll focus on the FY 2008 Draft Work Plan before you.

As diverse as the PAC members are, we unanimously agree on two things that we use as our guiding principals in making decisions and recommendations to you.

Number one: The PAC believes that after 18 years there are still many troubling uncertainties about the recovery status of two thirds of the Injured Resources and Services. Therefore, we believe that until we can say in good conscience that our job is done or we've done everything humanly possible to bring about full recovery of all the injured resources and services, the annual budget for the administrative operations plus all the restoration activities should stay within the amount of interest

that is earned on the principal of the remaining Restoration Reserve. For the FY 2008 annual budget, that amounts to approximately 3 million dollars total. After the approximate 2 million dollar administrative budget is taken out, that leaves only about 1 million for direct restoration projects.

Number two: The 1 million should only be used for highest priority projects. To stay as close as possible to that amount, we identified eight projects that we recommend for FY 2008 funding in addition to the five FY 2007 projects that were carried over. We are unanimous on what the high priorities for funding should be: Lingering Oil and its effects on the ecosystem and Herring.

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The PAC is very concerned with overspending and dipping into the Restoration Fund principal to fund lower priority projects not related to the recovering or notrecovered injured resources and services and believes that this is not the time to fund capital improvements or bricks and mortar projects. At some time in the future if we can say our job is done and there is money left in the Restoration Reserve, it could be used for things like that.

We believe that it should be a high priority to clarify the recovery objectives for all the injured resources and services and we appreciate the work that Michael, his staff, and the Science Panel are doing in that direction.

At our last meeting, Michael reported that the federal trustees are concerned about the possible need to update the programmatic National Environmental Policy Act documentation for the restoration program. Pete Hagen said that NOAA would be the lead agency if NEPA work were done but it is not clear if this is required. This generated a great deal of discussion mostly over the concerns about how costly and time consuming this kind of work is and that it would divert resources away from the restoration activities. We all agreed that this could stop our good progress dead in its tracks so we would like to see a briefing paper prepared on the need for NEPA documentation before any action is taken on this question.

The PAC also was briefed on the progress of the Herring Steering Committee that three of the PAC members are also on.(Kopchak, Baker and Fondrei) We are very

pleased that after many months of discussion and research, the Technical Writing Committee (Spies, Hay, Moffit, Carls, Norcross) has just about completed a draft Herring Restoration Plan that will recommend the specific recovery efforts needed for the recovery of herring stocks in Prince William Sound. The draft should be done soon so that it can be fully vetted by the general public, the larger scientific community, the Trustee Council, and the PAC before the final plan is completed in early 2008. This document will help to target the FY 2009 Invitation for the highest priority restoration work and serve as a blueprint for the recovery objectives for the rest of the non-recovered resources.

Outreach and Education.

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The PAC is very much in favor of better outreach and communication with the public about the activities and progress of the EVOS Restoration Program. In the past, newsletters, and annual reports kept the public up to date. Today we rely on a website that not everybody looks at. So, we are in full support of more face-to-face outreach and the plan for a one-day EVOS track of presentations at the Alaska Forum on the Environment in February that is open to the general public. Similar participation at the Marine Science Symposium is good also but the general public does not attend that event.

To this end we also encourage you to decide on what you want to do for the fast approaching 20th Anniversary of the EVOS. That is an important milestone that other oil spill related groups such as the Prince William Sound Regional Citizen's Advisory Council are gearing up for. We feel that something should come from this office as well in the form of a newsletter or special report on the restoration progress, or lack there of, after 20 years.

In conclusion, I want to emphasize our recommendation to keep a conservative cap on the spending of what remains of the Restoration Reserve account and keep it as close to the interest as possible. There are simply too many uncertainties about the long-term impacts of the EVOS and too few of the original 30 Injured Resources and Services that we can say are fully recovered.

I'd be happy to answer any of your questions.

Thank you.

