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EXXON VALDEZ OIL SPILL

TRUSTEE COUNCIL

Teleconference Public Meeting

Friday, November 9, 2007 - 9:06 a.m.

441 West 5th Avenue, Suite 500

Anchorage, Alaska

TRUSTEE COUNCIL MEMBERS PRESENT TELEPHONICALLY:

U.S. DEPARTMENT OF AGRICULTURE, MR. STEVE ZEMKE for

U.S. FOREST SERVICE MR. JOE MEADE

(Chairman) Forest Supervisor

STATE OF ALASKA - DEPARTMENT MR. TOM BROOKOVER for

OF FISH AND GAME: Commissioner Lloyd

U.S. DEPARTMENT OF INTERIOR: MR. HANS NEIDIG

U.S. Department of Interior

STATE OF ALASKA - DEPARTMENT MR. LARRY HARTIG

OF ENVIRONMENTAL CONSERVATION: Commissioner

U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for

National Marine Fisheries Svc: MR. JAMES W. BALSIGER

Administrator, AK Region

(IN PERSON)

STATE OF ALASKA - MR. TALIS COLBERG

DEPARTMENT OF LAW: Attorney General

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1 TRUSTEE COUNCIL STAFF PRESENT:

2

3 MICHAEL BAFFERY Executive Director

4

5 CHERRI WOMAC Administrative Officer

6

7 BARBARA HANNAH Administrative Officer

8

9 MICHAEL SCHLEI Analyst Programmer

10

11 CATHERINE BOERNER Program Analyst

12

13 CAROL FRIES ADNR

14

15 CRAIG TILLERY Alaska Department of Law

16

17 RITA LOVETT Alaska Department of Law

18

19 ELISE HSIEH Alaska Department of Law

20

21 PETE HAGEN NOAA

22 (Telephonic)

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

2 (On record - 9:06 a.m.)

3 MR. BAFFREY: Well, Steve Zemke, why don't
4 you chair the meeting? It's the Feds this time.

5 MR. ZEMKE: Okay.

6 MR. BALSIGER: Yeah.

7 CHAIRMAN ZEMKE: So if that's the case then
8 I'd like to call the meeting to order. My time is
9 currently 9:06 a.m. on November 9th. I guess the first in
10 order is to go through a roll call of Federal Trustees and
11 State Trustees. So could you call the roll?

12 MS. WOMAC: Talis Colberg.

13 MR. COLBERG: Yes.

14 MS. WOMAC: Steve Zemke.

15 CHAIRMAN ZEMKE: Present.

16 MS. WOMAC: Hans Neidig.

17 MR. NEIDIG: Present.

18 MS. WOMAC: Craig O'Connor.

19 MR. O'CONNOR: Present.

20 MS. WOMAC: Tom Brookover.

21 MR. BROOKOVER: Present.

22 MS. WOMAC: And Larry Hartig.

23 MR. HARTIG: Present.

24 MR. ZEMKE: Okay. It appears we have a
25 quorum. The next order of business is to look at the

1 consent agenda and first order would be approval of the
2 agenda that has been sent out.

3 MR. HARTIG: This is Larry. I'll move to
4 approve the agenda.

5 MR. COLBERG: I'll second it.

6 MR. BROOKOVER: This is Tom. I'll second.

7 MR. ZEMKE: Okay. The motion for approval
8 agenda has been made and seconded. I guess I'll -- hearing
9 no objections, I would consider the agenda approved as
10 written.

11 MR. O'CONNOR: Now let me ask -- this is
12 Craig -- let me ask a question. Do we have anything that
13 -- Michael -- that we need to add given the discussion that
14 you guys had been having with regard to funding matters and
15 clarifying some former decisions?

16 MR. BAFFREY: I don't believe so. Pete,
17 what do you think?

18 MR. HAGEN: No, I think it's -- we're just
19 clarifying the ability for agencies to carry over funds and
20 I think you were able to address that via the Executive
21 Director's authorization. So I think we're fine.

22 MR. BAFFREY: All right.

23 MR. HAGEN: Just looking at the email
24 string, I would say if indeed we are, I think we would
25 probably bring it up again at the next meeting. But from

1 what I've seen, it appears that we're in the okay.

