

1 EXXON VALDEZ OIL SPILL  
2 TRUSTEE COUNCIL  
3 Public Meeting  
4 Tuesday, May 23, 2006  
5 8:30 o'clock a.m.  
6 441 West 5th Avenue, Suite 500  
7 Anchorage, Alaska

8 TRUSTEE COUNCIL MEMBERS PRESENT:

9 STATE OF ALASKA - DEPARTMENT MR. MCKIE CAMPBELL  
10 OF FISH AND GAME: Commissioner  
11 (CHAIRMAN)

12 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE  
13 U.S. Department of Interior

14 STATE OF ALASKA - MR. DAVID W. MARQUEZ  
15 DEPARTMENT OF LAW: Attorney General

16 STATE OF ALASKA - DEPARTMENT MR. KURT FREDRIKSSON  
17 OF ENVIRONMENTAL CONSERVATION: Commissioner

18 U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for  
19 National Marine Fisheries Svc: MR. JAMES W. BALSIGER  
20 Administrator, AK Region

21 U.S. DEPARTMENT OF AGRICULTURE, MR. JOE MEADE  
22 U.S. FOREST SERVICE Forest Supervisor

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STAFF PRESENT

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3	MICHAEL BAFFERY	Executive Director
4	KIMBERLY TRUST	Science Director
5	CHERRI WOMAC	Administrative Officer
6	BARBARA HANNAH	Administrative Officer
7	MICHAEL SCHLEI	Analyst Programmer
8	CARRIE HOLBA	ARLIS Librarian
9	HEATHER BRANDON	ADF&G
10	CAROL FRIES	ADNR
11	DEDE BOHN	U.S.G.S.
12	JIM BODKIN	U.S.G.S.
13	GINA BELT	Department of Justice
14	STEVE ZEMKE	U.S. Forest Service
15	PETE HAGEN	NOAA
16	DOUG MUTTER	Department of Interior
17	LARRY DIETRICK	ADEC
18	LESLIE PEARSON	ADEC

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P R O C E E D I N G S

(Anchorage, Alaska - 5/23/2006)

(On record - 8:42 a.m.)

CHAIRMAN CAMPBELL: Okay. We re going to go ahead and get started. Drue is in a teleconference and she will join us shortly before we take any formal actions. Let me ask first, we have the consent agenda and the approval of the agenda. Do we have a motion to approve the agenda?

MR. O CONNOR: So moved.

MR. MARQUEZ: Second.

CHAIRMAN CAMPBELL: Any objection?

(No audible responses)

CHAIRMAN CAMPBELL: It s approved. And then approval of Trustee Council meeting notes.

MR. FREDRIKSSON: Mr. Chair?

CHAIRMAN CAMPBELL: Yes.

MR. FREDRIKSSON: If I could ask for just a minor amendment to the agenda, I would propose that since the real heart of today s meeting is on the 07 invitation, what I propose is that we move what is item number 8 on the agenda, the FY07 invitation, up to follow the Executive Director s report. We have a number of subsequent agenda items, including the monitoring project, the herring workshop, the small parcel program, that will all have a

1 bearing on how we deal with the 07 settlement fund  
2 investment. So I would just propose amending the agenda to  
3 bring up the 07 invitation after the Executive Director s  
4 report.

5 CHAIRMAN CAMPBELL: I think that makes  
6 sense. Is there a second?

7 MR. O CONNOR: Second.

8 CHAIRMAN CAMPBELL: Any objection? The  
9 agenda is so amended. We next have approval of Trustee  
10 Council meeting notes. Did anyone have any problem with  
11 that?

12 MR. FREDRIKSSON: Mr. Chairman, just on the  
13 meeting notes that are dated in our book March 29th,  
14 there s just one item that I understand Cherri actually  
15 corrected in a subsequent addition, but I would note, after  
16 number 5, where we went into an executive session, when we  
17 came out of the executive session, we had an approved  
18 motion where we had a motion to approve appointment of  
19 Michael Baffrey as the Executive Director of the EVOS  
20 Trustee Council office. And with that correction, I d move  
21 to approve the meeting notes.

22 MR. MARQUEZ: Second.

23 MR. O CONNOR: I have a request from  
24 Michael that we reconsider that decision.

25 CHAIRMAN CAMPBELL: Denied.

1 MR. O CONNOR: Oh, okay.

2 MR. BAFFREY: Actually I ve been doing that  
3 the whole time.

4 MR. O CONNOR: Yeah, that s all right.

5 CHAIRMAN CAMPBELL: Any objection to the  
6 meeting notes?

7 MR. O CONNOR: None.

8 CHAIRMAN CAMPBELL: If not, they re  
9 approved. That brings us to the Public Advisory Committee  
10 comments. And do we have -- either here or online?

11 MS. STUDEBAKER: Good morning.

12 CHAIRMAN CAMPBELL: Good morning.

13 MR. O CONNOR: Good morning.

14 MS. STUDEBAKER: Can you hear me okay?

15 CHAIRMAN CAMPBELL: Yep, we can.

16 MS. STUDEBAKER: All right. I m Stacey  
17 Studebaker. I guess I m the acting chair of the Public  
18 Advisory Committee. And I have some comments to you this  
19 morning from the Public Advisory Committee. And first I  
20 would like to commend you on your choice of Executive  
21 Director of the EVOS Trustee Council. The PAC is very,  
22 very happy about Michael Baffrey being a permanent  
23 Executive Director as of May 9th rather than interim and we  
24 hope that his title will be changed on the website from  
25 interim to permanent. We like that. It shows a commitment

1 of the Trustee Council to some continuity, which is badly  
2 needed and has been for the last couple of years. And so  
3 we really appreciate that and the train or restoration  
4 program in our view seems to be getting a little better  
5 back on track and a lot of that is due to Michael s  
6 leadership. There s much improved communication between  
7 the Trustee Council office and the Public Advisory  
8 Committee. We have a much better idea of what s going on  
9 thanks to Michael s openness and good ability to  
10 communicate with the public.

11                   We know our function is advisory but we  
12 need to be at the table. That is, we need to be included  
13 in all steps and facets and we do need to meet two times a  
14 year as stated in the new charter and it has been  
15 previously in the charter. We haven t had a meeting yet  
16 this year but I ll kind of get to that later.

17                   The second item today on your agenda is the  
18 revised and update PAC charter which all the PAC members  
19 have read over and gotten back to me with their comments.  
20 The main change I think is the downsize from 20 to 14  
21 members. And I don t know if this is the right time for me  
22 to make my comments on this, it you re going to have this  
23 as an agenda item or.....

24                   CHAIRMAN CAMPBELL: Well, why don t you  
25 save and make those specifically on the agenda item. But

1 we ll make sure you have the opportunity.

2 MS. STUDEBAKER: Okay. So I ll get to come  
3 back up here and.....

4 CHAIRMAN CAMPBELL: Yes.

5 MS. STUDEBAKER: Okay. All right. So I ll  
6 save all my comments on that until you get to that in the  
7 agenda. All right. So I will skip over to the four  
8 monitoring projects that have been deferred by the Trustee  
9 Council for many months now. The PAC urges you to approve  
10 them today. The PAC stands by its continued support of  
11 monitoring and especially these projects in the  
12 continuation of a modified GEM program that these kind of  
13 represent. These four projects are supported by the PAC,  
14 the STAC, the staff, the EVOS scientists and scientific  
15 community, they re supported by the general public, and  
16 virtually everybody in the universe except for some of the  
17 trustees. So we really don t understand why -- we re not  
18 quite sure about why they ve been deferred for so long.  
19 Anyway, we urge you to support them today.

20 On the new website, that is wonderful, by  
21 the way, created by staff member Carolyn Rosner. It makes  
22 a big deal of the program, the restoration program s  
23 commitment to monitoring and GEM. And I don t know if  
24 you ve had a chance to look at how well that s organized  
25 but there s on whole big section on the website about

1 monitoring and GEM. And GEM s goal is to provide -- it  
2 says on the website, GEM s goal is to provide a better  
3 understanding of the complex processes in the ocean, an  
4 understanding that will help us enjoy the great  
5 productivity and bio-diversity of Alaska s oceans for  
6 generations to come. But ironically there s no monitoring  
7 currently going on. And so if -- the PAC, you know, urges  
8 you that if you re not going to support any monitoring,  
9 then you need to reflect that on the website so that you re  
10 being honest and up front with the public. So if no  
11 monitoring is truly going on and you don t intend to do or  
12 fund monitoring, then, you know, that needs to be reflected  
13 so the public isn t led to believe that monitoring is going  
14 on.

15                   The PAC believes that monitoring and long  
16 term data sets of baseline information about the Gulf  
17 ecosystem give us the big picture and the understanding  
18 that will help us to make predictions, to better manage our  
19 resources. And without this data, scientists can only stab  
20 in the dark. You cannot foretell a catastrophic event like  
21 an oil spill or a Katrina. Baseline data from long term  
22 monitoring is the best insurance policy that we can have in  
23 the event of another catastrophic event. So please vote  
24 today to fund these four studies.

25                   The next item here is that the PAC commends

1 the work of the lingering oil committee and appreciated  
2 being included in that committee and being at the table and  
3 we would hope that that continues. We don't know when the  
4 next meeting is scheduled but we want to be at the table at  
5 the next meeting as well.

6                   The PAC also recognizes the success of the  
7 herring workshop, a multi-stakeholder approach, problem  
8 solving approach, which is a really good model for planning  
9 and this should be continued. It's really the best way,  
10 the most open way to include the public. And please  
11 support funding for the 75,000 for a six to eight person  
12 committee to craft a herring restoration plan. We think  
13 that's a -- I got really good feedback from that idea from  
14 the PAC members.

15                   And lastly, the PAC would like to meet. We  
16 haven't had a meeting and there is no meeting scheduled. I  
17 know there are a lot of things kind of in flux but the PAC  
18 needs to meet and we need to discuss the Integral report,  
19 which is still not completed, much to our chagrin. The PAC  
20 believes that the Integral report needs to be peer  
21 reviewed. We also need to meet to review the 07  
22 invitation, which is going to be on the agenda today and  
23 discussed. But we would like to meet to review that after  
24 it has been fully vetted and reviewed by the STAC, which is  
25 usually the way things have been done in the past, is the

1 STAC approves things and then the PAC looks at the STAC  
2 recommendations. It usually goes along with the STAC.

3 We want to review the short term herring  
4 projects and the long term restoration plan. We want to  
5 discuss the continuation of GEM and monitoring. And we d  
6 like to discuss the future of community involvement as a  
7 piece of the restoration plan. So we need to schedule a  
8 meeting and would request a schedule of upcoming events,  
9 dates and meetings. I know this is difficult but we --  
10 several PAC members have asked me what s going on and when  
11 our next meeting is so that they can plan their lives and  
12 be sure that they can make arrangements to be at a meeting.  
13 So I ll be here all day today and be available for the  
14 agenda item of the PAC charter when it comes up.

15 CHAIRMAN CAMPBELL: Great.

16 MS. STUDEBAKER: Any questions?

17 (No audible responses)

18 CHAIRMAN CAMPBELL: Joe.

19 MR. MEADE: Just for clarification, Stacey,  
20 you mentioned the PAC needs to be, and you highlighted  
21 several areas. Were you there mentioning the PAC needs to  
22 get a PAC meeting within themselves established or were you  
23 -- was that a request the PAC again meet with the trustees  
24 on those issues? I m just looking for clarification in  
25 what you re -- so I interpret it correctly.

1 MS. STUDEBAKER: Well, I think the PAC has  
2 in the past had separate meetings, you know.....

3 MR. MEADE: Yeah, okay.

4 MS. STUDEBAKER: .....just PAC meeting  
5 and.....

6 MR. MEADE: Yeah. So you re just looking  
7 to schedule the next PAC meeting.

8 MS. STUDEBAKER: Exactly. Yeah.

9 MR. MEADE: Yeah. Thank you.

10 MS. STUDEBAKER: And after things have been  
11 kind of settled today, I think -- and discussed today, I  
12 think that will give us a little more direction or a little  
13 -- better idea of where you re going so we can discuss our  
14 work.

15 MR. MEADE: And I assume that s at your  
16 auspices of getting this meeting slated, scheduled and --  
17 so it s not something you re asking of us, it s just  
18 letting us know the PAC sees that need to get that meeting  
19 underway.

20 MS. STUDEBAKER: Right. If we need to meet  
21 a minimum of two times a year, then you know, we re -- we  
22 need to get a meeting sometime, you know, this summer or  
23 before too long.

24 MR. O CONNOR: One of the -- excuse me, Mr.  
25 Chair. One of the questions I had of a similar vein, you

1 were mentioning the PAC participating with the lingering  
2 oil committee and the herring committee, if we put it  
3 together.

4 MS. STUDEBAKER: Right.

5 MR. O CONNOR: Are you looking at these as  
6 additional meetings beyond us having you attend the  
7 meetings of the lingering oil committees and the herring  
8 committee or.....

9 MS. STUDEBAKER: Well, those meetings just  
10 involve like a couple of PAC members that are asked to be  
11 on those committees. So those aren't full PAC meetings.

12 MR. O CONNOR: Okay.

13 MS. STUDEBAKER: And what I'm requesting is  
14 an opportunity for the whole PAC to meet, which is in the  
15 charter. And what we've done in the past is we've had full  
16 meetings scheduled two times a year. Yeah. In person, you  
17 know, here in Anchorage.

18 MR. O CONNOR: Gotcha. Okay.

19 MS. STUDEBAKER: Yeah. Yeah.

20 MR. O CONNOR: Meetings of the whole.

21 MS. STUDEBAKER: Yes, meetings of the  
22 whole.

23 MR. O CONNOR: Yes, okay. Okay.

24 MS. STUDEBAKER: All 20 of us at this  
25 point.

1                   MR. O CONNOR: And there was -- can I ask a  
2 couple of questions with regard to the support of the PAC  
3 for the monitoring studies.....

4                   MS. STUDEBAKER: Sure.

5                   MR. O CONNOR: .....that we have before us?  
6 Are there some specific attributes of those studies that  
7 are of particular concern to the members or is it just a --  
8 sort of a general we need to support the idea of monitoring  
9 and maintaining an information flow and an understanding of  
10 what s going on in the ecosystem in Prince William Sound?  
11 Or there s specific.....

12                  MS. STUDEBAKER: I d say yes to all of the  
13 above.

14                  MR. O CONNOR: All of it.

15                  MS. STUDEBAKER: Yes, uh-huh. I think  
16 these four projects are kind of the king pin data sets that  
17 are seen as really important oceanography aspects to  
18 monitor. To be able to put your finger on the pulse of  
19 what s going on in the ecosystem. And they ll be some  
20 other comments today from Brenda Norcross about  
21 specifically how that data, especially from GAK1 in the  
22 Gulf, has contributed to our understanding of predictions  
23 of big trends and also predictions of things like where the  
24 oil was going to go during the oil spill. Because we had  
25 that information of current flow, temperature, scientists

1 knew where the Exxon Valdez oil was going to end up.  
2 Without that information, we couldn't have alerted the  
3 communities down current and gotten them in place, gotten  
4 them ready. And so it's huge. You know, it's multi-  
5 faceted but it's like, you know, going and, you know, it's  
6 like taking the vital signs of the ecosystem constantly and  
7 if you don't take the vital signs, you don't know what the  
8 health or what the ecosystem, what the organism is doing.

9 MR. O'CONNOR: Did you, in your  
10 deliberations, did you see any gaps in monitoring -- and I don't  
11 want to talk about GEM or whatever GEM is all about, I'm  
12 just wondering if you guys saw any gaps in the monitoring  
13 that we should be looking at beyond those four projects.

14 MS. STUDEBAKER: I think those four  
15 projects are a really good start and once in place -- I  
16 know the PAC has greatly supported coastline mapping to  
17 continue. The mapping that was started in the Kodiak  
18 Archipelago that was conducted by Gretchen Saupe. And that  
19 along with monitoring, you know, knowing inch by inch by  
20 inch what the coastline looks like in Prince William Sound  
21 would be of huge value in the event of another catastrophic  
22 event. Yeah.

23 MR. O'CONNOR: Thanks.

24 MS. STUDEBAKER: Yeah.

25 CHAIRMAN CAMPBELL: Anyone else? Kurt.

1                   MR. FREDRIKSSON: Yeah, just a comment in  
2 terms of meeting with the PAC. And just for purposes of  
3 discussion, this is isn t an action item necessarily but  
4 maybe directed more at you, Michael. As I look on your  
5 schedule, and I know this is a tentative schedule in the  
6 07 invitation, but it looks around the first part of  
7 August is when we might actually -- if we go out with a  
8 June 1 invitation for public review, it will be around the  
9 first part of August that those proposals would come back.  
10 I would think if the Council, and I sure would support  
11 having a Council/PAC meeting, but if the PAC is going to  
12 meet and bring all the members together, it might be best  
13 to do that in conjunction with a Trustee Council meeting  
14 where we can have kind of back to back. And I would just  
15 suggest that around that time frame, after the invitation  
16 proposals come in, might be a time we might look at when we  
17 could have that. I d just throw that out just as a  
18 suggestion.

19                   MS. STUDEBAKER: I don t think August 1 is  
20 going to be a real popular date.

21                   MR. FREDRIKSSON: No dates are.

22                   MS. STUDEBAKER: Yeah, but.....

23                   MR. FREDRIKSSON: But being responsive to  
24 your request.

25                   MS. STUDEBAKER: Right. Right.

1                   MR. BAFFREY: With regards to the update to  
2 the injured resources and services, there s two -- there s  
3 public involvement in that process. And the two windows  
4 that we looked at is, you know, early to mid-July and late  
5 August to the 1st of September to try to get, you know, to  
6 not totally interrupt the fishing season. So that may work  
7 towards the end of August.

8                   CHAIRMAN CAMPBELL: One additional question  
9 on monitoring. We ve expressed to a number of the  
10 scientists a request for a hierarchal list of what needs to  
11 be monitored and details and costs, where, when, the length  
12 of monitoring, et cetera. And if the PAC has, you know,  
13 thoughts on that at a later date, we d be very interested  
14 in that.

15                   MS. STUDEBAKER: Okay.

16                   CHAIRMAN CAMPBELL: And this goes to the  
17 issue of, that we re talked about it many times up here,  
18 that we expect monitoring needs to continue for a much  
19 longer period than we expect the EVOS Council to continue.  
20 And therefore the question is, if we are going to in effect  
21 contract out long term monitoring obligations, whether it  
22 be -- and many institutions get mentioned -- whether it be  
23 North Pacific Board or the University or Prince William  
24 Sound Science Center or others I m not naming or a  
25 combination of all of those, we need to come down with what

1 that is and the cost as we then look at other obligations  
2 with the money. So we d be very interested in that.

3 MS. STUDEBAKER: So you want a priority  
4 list?

5 CHAIRMAN CAMPBELL: A hierarchal list.

6 MS. STUDEBAKER: A hierarchal.....

7 CHAIRMAN CAMPBELL: Yes.

8 MS. STUDEBAKER: .....list, including the  
9 four projects that are up for funding today?

10 CHAIRMAN CAMPBELL: Yeah.

11 MS. STUDEBAKER: Okay. All right.

12 CHAIRMAN CAMPBELL: Okay. Thanks.

13 MS. STUDEBAKER: Any other questions?

14 CHAIRMAN CAMPBELL: No. Thank you.

15 MR. O CONNOR: Let me.....

16 CHAIRMAN CAMPBELL: Yeah.

17 MR. O CONNOR: Could we go back for just --  
18 that brought up an issue in my mind. There s monitoring  
19 and there s monitoring. Okay, now what I m hearing McKie  
20 talk about is sort of looking into the future and keeping  
21 track of what s been accomplished by way of restoration and  
22 the recovery of the resources injured by the spill. What  
23 I m hearing your emphasis is to be prepared to understand  
24 the ecosystem in the event of another event.

25 MS. STUDEBAKER: Exactly.

1                   MR. O CONNOR: Which is a different type of  
2 monitoring or a different type of scientific focus. Being  
3 prepared for the next event is not necessarily the same  
4 thing as seeing how we did with this event and the  
5 resources, their status, and how the system is responded to  
6 the efforts that we put in. Whether the system has  
7 recovered and been fully restored is our responsibility.

8                   MS. STUDEBAKER: Right.

9                   MR. O CONNOR: Are we talking about two  
10 different things here?

11                  CHAIRMAN CAMPBELL: I think we re talking  
12 about two parts of the whole overall.....

13                  MS. STUDEBAKER: Of the restoration  
14 program.

15                  CHAIRMAN CAMPBELL: .....and I think  
16 ultimately, you know, we re going to have to look at the  
17 entire list and make some decisions.

18                  MR. O CONNOR: Okay.

19                  MS. STUDEBAKER: But when I say monitoring,  
20 I m talking about long term data sets of things like  
21 salinity and surface temperature and current flow and  
22 plankton productivity and, you know, primary productivity.  
23 You know, things like that. Just really basic baseline  
24 stuff that really pays off in the long run. If you have  
25 long term data sets, you have a much better idea of

1 figuring out -- making predictions in the future and  
2 figuring out where impacts will be if there is some kind of  
3 switch in the system. Otherwise you don't have -- you  
4 know, how do you know what's going on.

5 MR. O'CONNOR: Mr. Chairman, I think my  
6 comments last time on this subject looked as well or looked  
7 principally at the knowledge base that we need to have  
8 today to make the decisions that we need to make as a  
9 Trustee Council, particularly, for instance, with regard to  
10 herring.

11 MS. STUDEBAKER: Yeah. Exactly.

12 MR. O'CONNOR: And I'm assuming that the  
13 sense of the PAC is that these monitoring projects are  
14 generating the kind of information that those of us with  
15 responsibilities and those of us with academic interest or  
16 engagement need to make those kinds of decisions. Is that  
17 a fair characterization of -- okay.

18 MS. STUDEBAKER: Yeah. Exactly. You know,  
19 like for instance, you know herring larva are planktonic,  
20 you know, and where they end up has everything to do with  
21 oceanography. And if you don't have the oceanographic  
22 data, you know, you really can't understand what's going on  
23 with the herring. And, you know, that's just one example  
24 that.....

25 MR. O'CONNOR: Okay. Thank you.

1 MS. STUDEBAKER: Yeah.

2 MR. O'CONNOR: Thanks, Stacey.

3 CHAIRMAN CAMPBELL: Kurt.

4 MR. FREDRIKSSON: Well, I just wanted to  
5 follow up on Craig's comment because I think it's an  
6 important one. Monitoring is a very broad term.

7 MS. STUDEBAKER: Yes.

8 MR. FREDRIKSSON: When you say we haven't  
9 -- we're not doing monitoring or we need to better  
10 articulate through our web page what monitoring we are or  
11 not doing.....