Stacy Studebaker

EVOS TC PAC Chair Recreational Users Representative Kodiak, AK



U.S. Department of Justice Office of Legislative Affairs

Fed letter EVOSTC Spind

Office of the Assistant Attorney General

Vialution, D.C. 20130 October 10, 2007

The Honorable Lisa Murkowski United States Senate Washington D.C. 20510

Dear Senator Murkowski:

This responds to your letter, dated July 26, 2007, which requests a formal legal opinion from the Department of Justice on whether Exxon Valdez Oil Spill (EVOS) Trustee Council finds may be used either to construct a community center in the City of Cordova, Alaska, or to finance specific proposed elements of the community center project. While the Department does not provide formal legal opinions outside the Excentive Branch, we would be glad to outline the basic principles that would guide an evaluation of the legality of using the EVOS restoration fund to pay for all or part of the Cordova project.

As you know, the BVOS fund holds natural resource damages recovered jointly by the United States and the State of Alaska under an Agreement and Consent Decree with IExact Corporation that was entered as a judgment of the U.S. District Court in Alaska in October 1991. The primary claims settled were under Section 311(f)(4) and (5) of the federal Clean Water Act. Soution 311(f)(5) of the Clean Water Act explicitly restricts the uses of natural resource damages, stating that they "shall be used to restore, rehabilitate, or neguire the contralent of [the injured] natural resources." In addition, the consent decree with Exam and a corollary Memorandum of Agreement and Consent Decree (MOA) between the governments, also entered as a judyment of the District Court, require that natural resource damage recoveries he used "for purposes of restoring, replacing, enhancing, rehabilitating or acquiring the equivalent of natural resources injured zs a result of the [Exxon Valdez] Oil Spill and the reduced or last services provided by such resources. ... " MOA Section IV.A. These provisions of the Circa Water Act and the MOA are binding limitations on the lawful uses of the EVOS restoration fund. It is against these principles that the Cordova community center proposal, which your letter describes as including. a conference center, a library that could house EVOS-related documents, an oil spill response center, and a muscom that would include an exhibit on EVOS history and changes in Princo William Sound since the oil spill, will be evaluated. The connection between most elements of the project and the natural resources and natural resource services harmed by the oil spill amears. at best, very indirect.

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The Honorable Lisa Murkowski Page Two

Decisions on how to use the BVOS restoration fund are made by manhrous agreement of the three federal and three State agencies that form the Trustee Council. In evaluating a restoration proposal, the Trustee Council must consider not only the project's legality but also whether the project will help achieve the Trustees' overall restoration objectives and whether it represents a wise use of money in comparison with other potential projects, including comparative cost-effectiveness and the directness of the herefits to injured natural recources. In 1924, the Trustee Council adopted a Restoration Plan that set programmatic objectives and guides its decision-making process.

We have been informed that the Trustee Council is scheduled to consider the Cordova community center proposal at a public meeting on October 12, 2007. We expect its review to be guided by the legal and policy principles described above.

Thank you again for your letter on this matter and please do not hesitote to this office if you need further assistance.

Sincorely,

Bilan A. Benezkowski Principal Deputy Assistant Attorney General

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EVOSTC February 16, 2007

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Cordova Center Project Summary

The Prince William Sound region has a strong need for a facility whose mission includes providing the venue and means for education of citizens, students, scientists, resource managers and stakeholders about the Prince William Sound and Gulf ecosystems and how best to manage its natural resources. The EVOSTC's goals of outreach, sharing research and providing educational opportunities correspond with needs of the City of Cordova.

In 1989 Cordova played a significant role as a vital supply, training, and dispatch center for the EVOS response, and the community facilities were overwhelmed by the process. In the event of another oil spill, we will again be called upon to provide response assistance. Adequate capacity to provide the needed service in a center located above tsunami risk, with sufficient back up generation, and space to train the thousands of responders expected is a definite need.

The Cordova Center also addresses the restoration points set in the 1994 Restoration Plan and specifically addresses the Human Services Injured by the spill. The injured human resource of tourism has not recovered in PWS as noted in the latest injured resources and services report.

Not only has Cordova been injured from depressed tourism, but the community has been severely impacted by the loss of fishing opportunities. Using numbers from the Commercial Fisheries Entry Commission records, 83% of herring gillnet, 60% of herring pound, 27% of herring scine, 80% of herring food and bait and 21% of herring hand harvest permits belonged to Cordova based fishermen. In the 12 years that fishing for herring has not occurred since EVOS, the fishermen have lost over \$44 million dollars. The city has lost \$3 million dollars in direct raw fish taxes. The total loss to the community is over \$45 million dollars just from the herring fishery.