2 MR. O'CONNOR: Okay. Good. Thank you.

3 MR. ZEMKE: So with that, are there any
4 other suggested changes to the agenda?

5 (No audible responses)

6 CHAIRMAN ZEMKE: Hearing none, then the
7 agenda is approved as written. Next order of business is
8 approval of the meeting notes for October 12th, 2007.

9 Those have been sent out. Do I hear a motion for -- or I
10 guess first thing is discussion of those meeting notes.

11 MR. O'CONNOR: This is O'Connor. I've
12 reviewed those and I think they adequately reflect what we
13 did. So if there's -- nobody's got any particular
14 challenges to them, I would move their adoption.

15 MR. HARTIG: I -- Larry, I'll second.

16 CHAIRMAN ZEMKE: Okay. So I guess hearing
17 a motion and second, I guess we'll take a roll on that.
18 Cherri, can you call roll for approval of the meeting
19 notes?

20 MS. WOMAC: Yes. Tom Brookover.

21 MR. BROOKOVER: Approve.

22 MS. WOMAC: Larry Hartig.

23 MR. HARTIG: Approve.

24 MS. WOMAC: Talis Colberg.

25 MR. COLBERG: Approve.

1 MS. WOMAC: Steve Zemke.

2 CHAIRMAN ZEMKE: Approve.

3 MS. WOMAC: Hans Neidig.

4 MR. NEIDIG: Approve.

5 MS. WOMAC: Craig O'Connor.

6 MR. O'CONNOR: Approved.

7 CHAIRMAN ZEMKE: So meeting notes for
8 October 12th have been approved. Okay. We're moving on to
9 agenda item number 3, public comment. We like to provide
10 opportunity for public comments. Again, three minutes per
11 person it at all possible. So are there any publics there,
12 Michael, that would like to comment?

13 MR. BAFFREY: We have two publics that are
14 not here that would like to comment.

15 CHAIRMAN ZEMKE: Okay.

16 MR. BAFFREY: And they've asked me to
17 present their comments.

18 CHAIRMAN ZEMKE: Okay. I guess we'll go
19 through that and I'll ask if anybody is on teleconference
20 line.

21 MR. BAFFREY: And actually, you know,
22 Martha Vlasoff is her, you know, with the PAC and she
23 represents the public, so she'll also -- do you want to --
24 do you have any comments?

25 MS. VLASOFF: Sure. Just short one.

1 MR. BAFFREY: Okay. Go ahead. Martha is
2 going to give her comments now.

3 CHAIRMAN ZEMKE: Okay.

4 MS. VLASOFF: Yes, this is Martha Vlasoff
5 and I just wanted to say that I'm very pleased that the
6 Lindley project, the SeaLife project for herring
7 restoration is going forward. I've heard from many people
8 in the villages that they were looking forward to a project
9 that has a product that they can benefit from they said
10 that they were sort of tired of just research and nothing
11 that they could see as tangible results. So I just want to
12 say that I'm glad that this project is going forward the
13 way it is. Thank you.

14 CHAIRMAN ZEMKE: Okay. Thank you, Martha,
15 for your comments. Is there anybody else on the line that
16 would like to give public comment?

17 (No audible responses)

18 CHAIRMAN ZEMKE: I guess hearing none,
19 Michael could read into.....

20 MR. BAFFREY: Sure.

21 CHAIRMAN ZEMKE: The comments that you
22 have.

23 MR. BAFFREY: First of all, Stacy
24 Studebaker. And these are all related to the project we're
25 going to be looking at today. Stacy said that from the PAC

1 perspective that they still are not in support of this
2 proposal based on the -- not wanting the council to dip
3 into the principal, and also with the desire to wait until
4 the herring restoration plan was in place, completed before
5 a decision was made on whether we move forward with
6 enhancement. So those are Stacy's comments.

7 I have an email here that I received this
8 morning from Vince Patrick. Vince, are you online? Okay.
9 I'll just read through his comments. It's pretty quick.

10 Vince said, I offer my support for approval
11 of the continued development and adaptation of contemporary
12 culture technologies for Pacific herring in Prince William
13 Sound in parallel with the present development and
14 evolution of the specific ways in which those technologies
15 will be applied.

16 I wish also to respond to a query by one of
17 you regarding findings and conclusion from the Herring
18 Steering Committee Workshop, October 18th and 19th.