12 MS. STUDEBAKER: Uh-huh. (Affirmative)

13 MR. FREDRIKSSON: .....that's a very loaded  
14 word. And I think, Craig, I appreciate your comments  
15 because what -- the real issue is monitoring to serve what  
16 objective. Are we monitoring to measure the recover of  
17 injured resources from EVOS? Are we monitoring as part of  
18 an oil spill preparedness so we're better prepared to deal  
19 with oil spills in the future? Are we monitoring for just  
20 good science? Are we monitoring for measuring the rate of  
21 climate change? All those are different objectives. They  
22 may all in some way be tertially [sic] related but they're  
23 each kind of a different purpose. And it's very important,  
24 I think, for us to have an understanding as to what the  
25 purpose of our monitoring is and the restoration plan, I'd

1 just turn to the monitoring section. In fact, refresh my  
2 memory, but it's very focused on monitoring the recovery of  
3 the injured resource and to monitor the success of our  
4 inter -- if we intervene, if we actually try to influence  
5 the recovery rate for an injured species, the monitoring is  
6 directed to measure the success of that intervention. And  
7 so I appreciate your comments, Craig, and I would just say  
8 as we move forward with the PAC, as we talk monitoring, we  
9 need to have a real clear understanding what the objectives  
10 are that was serve.

11 MS. STUDEBAKER: Good.

12 CHAIRMAN CAMPBELL: Stacey, because I want  
13 to make sure we have Drue back before we get to the '07  
14 invitation or otherwise we'll have to simply take a recess  
15 and wait, I'm going to ask you to go ahead and make your  
16 PAC comments now, it that's all right.

17 MS. STUDEBAKER: On the PAC charter?

18 CHAIRMAN CAMPBELL: Yeah.

19 MS. STUDEBAKER: Oh, okay.

20 CHAIRMAN CAMPBELL: Would that be all  
21 right?

22 MS. STUDEBAKER: Okay. Fine. That sounds  
23 good to me. Okay, as I said, the main changes, the  
24 downsize from 20 members to 14, which I think in this  
25 particular time in history that's probably a good idea as

1 we're kind of downsizing the whole restoration program. It  
2 makes sense. And I understand that this would be our  
3 charter for two years beginning in January, is that  
4 correct?

5 MR. MUTTER: October.

6 MS. STUDEBAKER: October. Okay.

7 MR. MUTTER: We're on the Federal fiscal  
8 year.

9 MS. STUDEBAKER: Okay. And so it would be  
10 when the current terms are up?

11 MR. MUTTER: Correct.

12 MS. STUDEBAKER: Okay. So that no one  
13 would need to be removed before their term has expired. I  
14 think that was the biggest concern, is how you would do --  
15 put that into motion. Is that the correct understanding?

16 MR. MUTTER: That's standard operating  
17 procedure.

18 MS. STUDEBAKER: Yeah. Okay. So we  
19 noticed that there is no specific spot for the liaison STAC  
20 member, which was brought up by several PAC members in  
21 email discussion when I put out the question. And I don't  
22 know if this was intentional or an oversight but the PAC  
23 feels that this representation is essential and it needs to  
24 be continued, either by a designated 15th spot on the PAC  
25 or by filling the science and tech slot with the STAC

1 representative. Does that make sense?

2 MR. BAFFREY: Doug, does that make sense to  
3 you?

4 MR. MUTTER: You're suggesting that a STAC  
5 member be also on the PAC?

6 MS. STUDEBAKER: Right. As we have now, we  
7 have a STAC liaison who has been on the PAC. And we have  
8 really appreciated having that link between the two  
9 committees very, very much. It's good for communication so  
10 we know what's going on and we would like to see that  
11 continued either as a 15th designated spot on the PAC or by  
12 filling the science tech chair with the STAC  
13 representative. Either way.

14 MR. MUTTER: Do you want me to comment on  
15 that?

16 MS. STUDEBAKER: Either way.

17 MR. BAFFREY: Ask these guys.

18 MS. STUDEBAKER: Yeah.

19 CHAIRMAN CAMPBELL: Yes, please.

20 MR. O'CONNOR: Depends on what you have to  
21 say.

22 MR. MUTTER: I'll be good for you.

23 MS. STUDEBAKER: Here you go.

24 MR. MUTTER: I mean actually, you could  
25 invite a STAC member to be at any PAC meeting, that's up to

1 Michael to do. They don't have to be a member. If they're  
2 a member, then they get two votes on projects, as a STAC  
3 member, as a PAC member. So, I mean, it's up to the  
4 Trustee Council to select who the members are and whether  
5 it's in the charter or not, they could say we're going to  
6 pick somebody who's on the STAC. But if they aren't on  
7 there, you can still have them come to every meeting and  
8 give you advice.

9 MS. STUDEBAKER: Yeah.

10 MR. MUTTER: So I don't know that that's  
11 crucial.

12 MS. STUDEBAKER: Right. And is it crucial  
13 to have the STAC member a voting member of the PAC, that's  
14 another question too, is -- I don't know. But anyway, we  
15 would like to have STAC representation on the PAC, one way  
16 or another.

17 MR. BAFFREY: Okay.

18 MS. STUDEBAKER: Okay. However we do it.

19 MR. O'CONNOR: Is that for infor -- that's for  
20 information.

21 MR. FREDRIKSSON: Without stacking the  
22 deck, so to speak.

23 MS. STUDEBAKER: Oh.

24 MR. FREDRIKSSON: I couldn't help it,  
25 sorry.

1 (Laughter)

2 CHAIRMAN CAMPBELL: Severely out of order.

3 MS. STUDEBAKER: Next thing I wanted to  
4 bring up about the charter is not limiting terms is also  
5 supported by the PAC that I -- the ones that responded to  
6 me. And members feel that PAC members with history are a  
7 real asset and I assume the rationale for a term limit is  
8 to insure that new people are cycled into the group, which  
9 is a healthy thing for any organization or committee,  
10 that's for sure. But in practice we've never had a problem  
11 with that. We've had plenty of new people cycling onto the  
12 committee, so a strict term limit seems unnecessary, an  
13 unnecessary measure with the undeserved consequence of  
14 preventing institutional memory.

15 And so we like the institutional memory,  
16 it's important. This has been a -- especially the last few  
17 years -- have really been in a bit of upheaval and so it's  
18 nice to have people on the PAC who have some memory of the  
19 very beginning, you know, as it is in any organization.  
20 But it's also nice to have the new people cycling in. So a  
21 good balance is what we're looking at. Yeah.

22 And that's it. Any questions?

23 CHAIRMAN CAMPBELL: Thank you very much.

24 That concludes Public Advisory Committee comments. We now  
25 have public comments. Is there anyone -- let me go to the

1 audience first. Is there anyone in the audience who'd like  
2 to make any public comments? If not, do we have anyone  
3 online who would like to make any comments?

4 MR. MULLINS: This is Ross Mullins in  
5 Cordova. If I could, please.

6 CHAIRMAN CAMPBELL: This would be the time,  
7 Ross.

8 MR. MULLINS: Thank you gentlemen and  
9 ladies. This is a pretty important meeting today and I  
10 think it appears at least to be putting a new direction, to  
11 some extent, for the Trustee Council. We here in Prince  
12 William Sound have felt for many years that the loss of our  
13 herring resource has been one of the direct attributes of  
14 the Exxon Valdez oil spill. And even though there was very  
15 little science early on that would give us the data and  
16 insights we need into the mechanisms, we do feel there is a  
17 causal relationship and we're happy to see that the Trustee  
18 Council is prepared to move toward a plan or evolve toward  
19 a plan that will help us restore herring to its previous  
20 levels prior to the oil spill.

21 There are many complicated issues involved  
22 here which we need to learn a great deal more on before  
23 success can ever be achieved in this realm, if ever.  
24 However, the effort is worthy because herring sticks out  
25 like a sore thumb in that it is a keystone species for

1 almost all of the other non-recovering elements in Prince  
2 William Sound. If you bring back the herring through  
3 whatever means, I think we're going to see a big  
4 improvement in the overall ecosystem and the balance of  
5 that ecosystem.

6 (Drue Pearce arrives)

7 I'd like to comment briefly on the  
8 monitoring projects. One thing that stands out in my mind  
9 is there are two kinds of monitoring, really. One we would  
10 have to refer to as macro. Those projects that are listed  
11 here are pretty much in that category. It's the attempts  
12 to develop long time data series that will be useful to  
13 those micro analysts who are -- for example, in Prince  
14 William Sound, if we get a robust herring recovery plan in  
15 place through the efforts of communities and the Council,  
16 the micro monitoring that's going to be needed here for the  
17 purpose of seeing your results, if an intervention is  
18 actually planned, you have to be able to monitor for the  
19 results of that intervention. However, the micro  
20 monitoring depends to some degree on the characteristics of  
21 the macro monitoring, and that's where it is important, in  
22 the overall picture of the health of the environment in  
23 terms -- I mean, fish live in the water, as we all know,  
24 and to not know what their conditions in that environment  
25 are like is like a blind man trying to describe an elephant

1 by grabbing onto its tail. You need a comprehensive, basic  
2 picture of what's happening in the Gulf of Alaska, what's  
3 happening with the nutrients in the Gulf, and all of these  
4 things are interrelated to success of any, hopefully,  
5 herring recovery.

6 I would like to applaud the Executive  
7 Directors and Kim Trust, the Science Director's efforts in  
8 pulling the herring workshop together. It was a very  
9 successful gathering of most of the experts that have been  
10 involved with herring in Prince William Sound. I myself  
11 helped organize the herring fishermen stakeholders that  
12 were part of the meeting and everyone came away feeling  
13 like we're starting on a path here with some optimism that  
14 the impact of this process will ultimately have major  
15 beneficial effects.

16 So I encourage you to be open minded when  
17 it comes to herring projects that are going to be in the  
18 FY-07 invitation. The one thing that I've heard over and  
19 over and I have uttered myself many times is that often  
20 these single investigator projects funded for one year or  
21 two do not give you the continuity and the integration you  
22 need for a good solid interaction among the investigators.  
23 We see this in the difficulty that we are having in  
24 herring, in making a case that they were somehow  
25 compromised by the Exxon Valdez oil spill.

1                   Without the integration of all the life  
2 stages and the other elements that go to make up this  
3 complex life cycle of these fish and how they function in  
4 the environment, without that integration you really cannot  
5 have expectations of long term success. Granted, you may  
6 get good insights on one aspect or another but really the  
7 integration and the multi-disciplinary cooperation I think  
8 is one of the key important elements. And that, to some  
9 degree, is incorporated, as I understand it, in the FY-07  
10 invitation.

11                   So I'd just encourage you all to, you know,  
12 take this seriously and to move this process of trying to  
13 restore Prince William Sound herring forward in a manner  
14 that will incorporate the stakeholders, incorporate the  
15 communities involved, and help us achieve a successful  
16 outcome here. Thank you very much.

17                   CHAIRMAN CAMPBELL: Thank you. Do we have  
18 other public comment online? Anyone else online who would  
19 like to make additional public comment?

20                   (No audible responses)

21                   CHAIRMAN CAMPBELL: If not, we'll move to  
22 the Executive Director's report. Michael.

23                   MR. BAFFREY: Do you guys need to vote on  
24 the agenda and the minutes.

25                   MR. MEADE: I think we did.

1 CHAIRMAN CAMPBELL: We did that.

2 MR. BAFFREY: You did that already?

3 CHAIRMAN CAMPBELL: Yeah.

4 REPORTER: But you didn't have Drue here.

5 MS. PEARCE: You can't action without me.

6 CHAIRMAN CAMPBELL: Do you have any  
7 objection to adopting the agenda or the minutes?

8 MR. MEADE: Well, the agenda as modified.

9 MS. PEARCE: Depending on where you  
10 put.....

11 CHAIRMAN CAMPBELL: We're going to -- we'll  
12 deal with that when we get to it. I'll bring it back up.

13 MR. FREDRIKSSON: Or we can do it right  
14 now.

15 CHAIRMAN CAMPBELL: Or we can do it right  
16 now. Drue has indicated an interest in moving the '07  
17 invitation, instead of making it the new item number 6,  
18 making it the new item number 7, which means it would come  
19 after the herring workshop report and before the monitoring  
20 projects. Is there any object -- let me ask if there's any  
21 objection to that modification?

22 (No audible responses)

23 CHAIRMAN CAMPBELL: No. Okay. Then let's  
24 do formalize the adoption of the agenda as modified. Do we  
25 have a motion?

1 MR. O'CONNOR: So moved.

2 CHAIRMAN CAMPBELL: A second?

3 MR. FREDRIKSSON: Second.

4 CHAIRMAN CAMPBELL: Objection?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: It's passed. Do we

7 have someone to move the meeting notes?

8 MR. FREDRIKSSON: I'll move adoption of the

9 meeting notes with the amendment to include the reference

10 to the motion taken after the executive session to approve

11 Michael Baffrey as the Executive Director.

12 CHAIRMAN CAMPBELL: Second?

13 MR. MEADE: Second.

14 CHAIRMAN CAMPBELL: Any objection?

15 (No audible responses)

16 CHAIRMAN CAMPBELL: It's approved. We are

17 now back to the Executive Director's report.

18 MR. BAFFREY: Okay. This will be very

19 short. Most of the items I wanted to talk about are

20 already on the agenda. So I do want to take this

21 opportunity to finally get to introduce you to Barbara

22 Hannah, who is our new admin mana -- well, not so new now

23 -- admin manager. She's doing an outstanding job and we

24 are -- I don't know who we took her from but.....

25 MR. FREDRIKSSON: I do.

1 MR. BAFFREY: Yeah -- oh. You again?

2 MR. FREDRIKSSON: Yeah.

3 MR. BAFFREY: Well, thank you. Yeah, but  
4 she's great. The only item that I would like to talk about  
5 would be the -- I've been requested to give you the status  
6 of the delinquent reports. And this list is going to be  
7 dependent upon the continued effort of the project file  
8 cleanup working group, which was temporarily on hold while  
9 one of its co-leaders, Carrie Holba, decided to go out and  
10 get married. So there -- she's back. The meeting -- the  
11 working group will get together the first week in June and  
12 start again. Right now we have -- we can say that we have  
13 11 delinquent reports. Eight of those, ADF&G; three of  
14 those are in NOAA. If you want, I can give you the titles  
15 of those, just know that that list is probably going to be  
16 changing the more we get into the projects, so I ll keep  
17 you guys informed at our future meetings.

18 That s also the status of -- because the  
19 FY-07 invitation and the update to the injured resources  
20 and services list is very dependent upon the Integral s  
21 project, the information synthesis and recovery  
22 recommendations for resources and services injured by the  
23 spill. I had been requested to give you the status of when  
24 we were expecting the draft final ready for peer review.  
25 We re expecting that, I believe it s June 2nd. And that s

1 going to kick off a lot of activity in this office,  
2 specifically the updates to the injured resources and  
3 services list.

4                   The only other thing I would like to say is  
5 thank you to Cherri for now in addition to paper products,  
6 we have recycling in this office for glass, plastic, and  
7 aluminum. That motivation came from actually Craig  
8 Tillery, who s not here to actually hear this, but he had  
9 been on us to do that and we actually finally got that  
10 accomplished, thanks to Cherri.

11                   So that s it for the Executive Director s  
12 report.

13                   CHAIRMAN CAMPBELL: Drue.

14                   MS. PEARCE: Thank you. Michael, you said  
15 delinquent reports are at 11 and that number may change.  
16 Get larger? Get smaller?

17                   MR. BAFFREY: That -- well, probably not  
18 smaller.

19                   MS. PEARCE: Okay.

20                   MR. BAFFREY: But what we re doing is we re  
21 starting with the 06 work plan and working our way back  
22 and getting into the files to see what we actually do have.  
23 The 11 that I talked about are not on our list, they re not  
24 here, and they re not in peer review. So.....

25                   MS. PEARCE: Okay.

1 CHAIRMAN CAMPBELL: Additional questions?

2 MR. O CONNOR: Do.....

3 CHAIRMAN CAMPBELL: Joe. I m sorry. Joe.

4 MR. MEADE: Michael, you mentioned June 2nd

5 we would see the peer review completed. Could you again

6 review for me the particular projects that will be

7 completing peer review for informing the 07 invitation?

8 MR. BAFFREY: Ask that again, please.

9 MR. MEADE: You mentioned that you have --

10 the peer review will be completed on a couple of our

11 interim or draft reports that we have by June 2. Which

12 were those again?

13 MR. BAFFREY: No, and I confused you if

14 that s what you heard. What we re going to be receiving is

15 the draft final report.

16 MR. MEADE: To start peer review?

17 MR. BAFFREY: To start peer review.

18 MR. MEADE: So those are important reports

19 for us as it relates to 07 but the peer review -- for the

20 07 invitation -- but the peer review will be just

21 starting.

22 MR. BAFFREY: Exactly.

23 MR. MEADE: Okay. I m sorry, I heard it

24 the other way around. And which reports were those?

25 MR. BAFFREY: That s the only one we re

1 getting on June 2nd.

2 MR. MEADE: Okay.

3 MR. BAFFREY: Yeah, and then the remaining  
4 lingering oil reports, we don't have dates when those are  
5 actually coming in yet, and I'll follow up, I'll send you  
6 all an email when I get those dates.

7 MR. O'CONNOR: But you're just talking  
8 about the Integral synthesis report coming on June 2nd?

9 MR. BAFFREY: Correct.

10 MR. O'CONNOR: Okay.

11 MS. PEARCE: Coming to you?

12 MR. BAFFREY: Yes.

13 MS. PEARCE: Not to us.

14 CHAIRMAN CAMPBELL: Yeah, Kurt.

15 MR. BAFFREY: Not to you, no. To us and  
16 into the peer review process.

17 CHAIRMAN CAMPBELL: Kurt.

18 MR. FREDRIKSSON: Two questions, Michael.  
19 First, with respect to the June 2nd report, glad to hear  
20 that's coming. Would it be possible -- I guess I continue  
21 to be somewhat confused by the peer review process and I  
22 don't want to take the -- necessarily the time to kind of  
23 walk through all that. But I guess what I would like to  
24 see happen, and you can tell me if it's not possible, what  
25 I'd like to see happen on June 2nd is that when it goes out

1 for peer review, it also gets sent to the PAC for their  
2 review, it goes to the STAC, it goes to the public. I d  
3 like to see the Integral synthesis released so that -- I  
4 know my agency, for example, would like to comment on what  
5 Integral has put together. I hear from the PAC testimony  
6 today that they want to have a shot at it and I would like  
7 to just see if June 2nd was the let s let everybody take a  
8 shot at the Integral report, it sure would be helpful from  
9 where I sit.

10 MR. BAFFREY: That s not our policy and  
11 that would take Trustee Council decision to do that. So  
12 what you re actually suggesting is to -- it goes into peer  
13 review and out to the public at the same time. And that  
14 would be a decision you would have to make as Trustee  
15 Council members.

16 MR. FREDRIKSSON: Well, I would make a  
17 motion then for the Trustee Council to approve release of  
18 the Integral report at the same time as released for peer  
19 review. And then to have the staff take all that  
20 information, working with Integral, all that input, and  
21 modify the report, which I understand ultimately will come  
22 back to our EVOS Trustee Council office and create what is  
23 sorely lacking right now, which is the last time we had  
24 this was 2002, which is the update of status on the injured  
25 status. And I believe this is what our office here

1 actually ultimately produces.

2                   CHAIRMAN CAMPBELL: Let me ask, for  
3 purposes of discussion, do we have a second for the motion?

4                   MR. MARQUEZ: Second.

5                   CHAIRMAN CAMPBELL: Okay. Drue.

6                   MS. PEARCE: I remember the last time we  
7 updated the injured species list and the process that we  
8 went through at the time and the politics and the public  
9 pressure that came into play in terms of approving the  
10 list, and the changes that the Council actually made even  
11 after we had reviews by -- peer review and PAC review and  
12 STAC review and Science Director recommendations and  
13 Executive Director recommendations. And we still changed,  
14 for example, the ORCA status. I am guessing that we ll  
15 see the same sort of public pressure and so I would feel  
16 more comfortable if we at least had a peer review done so  
17 that we had a scientific peer review of this study that is  
18 going to lead to those decisions before we send it out to  
19 the public.

20                   And I think it s in our own best interest  
21 to have that science review done before it goes out  
22 anywhere else. I wouldn t think we d want to release it  
23 until we d had that peer re -- a really rigorous scientific  
24 peer review done. I think we would be asking for confusion  
25 certainly by the public.

1 MR. MEADE: Mr. Chairman.

2 CHAIRMAN CAMPBELL: Joe.

3 MR. MEADE: In part Drue may be answering a  
4 question for me. The piece I would -- I guess I don't know  
5 if Michael would be the person to ask this of -- is I'd  
6 need -- I'd like to have verification of what the existing  
7 policy is, why we crafted the policy in the manner to which  
8 it is so that before we would depart from our policy, we've  
9 clearly thought through the purpose, the reason, the  
10 benefits to the parties in that policy. If I take in part  
11 what Drue has highlighted, which would follow intuition, it  
12 to fully vet and peer review from a scientist's perspective  
13 our science-driven data and information before we release  
14 that in a broader context to the general public. Would  
15 that be a correct assumption of what originally established  
16 the policy?

17 MR. BAFFREY: That's correct.

18 MR. MEADE: And what would be the pitfalls  
19 from departing from that? I guess again the pitfall is we  
20 may be putting information out that hasn't been adequately  
21 vetted through the science community.

22 MR. BAFFREY: That's correct.

23 CHAIRMAN CAMPBELL: I think it was Craig  
24 and Dave and Drue.

25 MS. PEARCE: Okay.

1                   MR. O'CONNOR: Kurt, what's your thinking  
2 here on having it all at once?

3                   MR. FREDRIKSSON: Well, I think that's a  
4 fair question. My thinking is I've been frustrated over  
5 these many years by the lack of any clear peer review  
6 process. I go to the general operating procedures adopted  
7 by this Trustee Council and there are no peer review  
8 procedures listed in those general operating procedures.  
9 I see where there was a -- when the STAC was created, the  
10 STAC was created to guide the Gulf Ecosystem Monitoring  
11 program. And within that procedure is reference to peer  
12 review. It's referenced to peer review in the context of  
13 the STAC's duties but it may be a suitable approach, at  
14 least it's the first time that this Council spoke on peer  
15 review. But what the Council said at that time in 2002 was  
16 the peer review process needs to be fleshed out. A  
17 framework for peer review needs to be developed. That  
18 needs to be developed to avoid things like conflict of  
19 interest, was one of the items that was specifically  
20 mentioned by the Council. It had some -- it had three  
21 specific issues enumerated and I have it written down here  
22 somewhere, but what we have failed to do since that time is  
23 to ever put on paper what our peer review process is. Who  
24 conducts it? How is it conducted? How do we insure that  
25 there is no conflict of interest, so we don't have peer

1 reviewers who happen to be the principal investigators  
2 reviewing the products that are subject to peer review?  
3 For example, I mean, that s just an example.

4                   So absent that clear understanding of what  
5 our peer review process is, I m much more interested in  
6 getting what has already in fact been publicly discussed at  
7 five community meetings and at the January symposium, the  
8 marine symposium, I think it s just incumbent up -- we need  
9 to get that out for public review and for agency review in  
10 particular.