The Cordova Center also addresses the restoration points set in the 1994 Restoration Plan and specifically addresses the Human Services Injured by the spill. These injured resources are not currently recovering in Cordova in large part due to the loss of the herring fisheries revenue.

Natural recovery.

The Cordova Center project will aid and assist the impacted community of Cordova to diversify and stabilize its failing economy. The city will gain economic benefits from the conference market the Center will access, bringing in increased sales tax, lodging tax and car rental tax. This will accelerate the recovery of the damaged human services.

The value of an injured resource to the ecosystem and to the public.

The replacement of lost ecosystem services suffered by Cordova from the collapse of the herring fishery, and reduced tourism has a "value" exceeding \$45 million, and the impact from the lost ecosystem service increases each year. Tourism is extremely valuable to the vitality of the community and to the public in general. Cordova's economy through its history has shifted from mineral extraction based to fishing based and now after EVOS is struggling to bring back the budding tourism economy that was lost to EVOS.

Duration of benefits.

Benefits gained from the project will last for the lifetime of the facility, estimated at least to a lifespan of 50 years. The Cordova Center is the centerpiece of the goal to increase economic diversification and to stimulate the local economy on a year-round basis. As the number of visitors increase, jobs will be created and opportunities for small business development will expand. Combined, these assets will encourage entrepreneurs, retirees, and families to move to Cordova, thereby adding to the growing number of beneficiaries of the Cordova Center Project.

Technical feasibility.

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The proposed project is technically feasible using recognized design and construction standards. Use of state of the art design and construction techniques will reduce operating costs below those of the current, to be replaced, inadequate facilities, and actually reduce the carbon footprint of the community by reducing heating and electrical costs. A business and Economie Plan for the Cordova Center is complete. Construction documents are 85% complete.

Likelihood of success.

The project requires 50% of the estimated costs to be "in the bank" before foundation funders and other community support can be accessed. The EVOSTC contribution will trigger additional investment. Successful completion of the project will provide new revenue producing opportunities by increasing the capacity to provide support for symposiums, conferences, conventions, and other meetings. The "desirable destination" for individual and small tour visitors will increase through the development of a more robust museum that includes oil spill related displays. Revenues for visitors will help replace those lost from the herring fishery and tourism.

Will the project cause harmful side effects ?

No, the Cordova Center Project will not only work toward the recovery of the injured human services, but it will also not adversely affect the ecosystem by being constructed to meet LEEDS certification creating an energy efficient, environmentally friendly, state-of-the-art facility.

Will operation and maintenance support be required?

No, and there will be an overall reduction in operating costs through combining multiple "satellite service" centers into an integrated facility. The City of Cordova will own, operate and manage the Cordova Center. Operations and maintenance (O &M) costs for the new facility will be provided by combining O &M budgets for administrative offices, library and museum with income generated from the use of the civic center, theatre and leased space.

Will the project help a single resource or benefit multiple resources?

The expanded museum will be a destination for increasing tourism, a non-recovered service. The museum will include an educational exhibit which will develop ~ *Prince William Sound: Region in Transition*, the story of the 1989 spill and the science and research accomplished since. The "Discovery Rcom" will provide science and oil spill related programs for elementary students on a continuing basis. There will be scafood marketing information in a kiosk (commercial fishing is an injured resource). The library will provide a direct links to ARLIS, and provide a "satellite" repository for locally relevant Oil Spill research information.

Effects on health and human safety.

The Oil Spill Prevention and Response Center will provide emergency services and respond to disasters. Our current facility has no emergency back up generator and is located in tsunami zone. Cordova has the largest local spill response flect in Alaska, made up of contracted vessels from the local fishing flect.

Consistency with applicable laws and policies.

The project meets the criteria in the EVOS settlement and is not unlike other capital construction project funded in the past for the communities of Seward, Kodiak, and Homer.

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Duplication. This proposed project does not duplicate other efforts, in fact; it provides an opportunity for efficient reduction. It is collaboration, engaging partnerships between the City, the Cordova Historical Society, U.S. Forest Service, Theater Groups, Cordova School District, Native Village of Eyak, Prince William Sound Community College, Prince William Sound Science Center, service groups, civic groups and the community.

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