19 As a participant and relative to my needs
20 as a contributor to the herring modeling project, I want to
21 first report that the workshop was successful, in fact,
22 successful significantly beyond my expectations.

23 The issue today illustrates one of the
24 contributions of the workshop. Because of the workshop, I
25 had the opportunity to confer at length with the PI for the

1 project before you and to see the results and plans for
2 this project in the context of both other current projects
3 and the planning process. The workshop significantly
4 advanced the integration of the culture project with that
5 of my own and, I believe, conversely.

6 Also surely, culture technology is in one
7 form or another, will have an important role in untangling
8 and addressing herring in Prince William Sound. An
9 affirmative vote today will provide the progress and
10 expertise needed to construct a competent and optimal
11 restoration plan.

12 But the effective adaptation and
13 incorporation of culture technologies is a task that is
14 outside the scope of that technology itself. That task is
15 a matter of integration across all of the current projects.
16

17 The strong suggest [sic] of the recent
18 Steering Committee Workshop indicates that this forum, the
19 Committee, and your staff have in hand the ability to carry
20 out the necessary integration.

21 My support for the project at hand and my
22 support for an active integration effort by the Executive
23 Director Baffrey and the Steering Committee are
24 inseparable. With and only with your commitment to and
25 emphasis on the latter can the former be successful and

1 productive. Those are Vince Patrick's comments.

2 CHAIRMAN ZEMKE: Okay. Thank you, Michael.

3 I heard a couple of other folks sound like came on the

4 line. I'm not sure if they have comment to give.

5 (No audible responses)

6 CHAIRMAN ZEMKE: Okay. Hearing none, then

7 public comment period is now closed. We'll move on to

8 agenda item number 4, development of culture technology to

9 support restoration of herring in Prince William Sound,

10 project 080821. And Michael Baffrey, you're assigned to

11 tell us about that. Go ahead.

12 MR. BAFFREY: I'm going to defer to my

13 science director.

14 CHAIRMAN ZEMKE: Okay.

15 MS. BOERNER: I have a pretty loud voice,

16 so I'll just stay here. Where the Trustee Council had

17 directed Michael to do at the last meeting was to meet with

18 the PI's on this project to see if there was a way of

19 maintaining their relationship with the Japanese

20 researchers without -- and maintaining that relationship

21 without going into a full culture technology program as

22 they had originally proposed. Michael did -- Michael and I

23 both worked with that program and they have come back with

24 a revised proposal with two main objectives. The first

25 objective is to bring the Japanese researchers here to tour

1 the SeaLife Center, to tour potential hatchery locations
2 around the Sound, and to bring them to the Marine Science
3 Symposium where they would have the opportunity to meet and
4 present with our Herring Steering Committee and our Herring
5 Technical Writing Group.

6 The second objective is a yolk protein
7 work, where they're trying to look at the effects of stress
8 on the synthesis of yolk proteins, which not only is good
9 to know for culture technology but it's also just good in a
10 management perspective to understand the effects of stress
11 in the development of herring. And it's clear that the
12 herring in Prince William Sound are under stress right now.

13 Their new proposal came in with a total of
14 \$87,900 and that includes GNA. Michael and I are both
15 supportive of this project in its revised form.

16 MR. BAFFREY: Just as historic reference
17 also, the initial proposal submitted was for around 1.3
18 million.

19 MS. BOERNER: 1.3 million.

20 MR. BAFFREY: The revised proposal came
21 down to 300 million [sic], to which you looked at at your
22 October 12th meeting.

23 MR. COLBERG: 300 million?

24 MS. BOERNER: 300,000.

25 MR. BAFFREY: Oh, I'm sorry, 300,000. So

1 -- I'm going the wrong way. And now it's down to just a
2 little short of \$88,000 and it keeps the relationship with
3 the Japanese alive and also keeps the project alive. So,
4 you know, through FY-08 but it also keeps them here until
5 the FY-09 invitation is issued in February. And I think --
6 Tim, are you on the line? Tim Linley?

7 MR. LINLEY: Yes, I am.

8 MR. BAFFREY: Howard, are you on the line
9 also? Howard Ferren?

10 MR. FERREN: Yes, I am, Michael.

11 MR. BAFFREY: Great. So we've got both the
12 PI's here to answer your questions.

13 MR. ZEMKE: Okay. Thank you, Catherine and
14 Michael for the information. Are there any questions,
15 either Catherine or Michael or any of the principal
16 investigators?