11                   CHAIRMAN CAMPBELL: I think it was Dave and  
12 Drue and then I have a comment.

13                   MR. MARQUEZ: Yeah, I had the same  
14 question. Is the peer review conducted by the -- now that  
15 we have a Science Director, is that the peer that reviews  
16 it? What s the peerage and where is it written down and  
17 how long is it going to take?

18                   MR. BAFFREY: The peer review process is,  
19 right now we re under contract with Bob Spies. We send the  
20 draft final reports to him, he sends them out for a peer  
21 review, line peer review, scientific reviews. The comments  
22 come back to him, he dialogues them with the PI to rectify  
23 the comments and then it comes back to us to finalize.

24                   MR. MARQUEZ: And what s the time period?  
25 Will we see it this year?

1 MR. BAFFREY: Yes. Yes, we ll definitely  
2 expedite this one.

3 CHAIRMAN CAMPBELL: Drue.

4 MS. PEARCE: Yeah. I know that previous to  
5 the GEM adoption in 2002, peer view -- peer -- I can t say  
6 it but I know it was done -- peer review was done on  
7 science work done for the Trustee Council, I think directed  
8 by the then Science Directors previously. Whether  
9 somewhere in our distant past there s a policy written, I  
10 can t tell you, but my agency, the Department of Interior,  
11 has a newly established rule that science in particular, if  
12 it s going to lead to decision making and particularly if  
13 that s going to be controversial. And I think this will be  
14 because it was previously. I don t see that this is going  
15 to be any different. It has to be peer reviewed. If we  
16 need to use our DOI process, that s pretty easy to do. I  
17 mean, I think we can tell the staff what to use if we don t  
18 think we ve got a good one. But I -- that experience that  
19 I had previously of it was a controversial decision, Jim  
20 Balsiger was here, I think all the rest of us has changed.

21

22 MR. O CONNOR: Yeah, and he s not here now  
23 either.

24 MS. PEARCE: He s not here now either. So  
25 Kurt, I don t question your not really understanding what

1 -- exactly how that process is supposed to work but I think  
2 it s very important to our credibility with the public that  
3 we make sure that there is a peer review and I really don t  
4 want to put it out to the public until that s been done. I  
5 think that s -- I think we would be criticized for it.

6 CHAIRMAN CAMPBELL: I have a question and a  
7 comment and then I think Joe and then Kurt. My question  
8 is, in terms of Federal requirements, is the Federal  
9 requirement that it be peer reviewed -- which I don t think  
10 anybody is suggesting that it not be peer reviewed -- or is  
11 the requirement specific in terms of sequence. In other  
12 words, it must be peer reviewed before it is publicly  
13 available, et cetera.

14 MS. PEARCE: It s my understanding that it  
15 has to be peer reviewed before it s publicly available.

16 CHAIRMAN CAMPBELL: Okay. I d be  
17 interested if we could find that out for sure.

18 MS. PEARCE: Sure.

19 CHAIRMAN CAMPBELL: And just -- I guess my  
20 comment is, first off, I don t think anybody is talking  
21 about it not being peer reviewed. I think we all agree on  
22 the necessity of that. I will say in this document, as  
23 Kurt mentioned, we have talked about it at multiple  
24 meetings, there have been presentations on it and workshop  
25 -- you know, PowerPoints on it to the public, et cetera.

1 It s not like it s a big secret. And -- but what the  
2 public hasn t seen and what we haven t -- you know, is all  
3 the details. Personally I m always a little -- have a  
4 little more faith in the wisdom of the many than the select  
5 few. And I m not suggesting that just general public  
6 reaction be a substitute for peer reaction but -- or peer  
7 review -- but it seems to me that there could be real value  
8 -- and we re going to get this anyway -- but public comment  
9 back by all the various scientists and just general  
10 involved public would be interested along with the peer  
11 review comments in terms of getting to the final document.  
12 If we were to choose to release this earlier, I think the  
13 public is smart enough -- the public that would actually be  
14 sitting down and reading the document is smart enough to  
15 understand if we say something, that this is in peer review  
16 and will be modified subject to peer review and other  
17 comments. Frankly I think it might give them a little more  
18 stake in becoming involved in reviewing it. But, you know,  
19 that s what I have. Joe.

20 MR. MEADE: The piece for me is credibility  
21 of the science and credibility to the scientist. My  
22 observations come from an agency that has a principal  
23 mission, a principal branch of independent researchers and  
24 that is our R&D section. And peer review is a vital  
25 component and linkage and it s done very independently of

1 our national forest system, our line and staff  
2 organization. So that line and staff get independent peer  
3 review to qualitative scientific information to guide  
4 decision making. In that context is how I interpret this  
5 discussion. And so my musing is that that peer review is  
6 essential so the credibility of the science as it goes out,  
7 just as it does in my agency, has that qualitative review  
8 within the science community before we put it out for  
9 broader use, consumption or engagement.

10                   The second piece that causes me to ask  
11 myself, I know at least within the context I've described  
12 in the Forest Service, the scientists anticipate that peer  
13 review and they expect that peer review. So in the case of  
14 a product here that we've funded to have done, does the  
15 scientist that was funded anticipate, expect, and even have  
16 perhaps an expectation that that peer review would occur  
17 for the credibility of that science package before it's  
18 released to general consumption. So I guess there would be  
19 a second piece to follow up on that might ask Michael to be  
20 looking into. One is find out what the peer review Federal  
21 requirements are. I'm pretty sure that the agency -- my  
22 agency indeed does have some very specifically stated  
23 independent research and peer review responsibilities.  
24 What that means in my role here I'd need clarity to.

25                   Then the second is, does and did the

1 scientist that has done the science work for us do that  
2 science work with the expectation and if you will almost  
3 even the right or the anticipation that that work would be  
4 peer reviewed before broad consumption and release.

5 CHAIRMAN CAMPBELL: Okay. Kurt and then  
6 Drue.

7 MR. FREDRIKSSON: Yeah, just a couple of  
8 comments. One, to reiterate McKie s comment, and Drue, I  
9 support peer review. I m not opposed to peer review. So  
10 that really isn t the issue. But I want a peer review  
11 process that is understood and clear and consistent with  
12 how we ve approached it in the past. I am particularly  
13 concerned with, one, delay in getting our synthesis  
14 completed but I recognize we need to do it right. I also  
15 sup -- I full -- and I want to emphasize this because Drue  
16 said it very well. I just want to echo it. The peer  
17 review process, the scientific process, is not something  
18 that the Trustee Council will necessarily rubber stamp.  
19 The status of injured resources and how we bring closure to  
20 the Exxon Valdez injuries is a policy call. It s not just  
21 left to the lawyers and left to the scientists. That s why  
22 the Trustee Council members sit here. So ultimately the  
23 peer review process will lead through a public review  
24 process that comes to this table and we can accept, reject,  
25 modify, as we feel appropriate. And that s an important

1 point for people to understand.

2                   The third point I have, and Michael, it  
3 relates to the existing review process that relies on Bob  
4 Spies. I'm very concerned now -- and have grabbed the peer  
5 review process as it was adopted by this Council in 2002 as  
6 part of the STAC technical advice and peer review process,  
7 and the Council at that time said a framework for peer  
8 review shall be developed. And that framework needs to  
9 include guidelines for achieving and maintaining  
10 impartiality. Bob Spies, it's my understanding, because we  
11 set it up this way, we heard from many people how important  
12 it was that Integral align itself, include EVOS -- previous  
13 EVOS PI's in their employ -- that we -- they use the EVOS  
14 scientists of the past. Integral brought Bob Spies and  
15 others onboard. I believe Bob Spies is an author of the  
16 report that we are asking him to lead the peer review on.  
17 We have now paid -- we are contemplating paying him twice.  
18 We are paying him for his contribution to the Integral  
19 synthesis and then we're paying him as -- well, I don't  
20 know if we're paying him or not -- but we're relying on him  
21 as the peer reviewer to coordinate the peer review. I  
22 really have a problem with that in terms of this -- since  
23 we have not developed those guidelines, I think we need to  
24 move along expeditiously to get this peer review process  
25 nailed down. And if we could, as Drue suggests DOI -- and

1 Drue, I think you circulated those just before this meeting  
2 to us.

3 MS. PEARCE: The draft.

4 MR. FREDRIKSSON: That maybe those DOI  
5 guidelines are an appropriate place to look, an appropriate  
6 place to start. But to me, I thought the Council was very  
7 wise in lining out these three elements that they thought  
8 needed to be included in a peer review process and we just  
9 haven't done -- we, the Trustee Council, just hasn't  
10 completed that process. And I think we need to move ahead  
11 expeditiously to do so.

12 CHAIRMAN CAMPBELL: First off, Michael, I  
13 know you were back consulting. Did you get an answer for  
14 us on the -- did someone know about the issue of sequence?  
15 Okay.

16 MR. BAFFREY: Not yet but I will let you  
17 know.

18 CHAIRMAN CAMPBELL: Okay. Drue.

19 MS. PEARCE: I see this as two discussions.  
20 One on having a procedure for peer review, I have no  
21 problem with that. But the second one, the specific  
22 question, the studies done by this group have been mired in  
23 controversy from the beginning for a number of reasons.  
24 And I think because of that, I don't disagree that there's  
25 been a review of the data publicly already but I think

1 trying to release the final report before we do peer review  
2 will not only set us up for controversy but I think that  
3 there's a community predisposed to shoot at this report  
4 when it's final no matter what it says because of the  
5 controversy over the actual entity that's done the review  
6 for us and other things. It's just been mired in  
7 controversy from day one. And I think we would only  
8 exacerbate that controversy if we try to do a public  
9 release before we have a peer review. And I think that we  
10 have a Science Director who can certainly direct a process  
11 that will be credible and we should proceed in that manner  
12 on this particular one. As I say, a policy that we need to  
13 put together for a peer review, fine -- and whatever it  
14 looks like, fine with me as long as it's credible and meets  
15 the requirements for science done by our agency for those  
16 projects that we would have.

17                   CHAIRMAN CAMPBELL: I don't want to belabor  
18 this discussion too long because I think it's probably  
19 fairly clear that there are not six votes. But I would  
20 say, just as a point of clarification from the chair, I did  
21 not understand the motion to be anything about releasing  
22 the final report. That the motion as I understood it was  
23 to release the draft report with clear indication that it  
24 was in peer review, that it would be further modified based  
25 on both peer review comments and public comments. And I

1 would also just personally note I find you rarely get  
2 additional public criticism by being more open, you usually  
3 get it by being more secret. But I just want.....

4 MS. PEARCE: It won't be modified by public  
5 comments, not the final.

6 CHAIRMAN CAMPBELL: We can modify the  
7 final.

8 MS. PEARCE: Well.....

9 CHAIRMAN CAMPBELL: And I think we would  
10 take.....

11 MS. PEARCE: No, we don't modify the final  
12 report, we might.....

13 CHAIRMAN CAMPBELL: We can modify our  
14 actions based on.....

15 MS. PEARCE: .....modify our actions but  
16 the report won't be modified by public comment at all.

17 CHAIRMAN CAMPBELL: If I may. I think  
18 certainly if there are other scientists out there who have  
19 interest in this other than the small group that will be  
20 cited, I certainly hope and trust that if during the peer  
21 review process there are substantive scientific issues that  
22 come up raised by other folks, that the author and the peer  
23 reviewers would take those into consideration in their  
24 revision of the final. Michael.

25 MR. BAFFREY: Joe and then me.

1                   CHAIRMAN CAMPBELL: Joe.

2                   MR. MEADE: I guess before we drew the  
3 discussion to a close, I felt Kurt had some excellent  
4 points that I would hope wouldn't escape the ability to be  
5 put forward as a motion. I think I hear general  
6 concurrence that we do need to clarify, validate, and  
7 insure what we -- what was outlined by the Trustees in '02  
8 or indeed occurring within the peer review process. I  
9 don't know if that takes a motion or if it just reminds us  
10 to get on with getting that '02 work done and clarified. I  
11 think Kurt's observations there were right on cue. I also  
12 think Drue's perspective as it relates to modifying our  
13 policy midstream here with a report that has had a bit of  
14 controversy and interest to it, I would certainly be  
15 arguing on the side of allowing the policy to conclude to  
16 be sure that the sound science is in that report before --  
17 before it's more broadly released. So if we could separate  
18 out the two pieces, I think there's some strong merit in  
19 the pieces that Kurt outlined associated to our peer review  
20 process and follow up from '02.

21                   CHAIRMAN CAMPBELL: Let me ask -- just a  
22 second. In relation to your motion, Kurt, which I believe  
23 really dealt with release of the report as opposed to the  
24 second issue you had discussed, which was process, do you  
25 wish to have a vote on that or do you wish to withdraw

1 that?

2 MR. FREDRIKSSON: I'd be happy to withdraw  
3 that motion.

4 CHAIRMAN CAMPBELL: With the consent of the  
5 second?

6 MR. MARQUEZ: Yes.

7 CHAIRMAN CAMPBELL: Okay. That motion is  
8 withdrawn. Is there an additional motion or is it simply  
9 an instruction that we -- a discussion we need to have on  
10 process?

11 MR. BAFFREY: I have just one comment and  
12 it goes back to what Kurt says, is that we are aware that  
13 Bob Spies is not impartial here and we are going to take  
14 the peer review process for the synthesis report under this  
15 office to do that. And take it out of -- you know, take it  
16 away from Bob to coordinate that.

17 MR. FREDRIKSSON: I don't think we need to  
18 have a motion to -- I mean, Michael is sitting right there.  
19 Kim is right there. Directions to staff to me are -- don't  
20 necessarily have to go through a motion every time we want  
21 to communicate. But I think the office should conduct  
22 those peer reviews and I would -- we are looking for a  
23 reliable, respected process and in this particular case, I  
24 would just ask the staff not to turn to any of the PI's or  
25 Bob Spies as anybody who's been involved in the Integral

1 report should not be participatory to that peer review.

2 I would also ask that we move along  
3 expeditiously and if need be to hire -- Michael, if you  
4 need to hire or to compensate a peer reviewer to conduct a  
5 peer review, I don't have -- personally, I don't have a  
6 problem with that but I -- time is -- the sooner we could  
7 get that done, the better.

8 MR. BAFFREY: I agree. And frankly it's  
9 our goal to take the whole peer review process, the  
10 coordination of that back in-house now that we have a  
11 Science Director on staff.

12 CHAIRMAN CAMPBELL: That would conclude the  
13 Executive Director's report, unless there's anything  
14 further.

15 MR. FREDRIKSSON: I had one other.....

16 CHAIRMAN CAMPBELL: Oh, we do. Okay.

17 MR. O'CONNOR: Yeah, I've got a couple  
18 of.....

19 CHAIRMAN CAMPBELL: Okay.

20 MR. O'CONNOR: .....things too. Go ahead,  
21 Kurt.

22 MR. FREDRIKSSON: Thanks, Craig. Michael,  
23 the only -- the other thing that we had in the interim  
24 guidance document was the habitat acquisition report. And  
25 I'm real concerned we -- now we've got small parcels coming

1 up on the agenda and we were -- we got well over 400  
2 million dollars invested in habitat acquisition as -- and  
3 really demonstrated as the primary restoration tool used by  
4 the Trustee Council to recover from the Exxon Valdez spill.  
5 I am -- and we directed to get a habitat acquisition  
6 catalog done that just basically took a look -- well, not  
7 -- it may not be quantifiable but took a look at why those  
8 purchases were made and what those contributions were. And  
9 I'd just like to hear where we're at on getting that thing  
10 done.

11 MR. BAFFREY: That and I believe there was  
12 \$23,000 authorized for that last year. The monies  
13 actually, because we took so long to -- in the continuing  
14 resolution process, in filing, getting a budget, those  
15 monies were actually given until February. And when --  
16 back in August, we were looking at a June date. Right now  
17 we don't have a date but it's going to be -- it's back up.  
18 I'm not saying it's backed up from the distance between,  
19 you know, August through February but it's a work in  
20 progress right now and I'll have to get back to you on the  
21 date, on the final product. We are working on that.

22 MR. FREDRIKSSON: Okay.

23 MR. BAFFREY: I just don't have answer for  
24 you.

25 MR. FREDRIKSSON: Thanks, Michael.

1                   CHAIRMAN CAMPBELL:  Craig.

2                   MR. O'CONNOR:  Yeah, I had a couple of --

3 dispense with the easy ones first.  Michael, do my -- do

4 the NOAA people have good excuses for being late?

5                   MR. BAFFREY:  I'll have to get back to you

6 on that.

7                   MR. O'CONNOR:  I was afraid of that, yes.

8 Okay.  I think they do because we've diverted them.....

9                   MR. BAFFREY:  Right.

10                  MR. O'CONNOR:  .....onto other projects.

11                  MR. BAFFREY:  They're working on many

12 other.....

13                  MR. O'CONNOR:  I think that's.....

14                  MR. BAFFREY:  .....tasks.

15                  MR. O'CONNOR:  But if have anybody who is

16 dilatory simply because they have trouble with their

17 priorities, please let me know.

18                  MR. BAFFREY:  Okay.

19                  MR. O'CONNOR:  I'll see if we can -- the

20 second point, and it's going to this peer review.  I hate

21 to belabor it but one of the things we've tasked Integral

22 with and we expected of is that they would cast a very wide

23 net as they went out and tried to collect information and

24 synthesize that information and aggregate the opinions and

25 try to sift through all of the science that was out there.

1 So we end up with a situation like we have with Bob Spies,  
2 who is one of them most knowledgeable people. And I know  
3 we've engaged various scientists from the agencies and so  
4 one and I'm very sensitive to what Kurt has said about  
5 agency involvement in this initial review process, this  
6 early review process.

7                   So what I would like to sort of tee up as  
8 the NOAA sense here is let Kim do her job in doing the peer  
9 review, realize that we need to have in that process the  
10 reactions of the agencies who are by law entrusted with  
11 responsibilities on a daily basis for these kinds of matter  
12 and addressing the resources that have concerned us, but in  
13 the end, I think you guys can make the cut on conflict and  
14 predispositions and predilections, my science is better  
15 than your science.

16                   But I think it's of critical importance  
17 that before we go to the public, we give the public our  
18 best shot at what the science has to say. Because though I  
19 don't want to keep the public in the dark, I also don't  
20 want to give the public a head fake and send them in one  
21 direction and in the end the science says something  
22 different. And I've been criticized as a regulator for 25  
23 years for not giving them the straight information. I  
24 think we're talking about the data quality act here that's  
25 imposing on the Federal government these requirements for

1 scientific rigor. Let's do it as quickly as we can. Let's  
2 do it as effectively as we can. And then let's tell the  
3 public what the science says based upon what the scientists  
4 tell us. And over the course of the last few months, the  
5 scientific debate has raged. And we've asked Integral to  
6 synthesis that debate and give us their learned opinion.  
7 And I want to be sure that their opinion is based upon an  
8 adequate and appropriate scientific predicate. And that's  
9 I think all we're asking for right here.

10                               So those are my two cents worth since we  
11 killed your motion. But I didn't want the best part of  
12 your motion to get lost in the rhetoric, and that is that  
13 we engage the professionals as well in this process, the  
14 people from the agencies.

15                               CHAIRMAN CAMPBELL: Appreciate that.  
16 Actually with one final comment from me, that will conclude  
17 the Executive Director's report. And that is simply, I  
18 wanted to go all the back to the very start of your report,  
19 Michael, I just realized, and compliment Barbara and say  
20 that our admin staff down in Juneau in dealing with you  
21 folks had said there's been a tremendous difference and  
22 they're very grateful and appreciative, so.....

23                               MR. O'CONNOR: Caution, one thing here,  
24 don't get so good you don't need us.

25                               CHAIRMAN CAMPBELL: That brings us to the

1 herring presentation. Welcome, by the way.

2 MS. TRUST: All right. Thank you very  
3 much. It's been exciting.

4 CHAIRMAN CAMPBELL: We're very glad you're  
5 here.

6 MS. TRUST: Thank you. It's been fun so  
7 far.

8 MR. O'CONNOR: Let's lead with honesty,  
9 Kim. It's been an interesting experience.

10 MS. TRUST: No, it's actually been fun.

11 MR. O'CONNOR: Oh, okay.

12 CHAIRMAN CAMPBELL: She said so far.

13 MS. TRUST: It really has.....

14 MR. O'CONNOR: So far.

15 MS. TRUST: .....been fun so far.

16 MR. O'CONNOR: Okay.

17 MS. TRUST: And one of the actually the  
18 fun-est things that I've done is this herring workshop. I  
19 was -- have to say I was thrown into it a little bit  
20 unexpectedly and it was great pulling it together and  
21 working with all the folks that came up for the workshop,  
22 especially the fishermen in Cordova and then of course all  
23 the agency scientists. It was a really great experience  
24 for me.

25 I don't really have anything formal to

1 present but what I did want to do was just go over the  
2 summary, the broad summary of the herring workshop and what  
3 the recommendations were that came out of that two day  
4 endeavor. Pretty much what most of the folks came away  
5 with agreeing to is that we needed to develop a restoration  
6 plan for herring in the Sound. And I think Ross eluded to  
7 it a little bit in his comments that doing these single  
8 project year by year by year projects don't really get us  
9 anywhere. And so one of the things that we came away with  
10 was that there needed to be a plan devised and how that  
11 plan got implemented, that we didn't get into the specifics  
12 of that necessarily in that workshop.

13                   One of the other things that came out of  
14 that meeting is based on the interim guidance document, was  
15 to develop short term -- I'm going to contradict myself  
16 here but I don't mean to -- but to develop short term one  
17 year projects that would actually feed into the restoration  
18 plan as it was being developed concurrently. And so from  
19 that the folks in the -- the participants in the workshop  
20 sent me a list of short term projects that we could  
21 potentially fund through the '07 invitation that would work  
22 in conjunction with this restoration plan that was being  
23 developed. And then subsequent to that, we had that  
24 conversation with the ADF&G scientist and Heather Brandon.  
25 And Heather and I worked at putting together the list of

1 projects that the ADF&G folks put together as well.

2                               And so that is the list of projects, the  
3 one year or short term projects that is in your packet  
4 there. So I think there was an appreciation by the  
5 participants, especially the folks in Cordova that the  
6 Trustee Council is taking herring, the demise of herring  
7 seriously and that the Trustee Council wants to do  
8 something about it.

9                               CHAIRMAN CAMPBELL: Questions? Kurt.

10                              MR. FREDRIKSSON: Well, maybe -- and Kim,  
11 you're probably aware of this and just for the other  
12 Trustee Council members. As everybody knows, we had  
13 community meetings out in the five -- Valdez, Cordova,  
14 Seward, Kodiak, Anchorage -- on the reopener. And as part  
15 of the reopener, we also talked about restoration. So it  
16 was a very broad community meeting. The Attorney General  
17 chaired those meetings. I think -- for those that -- of us  
18 that attended, it was really -- they were very good  
19 meetings. I just wanted to -- and a long introduction to  
20 the fact that herring was just foremost one of the driving  
21 issues that all those communities spoke to either in terms  
22 of the implications, the ecosystem as a whole, as a primary  
23 producer within that system, or within the context of  
24 commercial fishing. So the fact that these herring  
25 workshops and the work you folks have been doing is -- it's

1 right in touch with what the public I believe is demanding  
2 in terms of the concern over this herring problem and what  
3 to do about it.