17 MR. COLBERG: Just a couple of questions.
18 This is Talis. Is it true there was a study done
19 previously by someone Gary Marty and how it would be
20 different from that, on the same thing?

21 MR. BAFFREY: Tim and Howard, did you hear
22 that question?

23 MR. LINLEY: No, I didn't.

24 MR. FERREN: No, I'm sorry, I did not.

25 MR. COLBERG: It's my understanding someone

1 named Gary Marty did a similar study before. How would
2 this be different if that's true?

3 MR. LINLEY: I don't recall Gary Marty
4 looking at stress effects on reproductive characteristics.
5 I know Gary Marty was involved with some disease work, but
6 I'm not familiar with any study he might have done that was
7 similar to this or in any way even close to what this one
8 was. I thought he was focused entirely on disease latent
9 effects, but not their effects on say reproductive
10 potential.

11 MR. COLBERG: Thank you.

12 MR. BAFFREY: Pete, were you the PI -- were
13 you project manager on that project? Pete Hagen?

14 MR. HAGEN: Yeah, I was mute here. No, I
15 haven't -- that's not a project I managed. I think it was
16 through ADF&G.

17 MR. BAFFREY: Okay.

18 MR. HAGEN: Gary Marty has been involved in
19 some other work, histopathic. He's been involved with some
20 other work and it's possible he may have looked at that as
21 part of a, you know, sideline in terms of some other work
22 on herring, but I'm not familiar with that specific
23 application though.

24 MR. COLBERG: What's the contractual part
25 of this being allocated to? Do we know yet?

1 MR. BAFFREY: The question was, what's the
2 contractual component being allocated to.

3 MR. LINLEY: Michael, was that directed to
4 me?

5 MR. BAFFREY: Yes.

6 MR. LINLEY: That question?

7 MR. BAFFREY: Yeah, it was directed to you
8 and Howard, yes.

9 MR. LINLEY: What is the contractual
10 component directed to?

11 MR. BAFFREY: Exactly.

12 MR. LINLEY: That means in terms of the
13 contract for Matsubara or the entire project budget? I
14 guess I don't quite understand the specific question.

15 MR. FERREN: I'll try to take shot here. I
16 have a budget in front of me and under the contractual
17 line, I think this is the correct one, one would be a
18 contract with the University of Alaska endocrinology lab
19 for sample analysis. Another is a contract. The
20 relationship that the Alaska SeaLife Center has with
21 MariCal is proposals that we have worked on -- projects
22 that we have worked on jointly have been processed through
23 the Alaska SeaLife Center with a sub-award or a contract to
24 MariCal. So if you look under the contractual line of the
25 budget where you see MariCal and UAF endocrinology lab, the

1 contract on the MariCal grant incorporates the various
2 costs for the participation of Dr. Linley, Matsubara, and
3 those associated costs. If you look under personnel and
4 travel, those are directly related to my involvement. So
5 the principal costs is under contract with MariCal because
6 they're the ones executing the science establishing,
7 maintaining the relationship with Matsubara. Does that
8 help? I'm not sure if I answered your question well
9 enough, but.....

10 MR. COLBERG: I'm just trying to figure out
11 if it was for vessel use or if there was something else
12 there.

13 MR. FERREN: Well, we certainly have had
14 vessel use as we did the previous year, last summer, when a
15 charter out of Cordova was executed for Tim to go into the
16 Sound and procure spawn-on-kelp examine needs. And
17 similarly, we would have to do something this next season
18 in order to secure the eggs/embryos for the yolk work as
19 proposed.

20 MR. LINLEY: And that was a thousand dollar
21 per day rate and we have that in there for three days for
22 this year.

23 MR. COLBERG: Okay. Thank you.

24 CHAIRMAN ZEMKE: So that answers your
25 question, Talis?

1 MR. COLBERG: Yes.

2 CHAIRMAN ZEMKE: Okay. Any other questions
3 for PI's?

4 MR. BROOKOVER: I don't have -- this is
5 Tom. I don't know if it's for the PI's or for Michael or
6 possibly the Science Director. But I guess I'm just
7 looking at the project and thinking of the intent at the
8 last council meeting to, you know, essentially continue the
9 relationship, which was my perspective, with the scientists
10 in Japan, and wondering if the project can be done at a
11 cheaper rate in order to continue that relationship and,
12 you know, ensure the doctor's consultation in the future,
13 or if I'm missing something there. Maybe there was a
14 different purpose, but I guess that's my thought. My
15 question.

16 CHAIRMAN ZEMKE: Okay.

17 MR. BAFFREY: I had circulated a response
18 to that but maybe it would be good now to hear Tim and
19 Howard address that again for everybody.

20 CHAIRMAN ZEMKE: All right. Go ahead Tim
21 or Howard.

22 MR. LINLEY: Sure. I guess, you know, the
23 question, one of the questions that has arisen in this what
24 level or degree of collaboration does the council want to
25 maintain with or extend upon with the Japanese. They've

1 been working on the culture techniques for the better part
2 of 20 years and, you know, I think it's safe to say that
3 this is almost cookbook application for them. And
4 certainly you could, you know, on the surface probably
5 engage their assistance at a very, you know, minimal level
6 to perhaps further explain and/or train or something like
7 that anyone that ultimately gets involved with any of these
8 culture related techniques.

9 More broadly though, the Japanese have, you
10 know, very extensive research capability across the roughly
11 eight or 10 national fishery research institutes that they
12 have within the country. And these involve, you know,
13 studies and very broad programs related to fish stock
14 assessment. You know, pelagic fish ecology including
15 herring. So they have a great deal of expertise above and
16 beyond that simply related to herring culture. The PI that
17 we're talking about bringing over here, although he does
18 head that particular division, the division that's
19 responsible for the herring culture program there, is in
20 fact an endocrinologist that specializes in reproduction.

21 And to the extent that, like I described in
22 I think my reply to the questions that came up, to the
23 extent that stress is resulting in the disease or
24 expression of disease in these fish, there may well be
25 effects upon that spawning stock that are not being

1 recognized right now in terms of the potential for
2 recruitment. So to have some additional expertise
3 capability that builds upon, you know, all the expertise
4 that the Japanese bring to that, I certainly think would be
5 worthwhile.

6 So that's the reason for suggesting that
7 broader collaboration above and beyond just having them
8 come over here and share their experience with us as far as
9 their culture techniques and the history of that.

10 Howard, do you want to stand upon that?
11 But, I mean, you and I have talked about this a couple of
12 times so -- but if you have anything to add.

13 MR. FERREN: So I think that establishing a
14 meaningful engagement -- I have not spoken directly with
15 Dr. Matsubara. This has been in Tim's hands to visit with
16 them, but it seems given the history, the challenge of
17 getting through the front door if you will, that took
18 months of negotiation and work because they were concerned
19 about the motivations behind this and perhaps opening up
20 their knowledge base that they didn't particularly care to
21 share or lose. I think Tim did a wonderful job in
22 penetrating that door and getting access to Matsubara and
23 the field stations and observing their techniques and even
24 being provided, though in Japanese currently, a technical
25 manual on their culture.

1 I think that establishing a more
2 meaningful, engaging opportunity for Matsubara with actual
3 investigation rather than coming over to talk more, explain
4 more, perhaps being queried or asked to give more
5 information without our actually engaging them in the
6 meaningful enterprise of scientific inquiry probably is not
7 the shrewdest avenue to take. And I think that Tim has hit
8 on an important question that both is the focal point of
9 Dr. Matsubara's career and might build a -- not only a
10 tighter relationship but also might open up another area of
11 important scientific inquiry and possible outcome that
12 might just shed additional light and contribute further to
13 the overall question of health and productivity of herring
14 in Prince William Sound.

15 And for the cost difference, I realize that
16 question continues to come up. I think the difference
17 between creating a meaningful relationship with productive
18 outcomes rather than just simply a tour for Matsubara to
19 offer more information, the cost difference between those
20 two objectives is not very significant. And I think the
21 outcome has so much more potential in the long term
22 relationship and the outcome of the science.

23 So I certainly support it. Of course,
24 we're -- you know, have offered this as an option and I
25 don't think that this particular pursuit establishes any --

1 a priority commitment to fish culture. In other words, it
2 doesn't take us or position us in any way ahead of other
3 competitive or integrative proposals on where the Trustee
4 Council may choose to go or the Herring Restoration Plan
5 goes. This is a core piece of scientific information that
6 will help anyone that engages in any possible restoration.
7 If we have an understanding of fish stress, the
8 reproductive endocrinology associated with that, and the
9 health, the vitality, if you will, of yolk.