4 CHAIRMAN CAMPBELL: Dave.

5 MR. MARQUEZ: Just following up on that, I  
6 know Heather Brandon was part of the tour and I'm just  
7 wondering, there were some very good comments and proposals  
8 and have you had an opportunity to examine at all the  
9 records from those hearings to possible get additional  
10 ideas?

11 MS. TRUST: Yes, Heather has sent me the  
12 comments and the notes that she took and those are actually  
13 incorporated into the list of projects that have been  
14 developed for this meeting.

15 MR. MARQUEZ: Thank you.

16 CHAIRMAN CAMPBELL: Good. Additional  
17 questions?

18 (No audible responses)

19 CHAIRMAN CAMPBELL: We may ask you back  
20 during the invitation discussion.

21 MS. TRUST: Okay.

22 CHAIRMAN CAMPBELL: So all right.

23 MR. O'CONNOR: Could I?

24 CHAIRMAN CAMPBELL: Oh, sure. Craig.

25 MS. TRUST: Certainly. Go ahead.

1 MR. O'CONNOR: I always -- I'm slow, I  
2 apologize.

3 MS. TRUST: That's okay.

4 MR. O'CONNOR: This science stuff is scary.  
5

6 MS. TRUST: I'll try to be gentle.

7 MR. O'CONNOR: Okay. The proposed projects  
8 for near term implementation.....

9 MS. TRUST: Uh-huh. (Affirmative)

10 MR. O'CONNOR: .....is it your sense or is  
11 it your conclusion that those would be appropriate  
12 undertakings today to inform the ultimate decision on what  
13 we need to do for restoration of herring and that there's  
14 no reason to delay developing an over-arching plan that  
15 might be flowing from the task group or the committee that  
16 we're.....

17 MS. TRUST: If I understand your question,  
18 you're asking do I think that the restoration planning  
19 effort should go forth differently than the '07 invitation?

20 MR. O'CONNOR: No, does that.....

21 MS. TRUST: Okay, sorry.

22 MR. O'CONNOR: Do the projects -- you say  
23 there are some near term projects.

24 MS. TRUST: Uh-huh. (Affirmative)

25 MR. O'CONNOR: Will they inform us in the

1 ultimate -- will they inform the ultimate work of this  
2 committee or is it something we're just going to cast to  
3 the -- out and hope we get some useful information and it  
4 may or may not be used in the future as we actually develop  
5 restoration?

6 MS. TRUST: No, that was one of the things  
7 that I tried to clarify in that herring workshop and that  
8 we needed things that were going to help us, either in the  
9 restoration planning effort or in the recovery of herring.  
10 And one of the examples I can give you that came out of  
11 that, somebody suggested that there be a white paper  
12 produced that would go out and look at all the  
13 international efforts that have been done for herring  
14 restoration and enhancement. So look at what the Japanese  
15 have been doing, what the folks in Norway have been doing,  
16 and put together for this Council's consideration the type  
17 of on the ground nuts and bolts kind of work that could be  
18 done for herring enhancement, specifically. And so I think  
19 that that is an example of a project that would be very  
20 useful to this organization to move forward with.

21 MR. O'CONNOR: Okay.

22 CHAIRMAN CAMPBELL: Joe.

23 MR. MEADE: Before we conclude the  
24 discussion, as I reviewed through the pre-reading and  
25 package, I was very impressed, Kim, with work that was done

1 in association to the preparation for and the outcome of  
2 the herring workshop. And I commend folks for putting that  
3 together. Obviously, as Kurt has said, it's been a piece  
4 we've heard very clearly, especially through the State  
5 sponsored public hearings or public meetings as a critical  
6 and essential interest to the Prince William Sound base  
7 communities.

8                   That being said, do we -- is there a need  
9 here today -- there's kind of I think three sequences that  
10 I saw that were important. One is to in '06 consider  
11 putting forward the development of a herring restoration  
12 plan. And that plan to me would be important to help then  
13 inform us on the importance of a program coordinator of  
14 sorts. I think was also identified as an outflow of that  
15 workshop that conceivably would be '07 funds and each of  
16 those would also perhaps help to inform us on the right set  
17 of projects that could be considered in the '07 invitation.  
18

19                   The question for discussion I guess is do  
20 we need -- is there an '06 piece here that we need to think  
21 about so they can give us the development of a plan, the  
22 outline that would then be able to make the more informed  
23 decisions for '07?

24                   MS. TRUST: Certainly what I heard in the  
25 herring workshop itself was that the planning process

1 needed to get started sooner rather than later. So if that  
2 piece of the puzzle could get taken out and be separated  
3 from what got funded as projects in the '07 invitation, if  
4 the Trustee Council approved a restoration planning effort  
5 to get started later in the summer of '06 or early fall,  
6 that we would be ahead of the game then. Maybe not  
7 necessarily for '07 because that planning effort would be  
8 occurring simultaneously, but certainly for '08 and beyond  
9 and for long term restoration projects and processes.

10 MR. MEADE: Well, if it's not  
11 inappropriate, because I think it would be outside the  
12 context of the '07 discussions, I would entertain or I  
13 would put forward a motion that we consider that we put  
14 forward the resources needed to initiate the restoration  
15 herring plan effective as soon as the staff can organize to  
16 begin to do that, recognizing it would run in tandem in  
17 '07. But I think getting that concurrence of that  
18 important planning component is both needed so that we  
19 could be gaining the insights ourselves and I also feel  
20 it's an important message to the outcome of the herring  
21 conference workshop. That we, you know, we heard and we  
22 agree and we're taking a decisive action.

23 CHAIRMAN CAMPBELL: Let me ask -- I concur  
24 certainly with your intent. I would ask if you might be  
25 amenable to deferring that motion, to do it in conjunction

1 with the '07 discussion, because I think we may be  
2 discussing some broader issues on herring as well that that  
3 would fit with very neatly.

4 MR. MEADE: I don't mind deferring for the  
5 '07, I guess I'm recognizing.....

6 CHAIRMAN CAMPBELL: Yeah.

7 MR. MEADE: .....the impact to '06 and even  
8 recognizing our '06 budget constraints and willing to  
9 suggest it should be an '06 priority.

10 CHAIRMAN CAMPBELL: And I'm not objecting  
11 to that motion, I'm just asking if you'd defer it a little  
12 bit.

13 MR. MEADE: I would be pleased to delay.

14 CHAIRMAN CAMPBELL: All right. Thanks.

15 MR. MEADE: Do I need to make a motion to  
16 delay my motion?

17 CHAIRMAN CAMPBELL: No. Okay. Craig.

18 MR. O'CONNOR: Question. I was just  
19 skimming through the notes here.....

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

21 MR. O'CONNOR: .....and comments and so on  
22 and I guess reflecting back on what was said earlier during  
23 the PAC report with regard to the monitoring projects that  
24 are up for consideration.

25 MS. TRUST: Uh-huh. (Affirmative)

1                   MR. O'CONNOR: Was there an assumption made  
2 or any reflection on the issue of these monitoring projects  
3 as being integral to what is being suggested for the.....

4                   MS. TRUST: There were comments made by  
5 audience members that those four monitoring projects needed  
6 to continue and that they would help us identify projects  
7 that needed to be funded for herring restoration.

8                   MR. O'CONNOR: Because as I looked -- I  
9 looked at some of the projects, and I'm assuming I've got  
10 this sequence right, but the project list doesn't really  
11 reflect, other than under oceanographic characteristics,  
12 monitoring. And I'm wondering if the operating assumption  
13 was we were going to have those four monitoring projects  
14 underway regardless so we don't need to be attending to  
15 that because that's a foregone conclusion. We'll have that  
16 information or would we see something more here on the  
17 monitoring side of.....

18                   MS. TRUST: Actually, number 11 under  
19 oceanographic characteristics, that particular project are  
20 those four monitoring projects.

21                   MR. O'CONNOR: Okay. Oh, all right. Good.

22                   MS. TRUST: If you go back to the little  
23 two paragraph summary here of six of that document.

24                   MR. O'CONNOR: Okay.

25                   MS. TRUST: Oceanographic monitoring.

1                   MR. O'CONNOR: All right, so the assumption  
2 at the workshop was that this information that's in those  
3 monitoring projects is critical to an evaluation of herring  
4 and where we go with it?

5                   MS. TRUST: Yes.

6                   MR. O'CONNOR: Okay. Thanks.

7                   MR. FREDRIKSSON: Just for our information,  
8 the audience members who made the comments that they felt  
9 these monitoring projects were critical for the herring,  
10 were these the same -- I mean, I guess I'm curious whether  
11 these were the same people who are interested in advancing  
12 the monitoring projects or these were different folks?

13                   MS. TRUST: I can't remember everybody. I  
14 know specifically Ken Adams of Cordova mentioned those  
15 monitoring projects.

16                   MR. FREDRIKSSON: Okay.

17                   MS. TRUST: And I know that it was  
18 mentioned several other times and I'm sorry I can't  
19 remember.....

20                   MR. FREDRIKSSON: No problem.

21                   CHAIRMAN CAMPBELL: Drue.

22                   MS. TRUST: .....everybody that talked  
23 about them.

24                   MS. PEARCE: Thank you. Kim, welcome.

25                   MS. TRUST: Thank you.

1 MS. PEARCE: Over the years we have  
2 struggled with how to integrate traditional knowledge into  
3 our science. And we actually have a requirement that was  
4 either in just the '06 invitation or else it was in the  
5 interim guidance document somewhere because I made a motion  
6 that there be a TEK element in every project, actually.  
7 And so I want to make sure that we don't lose that as we  
8 look at herring because me visits certainly to Tatitlek for  
9 the listening conference but also in other meetings with  
10 the rural and Native residents of the spill affected area  
11 has always centered around herring. And it's come back to  
12 that time and time again, that they were so worried about  
13 herring, their loss of herring as a subsistence species.  
14 And the loss of subsistence opportunities.

15 So I just wanted to insure that as you look  
16 at the planning process, while it's great to have all the  
17 Cordova folks involved, I want to insure that we also have  
18 representatives from the subsistence community at the table  
19 as we develop these plans but also that there be a TEK  
20 element in every one of the projects that we can figure out  
21 how to put it in. I think that you'll find that the  
22 expertise and the traditional knowledge is strong and  
23 relevant.

24 MS. TRUST: Oh, absolutely. I couldn't  
25 agree with you more. And I think the folks that we did

1 have representing the fishing community and just the  
2 community at large in Cordova really did a good  
3 representation of that at the herring workshop. Certainly  
4 Link Jones and Bill Weber spoke very eloquently to the  
5 subsistence component of herring in Prince William Sound  
6 and we all recognize that that's very important to take  
7 forward in our planning process. And that without the  
8 community involvement, without the people that are actually  
9 the closest to the resource, we're not going to have a very  
10 good planning effort anyway.

11 MS. PEARCE: Yeah, I would hope that we  
12 could include people from Tatitlek or Chenega Bay or.....

13 MS. TRUST: Uh-huh. (Affirmative)

14 MS. PEARCE: .....some of the other  
15 villages.

16 CHAIRMAN CAMPBELL: Okay. Any additional  
17 questions?

18 (No audible responses)

19 CHAIRMAN CAMPBELL: If not, why don't we  
20 take a 10 minute break and then when we come back we will  
21 take up the '07 invitations. We'll be back at 20 after.

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

23 (On record - 10:28 p.m.)

24 CHAIRMAN CAMPBELL: We're all back. Let's  
25 get going. It took a little longer but we are on the

1 agenda on number 8, FY-07 invitation. Kim.

2 MS. TRUST: Okay. What I want to do as an  
3 introduction to this particular section is just sort of let  
4 you all know what my thought process was while I was  
5 designing this very first draft for the '07 invitation. I  
6 came onboard at the beginning of April and I was told that  
7 this was going to be released May 1st. So in constructing  
8 this invitation, that was what my sideboards were and I  
9 wanted to -- what I decided to do was look out there and  
10 see what was available to the public, what the public had  
11 information regarding, and what the Trustee Council had  
12 already agreed to.

13 So the first thing I did was look at the  
14 interim guidance document. I also looked at the summary of  
15 Integral's first report, what's referred to as EVOS-1,  
16 which is their injured resources draft document that was  
17 put out on our website and was available to the public.  
18 And then finally I looked at the summary of the lingering  
19 oil committee recommendations. And in looking at those  
20 three documents, I tried to see where those -- where their  
21 recommendations and where those documents overlapped. And  
22 then putting those recommendations into broad categories  
23 that were similar across all of those documents. And so  
24 what I came up with in doing that were there broad  
25 categories. So lingering oil being one, restoration or --

1 I would refer to it as remediation but in the context of  
2 what I was reading, it's also referred to as restoration.  
3 So restoration/remediation. And then injured resources.  
4 And those injured resources were obviously driven by the  
5 2002 updated resource -- updated -- the IRS list.

6                   So when I put all of those things together,  
7 well, those are the documents that I used to draft this  
8 very first invitation. So I put that invitation out there  
9 and then solicited comments from -- I can't even remember  
10 anymore. I know it went out to the liaisons, I thought it  
11 went out to you guys. And I had a meeting.....

12                   CHAIRMAN CAMPBELL: Yeah.

13                   MS. TRUST: Okay, that's what I thought --  
14 had a meeting with some of the liaisons and got comments  
15 from the ones that couldn't attend the meeting. And so  
16 taking their recommendations into account, I made a few  
17 changes and that's why this says version two. But by and  
18 large, this is pretty much that original invitation that  
19 came out in early April expecting there to be a May 1  
20 release date.

21                   So, I don't know how you guys want to go  
22 forth from here. We can just go through the invitation  
23 or.....

24                   CHAIRMAN CAMPBELL: Yeah.

25                   MS. TRUST: Just want to go through it. So

1 there's some boilerplate information that has been in the  
2 Trustee Council proposal process forever. It's how you  
3 write the proposal, how you do the budget, all that kind of  
4 stuff. That has remained the same, as far as I can tell,  
5 pre-GEM, post-GEM, during GEM. All of that formatting  
6 stuff pretty much stayed the same. So I didn't include  
7 that in this particular document, just because it's about,  
8 you know, 30 extra pages of how you fill in a budget table  
9 and things like that. So I left that out of here but it is  
10 included in the draft outline, sections 5 through 11.  
11 Those are all the things that are not partic -- or not in  
12 this version here.

13                   So if we look at the different sections,  
14 essentially there's just a background and purpose. It  
15 talks about the invitation being consistent with this  
16 Interim Council guidance document here on page 5. That  
17 paragraph is actually taken right out of the Council  
18 guidance document.

19                   Funding and duration, again that IGD said  
20 that, you know, for '07 it would probably be single year  
21 projects. Well, it did say it would be single year  
22 projects. And then we went into the project invitation by  
23 category. And again, those three categories were lingering  
24 oil, remediation, and then injured resources.

25                   So for lingering oil, a lot of that was

1 driven by the lingering oil committee recommendations and  
2 somewhat by what the first Integral draft report suggested.  
3 And I separated those -- in my mind, it was logical to  
4 think of it in terms of distribution, where the remaining  
5 lingering oil occurred, who the processes of the lingering  
6 oil in the environment were continuing. Whether they were  
7 being weathered, naturally attenuated, not being weathered,  
8 and then remediation. Things that we could actually do  
9 physically to do something for remediation if the Council  
10 so chose to do that.

11                   And then we move into the injured resources  
12 evaluation and restoration sections. And then I just went  
13 through, by resource, and looked at what was suggested by  
14 Integral's report and by the lingering oil committee. And  
15 again, the reason I was focused on those two documents was  
16 because that was available to the public and also other  
17 information that had come, final reports and things, that  
18 had come into this office that the public can also get  
19 access to by our website or calling us.

20                   There are some sections in here, obviously,  
21 that are still in progress. I didn't have the results of  
22 the herring workshop when I wrote this version. There was  
23 a -- there's a debate going in the -- there's a debate  
24 going on about seabirds and what should be considered  
25 recovered, not recovered. So I was waiting, we were having

1 a -- we had a meeting between some of the seabird folks and  
2 Integral about seabirds. And so I haven't -- I didn't  
3 flesh out that section in particular.

4                   And then the final sections under -- after  
5 injured resources, one of the things under the interim  
6 Council guidance document said provides supplemental  
7 synthesis information. And in my conversations with  
8 several PI's and folks that have just called me to discuss  
9 the '07 invitation, it seems to me that the synthesis  
10 information that Integral is doing is actually not  
11 integration of resources out in the environment.

12                   So in other words, people were asking me --  
13 they were discussing with me projects which would actually  
14 integrate multiple resources, for example, in the same  
15 habitat type. So go out to the intertidal community and  
16 look at information for intertidal communities plus sea  
17 otters plus harlequin ducks and actually integrate the  
18 information that we know. Whether that be through a  
19 modeling effort, whether that be through collection more  
20 information, and give us a more holistic look at the  
21 ecosystem scale. Not just here's a series of projects that  
22 we've done on sea otters and here's sort of what it looks  
23 like have been happening with sea otters but more a  
24 collective approach at looking at, well, how does all of  
25 this relate to sea otters and harlequin ducks in the

1 ecosystem.

2                   So that integration category is specific  
3 for looking at that inter-relatedness of injured resources  
4 or services and how it relates to the ecosystem as a whole.

5                   There's also a section in here on  
6 monitoring and population modeling. There was several  
7 recommendations by Integral and also by the lingering oil  
8 committee that perhaps new information, data on the ground,  
9 didn't necessarily need to be collected but in some  
10 instances there was enough information that we could do  
11 some fairly rigorous modeling exercises that would give us  
12 additional information.

13                   For example, I know there's enough  
14 information for harlequin ducks that we can actually model  
15 harlequin duck populations. We could hindcast the informa  
16 -- well, this is what I've been told, I haven't seen it  
17 because the work hasn't been proposed or completed yet. We  
18 can actually go back and hindcast the model to look at the  
19 acute effects of the oil spill on harlequin ducks  
20 populations. We can model that population over time. We  
21 can get a very good estimate of how many ducks have  
22 actually continued to be removed from that population. And  
23 we can forecast that model and estimate when harlequin  
24 ducks might fully be recovered from this modeling effort.

25                   So I put monitoring and population modeling

1 into a category just based on discussions that I had had  
2 with other scientists and with PI's that had discussed this  
3 information with me.

4                   The data management and synthesis, this is  
5 again, there's a lot of long term data series, the  
6 nearshore recovery -- nearshore restoration and evaluation  
7 monitoring system is a project that's being funded by this  
8 Council currently and there's other projects out there like  
9 that that have long term data series that still might need  
10 data synthesis and management done.

11                   And then finally community participation.  
12 This was trying to encompass projects like youth area watch  
13 or some of the other community based projects that were not  
14 specific to individual scientific projects but that had  
15 more of a -- were being driven from the community as  
16 opposed to the science going to the community and getting  
17 their involvement.

18                   CHAIRMAN CAMPBELL: Questions? Joe.

19                   MR. MEADE: Thank you very much, Kim. One,  
20 I guess, inquiry is what I'll phrase it as, is Steve, my  
21 liaison and I chatted about the framework and the four  
22 areas. Curiosity would be if lingering oil and injured  
23 resources are kind of really the critical factor, would it  
24 be conceivable to see item three for integration of, and  
25 item four community involvement, as being criteria to help

1 make the selections in your lingering oil and your injured  
2 resources project proposals. In other words, it seemed  
3 like having, integration of and number four, community  
4 engagement, could really be -- to the extent the proposals  
5 accomplish three and four it would distinguish them above  
6 other proposals in items one and two.

7 MS. TRUST: That's interesting, I hadn't  
8 thought of it from that perspective.

9 MR. MEADE: As we chatted about it, it  
10 seemed logical to me, because I want items three and four  
11 in the best we can achieve three and four, it would help  
12 distinguish between any of the proposals. A proposal would  
13 only be enhanced by the degree it addresses each of those  
14 factors in certain dimensions.

15 MS. TRUST: What would happen in the case  
16 of projects that -- well, for example, the modeling example  
17 I just gave for harlequin ducks, that wouldn't necessarily  
18 have a community participation component because the data  
19 has already been collected. That data just needs to now be  
20 manipulated in some way. So would that -- in just talking  
21 about this out loud, would you think that that would then  
22 somehow make that project less worthy of being funded  
23 because it didn't really incorporate that community  
24 participation because it was sort of not at that point any  
25 more?

1                   MR. MEADE: I would advocate it would leave  
2 a very important clarity to the decision-makers to think  
3 through. It addresses a very important factor, it doesn't,  
4 perhaps, address that fourth factor, so how would it  
5 relatively rate within a budget-driven prioritization for  
6 the work to be done. And if it had a very high need as  
7 information towards our lingering oil issues and/or the  
8 injured resources restoration, if it was strong in the  
9 integration and bringing forward some components it would  
10 relatively speak to its priority with or without the  
11 community engagement component. So, again, I think it  
12 would help us decipher between those that we truly need  
13 within the budget cap will have versus those that -- a  
14 priority setting is what it's going to get down to, I  
15 guess, is the point.

16                   MS. TRUST: Uh-huh. Okay.

17                   CHAIRMAN CAMPBELL: Okay. Kurt.

18                   MR. FREDIKSSON: Let me ask a question,  
19 Kim, and I think for discussion purposes, and I hope we  
20 have some kind of open discussion on this because this is  
21 kind of a critical agenda item we have here today.

22                   One of the things I've been grappling with,  
23 and I trust you have been grappling with, because you have  
24 gone to the source documents that I turn to. Okay, now  
25 we're really for '07 invitation, but what have we said

1 before that leads us to this point? And one of them is the  
2 Interim Guidance document and it says we're looking at  
3 single year projects. In a world that speaks in multi-  
4 year, as continues to, you look at the herring workshop,  
5 which is yet to be inserted into this. But I look at the  
6 herring workshop and I see everything from year to multi-  
7 year. I hear the PAC speak to GAK. I love the acronyms in  
8 this organization. GAK isn't a one year project, GAK is a  
9 33 year plus and on and on kind of project.

10 MS. TRUST: Right.

11 MR. FREDIKSSON: So we have constraints  
12 built in, as you properly characterized in the '07  
13 invitation, which is time, single year and which is money.  
14 Two million bucks. And I sit here as a Trustee Council  
15 member hearing from the public and others saying, well,  
16 don't forget multi-year projects and don't forget you have  
17 146,000,000 in the bank to take care of our needs. And I'm  
18 trying to reconcile that in how to go out with an '07  
19 invitation that may, in fact, be very constrained but yet I  
20 don't want to be so constrained to say I'm going to put my  
21 fingers in my ears if you talk about a project that  
22 actually might be two years or three years or 10 years or  
23 20 years.

24 MS. TRUST: Uh-huh.

25 MR. FREDIKSSON: And as you've dealt with

1 that, how have you grappled with those constraints or ways  
2 around it perhaps?