10 I'm not the scientist to articulate that,
11 Tim could, but I hope that answer helps. I won't elaborate
12 further. That would just be redundant.

13 MR. LINLEY: Okay. Thank you.

14 CHAIRMAN ZEMKE: Is there any other
15 discussion?

16 (No audible responses)

17 CHAIRMAN ZEMKE: I had one question. It
18 appears -- there was some email from Jeep Rice talking
19 about the fact that VHS appears mostly in juveniles and
20 here we're looking at adults and some of those adults are
21 probably -- have been challenged from VHS and survivors.
22 Is there any way to be able to differentiate kind of that
23 survivorship and their degree of, if you would, immunity to
24 the VHS from those spawners and then taking a look at that
25 and how successful they are in protein production? Do you

1 understand my question?

2 MR. LINLEY: Well, I think that's possible,
3 you know, I mean obviously that involves perhaps
4 considerably more work. What we're interested in trying to
5 do is simply at this point survey enough fish to determine
6 whether or not you're going to see any reproductive
7 impairment, perhaps fish that say obviously look diseased
8 or hemorrhagic in one form or another. That would indicate
9 that those fish are being stressed and contrast that with
10 perhaps those that are not.

11 The other thing that I pointed out in my
12 reply to Michael was that this is also something that's
13 testable in the lab. And I mentioned or referred to, you
14 know, some of the work that Paul Hershberger is doing. We
15 had in our previous proposal a portion of our work was
16 collaboration with him to look at some means to mitigate
17 stress and disease in fish and the impact upon gamete
18 quality and things of that nature.

19 So to the extent that this is something
20 that can be tested in the lab, you could also, you know,
21 expand upon that type of work under those conditions as
22 well. But for purposes of this, we're just simply
23 interested in trying to do a very, you know, not
24 superficial but initial cut at a survey here to look and
25 see whether or not there are in fact, isn't in fact some

1 variability between say perhaps diseased and un-diseased
2 fish. I suspect what you're saying is probably right. I
3 think my discussions with Paul and with other folks that
4 are knowledgeable about disease, Ted Meyers, for example,
5 that that probably is the case in terms of immunity from
6 juveniles.

7 CHAIRMAN ZEMKE: Okay. Thank you. Any
8 other questions?

9 MR. O'CONNOR: This is O'Connor. Can you
10 hear me?

11 CHAIRMAN ZEMKE: Yes.

12 MR. O'CONNOR: I was the one that raise
13 concern with a significant delay and disassociation with
14 the Japanese on this project, so that we were able to -- I
15 wanted to be sure we were able to maintain continuity. We
16 were somewhere between a million three for a full blown
17 project and exchanging Christmas cards to keep open
18 communication. The sense that I am getting from what I've
19 heard from Michael and Catherine and from Tim as well, is
20 what they are proposing is what seems to be the critical
21 mass necessary to maintain an effective collaboration that
22 we may build on in the future as we take a look at the
23 Herring Restoration Plan and some other evaluations with
24 regard to work that's been going on. Although it sounds
25 like there are more pieces than a layperson such as myself

1 might think necessary to maintain the momentum of
2 collaboration. I would appear to me as though you folks
3 feel that this is the necessary critical mass to keep those
4 lines open and keep our forward progress on this subject.

5 Is that a fair assessment, Michael, of what
6 you guys are saying?

7 MR. BAFFREY: Yes.

8 MR. O'CONNOR: All right. Well, I would
9 move approval of the project as resubmitted, at least for
10 purposes of further discussion.

11 MR. NEIDIG: Second. This is Hans.

12 CHAIRMAN ZEMKE: A motion has been -- to
13 approve the project and seconded. Is there further
14 discussion on the matter?

15 (No audible responses)

16 CHAIRMAN ZEMKE: I guess from what I hear,
17 I would intent probably to vote positive for the motion.
18 Probably a couple of reasons it does appear that it is a
19 good -- maybe not the critical mass but a good methodology
20 for maintaining meaningful relationship with the Japanese.
21 And then too, from what I heard, was that -- and at the
22 same time, there is no defacto obligation of the Trustee
23 Council's to continue or to go down the hatchery or direct
24 enhancement methodology but at the same time it doesn't
25 prevent us from doing that. So with that, I would intend

1 to vote for the motion.