3 MS. TRUST: I guess my thought has been  
4 that this has been sort of a bridging year, you know, that  
5 everybody is very interested in all the synthesis  
6 information, not just the Integral report but the herring  
7 synthesis and, you know, the lingering oil report that is  
8 actually final, but there's still a lot of things out there  
9 and it hasn't all been brought together. I mean, even when  
10 all of those reports are done, well, not necessarily, you  
11 know, Integral is going to have their report, the herring  
12 synthesis is going to be a report and there's going to be  
13 a report over here. That's not knowledge, that's now just  
14 more information that somehow has to be brought together.  
15 And it will probably be brought together most concisely in  
16 the updated injured resources and services list.

17 And so my thought is that '07 is just this  
18 bridging year, you know, '08 is the year where it's going  
19 to be, okay, now we know what we need to focus on, now we  
20 really have a good handle on what's been going on over the  
21 past 17 years. Here's where we need to spend more money on  
22 multiple-year project on going out and addressing things on  
23 a longer time scale. And what that longer time scale is  
24 and what that means in the context of this particular  
25 office. And so my thought has been that's it's just sort

1 of this bridging year. So what can we get in this next  
2 year that will give us more information, but that won't  
3 necessarily, you know, require four or five or six years of  
4 information to get us there.

5 I will sort of caveat that by saying that I  
6 think that the information that came out of the herring  
7 workshop might play a little bit of a different role in  
8 that, but I think that's because the expectation is that  
9 herring is going to go into the future, you know, recovery  
10 of herring or restoration of herring is a priority for this  
11 Trustee Council and so that if multiple-year projects come  
12 out of that, that that would be a little bit of a different  
13 consideration.

14 So that's kind of been my thought process  
15 for right or wrong.

16 MR. FREDIKSSON: Thank you.

17 CHAIRMAN CAMPBELL: As you mention, the  
18 number of the herring projects are potentially multi-year,  
19 some of them definitely. And I'm hopefully when we get  
20 into discussion that we might get a modification of this,  
21 on Page 6 where it talks about duration, the first  
22 sentence, which says, award periods for proposals  
23 commencing in 2007 may range up to one year. That we might  
24 modify that to, award periods for proposals commencing in  
25 2007 are up to one year unless otherwise specified in the

1 request or a preproposal. And would something like that  
2 cause you any difficulty?

3 MS. TRUST: Sure. No.

4 CHAIRMAN CAMPBELL: Okay.

5 MS. TRUST: And then you're saying -- so,  
6 for example, if.....

7 CHAIRMAN CAMPBELL: We have a multi-year  
8 herring project and.....

9 MS. TRUST: What was that word that you  
10 gave me, McKie?

11 CHAIRMAN CAMPBELL: The wording was  
12 commencing in 2007 and strike may range and substitute are  
13 up to one year and then add unless otherwise specified in  
14 the request -- or excuse me, in the invitation or  
15 preproposals.

16 MR. O'CONNOR: Or dictated by common sense.

17 (Laughter)

18 MR. O'CONNOR: If I might amend your  
19 motion.

20 CHAIRMAN CAMPBELL: Sure. Kurt.

21 MR. FREDIKSSON: I think your suggested  
22 changes, McKie, answer some of my questions. Let me ask a  
23 technical question, and maybe it's to you, Kim, or maybe  
24 it's to Michael, because in some ways it's kind of  
25 budgetary related, too. On that same page, under B,

1 projects continuing from prior fiscal years. A few  
2 projects currently receive funding from previous multi-year  
3 awards. Do we have projects that we have in previous years  
4 been told are going to be multi-year projects and we're  
5 into now some sequence?

6 MR. BAFFERY: Yes.

7 MR. FREDIKSSON: Could you identify those  
8 or.....

9 MR. BAFFERY: No. I can give you the  
10 amount, but I can't give you the actual projects. But I  
11 can if you want me to go get that right now.

12 MR. FREDIKSSON: You don't have to do it  
13 right now, but I guess when you say in here that  
14 approximately \$2,000,000 is available, is that predicated  
15 on the assumption that those projects would be funded?

16 MR. BAFFERY: No. Those are already  
17 funded. The 2,000,000 is what we have to work with in  
18 addition to that.

19 MR. FREDIKSSON: Okay. So those multi-year  
20 projects, then, you're assuming are funded through the '07  
21 period?

22 MR. BAFFERY: Right, are not a part of the  
23 2,000,000 that we're looking at right now.

24 MR. FREDIKSSON: Okay. Okay.

25 MS. PEARCE: The 2,000,000 is the interest

1 though, that's without going into the \$140,000,000.....

2 MR. BAFFERY: Actually there's 4.6 million  
3 that using the formula that the Trustee Council approved,  
4 to inflation proof the Investment Reserve. That would end  
5 up being 4.6. Out of that came our budget, out of that  
6 came ARLIS, out of that came the \$269,000 for projects that  
7 were multi-year funded for '07. Taking all of that off of  
8 that, that 4.6, is approximately 2,000,000 monies left  
9 over. That's within the cap you're talking about.

10 MS. PEARCE: Right, but if the Council  
11 wants to hit herring hard, so to speak, there's nothing  
12 that stops us, if we have six votes, from reaching into the  
13 Investment Reserve.

14 MR. BAFFERY: Right.

15 MS. PEARCE: So, you know, the constraint  
16 is our own, but it's -- you know, if we feel strongly about  
17 herring, we don't have to stick with the \$2,000,000  
18 constraint.

19 MR. BAFFERY: That's correct.

20 CHAIRMAN CAMPBELL: Right. Joe.

21 MR. MEADE: What I was going to ask and  
22 affirm is what Drue just did and that's that if we see a  
23 need in this bridge year or the immediate horizon to  
24 enhance our investments, we have the latitude to do that.  
25 Just recognizing, again, that we're drawing down from

1 principal. But, again, if we're at a point in our  
2 restoration where some of that investment is critical, it's  
3 an option we have.

4                   The second I was going to ask is on the  
5 multi-year funded projects, I think you mentioned, are  
6 about a quarter of a million in total?

7                   MR. BAFFERY: Yes.

8                   MR. MEADE: Does that include or not  
9 include the four elements that were deferred over the last  
10 couple of meetings, and I think I understand are now  
11 invetted in a piece of the herring proposal. We had four,  
12 I think, projects that are kind of multi-year kind of  
13 baseline data gathering, if you want to consider ecosystem  
14 light, those core baseline factors, are they in the multi-  
15 year budgeted column or are they yet to be decided within  
16 the 2,000,000 discretion?

17                   MR. BAFFERY: Yet to be decided.

18                   MR. MEADE: To be, okay.

19                   MR. BAFFERY: And their total is about  
20 \$400,000.

21                   MR. MEADE: Help me understand or  
22 reconstruct why we're not considering those multi-year, if  
23 they are, and we have some multi-year. Is it simply the  
24 multi-year ones we're already agreed to as multi-year?

25                   MR. BAFFERY: That's correct.

1                   MR. MEADE:  And these were multi-year  
2 intent, but not agreed to multi-year fund or a certain  
3 horizon in time?

4                   MR. BAFFERY:  Yeah, they've been funded on  
5 an annual basis.

6                   MR. MEADE:  Okay.

7                   MR. HAGAN:  Not true.

8                   MR. BAFFERY:  No true, I'm sorry.  I've  
9 been corrected on that.

10                  MS. PEARCE:  Their funding ran out in '06.

11                  MR. BAFFERY:  Okay.

12                  MS. PEARCE:  From multi-year.

13                  MR. HAGAN:  They were funded for three  
14 years.

15                  MS. PEARCE:  Right.

16                  MR. MEADE:  I guess it would be helpful for  
17 me to decide what is multi-year work, and treat all the  
18 multi-year work as multi-year, if it's for the baseline or  
19 if it's for the integrity of the research or both and so  
20 that way we don't have bits and parts in both buckets.

21                  CHAIRMAN CAMPBELL:  Kurt.

22                  MR. FREDIKSSON:  And to follow up, Joe,  
23 it's my understanding that those monitoring projects were  
24 three-year projects, in part because that was how the  
25 Trustee Council had, if you will, put sideboards multi-year

1 at that time. So maybe the PIs thought, well, multi-year  
2 in our timeframe is 10 years, but the Trustee Council only  
3 allows a three year timeframe. Three years comes up, they  
4 want to continue going and we get some of this concern. As  
5 to what our multi-year means.

6 MR. MEADE: Uh-huh.

7 MR. FREDIKSSON: I think what I heard McKie  
8 suggest, and have staff, you know, incorporate this in the  
9 proposal, we get out of that artificial, whether we mean  
10 multi-year is three years or two years or 20 years. I  
11 mean, we basically go for an invitation that says tell us  
12 what you want to do and how -- what's the timeframe that's  
13 appropriate for that proposal.

14 CHAIRMAN CAMPBELL: And for some proposal  
15 we would specify we expect this to be a one-year proposal,  
16 we expect this to be a five-year project and others we may  
17 have to ask them. They come back based on common sense.

18 MR. MEADE: In concept I like that because  
19 in concept there is some long-term science data, regardless  
20 of PI interest, my interest is science, so the point I  
21 would get at is what are those projects that have long-term  
22 importance for what I like, and have said for three years,  
23 that I kind of refer to as the Alaska legacy of this oil  
24 spill. What's that baseline data that's going to serve us  
25 very well next crisis or incident that hits where we didn't

1 have that baseline prior. And so being able to separate  
2 that as a component of this so that we don't rehash this  
3 discussion I think would be invaluable. And to clearly  
4 see that between one-year, multi-year, five-year or  
5 whatever the out year constraint would be.

6 MR. FREDIKSSON: David.

7 CHAIRMAN CAMPBELL: David, I'm sorry.

8 MR. MARQUEZ: So we seem to be talking kind  
9 of conceptually right now, I guess I would like to echo a  
10 couple of things that I've heard. I'm a little concerned  
11 with the idea that this is a transition year, because I  
12 think you're always in a transition year, that's always new  
13 scientific work, I mean, we'll always be getting results of  
14 studies. I really think that it's important to follow up  
15 on Joe's motion that we really get going toward a  
16 restoration plan. This Council has spent an awful lot of  
17 money acquiring land. I'd really like to see us moving  
18 toward restoration plans. I don't have a lot of experience  
19 with this Council, but I certainly heard loud and clear at  
20 the five public hearings that there's a lot of things that  
21 the residence of the sound, the people that work in the  
22 sound and live in the Sound would like to see some hard  
23 projects that are going to restore the Sound to the way  
24 they remember it pre-oil spill. And maybe that's not  
25 possible, but it doesn't seem to me that we've been moving

1 very quickly toward any effort to do that.

2                   So I understand the nature of transition,  
3 but I think we have a responsibility today as Council  
4 members to do what we can to start that process and not  
5 wait until next year to start that process, because  
6 otherwise we're always going to be next year after we've  
7 got this, then we'll start working towards restoration. So  
8 I would urge us to, where appropriate, to take action this  
9 year toward that.

10                   MR. MEADE: Make sound investments?

11                   (Laughter)

12                   MR. MARQUEZ: Sound investments here with  
13 common sense.

14                   (Laughter)

15                   MR. FREDIKSSON: Joe following up.

16                   MR. MARQUEZ: Which will be our catch  
17 phrases. So in that sense I would encourage us to  
18 consider, where appropriate, multi-year studies, multi-year  
19 work that would lead us toward good sound, scientifically-  
20 based restoration projects. And I'd like us, as maybe Drue  
21 has hinted at, but I won't pin it on her, I would like us  
22 to very seriously consider breaking the \$2,000,000 cap and  
23 saying that we will make funds available for worthwhile  
24 projects and we're not going to be artificially limited by  
25 some \$2,000,000 cap. And I realize that may take Council

1 action, but I'd urge us to consider both of those, because  
2 I think we need to act on what we've heard over the last  
3 several months, if not several years.

4 Thank you.

5 CHAIRMAN CAMPBELL: I believe the language  
6 that was suggested, and I believe Kim felt she could  
7 include, meets the concern of being able to address multi-  
8 year projects as appropriate. And I've not heard any  
9 objections to that. I also, as Drue asked, and Joe said  
10 and actually we consulted during break, the ability to go  
11 beyond 2,000,000 is entirely within our control and I do  
12 think if we later adopt a number of these herring proposals  
13 for inclusion in the invitation we'll definitely need to do  
14 that and I do think we'll need to do that.

15 So, anyway, other questions? Craig.

16 MR. O'CONNOR: Yeah, I guess one of the  
17 things that strikes me and, you know, maybe transition is  
18 not the right word, is that oftentimes, and correct me if  
19 I'm wrong, because I haven't sat at this table nearly as  
20 much as I wish I could have.

21 (Laughter)

22 CHAIRMAN CAMPBELL: You've impeached your  
23 credibility, but go ahead.

24 MR. O'CONNOR: I know, I know, that common  
25 sense thing always comes -- I think it's time that we drove

1 the ship rather than letting the waves direct us in our  
2 course of events, particularly in the scientific arena.  
3 And I think we're -- I think when we start talking about  
4 multi-year projects and decisions with regard to opening  
5 the cap, I think we're taking that step because we have --  
6 and I sit here and I guess I'm struck by the fact that we  
7 say, let's go seek proposals on looking at this or looking  
8 at that.

9                   I think it's incumbent on use, working with  
10 our Science Director, to say this is where we are today and  
11 this is where we need to be going tomorrow. And science is  
12 not a snapshot process. Science is a time sequence process  
13 and the ecology, the ecosystem evolves, the facts of life  
14 evolve. And I think as we go through this exercise today  
15 we need to be looking at providing direction to this ship.  
16 And, you know, we may have done it in GEM and we're  
17 revisiting, I've never understood GEM, but I know that  
18 science is time consuming, it's energy consuming, it money  
19 consuming and it's an over time analysis that bears on our  
20 decisions.

21                   And I also know that it is not a  
22 compartmentalized process, although we have  
23 compartmentalized it in large measure and the suggestion  
24 that is made that we begin to integrate, I think, is -- if  
25 this is a new idea then shame on us for not having this 15

1 years ago. We need to be addressing what's going on in  
2 Prince William Sound and the spill area as an integrated  
3 ecosystem, one critter dependent upon another, one  
4 influenced by the other. I think herring is a good  
5 example. I think this is part of the next step in our  
6 process and we are winding down. I don't think there's any  
7 disagreement that this process is winding down. Let's be  
8 sure as we wind it down that we do it in an informed and  
9 intelligent and forward looking way.

10                                   And so if we go out and say we want a  
11 multi-year project, that's great. I would go out and say  
12 we need a interdecadal analysis of the historic and  
13 projections of the future dynamics of Prince William Sound  
14 as it relates to salinity, temperature, currents, yada,  
15 yada, yada. With a clear understanding that the focus of  
16 that information is to provide us with a predicate upon  
17 which to make determinations for herring or for killer  
18 whales or for harlequin ducks, for pigeon guillemots,  
19 whatever. What we're looking at is addressing the  
20 situation, what is the world that our resources are living  
21 in and what is going to happen to them as a result of the  
22 dynamic nature of that world. We don't understand it. I  
23 don't think any of us are so presumptuous as to assume that  
24 we can predict tomorrow, much less explain yesterday.

25                                   I think we need to be more proactive, we

1 need to talk to the scientific team and say, how best do we  
2 go about doing this and if we end up with a multi-year  
3 project and we end up funding some entity that is going to  
4 be tasked with generating that information over time and  
5 providing it into a product and to us for decision, then  
6 that's great. But let's get out of this one year, which  
7 began -- I do recollect this, began as sort of the we're  
8 not going to commit to anything more than one year until we  
9 see what the report is and whether it made any sense.  
10 Well, now we have some projects that were completed in one  
11 year and we're still waiting for the reports. So we  
12 haven't been able to make those types of decisions.

13                   Let's try to be a little bit more broad in  
14 our decisions today and get this moving. And we got a  
15 good, what I consider to be an excellent team in spite of  
16 the delays of my own reports. But I undoubtedly have a  
17 good excuse for that, but I'm sort of looking in that  
18 direction, as a more intelligent planning type approach.

19                   CHAIRMAN CAMPBELL: A quick comment and  
20 then Joe.

21                   I concur and echo. The one caveat that I  
22 would put on that is I think from my beginning in the  
23 process I've always urged us to in every invitation have  
24 the possibility that folks out there can come back with a  
25 simple two-page preproposals that we can take a look at and

1 then tell them whether or not we might be interested in and  
2 whether or not we feel that's -- just because I'm sure  
3 there's always people out there who collectively are  
4 probably smarter than us. And if there's something we're  
5 missing I'd like to know it from them. But I do strongly  
6 agree with that we need to shape it and direct it.

7 Joe.

8 MR. MEADE: I just want to acknowledge and  
9 compliment the wisdom in Craig's common sense. You know,  
10 we're science based organization here and what you've just  
11 highlighted underscores the importance of how you secure  
12 that important science information that then informs us on  
13 our ability to do restorative activity.

14 The piece I wanted to link to your  
15 discussion, because I think it also is important, at least  
16 to consider in how we shape our '07 and then later our '08  
17 invitation. For information that can be multi-year or even  
18 decadal as we also then wrestle with inevitable future to  
19 right size our organization and essentially the cost of  
20 overseeing this restoration work, you know, there's also  
21 the ability to look at ways that some of the multi-year or  
22 extended type of research that we want to gather. How  
23 might we shape that into a mechanism that establishes that  
24 with one of our many research entities across the Prince  
25 William Sound and allow that then to move out over time as

1 we begin to defuse or to right size that role that we take  
2 in the annual or the yet annual cycles of meeting to have  
3 those discussions.

4 I guess the point is that I think you can  
5 bring together the ideas that you shared, Craig, at least  
6 for those things that are multi-year and/or decadal and see  
7 if there isn't some way that we can begin to phase out some  
8 of that work from a direct role of the Exxon Valdez Council  
9 and have that more invetted through grants and resources to  
10 be done by premier researchers out in the field with the  
11 many institutions that we have access to that have  
12 submitted in past proposals and such. I think it helps to  
13 begin the connection with right sizing, I guess, is the  
14 point I wanted to offer.

15 CHAIRMAN CAMPBELL: Okay. Addition --  
16 Kurt.

17 MR. FREDIKSSON: Well, just to follow up on  
18 that discussion here because I am very much in agreement  
19 with going beyond just the absolute restrictions of a  
20 single-year proposal or the 2,000,000. And since McKie had  
21 suggested some language changes I do see on Page 6 where  
22 we've laid out the \$2,000,000 limit. I think if we're  
23 going to go down this path, which I support, opening up for  
24 proposals for consideration of all proposals without  
25 constraint by time or money, we should remove that

1 reference to the \$2,000,000.

2 CHAIRMAN CAMPBELL: Yeah. Is that a motion  
3 or just -- or do we need a motion? What would you say, do  
4 we need a motion?

5 MR. BAFFERY: You asking me?

6 CHAIRMAN CAMPBELL: Yeah.

7 MR. BAFFERY: I don't think so.

8 CHAIRMAN CAMPBELL: Okay. I don't think we  
9 do.

10 Drue.

11 MS. PEARCE: Do you want to just remove it  
12 or just say at least 2,000,000? I mean, you can do it  
13 either way.

14 MR. FREDIKSSON: Well, we know we have at  
15 least 2,000,000.

16 MR. BAFFERY: Well, and it could be zero,  
17 so.....

18 CHAIRMAN CAMPBELL: Yeah. I would just say  
19 let's not have a cap.

20 MS. PEARCE: On the other hand, do we want  
21 anybody to come in with a \$15,000,000 project? Are we just  
22 -- or any constraints?

23 MR. FREDIKSSON: Well, I think for  
24 discussion purposes and maybe we ought to -- you know,  
25 before we have motions and piecemeal this, because I want

1 to get into the '07 as well as some more of its content,  
2 but structurally if we had -- I agree with what Craig said  
3 about we need to direct the ship and I don't sit here today  
4 knowing, for example, lingering oil. I want to see all the  
5 oil mapped and not just within Prince William Sound,  
6 wherever the oil spilled area is I want to see that mapped.  
7 I think it's unfortunate that we have no long-term project  
8 initiated back in '93 to have annual surveys of the  
9 beaches. But we didn't, so there we are.

10                   We know we have lingering oil out there, I  
11 want to see it mapped. I'd like to get serious about  
12 cleaning it out, remediation, however that might be. I'd  
13 like to -- you know, I have a lot of things that I'd like  
14 to see done as a result of the Integral work and the other  
15 work done and what we heard through those public comments,  
16 and I'd like to direct that work. But as to what the price  
17 tag might be on that, I just don't have a sense. But if it  
18 were, if somebody were to come in and present to the  
19 Trustee Council a proposal that over the next five years we  
20 can get everything mapped and we can get all of the oil  
21 either removed or we can get the proper institutional  
22 controls in place to manage that residual oil. I wouldn't  
23 hesitate to entertain that.

24                   MS. PEARCE: I wouldn't either and I agree  
25 that we, the Council, made a mistake in not having that

1 mapping, you know, not doing surveys, but I would say with  
2 some affection that if you want to map Park Service  
3 shorelines, they can't do anything for less than  
4 \$2,000,000. And so, you know, you've just increased costs  
5 pretty dramatically, I suspect. So at the very least we  
6 need to write in something that says cost effective. These  
7 don't have to be gold plated, I don't know how you say that  
8 to scientists, but let's not just open it to the world  
9 because we'll spend \$140,000,000 next year.

10 CHAIRMAN CAMPBELL: Yeah.

11 MS. PEARCE: Easily.

12 CHAIRMAN CAMPBELL: I do completely expect  
13 us to look at every project and consider costs as one  
14 issues in deciding whether to proceed with the project or  
15 not. Having said that, I don't think a particular lump sum  
16 cap is particular effective on keeping constraints on  
17 individual projects.

18 MS. PEARCE: I agree.

19 CHAIRMAN CAMPBELL: But I do think just  
20 some cost analysis in the decision to award projects is a  
21 much more effective thing.

22 MR. BAFFERY: In terms of motions, I think  
23 that the motion that you will make regarding the invitation  
24 is whether and when to issue an invitation and what I  
25 suggest is that we will make the changes to the invitation

1 and part of your motion will be to circulate that to you  
2 one last time for your concurrence and then we'll issue.  
3 So that's the only motion you'll need to make.

4                   CHAIRMAN CAMPBELL: Okay. In that case,  
5 with that clarification, that also helps me because I was  
6 going to have to get somebody else to make this motion. I  
7 can just here offer it as discussion. There has been a lot  
8 of work that has been done by EVOS staff, NMFS staff, Fish  
9 and Game staff, others in development of a series of  
10 herring projects and these are all in -- they were  
11 distributed, and in my -- I don't know quite how to relay  
12 it. In mind they were after hearing the herring workshop  
13 draft project list and there was a section called final  
14 project list, the first two pages should say Trustee  
15 Council meeting May 23rd, herring project FY07 summary and  
16 has a summary of projects and costs. And then the  
17 subsequent pages lists a brief description of each project.  
18 And I am hopeful that the Trustees will consider the  
19 addition of the descriptions of these projects into the '07  
20 invitation. And, Kim, you have it.

21                   MS. TRUST: Oh, I have it right here. Can  
22 I just end this one thing first?

23                   CHAIRMAN CAMPBELL: Yeah.

24                   MS. TRUST: Did you want us to strike this  
25 whole thing that said we'll release 2,000,000 or at least

1 2,000,000?