2 Any other discussion?

3 MR. BROOKOVER: This is Tom. I would just
4 concur with what you said.

5 CHAIRMAN ZEMKE: Okay. Any others?

6 MR. O'CONNOR: This is O'Connor. I would
7 call for the question.

8 CHAIRMAN ZEMKE: Okay. The question has
9 been called. I guess, Cherri, Michael, then can you call
10 the roll?

11 MS. WOMAC: Yes. Talis Colberg.

12 MR. COLBERG: Yes.

13 MS. WOMAC: Larry Hartig.

14 MR. HARTIG: Yes.

15 MS. WOMAC: Tom Brookover.

16 MR. BROOKOVER: Yes.

17 MS. WOMAC: Craig O'Connor.

18 MR. O'CONNOR: Yes.

19 MS. WOMAC: Hans Neidig.

20 CHAIRMAN ZEMKE: You're breaking up,

21 Cherri.

22 MS. WOMAC: Hans Neidig.

23 MR. NEIDIG: Yes.

24 MS. WOMAC: And Steve Zemke.

25 CHAIRMAN ZEMKE: Yes. So the motion has

1 been passed. So.....

2 MR. BAFFREY: Did you call O'Connor?

3 MS. WOMAC: Uh-huh.

4 MR. BAFFREY: All right.

5 CHAIRMAN ZEMKE: Did.....

6 MR. BAFFREY: Steve, if I could interject.

7 We need to have project management fees for this one also.

8 So I'm assuming that it will take a motion. It will take a

9 motion to add, you know, one month's salary to and the --

10 Fish and Game?

11 MS. BOERNER: Fish and Game.

12 MR. BAFFREY: Which will be -- which will

13 go to ADF&G.

14 CHAIRMAN ZEMKE: That's in addition to the

15 87,000 then?

16 MR. BAFFREY: That's correct.

17 CHAIRMAN ZEMKE: So I guess I would be open

18 to a motion for project management, one month's time, for

19 ADF&G, and it's the project 080821.

20 MR. O'CONNOR: I would move -- so moved.

21 This is O'Connor.

22 MR. HARTIG: This is Larry. I'll second

23 that.

24 CHAIRMAN ZEMKE: Hear a second. Yes. So

25 Cherri, could you call roll? Or I guess is there any

1 discussion on the motion?

2 MR. O'CONNOR: I've called for the question.

3

4 CHAIRMAN ZEMKE: Okay. Hearing no
5 discussion, the question has been called. Cherri, could you
6 call roll on the motion?

7 MS. WOMAC: Yes. Talis Colberg.

8 MR. COLBERG: Yes.

9 MS. WOMAC: Larry Hartig.

10 MR. HARTIG: Yes.

11 MS. WOMAC: Tom Brookover.

12 MR. BROOKOVER: Yes.

13 MS. WOMAC: Craig O'Connor.

14 MR. O'CONNOR: Yes.

15 MS. WOMAC: Hans Neidig.

16 MR. NEIDIG: Yes.

17 MS. WOMAC: And Steve Zemke.

18 CHAIRMAN ZEMKE: Yes. Motion has been
19 passed. Looking at the agenda, that concludes all that we
20 have on it. Currently is there any other discussion?

21 MR. BAFFREY: I think it would be one thing
22 worth noting, so I'll turn it over to Talis and Craig,
23 because you're losing staff and adding one.

24 MR. COLBERG: Yeah, Rita Lovett is going to
25 be leaving us for the dark side, so this is her last

1 meeting with us.

2 MS. LOVETT: And here I was coming so
3 ecstatic.

4 CHAIRMAN ZEMKE: Hopefully she's not going
5 over to Exxon, huh?

6 MR. COLBERG: Not the darkest side.

7 MS. LOVETT: A lighter shade of black.

8 MR. BAFFREY: And her replacement.....

9 MR. COLBERG: Elise will be our
10 replacement. She's also here.

11 MR. BAFFREY: Elise will be replacing her
12 on the Department of Law staff.

13 CHAIRMAN ZEMKE: Okay. Well,
14 congratulations, Rita, and thank you very much for all your
15 help. And then welcome to the light side, I guess it is.