2 CHAIRMAN CAMPBELL: Strike it.

3 MS. TRUST: The whole thing, not even an at  
4 least?

5 MS. PEARCE: But add something about being  
6 cost effective.

7

8 MR. MEADE: Yes.

9 CHAIRMAN CAMPBELL: Yeah. And in that same  
10 context I am not suggesting we include the first few pages  
11 which suggests cost for these herring projects, but rather  
12 just the additional pages starting on, I guess, Page 3 that  
13 say project descriptions and list a series of projects.  
14 And it would be my hope that, you know, if somebody either  
15 can do the specific project or come in with some  
16 improvement on the project and so -- is there any objection  
17 from the Trustees in that general direction to the Council  
18 [sic]?

19 MR. O'CONNOR: None from me.

20 MS. PEARCE: If we just drop this in?

21 CHAIRMAN CAMPBELL: Yeah.

22 MS. PEARCE: Okay.

23 MR. MEADE: Projects that encompass by  
24 example?

25 CHAIRMAN CAMPBELL: Yes.

1                   MR. MEADE: That way -- again, we learned a  
2 lot from the communities that informed us very much on the  
3 very herring issue and so leaving that latitude as you've  
4 offered for them to enhance, to broaden.....

5                   CHAIRMAN CAMPBELL: I think that's  
6 excellent, Joe, I agree.

7                   MS. PEARCE: Okay.

8                   MR. BAFFERY: Would you draw up a time  
9 scale then on these?

10                  MS. TRUST: Yeah, this is what the actual  
11 PIs or the people proposing the projects told us it would  
12 take. So, yeah if we.....

13                  MR. BAFFERY: And we had told them one year  
14 originally?

15                  MS. TRUST: And we had told them one year,  
16 so they actually put themselves into that box.

17                  CHAIRMAN CAMPBELL: So drop the time scale.

18                  MS. TRUST: Yeah, so it wouldn't it  
19 necessarily.....

20                  CHAIRMAN CAMPBELL: Okay. Other discussion  
21 on the FY07 invitation? Kurt.

22                  MR. FREDIKSSON: Yeah. And, Kim, and as we  
23 discussed you've gone to a number of different sources to  
24 come up with the list. And I'm looking now at an April  
25 10th -- just your outline, it's the April 10th outline.

1 MS. TRUST: Uh-huh.

2 MR. FREDIKSSON: Which was real helpful for  
3 me just at the tree top level, but as I look down the  
4 injured list, and one of the injured species and services  
5 lists I have is from what Integral has produced. And I was  
6 doing kind of a comparison, if you will, on seeing certain  
7 things that were comparable and not. Now, we've kind of  
8 engaged in a process where ultimately -- ideally it would  
9 have been nice to have all the synthesis work done prior to  
10 the release of the invitation, but that's not where we find  
11 ourselves. But we have a lot of work done in various  
12 stages that can help us guide this '07 invitation.

13 What that tells me, because that synthesis  
14 is not yet complete, it hasn't gone through a final peer  
15 review, it hasn't gone through a public review. I would be  
16 more inclined to be more inclusive of potential projects  
17 than less. I would be more inclined to, for example, throw  
18 in some additional areas of possible proposals than to  
19 exclude them based on nothing other than what we have in  
20 very draft stage right now.

21 So let me be more specific. For example,  
22 and these may be subsets of particular injuries on here,  
23 but for lingering oil, for example, I'm quite concerned  
24 with subsistence use and the perception of food safety with  
25 respect to subsistence foods. I would like in the '07

1 invitation to have a subsistence use invitation, if you  
2 will.

3 MS. TRUST: Okay.

4 MR. FREDIKSSON: And that could be a subset  
5 of lingering oil, we've talked about it in some ways as a  
6 subset of lingering oil.

7 MS. TRUST: Let me just make a comment.

8 MR. FREDIKSSON: Uh-huh.

9 MS. TRUST: I guess I was under the  
10 impression, and I don't know if somebody told me this. I  
11 didn't make it up, but I don't know where I got it,  
12 but.....

13 (Laughter)

14 MS. TRUST: .....the invitation had never  
15 gone out to request proposals for services, only for  
16 resources. And so it is totally lacking in services  
17 because somewhere along the line that's what I had been  
18 told drove the process. So it's not included there, but  
19 that's just because that was my misunderstanding.

20 MR. FREDIKSSON: And mine as well. My  
21 misunderstanding as well. I just -- I've learned that and  
22 I've heard that that's how the Interim Guidance document  
23 directed things. I looked at the Interim Guidance document  
24 today very carefully to see if we had excluded services.  
25 You can read between the lines maybe in one place where it

1 was, but I would like to open up the '07 proposal to human  
2 services. I'd like to look at herring not just for its  
3 contribution to the ecosystem but its contribution to the  
4 commercial fishing industry in the Sound.

5 MR. MEADE: I would be in strong agreement.

6 CHAIRMAN CAMPBELL: Yeah. Drue.

7 MS. PEARCE: And I have no problem with  
8 that, but I wonder if any of the liaisons have any comment  
9 on why the IGD appears to be drafted that way, since  
10 services were not.....

11 MS. TRUST: Well, it's even previous  
12 invitations and previous -- you know, it seems to always be  
13 left out.

14 MS. PEARCE: Anybody have any memory left  
15 or.....

16 MS. TRUST: Is it just the restoration plan  
17 or.....

18 MR. ZEMKE: I think it's partially based on  
19 the fact.....

20 (Off record comments -- Mr. Zemke to the  
21 microphone - laughter)

22 MR. ZEMKE: Partly I think it's because  
23 services are determined to be at the back of resources.  
24 You don't have an injured service, you have a relation to  
25 the resource and so you need to have information about

1 improving or ameliorating resources to be able to improve  
2 the service. You can't go out and just improve the  
3 subsistence service, you need to fix the herring problem  
4 and then the service would be fixed on that basis.

5 MR. O'CONNOR: Right. He's right. He's  
6 good.

7 CHAIRMAN CAMPBELL: Well, he may be right.

8 (Laughter)

9 CHAIRMAN CAMPBELL: I would say the fact  
10 that services, from my point of view, have always been left  
11 out is not so much an indication that there is a great  
12 precedent that we have to leave it out in the future, but  
13 rather it shows the need that we haven't done anything  
14 about it and we need to put it in because I think that's  
15 what we really haven't really gotten around to doing  
16 anything about. Though I agree in theory in the indirect  
17 method, frankly it's not working and it's not making it.

18 MR. O'CONNOR: Let me offer, subject to  
19 correction by my lawyer, I think part of where we are today  
20 is a reflection of priorities and a reflection of somewhat  
21 of a misunderstanding of services and how those services  
22 are restored. The priority under the Clean Water Act and  
23 the Oil Pollution Act and so on, is that the resources be  
24 restored and that ultimately the restoration of those  
25 resources will bring back the service flow, be it human use

1 or ecological use.

2                           We don't have the authority to go write a  
3 check to a fisherman, but we do have the authority to  
4 create an enhancement, if you will, to the fishing industry  
5 that accommodates the impact on that industry by the spill.  
6 For instance, access. Oftentimes throughout the country we  
7 have put in public fishing piers or other bricks and mortar  
8 kinds of things or opportunities to access the resources  
9 that is directly focused on the human service provided by  
10 that resource, but it's not strictly speaking an ecological  
11 and biological enhancement.

12                           So we have the authority to walk, sort of,  
13 along that path. So there is not an automatic no human  
14 services focus. And, in fact, a large portion of this  
15 settlement arguably was as a result of the impact on human  
16 use, be it direct or intrinsic value impacts as a result of  
17 the spill. If there are ways to address the problems of  
18 subsistence through looking at ecological undertakings,  
19 biological undertakings, whatever, then let's do that and  
20 let's let that be the focus, with the realization that what  
21 is happening is the service flow that's coming from the  
22 beaches for both harlequin ducks and sea otters on the  
23 biological side and subsistence use on the human side are  
24 being adversely impacted. And we can go and clean up the  
25 beach to address those two impacts, there is no -- we have

1 no requirement to ignore the human impacts and the human  
2 use degradation.

3                   So to the extent that there is some  
4 misapprehension about what we can and cannot address, that  
5 should be dispelled. The question is the tools that we  
6 have to address it. Theoretically if we declare victory in  
7 Prince William Sound and say all the resources have  
8 recovered and the ecosystem is back to where it was before  
9 the spill, we have reestablished that baseline,  
10 theoretically all the human service flows from that have  
11 been reestablished as well. So we're back where we were  
12 and there was some compensation for the interim loss of  
13 those services. Obviously we're in a really wild world  
14 here in terms of how broad the impact and how long it's  
15 taking us to get it back to where it makes sense.

16                   But there is no reason why we can't do  
17 exactly -- I don't think why we can't do exactly what  
18 you're talking about, and that is engage a study to  
19 determine the impact on subsistence use as a result of the  
20 presence of lingering oil or as a result of the downturn of  
21 herring and then use that as the beginning of how do we go  
22 about looking at the restoration of that, the scope of it  
23 and the scale of it to bring back those services. And  
24 that, I think, is an appropriate predicate within the  
25 contents of lingering oil and herring. I don't see

1 anything wrong with that, subject to correction by Gina.

2 MS. TRUST: No. Would it work then to put  
3 things like subsistence use within these categories as  
4 opposed to having subsistence use as its own category?  
5 Similar to what you were just saying.

6 MR. O'CONNOR: No reason why not. I mean I  
7 think it's a semantic. What we're looking at is the  
8 service flow from those resources, how has it been  
9 disrupted and can we restore it, what tools are there out  
10 there for us to restore that service flow.

11 MR. BAFFERY: So would you put commercial  
12 fisheries in the same category?

13 MR. O'CONNOR: Commercial fisheries is -- I  
14 would say yes. The commercial fishermen have their own  
15 claim, which obviously, pardon me, Exxon wrote a check  
16 immediately and that's been resolved, but what we do have  
17 is an obligation as a Trustee to be sure that the resources  
18 upon which commercial fishermen are dependent are restored.  
19 That's different than the claim, the economic claim they  
20 have filed. Our job is to make sure that those commercial  
21 fisheries are restored in terms of the resource themselves.  
22 And if we are not there then we got to keep working.

23 MR. MEADE: If I made the distinction I  
24 think I heard you share that we answer Michael's question  
25 for me is you drew the distinction between cutting the

1 check to an individual versus again cutting the check  
2 analogy, but funding, investing in the interest that  
3 address the collective. And so, I don't know, Michael, if  
4 that gets to your question or your query as it relates to  
5 services because I am a strong advocate as well that we  
6 recognize humans are an injured -- that the services to the  
7 human population here have been injured from the outcome of  
8 the oil spill some 15 years plus later. The distinction is  
9 our role is to not benefit and individual, our role is to  
10 benefit the interest of a collective.

11 MR. BAFFERY: Yeah, thanks.

12 MR. O'CONNOR: Yes.

13 CHAIRMAN CAMPBELL: Kurt.

14 MR. FREDIKSSON: Well there's another  
15 category I'll just throw out there and -- you mentioned it,  
16 Kim, when you said Area Youth Watch, which -- or Youth Area  
17 Watch, which I understand has been very successful and from  
18 what I hear I think Fish and Game manages those projects  
19 and there reports are always on time, they are very active,  
20 they appreciate the assistance and, to me, the real service  
21 provided for that is very human oriented. In fact, I view  
22 it as community revitalization. There are elements out  
23 there in the communities that we heard that, of course, run  
24 the gamut from convention center to Youth Area Watch. But  
25 somehow we need to be open to that what I collectively call

1 community revitalization where the Sound -- where the  
2 people who live in the Sound -- the human population cannot  
3 be separated from the ecosystem. That the human element is  
4 part of the Sound ecosystem and there are folks out there  
5 that still file, not necessarily damage, but that hasn't  
6 been restored, that that connection hasn't been restored.  
7 And to me the Youth Area Watch is a very real kind of  
8 project for bringing that kind of connection back and I  
9 would like to see us opened to consideration of those kinds  
10 of human activities.

11                   The other elements that were still listed  
12 as not having fully recovered by Integral or that are  
13 recovering but have yet fall into the categories of  
14 recreation and wilderness area. And those are the other  
15 human use or human service areas that I think we should not  
16 just foreclose. I'm not sure what that might open up,  
17 maybe \$2,000,000 Park Service projects, but.....

18                   MR. MEADE: Or access.

19                   MR. FREDIKSSON: Or access. I mean it  
20 could be a number of different areas.

21                   MR. HAGAN: There are issues where we can  
22 bring access issues to the table very easily that would  
23 assist human use so.....

24                   MR. FREDIKSSON: Well, I see on our agenda  
25 small parcels and what is one of the primary purposes for

1 those small parcels is human services; access, recreation,  
2 wilderness areas. It falls into those categories and I  
3 feel that those are proposals in my book.

4 CHAIRMAN CAMPBELL: I concur, but I would  
5 note that many times wilderness and human uses are  
6 opposites, but yeah.

7 Let me ask, additional discussions or  
8 guidance. Do we need to take up a specific date; is that a  
9 question for you all?

10 MR. FREDIKSSON: Yes, that was one of the  
11 issues.

12 MS. TRUST: You know, I guess what I need  
13 is some more clarification of how you would like to see the  
14 human services incorporated into the invitation.

15 CHAIRMAN CAMPBELL: What I would suggest,  
16 this is me, is that we simply in the part of the proposal  
17 or the invitation down at the very end where we say, you  
18 know, we are opened to two-page preproposals, you know, on  
19 these or other topics that we simply put in including human  
20 services or something like that. That would be our signal  
21 if folks out there have something and then we look at the  
22 two-page preproposal and say, yeah, no, we're not  
23 interested or yes, we are, please go back and develop this  
24 into a full proposal.

25 MS. TRUST: Now I have two questions that

1 have come out of that. I didn't realize we had discussed  
2 the preproposal, is that what we're talking about here as  
3 opposed to a full blown proposal process or now we doing a  
4 preproposal.....

5 CHAIRMAN CAMPBELL: No, no.

6 MS. TRUST: None.

7 CHAIRMAN CAMPBELL: Two things. We had  
8 talked about we're doing an invitation, with all the  
9 specific invitation items that we've discussed.

10 MS. TRUST: Right.

11 CHAIRMAN CAMPBELL: But we had also talked  
12 about somewhere at the very end of it simply including  
13 something that the EVOS Trustee Council invites two-page  
14 preproposals on other topics or not discussed within this  
15 invitation.

16 MS. PEARCE: We did?

17 MS. TRUST: Okay. I'm glad you got that  
18 expression, Drue, because I didn't hear that either.

19 CHAIRMAN CAMPBELL: We did not?

20 MS. PEARCE: We did not.

21 CHAIRMAN CAMPBELL: Okay. Well, let's back  
22 up, I thought we did. All right. This goes back to the  
23 issue I think Craig was -- it was a discussion with Craig  
24 and I when we were talking about we need as a Trustee to be  
25 driving the invitation process, where we're going to go and

1 everything else. And I agreed with him with the caveat,  
2 which I've been pushing ever since I've on this and I guess  
3 I'm going to continue to, that we always be opened to other  
4 good ideas. I just don't think we are the font of all good  
5 ideas, I think it's our responsibility to figure out where  
6 we're trying to go and drive that train. But if there are  
7 people out there who have a good idea.

8 I talk to a lot of folks about why -- well,  
9 why they quit sending proposals to the Trustees. And they  
10 said frankly the proposal process was so onerous, et cetera  
11 and, you know, was narrow -- this is a number of years  
12 back, it wasn't worth it. And they also felt at that  
13 point, I think we're changing this, but the proposal  
14 process had gotten -- the invitation process had gotten to  
15 where it was pointed very much toward academic research.  
16 What I've been advocating from day one is we also be open  
17 to other good ideas, though, in just a -- send us two pages  
18 about what you want to do and we'll let you know if we're  
19 interested or not. I'm not saying we're going to do  
20 everything these folks are expecting. I think we probably  
21 would not do the majority of things people might send us,  
22 but we might look and say does this fit in where we want to  
23 go or this is a great idea, we never thought of this.

24 MS. PEARCE: What criteria are you going to  
25 use?

1                   CHAIRMAN CAMPBELL: For asking them to  
2 propose or for us discussing it?

3                   MS. PEARCE: No, for asking them to  
4 propose.

5                   CHAIRMAN CAMPBELL: I'm not using criteria,  
6 I'm using the terms of the settlement, it has to fit the  
7 terms of the settlement, if they can come up with a two-  
8 page preproposal I think it's worth our time to take a look  
9 and see is this worth it or not. I think there are a lot  
10 of things we'll say no to, but again I'm a believer that  
11 we're not the font of good ideas and that there are people  
12 out there who may have good ideas we never thought of, you  
13 know, or it may be a variation of one of our thing, it may  
14 be something else entirely. At two pages it doesn't  
15 require them to have -- to have invested too much time and  
16 effort putting it together and doesn't require us to do too  
17 much time and effort in taking a look and seeing if it's  
18 worth them pursuing or not.

19                   MS. PEARCE: But it has to be restoration?

20                   CHAIRMAN CAMPBELL: It has to fit in the  
21 terms of the settlement, that would be my only constraint.

22                   MS. TRUST: Okay. I think if your asking  
23 people though to go through a big proposal process in the  
24 same document that you're saying or you can hand in a  
25 little two-page preproposal thing you're going to get a

1 whole lot of two-page preproposals things and then we're  
2 not going to.....

3                   CHAIRMAN CAMPBELL: Here's the difference.  
4 We have signaled in our invitation, these are specific  
5 things -- specific projects we want to fund. You give us a  
6 proposal, we'll respond back and give it to you. If  
7 somebody gives us a two-page preproposals -- I'm not --  
8 excuse me, I'm not talking about the two-page preproposals  
9 on things we're specifically asking for, that's where we're  
10 asking for full blown proposals. I'm asking for the two-  
11 page preproposals on other ideas that may be related or  
12 just may be something else entirely.

13                   MR. O'CONNOR: Such other matters that may  
14 be of import and relevance to the functions of the Trustee  
15 Council.

16                   CHAIRMAN CAMPBELL: Yeah. Dave.

17                   MR. MARQUEZ: I guess I'm kind of getting  
18 more confused about the process. I don't understand  
19 the.....

20                   MR. O'CONNOR: That's because we haven't  
21 gotten to lunch yet.

22                   MR. MARQUEZ: Yeah, time for lunch, I can't  
23 think over my rumbling stomach but.....

24                   CHAIRMAN CAMPBELL: Yeah, my goal. Let me  
25 just say time goal is I thought if we could finish this by

1 quarter of or 10 of we could break for lunch, get a little  
2 jump on restaurants so people could be back here at one if  
3 that would work for folks.

4 MS. WOMAC: I'm feeding you.

5 MR. BAFFERY: We're feeding you today.

6 CHAIRMAN CAMPBELL: You're feeding us?

7 MS. TRUST: You're not going anywhere,  
8 McKie.

9 MR. BAFFERY: Yeah.

10 MR. MEADE: They're working you.

11 CHAIRMAN CAMPBELL: Scratch that, but  
12 people are hungry. Okay, sorry.

13 Dave.

14 MR. MARQUEZ: I don't know, I guess what  
15 I've been hearing is this that the human services is  
16 important enough that I'd like Kim's proposal that we just  
17 add that to each one of the categories, I think that's a  
18 much more direct way of inviting important ideas. I don't  
19 know if there's any limit on preproposals, I would think  
20 that anybody at any time could file a preproposal on any  
21 subject. But it would seem to me that we want to have some  
22 responses to this invitation that would deal with  
23 subsistence and commercial fishing.

24 MS. TRUST: And I guess one suggestion that  
25 I would have -- so, for example, if we're using subsistence

1 use, I mean, it would apply under lingering oil, it would  
2 also apply under intertidal communities, it could apply  
3 under integration. I mean, and they could identify those  
4 things in the proposal that were, you know, by this  
5 proposal we are addressing all four categories and then or  
6 three categories or three of the four. Then that goes back  
7 to what Joe was saying about, you know, if there was one  
8 particular proposal that didn't quite address all three of  
9 them, then it would be kind of weighed approach that the  
10 Trustee Council could look at, but we could include those  
11 services within each of those categories if you guys even  
12 like the categories that have been put forth.

13                   CHAIRMAN CAMPBELL: Okay. I concur with  
14 that, I think that's a good idea. All I'm trying to make  
15 sure is we have something at the bottom of the invitation  
16 that lets people know if they have some other idea that  
17 they want us -- not in response to the things we're asking,  
18 but some other idea that they can send us in a two-page  
19 preproposal and we'll let them know whether, A) it fits the  
20 terms of the settlement and B) whether we're interested in  
21 pursuing it.

22                   Joe.

23                   MR. MEADE: In concept I really like what  
24 you're getting at, it shouldn't be the principal focus of  
25 the invitation.

1                   CHAIRMAN CAMPBELL: No, no, no.

2                   MR. MEADE: But what you're saying is, you  
3 know, and by the way we are very interested in, you know,  
4 creative thinking in concepts and approaches and we're not  
5 asking folks to develop their master's thesis on submitting  
6 the invitation or the proposal. So in concept I like what  
7 you're trying to establish.

8                   The other piece though that I think maybe  
9 Dave has underscored the way to do it. My concern on the  
10 human service piece, which I'm a strong proponent of, is I  
11 don't know if we want to open up Pandora's Box so big that  
12 we have a hard time deciphering through all of what we find  
13 within it, so either adding some criteria to what we're  
14 looking under human services, such as our discussion  
15 earlier about interest for the collective versus the  
16 individual, but I actually like where you went, Dave, to  
17 actually tie it right to the proposal that we've had where  
18 Kim was beginning to affirm that would have a good fit.  
19 That way we've addressed the human services very directly  
20 but we also haven't broadened the discussion so wide we're  
21 going to have a lot of debate and a lot of public  
22 involvement in such to what is appropriate in that area  
23 versus not, versus the historic funding trend.

24                   MR. O'CONNOR: I would sort of give you a  
25 stream of consciousness here on the human service side of

1 this. I would like to solicit a study, if you will, or  
2 studies that address the current impact of lingering oil  
3 upon subsistence uses specifically where and how they're  
4 impacted, what subsistence use itself is being affected. I  
5 would like to have an understanding of what it is about the  
6 presence of lingering oil that is affecting subsistence  
7 use. Is it smell? Is it taste? Is it toxic to humans?  
8 What's going on? What's the dynamic that's going on? I  
9 would like to know what it would take from the subsistence  
10 user's perspective to restore the use of those resources.  
11 Is it to fully remove the oil from the environment? Is it  
12 to have a determination made by a public health entity or  
13 ADEC that says that this clam or this fish or whatever it  
14 is that's being -- the harvest of which is being  
15 influenced, what would restoration be? Where do we get to?  
16 How clean is clean? And where are the subsistence users  
17 with regard to their reaction to health advisories or so  
18 on, things that ADEC may be involved with.

19 I'd like to know what acceptable clean up  
20 levels are. Not just from the standpoint of the  
21 subsistence user, but from the standpoint of the regulatory  
22 agency that will declare this is clean enough. This  
23 environment is adequately restored so that human use can  
24 return to where it was before.

25 The same sort of analysis, if you will, on

1 herring. What has the impact on subsistence use of herring  
2 or commercial fishing on herring been so that we understand  
3 what it is we're addressing and what service we're trying to  
4 restore and what tools would the commercial fishing  
5 industry consider to be appropriate tools to restore those  
6 services. Is it buy-back, which we couldn't do, but is it  
7 provide some new techniques or would it be to provide  
8 further access as the resource is being redistributed  
9 throughout the Sound, hopefully. Would it be to impose  
10 some restrictions on other activities that might be  
11 impacting herring. You know, looking at things like what  
12 is the impact of paralytic shell fish poisoning upon the  
13 use of our resources and discouragement and try to sort out  
14 those kinds of perturbations, if you will, on the human use  
15 side.

16 I think if we can provide some focus to  
17 this undertaking rather than just drawing out and saying  
18 talk to us, you know, send us proposal and so on. We want  
19 to know answers to these specific questions and we want  
20 proposals that are directed at responding to those  
21 questions. And any other, I mean, that -- you know, I'm  
22 just -- we're not the font of all knowledge, so we could  
23 continue this. But that's the kind of thing -- I think  
24 that's what driving the ship is all about. Here's what we  
25 need to know.

1 MS. TRUST: Uh-huh. I think Jim Fall did a  
2 lot of that work on that survey.

3 MR. O'CONNOR: Fall did an excellent  
4 report, I've read all 917 pages.

5 MS. TRUST: As I.

6 MR. O'CONNOR: But I didn't get some of  
7 those answers. I got a sense that there a number of  
8 influences that are affecting today's subsistence harvest.

9 MS. TRUST: Uh-huh.

10 MR. O'CONNOR: Some of which may have to do  
11 with a potential contamination of the resource, the  
12 presence of lingering oil, other sources are the change in  
13 the dynamics of the Native culture.

14 MS. TRUST: Uh-huh, right.

15 MR. O'CONNOR: And other perturbations, if  
16 you will, on subsistence users. One is competition with  
17 recreational fishing that's been enhanced as result of the  
18 spill because Prince William Sound has become a more  
19 popular destination now for recreational fishing, you know,  
20 these kinds of interactions that are going on in the  
21 subsistence communities I think we need to be able to sort  
22 out. And right now, I think, you know, you kind of like  
23 you grade tests, you throw them down the stairs and  
24 whichever gets the furthest gets the A. I don't how we  
25 sort of some of the real dynamics that are going on out

1 there and I think that's an important component of solving  
2 the problem occasioned upon the presence of lingering oil  
3 or the impact on herring to the user groups themselves.  
4 So I would like that to be blended in with more clarity and  
5 other things of interest and import as McKie is suggesting.

6 MS. TRUST: You got all that written down,  
7 right?

8 REPORTER: Oh, yes.

9 MS. TRUST: Okay, good.

10 CHAIRMAN CAMPBELL: Yeah, great. Joe had a  
11 comment.

12 MR. MEADE: Don't worry, Kim, this will all  
13 be on the transcript.

14 In agreement with your premiss, Craig, the  
15 only piece I would caution us is studies to study versus  
16 actionable steps to take.

17 MR. O'CONNOR: Right.

18 MR. MEADE: And somewhere in there is a  
19 blend of the right balance. And so what are the actionable  
20 steps that proposals can provide to us that we can do that  
21 will accomplish enhancement to healing use of the Prince  
22 William Sound ecosystem and its associated services. So  
23 there's a balance there that I just worry with a decade and  
24 a half of study that we also want to have a good balance of  
25 proposals of actionable steps we can take, we can fund that

1 will accomplish enhancement to human use, human services  
2 associated to the Prince William Sound.

3 MR. O'CONNOR: Hear ye, hear ye, I fully  
4 agree.

5 CHAIRMAN CAMPBELL: Michael, what else do  
6 you need from us specifically on this issue? Do you need a  
7 motion? And, if so.....

8 MR. BAFFERY: Besides the transcript?

9 MR. O'CONNOR: I apologize for wandering  
10 off.

11 MR. BAFFERY: No. What I need is -- you  
12 guys are saying the way the invitation -- I thought it was  
13 going to be a menu, you were going to say, okay, we want to  
14 focus on these things. What you're saying is let's expand  
15 -- what we've got is good, add these in there, get it out.

16 CHAIRMAN CAMPBELL: Yes.

17 MR. BAFFERY: Okay. So it's actually what  
18 you need from us is probably a better question. That we  
19 need to go back and add these components that we talked  
20 about.

21 CHAIRMAN CAMPBELL: Let me rephrase the  
22 question. What do you need from us before lunch, before we  
23 leave this topic?

24 MR. BAFFERY: I think we got what we need.  
25 Is there anything you think that we need that you don't

1 have?

2 MS. TRUST: Well, one thing. So for  
3 herring you want me to -- you want us to insert, pretty  
4 much, the list of proposals or at least structure so that  
5 we're asking those questions so that projects get  
6 identified in the proposal?

7 CHAIRMAN CAMPBELL: That's correct.

8 MR. MEADE: We the discussion we  
9 highlighted earlier that identifies that these projects are  
10 examples of, exemplary too.

11 MS. TRUST: Okay. The other question that  
12 I have goes back to something that you brought earlier,  
13 Joe, about addressing the 2006 funding for the planning  
14 effort and we are going to revisit that in the context of  
15 this invitation.

16 CHAIRMAN CAMPBELL: Right. That's what I  
17 guess wanted to ask Joe. Given our discussion, are there  
18 other things that you want to make your motion regarding  
19 the 2006.....

20 MR. MEADE: Well there are two issues in  
21 2006 that I think it's important that we address and that  
22 is the investment in front of us with the baseline  
23 ecosystem issues, the four that continue to need to be  
24 addressed, which then will also be addressed '07 and beyond  
25 in the '07. And then I do believe that there is an

1 important funding issue here for getting the herring  
2 planning work started in '06, to me those are important  
3 issues that need to be looked at in '06. Now how we  
4 sequence '06 discussions versus '07, I guess I would look  
5 for advice. Are those two separate motions or -- to me, we  
6 need to get our house in order, we need to finish '06, we  
7 need to look at what of those critical baseline studies we  
8 need to continue because we've been historically doing them  
9 and they have on a multi-year -- at least could have a role  
10 in the multi-year funding strategy from the '07 invitation.  
11 We'll find out more in the '07 invitation if they do have a  
12 multi-year importance in the outcome of that and then,  
13 again, the herring planning piece. Those are the two that  
14 are on my docket for a fix. If that answers your question.

15                   CHAIRMAN CAMPBELL: Did you have something,  
16 Kurt?

17                   MR. FREDIKSSON: Well maybe just to help  
18 get to the answer to Joe's question because it's two part.  
19 One it's the relative priority and importance of these  
20 projects relative to others. And, secondly, what, Joe,  
21 you're suggesting is it's so important that we need to  
22 advance them into the '06. And, of course, the '06 that  
23 depends upon what the '06 budget would allow. And we've  
24 already gone through the '06 budget process and you're  
25 suggesting that we -- this would be like a State -- in the

1 State budgetary process this would be like a supplemental.

2 MR. MEADE: Yeah.

3 MR. FREDIKSSON: Where you basically go to  
4 the legislature and say we want to supplement what you  
5 provided in our '06 budget to accommodate these unforeseen  
6 but needed priorities.

7 MR. BAFFERY: Now keep in mind that the  
8 four monitoring project one-year extension, those are '07.

9 MR. MEADE: '07. I apologize there. The  
10 issue is though that they can be -- that we don't lose  
11 their benefit while we then still make the '07 invitational  
12 decisions is the point I was trying to lead to.

13 MR. BAFFERY: Right. The '06 component is  
14 herring restoration plan that we want to go concurrent with  
15 the invitation.

16 MR. MEADE: Yes.

17 MR. BAFFERY: That's what Joe was wanting  
18 not to lose sight of.

19 MR. MEADE: Need clarification on both  
20 cases.

21 MR. FREDIKSSON: So what would the budget  
22 allow? Where does the '06 money come from?

23 MR. MEADE: It's subject to our same cap.

24 MR. FREDIKSSON: Well.

25 MR. MEADE: And our same decision that

1 these are priority enough that we're not going to.

2 MR. BAFFERY: Can I ask what we're looking  
3 at here as an amount?

4 MS. TRUST: I put together something for  
5 \$75,000 and that would be to collect a team of six to eight  
6 people, it would provide travel logistics, it would also  
7 pay for people that are not agency people if we included  
8 anybody to write the document, review the document, peer  
9 review.

10 MR. BAFFERY: Is your question whether or  
11 not we have the money in the '06 budget?

12 MR. FREDIKSSON: And what I'm hearing is we  
13 don't but that is not necessarily a constraint in terms of  
14 going to.....

15 MR. BAFFERY: I actually think we do have  
16 the money in the budget. We do not have the Science  
17 Coordinator, we have not have a clerk for a long period of  
18 time, so we do have -- we've got the NOS grant that's  
19 hanging out there. I do believe we have the money.

20 CHAIRMAN CAMPBELL: Okay, good.

21 MR. BAFFERY: We've been pretty frugal.

22 CHAIRMAN CAMPBELL: Okay. Does that  
23 address your concerns, Joe?

24 MR. MEADE: Yes. The budget is there in  
25 '06 and if we can ask of that to be a budget priority I

1 think it follows suit for what we're asking for in the '07  
2 invitation associated to herring. So I guess I have asked  
3 either by motion or just by advising the Executive Director  
4 that we think the 75,000 investment within your  
5 efficiently, as you so noted, is an important investment to  
6 be an action on.

7 MR. BAFFERY: I think that will take a  
8 motion.

9 CHAIRMAN CAMPBELL: Okay.

10 MR. MEADE: So moved.

11 MS. TRUST: There is a motion at the very  
12 end of the herring workshop thing, a little one page  
13 motion.

14 MR. FREDIKSSON: Joe's reading ahead.

15 MS. TRUST: Just in case you wanted a  
16 little idea.

17 (Laughter)

18 MR. O'CONNOR: You were just testing to see  
19 if we actually read this, weren't you?

20 MR. FREDIKSSON: Nothing escapes you, Joe.

21 MR. MARQUEZ: Any other motions we ought to  
22 be looking for in here?

23 MR. BAFFERY: Yes. We'll get to those.

24 MS. TRUST: This is the only one I paid Joe  
25 to bring up.

1 (Laughter)

2 MR. MEADE: That would be a conflict of  
3 interest of you do that.

4 MR. O'CONNOR: I would move.....

5 MR. MEADE: He's taking my motion.

6 MR. O'CONNOR: .....that thing, that thing  
7 that's written here about 75K.

8 MR. MEADE: I already moved that.

9 CHAIRMAN CAMPBELL: Okay. So the motion as  
10 I understand Craig to lay it out, so \$75,000 will be spent  
11 by the Trustee Council Restoration Office to develop a  
12 Pacific Herring Restoration Plan for Prince William Sound.  
13 Funds will be used to support travel and logistics work  
14 sessions needed by six to eight person restoration team to  
15 initiate planning efforts. Funds will be used to pay for  
16 services of non-agency personnel to write, edit and review  
17 drafts of the plan as it's developed. Finally, if  
18 remaining funds are available they will be used to print,  
19 bind and distribute the plan when completed, initial  
20 efforts, including the selection of a restoration team will  
21 begin in the summer of 2006.

22 Is that what you said, Craig?

23 MR. O'CONNOR: Couldn't have said it better  
24 myself.

25 CHAIRMAN CAMPBELL: Okay. Is there a

1 second?

2 MR. MEADE: Wait, I gave that motion.

3 (Laughter)

4 MR. O'CONNOR: I second it.

5 CHAIRMAN CAMPBELL: All right. Is there  
6 objection?

7 (No audible response)

8 CHAIRMAN CAMPBELL: Okay, that motion takes  
9 here.

10 Two questions, is there anything else you  
11 need from us before we close this topic?

12 MR. BAFFERY: On the invitation.

13 CHAIRMAN CAMPBELL: On the invitation.

14 MR. BAFFERY: Just need to go back to that  
15 briefly. So we have your direction on the invitation, we  
16 will bring that back to you via email for a final look and  
17 then we will hit the streets with it.

18 CHAIRMAN CAMPBELL: Okay.

19 MR. BAFFERY: Okay.

20 CHAIRMAN CAMPBELL: Second question before  
21 we break for lunch. I guess we have lunch here, but I  
22 don't know that it's for everybody. And if it's not then  
23 people need the ability to get out and get back. How much  
24 time do we need for people to get out, get back and for us  
25 to take care of anything else we need to do over lunch? Do

1 we need more -- can we be sooner than one or is one?

2 MR. BAFFERY: That's your call. I mean,  
3 I'm pretty impressed that we've gotten as far as we have on  
4 the agenda.

5 CHAIRMAN CAMPBELL: I run a fast meeting.  
6 (Laughter)

7 MR. BAFFERY: I would say give people --  
8 where's Cherri?

9 CHAIRMAN CAMPBELL: Is everybody okay if we  
10 go to 1:00 o'clock?

11 MR. BAFFERY: Yeah.

12 CHAIRMAN CAMPBELL: Okay. Let's be back at  
13 1:00 o'clock.

14 MR. MEADE: Just to close out before we  
15 break on this topic, I just wanted to share with Kim that I  
16 offered at the start the discussion about the items three  
17 and four, integration and community as potential criterion.  
18 I'd leave that to your discretion, it was insight idea and  
19 you guys can mull over as you put the package together --  
20 there was no direction there, it was just -- and that's why  
21 I'm not bringing it back up in any form of a modification  
22 or a motion but if you see there's a fit there, great. See  
23 Steve. If you don't think there's a fit there then tell  
24 Steve why, you know, it was bad to advise me.

25 MS. TRUST: Okay. I think also that fact

1 that we brought in this human services thing will probably  
2 play a role in the whole thing about community  
3 participation, it might restructure this a little bit, too.

4 MR. MEADE: Cool

5 MR. BAFFERY: Our target date is June 1 to  
6 get this out, so.....

7 MR. MEADE: Good work by the way, very good  
8 work.

9 CHAIRMAN CAMPBELL: Yeah. Kurt.

10 MR. FREDIKSSON: Just two things, one, to  
11 echo Joe, I thought the reference to community gain as  
12 oppose to individual gain was a very good criterion and I  
13 would very much support that.

14 Second, I had come prepared to kind of make  
15 some minor language changes and tweaking to some of the  
16 individual projects. Since you're going to work on this I  
17 just will pass -- we'll work with you, Kim, to accommodate  
18 that and then the Council will have a chance to look at it  
19 in the next rendition.

20 Finally and it kind of comes back to the  
21 second. I wanted to -- because Craig raised it twice in  
22 terms you can't pay a fisherman and for personal gain and  
23 not to complicate the punitive damages sought through  
24 Exxon. I don't want to complicate that and I agree with  
25 you. However, having said that, we have, I understand,

1 paid landowners to preclude the dropping of trees, which  
2 would indirectly then protect the fish and the ecosystem,  
3 would have a net community-wide benefit through it's  
4 contribution to ecosystem. So we have paid individuals to  
5 refrain from undertaking certain behavior to contribute to  
6 overall good of the ecosystem. I see that principle  
7 applicable in managing some of the fisheries, I can see  
8 where it would be appropriate to fund fishermen for not  
9 taking harvest, not killing fish, for the good of ecosystem  
10 and I just want to plant that view. We may return to it in  
11 the future, but I just wanted to share that because I think  
12 it is not unlike the principle we've already undertaken in  
13 terms of buying development rights on private property.

14 CHAIRMAN CAMPBELL: Okay.

15 MR. O'CONNOR: I hate it when that happens.  
16 I really hate it when that happens.

17 CHAIRMAN CAMPBELL: I concur. Let's break.  
18 Let me ask for purposes of the folks on line, do we just  
19 mute this and open it up or how do we handle that?

20 MR. BAFFERY: I don't know, I wish Cheri  
21 were here.

22 MS. PEARCE: Yeah, that's what we usually  
23 do.

24 MR. BAFFERY: I'm assuming we close down  
25 and come back at one.

1                   CHAIRMAN CAMPBELL: I think what we're  
2 going to do for purposes for everybody on line, we're going  
3 to stick the speaker on mute and we will be back at 1:00  
4 o'clock.

5                   (Off record - 11:58)

6                   (On record - 1:00)

7

8                   CHAIRMAN CAMPBELL: We are back and it is  
9 1:00 o'clock, so let's start. That being the case, we  
10 finished with item number 7. I believe we are now back in  
11 the agenda -- excuse me, with number 8, we're now back to  
12 number 7, the monitoring projects. And Kim.

13                  MS. TRUST: Okay. Just to give you guys a  
14 break from staring at me, we're going to separate this  
15 section into two parts. Jim Bodkin.....

16                  CHAIRMAN CAMPBELL: We'd rather stare at  
17 you than him.

18                  MS. TRUST: What's that?

19                  CHAIRMAN CAMPBELL: We'd rather stare at  
20 you than him, but -- sorry.

21                  MS. TRUST: Well, what about him? So we're  
22 going -- we've invited Jim Bodkin to come and talk to you  
23 all about the nearshore restoration and ecosystem  
24 management program that he's been working on for the last  
25 couple of years and then we're going to go into monitoring

1 and talk about those four monitoring projects, if that's  
2 okay. All right. Jim Bodkin from USGS.

3 MR. BODKIN: Hi. Well, thanks for the  
4 opportunity to speak to you today about the progress and  
5 status of a project that I've been involved in with Tom  
6 Dean for the past several years in developing a program for  
7 kind of aiding in the restoration of nearshore habitats in  
8 Prince William Sound and the Gulf of Alaska as well as the  
9 long term monitoring and management of those nearshore  
10 habitats.

11 A couple of objectives in this  
12 presentation. The first one is simply to address the  
13 question of why monitoring is important. And before I get  
14 too far into this, I'd like to say that I'm going to focus  
15 primarily on the restoration and recovery value of this  
16 program and I'm not going to focus very much on the long  
17 term monitoring attributes of it that would be of value  
18 kind of in managing those resources over long periods of  
19 time, but focus primarily on the restoration value.

20 But I want to ask the question and address  
21 the question of why monitoring is important and also why it  
22 is frequently considered to be insufficient. And I guess  
23 I'm going to preface that by saying it's often insufficient  
24 or inadequate because it often doesn't ask the question  
25 that will arise from monitoring, and that is what caused

1 the change that we detected. So you can get into a  
2 monitoring program and some time down the road you're going  
3 to detect some change, because it's just inherit attributes  
4 of ecosystems.

5                   But typically you don't ask the question of  
6 what caused that change because you don't know what change  
7 to anticipate. But working in the nearshore system, we  
8 have a good understanding of lots of the linkages and the  
9 causes of changes that occur in that. So we've  
10 incorporated attributes of the monitoring that will help us  
11 address the question of why we saw changes in the future.

12                   And then specifically I'm going to talk a  
13 little bit about why the nearshore is an important of the  
14 marine ecosystem to monitor and how it differs from what is  
15 traditionally thought of as the marine ecosystem.

16                   I'm going to spend most of time talking  
17 about the description of this ecosystem based program to  
18 restore and manage the nearshore habitats in the Gulf of  
19 Alaska, specifically incorporating monitoring to understand  
20 cause. And then by virtue of understanding cause, it  
21 enables management. I'm going to talk about managing human  
22 effects as a tool to aid in the restoration and recovery of  
23 injured resources.

24                   And then I'm going to talk a bit about the  
25 support for injured resource assessments. And I know

1 you're busy considering the status of injured resources.  
2 And one of the problems that you encounter is the lack of  
3 or uncertainty in the data that you have available to  
4 consider. And I'm going to try to point out how long term  
5 monitoring can assist you in making those assessments of  
6 the current status of injured resources.

7 So I'm going to start with an example of  
8 monitoring.....

9 CHAIRMAN CAMPBELL: Let me just ask  
10 for.....

11 MR. BODKIN: Yeah.

12 CHAIRMAN CAMPBELL: .....clarification.  
13 One, roughly, how long do you think this will be; and two,  
14 to what extent is this different than the memo that we have  
15 in our document?

16 MR. BODKIN: It will take about 15 minutes  
17 and it's quite a bit different.

18 CHAIRMAN CAMPBELL: Okay.

19 MR. BODKIN: The colors are a bit off here  
20 but.....

21 CHAIRMAN CAMPBELL: It's okay.

22 MR. MEADE: I'm going to talk about kind of  
23 an example of the utility of monitoring in managing  
24 resources and particularly recovery of resources. This  
25 comes from an example from California sea otters. Here's a

1 graph that has 60 years of data. There's five data points.  
2 Two of them occurred in the 1960's and then the next data  
3 point doesn't occur until the mid-1990's. And it's very  
4 difficult to make any conclusions about what happened to  
5 this population during the long periods of time when it  
6 wasn't monitored. The first sign of a decline was in the  
7 mid-1990's but it wasn't until the 200 survey that the  
8 decline was actually confirmed. And shortly after that  
9 this population was listed under the endangered species  
10 act.

11                   In contrast, in California, fairly regular  
12 annual surveys are done -- or surveys of the population are  
13 conducted. And in a matter of a few years after detecting  
14 a decline in about 1978, managers were able to implement  
15 actions to reduce a source of mortality that was identified  
16 and the population resumed growth. So this is kind of an  
17 example of the tools that are available to you when you  
18 have regular monitoring. How you can respond to injuries  
19 to resources and prevent basically populations from  
20 declining to the point they require very costly and  
21 intensive management actions such as listing under the  
22 Endangered Species Act.

23                   So just to -- the nearshore, it provides  
24 critical habitat to a variety of birds, mammals, fishes,  
25 kelps and invertebrates that are fairly distinct from those

1 birds, mammals, fishes and kelps that occur in the offshore  
2 habitats. And it provides nursery habitat for species such  
3 as crab, salmon, and herring. And feeding habitat again for  
4 offshore animals that come into the nearshore to feed, such  
5 as sea lions, killer whales, other fishes, and birds.  
6 There's habitat for commercial resources. Habitat for  
7 valued subsistence resources, such as seals, clams, and  
8 mussels. Habitat for important social activities, human  
9 social activities, and it's an important interface linking  
10 the land and the air and the sea. And probably most  
11 importantly, it's the repository for the Exxon Valdez oil  
12 that remains in the nearshore habitats.

13                   And maybe most importantly, the nearshore  
14 is understandable and tractable. And I'm going to spend a  
15 little bit of time talking about that in a minute. But in  
16 contrast to many of the marine systems, the nearshore is  
17 fixed in space, it has a -- it's pretty much two  
18 dimensional as compared to the three dimensional offshore  
19 habitats, which makes it amenable to understanding,  
20 monitoring it, and detecting changes over time, and  
21 responding to those changes.