16 MR. BAFFREY: Yeah. At least the other
17 side.

18 MR. O'CONNOR: This is O'Connor. Can I
19 comment on behalf of NOAA, please.

20 CHAIRMAN ZEMKE: Sure. Yes.

21 MR. O'CONNOR: I would -- Rita, you've got
22 to be violating some law here by abandoning us in our state
23 of need. But I want to thank you very much for what I
24 consider to be a phenomenal contribution during your
25 tenure. You impressed me immeasurably with your legal

1 capabilities and the calm demeanor with which you address
2 some of these complex issues. So thank you very much and
3 the best of luck to you.

4 MS. LOVETT: Thank you, Craig.

5 MR. BAFFREY: And this is Mi.....

6 CHAIRMAN ZEMKE: Thank you, Craig. Well
7 said.

8 MR. O'CONNOR: Yeah.

9 CHAIRMAN ZEMKE: Any other comments?

10 MR. BAFFREY: This is Michael Baffrey and
11 I'd like to not only echo that but I stepped in here and
12 made lots of mistakes, especially in public, and I -- you
13 know, it was very much of a learning process for me and I
14 do appreciate the fact that Rita, you know, was very kind
15 about how she corrected my errors. And she always answers
16 her phone. I'm totally amazed at when I call the number
17 there's a voice on the other end, and I know you're
18 incredibly busy. So thanks.

19 CHAIRMAN ZEMKE: She's practicing billable
20 hours, Michael.

21 MR. BAFFREY: We'll definitely miss you
22 over here.

23 CHAIRMAN ZEMKE: Okay. Anything else?

24 MR. FERREN: This is Howard.

25 MR. O'CONNOR: This is O'Connor.

1 CHAIRMAN ZEMKE: Go ahead. I hear two
2 voices. Craig and then one other.

3 MR. FERREN: Yes. Howard Ferren.

4 CHAIRMAN ZEMKE: Howard.

5 MR. FERREN: Yeah, thank you, Mr. O'Connor.
6 I wanted to thank the Trustee Council members and Michael
7 for holding this meeting. Your time is precious. I want
8 to respect that. We put this request to Michael as an
9 issue of timeliness because if we want to attempt to have
10 Dr. Matsubara here for the Marine Science Symposium, for
11 workshop, it was absolutely critical to have a yes/no
12 because we really can't execute anything until there's
13 actually a contract in place for the expenditure funds.
14 And if we had delayed until your scheduled council meeting,
15 it would have really precluded the possibility of any
16 action timely for the science symposium. So I want to
17 thank you very much for offering your time to address this
18 issue.

19 CHAIRMAN ZEMKE: Okay. Thank you, Howard.
20 Craig, you had a comment.

21 MR. O'CONNOR: No, I just move we adjourn.

22 CHAIRMAN ZEMKE: I heard a motion for
23 adjournment. Is there a second to that motion?

24 MR. BROOKOVER: This is Tom. I'll second.

25 CHAIRMAN ZEMKE: Seconded. Any discussion?

1 Are we ready to adjourn?

2 MR. BAFFREY: Yes.

3 CHAIRMAN ZEMKE: Okay. Hearing no
4 opposition, then I take that as approval for motion to
5 adjourn.

6 MR. BAFFREY: Thanks, Steven, for chairing.

7 CHAIRMAN ZEMKE: All right. Thank you.

8 MR. O'CONNOR: Yeah, you did a good job,
9 guy. Thank you.

10 CHAIRMAN ZEMKE: Thanks.

11 (Off record - 9:44 a.m.)

12 (END OF PROCEEDINGS)

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C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Joseph P. Kolasinski, Notary Public in and for the state of Alaska and reporter for Computer Matrix Court Reporters, LLC, do hereby certify:

THAT the foregoing pages numbered 4 through 31 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Teleconference Meeting recorded electronically by me on the 9th day of November 2007, commencing at the hour of 9:06 a.m. and thereafter transcribed under my direction and reduced to print:

THAT the Transcript has been prepared at the request of:

EXXON VALDEZ TRUSTEE COUNCIL, 451 W. 5th Avenue, Suite 500, Anchorage, Alaska 99501;

DATED at Anchorage, Alaska this 14th day of November 2007.

SIGNED AND CERTIFIED TO BY:

Joseph P. Kolasinski
Notary Public in and for Alaska
My Commission Expires: 03/12/08