22                   So the nearshore restoration and ecosystem  
23 monitoring program is based on taxa that occupy nearshore  
24 habitats. And not coincidentally those are the same  
25 species that remain listed as non-recovered or recovering

1 under the 2002 assessment of the status of injured  
2 resources. And so much of the sampling that takes place in  
3 the nearshore is focused on these same species, such and  
4 clams and mussels as predominant invertebrates. The sea  
5 ducks, the sea otter, and a variety of other sea birds that  
6 are dominant consumers in these systems. So one of the  
7 cornerstones of this program is its foundation in the  
8 trophic food web. So it's a very much a food web based  
9 monitoring program. We're monitoring a variety of  
10 different trophic levels, from the primary producers in the  
11 system, which are predominantly the kelps, the fixed kelps  
12 that attach to the bottom, and the secondary producers, the  
13 things like the urchins and the mussels and the clams,  
14 which really are common currency in this system that feed  
15 the higher trophic levels that include things like sea  
16 otters and oyster catchers, harlequin ducks and sea stars.  
17 And not to minimize the distinction or maximize the  
18 distinction between the nearshore and the other habitats,  
19 there are linkages clearly between the nearshore and the  
20 offshore and the watershed habitats. But functionally, the  
21 nearshore can be considered a fairly discreet habitat.

22                   So another cornerstone to this monitoring  
23 plan is a kind of a spatial design that allows tools to aid  
24 again in the restoration and the assessment of resources.  
25 So this kind of the overall design. There's 12 blocks that

1 extend kind of eastern Prince William Sound to the Alaska  
2 Peninsula and Shelikof Straits. Four of those blocks that  
3 are approximately equal in size, four of those blocks are  
4 selected for intensive monitoring, where they'll be -- most  
5 of the work will be done, it will allow the greatest amount  
6 of data. And so I've got region 8, western Prince William  
7 Sound, the oil spill area circled here, as indicating, put  
8 your favorite species in here. Put herring in here, put  
9 sea otters, it doesn't really matter. But by sampling in  
10 that block and sampling in those four other red framed  
11 blocks, we have a ability to spatially compare trends in  
12 populations. So in this block 8, let's say we put sea  
13 otters in that block and they're declining, well, if we can  
14 compare the trends with these other three blocks that are  
15 outside of the oil spill area, we see the same trends, then  
16 we can infer that the cause of that decline is likely not  
17 associated with the oil spill. Otherwise we should see  
18 different -- a declining rate of change the further you go  
19 away from the center of the disturbance, such as the oil  
20 spill.

21                   So the conclusion in this case would be  
22 that this was -- not be related. And this is just a  
23 hypothetical example, and there's going to be a couple more  
24 of these.

25                   We also have a bit of a smaller spatial

1 scale within each of these regions. Prince William Sound,  
2 the Kenai Peninsula, the Alaska Peninsula, and Kodiak.  
3 Each of those four regions are subdivided into three  
4 additional regions, which allow you to make the same kind  
5 of inferences, only it's smaller scale. So you can detect  
6 the effects of very localized changes using this same type  
7 of nested sampling design.

8                   So I'm just going to briefly mention the  
9 types of data collection processes that are engaged in the  
10 nearshore program. There's several hundred pages  
11 describing in detail these operating protocols and I'm  
12 going to spend about 30 seconds just mentioning those. But  
13 they include shoreline surveys of the Biota and the  
14 sediments. They include marine, bird and mammal surveys.  
15 Again, limited to coastal zones. These are only about 200  
16 meters offshore, so it's focusing on species that occur in  
17 the nearshore zone.

18                   There's surveys of carcasses and debris  
19 depositions as well as spawn on beaches during the  
20 springtime that allow assessment of patterns of mortality  
21 and patterns of deposition of matter on beaches. Another,  
22 kind of the foundation of this program lies, in addition to  
23 the trophic aspects, are the productivity aspects. So  
24 we're looking at things like oyster catcher nest rates,  
25 occupancy rates of oyster catchers. Pup rates in sea

1 otters and, as well as a variety of different sources of  
2 looking at diet that include things like spraint and direct  
3 observations of diet. There's direct measures of the  
4 consumers or the suppliers in this system, the clams and  
5 the mussels and the kelps, as well as the presence of  
6 contaminants in subsistence food sources, primarily harbor  
7 seals and mussels as the two selected species.

8                   So just to kind of summarize the  
9 cornerstones of this program to allow you to detect cause,  
10 the design features that will enable restoration and  
11 management include the spatial and temporal patterns of  
12 change that you detect over time and space. Tropic  
13 relations because there's good indications and good  
14 background data on the roles between these producers and  
15 the consumers. We're also looking at productivity and  
16 growth in the system, both at the level of the consumer and  
17 the producers. And growth being measured in growth rates  
18 of mussels and clams.

19                   And then the size and age structure of  
20 populations will allow us again to make inferences about  
21 the cause of changes that occur in populations over time.  
22 An example of inferring cause, so again we're going to go  
23 back to this hypothetical example. We have a declining sea  
24 otter population in Western Prince William Sound in block 8  
25 up here and it's signified by the yellow graph, the bar

1 that's declining. And we're looking -- we see that in the  
2 other three regions, in Kodiak -- Alaska Peninsula and  
3 Kodiak -- the populations aren't changing. So this is a  
4 localized change, it occurs only in Western Prince William  
5 Sound and we're going to ask the question of what's causing  
6 this change.

7                   So now we're going to go back to some of  
8 the other data that we've collected in this program, namely  
9 we're going to look at prey densities. And this would be  
10 prey densities of clams and mussels which constitute about  
11 90 percent of the sea otter's diet. And we're going to see  
12 that over time the prey populations have been declining in  
13 block 8 in Prince William Sound, the densities of prey.  
14 And we also see that the prey sizes are declining over  
15 time. So the inference that we're going to make from  
16 looking at the prey populations would be that the declines  
17 were a result of reduced prey populations and probably  
18 natural equilibration processes and probably don't require  
19 management actions.

20                   So that's kind of a brief description of  
21 the status of the program. It's been designed, field  
22 tested, it's being implemented in the fourth region, the  
23 Alaska Peninsula region. The Alaska -- the National Park  
24 Service has adopted this sampling design as part of their  
25 nationwide vital signs monitoring program and we've began

1 testing and implementing this program in that block, the  
2 Alaska Peninsula block this year with the intent of  
3 eventually providing those same services for the Park  
4 Service along the Kenai Peninsula and the intent of  
5 potentially kind of implementing this plan in the other  
6 regions with support from the Trustee Council.

7 So that's about it that I have for the  
8 presentation and I'd be happy to field questions.

9 CHAIRMAN CAMPBELL: Questions? Yes? No?  
10 No?

11 MR. FREDRIKSSON: So this is -- is this a  
12 project that EVOS Trustee Council has initiated or is this  
13 something USGS has undertaken?

14 MR. BODKIN: It was initiated by the  
15 Trustee Council with support from the USGS and when we got  
16 to the point where I was able to -- where Tom and I were  
17 able to kind of outline the sampling design, the National  
18 Park Service came to us and said we'd like to consider  
19 implementing this as part of our monitoring program in the  
20 Gulf of Alaska. And we came back to the Trustee Council  
21 and agreed to kind of jointly develop it. Because when we  
22 first developed it, there was just three regions and the  
23 Alaska Peninsula wasn't included. The Park Service agreed  
24 to kind of support the additional block in anticipation of  
25 the Trustee Council supporting the sampling in the other

1 three blocks.

2 CHAIRMAN CAMPBELL: Other questions? No?

3 Thank you.

4 MR. O'CONNOR: I'm not sure I understand  
5 where we are on this. Is this a proposal for us to fund or  
6 -- I'm sorry, Jim, but maybe I got lost or got confused by  
7 not Kurt's question of course, but.....

8 MR. BODKIN: Well, we were contracted to  
9 design this program through the Trustee Council beginning  
10 in 2001 or 2002 and have been working towards that since  
11 then. The final report for the N-REM program was provided  
12 to this office a couple of weeks ago. So there's really no  
13 proposal in place to take it further. I suspect that it's  
14 up to the discretion of the Trustee Council to see whether  
15 they wanted to -- you know, to proceed with the eventual  
16 implementation of this program that they've basically  
17 sponsored the development of in conjunction now with the  
18 National Park Service, which is implementing it this year.

19 Is that -- so basically we were contracted  
20 to design a monitoring program and we fulfilled that  
21 contact and, you know, it's up to I suppose who -- I guess  
22 it's open, anybody who would like to implement this could  
23 -- should feel free to. We'd be happy to see it.

24 CHAIRMAN CAMPBELL: So Jim, today it's  
25 being presented to us for both a report on the program that

1 you have done but also as a general illustrative of the  
2 value of -- example of the value of monitoring, is that  
3 correct?

4 MR. BODKIN: Right. How this program might  
5 aid in your efforts to restore and recover injured  
6 resources in the spill area as well as provide kind of that  
7 longer term vision or opportunity for continued monitoring  
8 and understanding of the Gulf of Alaska marine ecosystems.

9 CHAIRMAN CAMPBELL: Okay. Dave.

10 MR. MARQUEZ: I'm sorry, one more  
11 clarification. Is the National Park Service going to go  
12 forward with this program?

13 MR. BODKIN: National Park Service is going  
14 forward with this program. They can't -- you know, they're  
15 basically an implementation phase. They have this -- vital  
16 signs monitoring program is a national program by the Park  
17 Service and it's been implemented kind of at a nationwide  
18 basis on a step-by-step. And this is the first program to  
19 be implemented in the nearshore -- in the marine system in  
20 the National Park Service in Alaska.

21 And so they are proceeding with  
22 implementing it. But again, they're not implementing the  
23 entire suite of sampling protocols because some of the  
24 protocols extend beyond their jurisdictional boundaries so  
25 to speak a bit. And so they were a bit uncomfortable.

1 They didn't feel the need for contaminants monitoring, for  
2 example, so they opted not to include the monitoring sample  
3 into their implementation.

4 MR. MARQUEZ: Thank you.

5 MR. FREDRIKSSON: Just one question. In  
6 our packets we had a -- what is it, a two page summary of  
7 N-REM and I wasn't familiar with it, so thanks for your  
8 overview. But in the report it talks about long term  
9 monitoring can promote restoration by reducing the impact  
10 of other human induced stressors. Can you just help me  
11 understand that?

12 MR. BODKIN: Okay. That sea otter example  
13 was designed for that. There was an incidental mortality  
14 associated with a fishery that was causing the decline of  
15 sea otters in California. It took about five years to  
16 identify the decline, identify the cause of the decline,  
17 and implement management actions that eliminated --  
18 basically all they did is shift the fishery geographically  
19 a bit. It minimized -- they eliminated the incidental  
20 mortality and the population resumed growth. And the point  
21 being that, in Alaska and the Aleutians, you know they went  
22 30 years without a survey. If there would have been those  
23 types of problems, we never would have detected it, the  
24 population would have continued to decline as it did, and  
25 you would end up with a greater management problem than you

1 had by detecting it early on.

2 MR. FREDRIKSSON: And if I might, just  
3 follow up, because this is where I -- I have a hard time  
4 kind of overlaying monitoring where you're doing what I  
5 would term ambient monitoring, detecting change, and  
6 presenting hypotheses as to what may be the cause of that  
7 change, and then tracking down that change. How does that  
8 -- how do these kind of monitoring programs overlay a  
9 program like ours where we don't -- we have a starting  
10 point, it's called the Exxon Valdez oil spill. I know what  
11 the change was, it was the introduction of 11 million  
12 gallons of oil. So how do we -- when you're monitoring  
13 where you're not trying to detect change in terms of what  
14 that stress was, the introduction of that change, how does  
15 that -- where does that take us?

16 MR. BODKIN: Well.....

17 MR. FREDRIKSSON: What I worry is that we  
18 then are monitoring to detect ultimately that the change  
19 we're seeing is not EVOS so our monitoring program has  
20 ultimately concluded that any future restoration we're  
21 going to do is to apply to non-EVOS related stresses.

22 MR. BODKIN: I guess I would offer a couple  
23 of kind of cases or examples where this type of monitoring  
24 could be useful in terms of promoting restoration and  
25 recovery of injury. And the first one would be, again, a

1 hypothetical example of a species that's not recovering,  
2 take your pick. By monitoring it in a way that you can  
3 understand what's causing the lack of recovery, you can  
4 then mitigate or ameliorate the effects -- probably they  
5 have to be human induced. You're probably not going to be  
6 able to mitigate effects from global climate change, for  
7 example, but you might be able to mitigate the effects of  
8 local harvests, of commercial harvests, of an incidental  
9 mortality that's due to some other type of human activity,  
10 point source contaminants. You know, something that you  
11 could effectively manage. So in order to implement  
12 management, you have to understand what the causes of the  
13 lack of recovery are. So this is designed to tell you what  
14 the -- what those are and then subsequently manage those.  
15 So you -- basically what you're doing is you're  
16 facilitating natural recovery. And this might be a viable  
17 option in the face of, one, declining lingering oil in the  
18 environment; and two, the -- you know, the possibility and  
19 the likelihood that, you know, direct restoration  
20 activities of oil sediments might be more damaging than  
21 doing nothing. So, you know, I guess those -- in the case  
22 of direct effects of lingering oil, one, you remove the  
23 oil, but that might cause additional injury. So how do you  
24 get around that? Well, you facilitate recovery by managing  
25 other human activities that allow the populations to

1 recover.

2 CHAIRMAN CAMPBELL: Craig.

3 MR. O'CONNOR: My sense is that this  
4 project would have been a great utility 10 years ago, 15  
5 years ago, when we were trying to figure out the  
6 interactions that were going on in Prince William Sound and  
7 the various perturbations to the ecological systems out  
8 there. Today my question would be the utility of this sort  
9 of an approach to address the two things of greatest  
10 concern to us at this point, which is the impact of  
11 lingering oil and the current status of herring and what  
12 can be done about that. Which would be to translate, I  
13 think, translate this into a much more microcosmic focus, a  
14 fairly narrowed focus.

15 And I guess I ask you or I ask Kim, is this  
16 the type of project that would be responsive to our '07  
17 solicitation as it relates to lingering oil or herring, to  
18 use this tool or these tools that have been developed by  
19 USGS to sort of get a big, almost a holistic picture of the  
20 dynamics that are going on in certain aspects of the  
21 ecosystem that might be as a result of either population  
22 impacts, reproductive impacts, as a result of lingering oil  
23 or what we see going on with herring and what we might be  
24 able to do about it somewhere around the Sound.

25 MR. BODKIN: I'm not sure I can address the

1 herring, I'll go ahead and try to answer the first part of  
2 the question though about, you know, how it might be useful  
3 in terms of lingering oil and injured resources. And one  
4 of the limitations that you have now is in the assessment  
5 of the effects of lingering oil. You know, there's a huge  
6 amount of uncertainty about the relationship between  
7 potential lingering oil exposure and the population  
8 trajectories of many of the species that are included here.  
9 You know, the links are tenuous but they're potential and  
10 you can't reject them summarily without having some  
11 indication or some justification for rejecting the  
12 possibility of lingering oil having consequences, you know  
13 what's there.

14                   So a project such as this will allow you to  
15 evaluate the population trajectories over geographic scales  
16 that far exceed the distribution of lingering oil. If you  
17 see similar patterns or trajectories in populations at  
18 those widely geographic scales, you can assume that they're  
19 not independent. They're -- that the same factors are  
20 driving those populations over those large scales. And  
21 it's probably not oil if that's the case. So that would  
22 provide you with some justification for, again, assessing  
23 the status of a resource related to lingering oil.

24                   You know, we don't have any potential or  
25 any herring other than spawning in the nearshore habitats.

1 And provisioning, you know, many of the species, it really  
2 does fall outside of the trophic web, one of the  
3 cornerstones of this project being the trophic base being  
4 in the sessile invertebrates and kelps or the urchins,  
5 mussels and clams. You know, herring is a forage fish and  
6 it feeds a different food web, if you will. But many of  
7 those same consumers such as some of the sea birds, you  
8 know, occupy nearshore habitats and would be included in  
9 this monitoring. But there isn't a direct herring  
10 monitoring component within this program.

11 MR. O'CONNOR: Is there a fungibility to  
12 this program that we might be able to use the construct and  
13 the tools associated with it and translate it into herring?

14 MR. BAFFREY: Well, I suppose so. You  
15 know, this program's -- the genesis of this was in  
16 relationship to the oceanic marine system, the offshore  
17 marine system, the phytoplankton forage fish food based --  
18 or food web. So -- but you know, the difficulty with that  
19 system is that it's fairly untractable, it's three  
20 dimensional. There's a huge amount of uncertainty when it  
21 comes to the measurement of the populations specifically.  
22 I mean, it's very difficult to measure fish populations.  
23 It's very difficult to measure, you know, zooplankton  
24 populations. There's just a huge amount of air that goes  
25 in with those, which is why the -- you know, that becomes a

1 less tractable system to operate in. You're going to have  
2 a difficult time, you know, taking the same approach here  
3 where we have a good understanding of mechanisms and  
4 responses of populations to factors such as food or  
5 predation. You going to have a hard time taking those same  
6 constructs and moving them into that offshore system. You  
7 can do it but there's just going to be much more  
8 uncertainty associated with kind of making the links  
9 between cause and effect. You're going to be able to  
10 detect change. We can do that and you're going to end up  
11 with that same problem, okay, we've detected change, now  
12 what caused that change. And when you do that, then you're  
13 looking at what factors that took place in the past. And  
14 there's a real inherent problem in that because the factors  
15 that are changing the population today may not be the same  
16 factors that affected it five years ago or 10 years ago or  
17 15 years ago. In fact, it's likely that they're not.

18 MR. O'CONNOR: So its utility may be in the  
19 lingering oil.....

20 MR. BAFFREY: I suspect.....

21 MR. O'CONNOR: .....impact.

22 MR. BAFFREY: .....more so than in herring.

23

24 MR. O'CONNOR: Okay.

25 MS. TRUST: And in additional injured resources of

1 the nearshore environment. I mean, the resources  
2 that are continually -- that are still not  
3 recovering, other than herring.

4 CHAIRMAN CAMPBELL: Other questions? No.  
5 Jim, thank you.

6 MR. BODKIN: Okay.

7 MR. O'CONNOR: Yeah thanks, Jim.

8 CHAIRMAN CAMPBELL: We have in front of us  
9 four monitoring projects. I would propose that we try to  
10 deal with these four as a group with the proviso that if  
11 any trustee wishes to split out any one of them, we'll  
12 certainly do so, but otherwise I'll try to deal with all  
13 four as a group.

14 CHAIRMAN CAMPBELL: Jim, thank you.

15 MS. TRUST: I also have a little  
16 PowerPoint. What I have here is just a few.....

17 MR. MARQUEZ: Pardon me, Mr. Chair. What  
18 about this herring life cycle diagram? When do we hear  
19 about.....

20 MS. TRUST: I'm going to talk about that  
21 right now.

22 MR. MARQUEZ: Right now. Thank you.

23 MS. TRUST: Okay. So what I have here is  
24 just a few slides that I hope will help everybody visualize  
25 why monitoring is important in general and then we're going

1 to go ahead and talk about the four extension projects in  
2 particular. And at the end of my talk I go into those four  
3 monitoring projects that was are concerned with now. And  
4 I'm going to ask Brenda Norcross to come up and talk about  
5 that. She has a lot more experience in these areas than I  
6 do and I didn't realize until yesterday that she was going  
7 to be here in person.

8                   Sorry about this projector. All right.  
9 So, as we all know, in the 1994 restoration plan it  
10 identifies monitoring and research as a tool that we can  
11 use for restoration of injured resources and services.  
12 These activities are particularly important when natural  
13 attenuation of residual oil has been adopted as a  
14 remediation of most of the oiled areas.

15                   Monitoring in many cases is the tools by  
16 which we have measured how successful recovery has been.  
17 In fact, it was pointed out to me in a conversation I was  
18 having with some folks in Cordova that the only reason we  
19 believe that it's time for intervention in herring recovery  
20 right now is because we have been monitoring the population  
21 for almost two decades and it has not fully recovered since  
22 the crash in 1993.

23                   So long term monitoring is important but  
24 one question that I've heard several times is how long do  
25 we have monitor a particular variable. Of course, it

1 depends on the question we are asking and the variable that  
2 we're measuring. For example, let's look at several  
3 herring end points that have been monitored for various  
4 lengths of time.

5                   The next couple of slides that I have are  
6 courtesy of Steve Moffitt from that Alaska Department of  
7 Fish and Game. This particular slide goes back to 1978 and  
8 it shows the dollar value of the herring fishery in Prince  
9 William Sound through 2005. It also shows the herring  
10 crash, '93-'94, and the reduction in revenue from the  
11 fishery since that time.

12                   Here's another slide that goes all the way  
13 back to 1917 and this is the harvest in tons of herring in  
14 Prince William Sound. And of course there are some data  
15 gaps here because Steve has been unable to find that data  
16 but he's continuing to look for it to make sure that we get  
17 an accurate historical view in harvest in tons of herring.

18                   So, how long is long? 1917? 1978? It  
19 sort of depends on your question. But let's look at the  
20 question from the opposite perspective. In other words,  
21 how short is short. So when you have enough information  
22 that you think is useful but it may not tell you the whole  
23 story because it's not been monitored over a broad enough  
24 scale of time.

25                   This slide again is from Steve and it shows

1 the harvest in tons of Prince William Sound herring since  
2 1968. What we want to focus on right now are these two red  
3 circles here. And this spans 1993 to 2000. We all know  
4 that herring crashed here, had a brief recovery, crashed  
5 again, and since then has remained depressed. And we also  
6 know that disease has played an important role in the  
7 continuation of the depression of the herring population.

8                   These next two slides are courtesy of Gary  
9 Marty. Gary is a fish disease specialist that's been  
10 monitoring disease in Prince William Sound since the mid-  
11 90's. This is an example of the types of data he's  
12 collected from 1994 to 2000. On the vertical axis you'll  
13 see is a relative disease index and Gary created this by  
14 looking at the prevalence of open ulcers on herring in  
15 relation to the actual number of fish that had been showing  
16 -- that have been expose to the VHS virus.

17                   And what this basically is, it's a relative  
18 way to compare disease in herring across years. So this  
19 graph shows us that this disease index is elevated in '94,  
20 it decreases from '95 through '97, goes way back up in '98,  
21 and then falls off in '99 and 2000. This is probably  
22 because these fish are no longer in the population to  
23 monitor.

24                   So if you'll notice, this monitoring effort  
25 has spanned seven years and we're just beginning to see

1 slight pattern in diseases of this population. Now let's  
2 take a look at this same slide. There's a couple of more  
3 years of data added right down here. And let's overlay the  
4 three years that the SEA program was initiated and was  
5 monitoring disease. If you were to just look at these  
6 three years, it would look like disease didn't play a very  
7 big role in the dynamics of herring population because the  
8 disease index is relatively low over this period of time.  
9 However, we know because of the much longer term disease  
10 monitoring that disease has played a role in -- a very  
11 crucial role in the dynamics of the Prince William Sound  
12 herring population today.

13                   So in this case, how short is short? Well,  
14 three years of data is too short. In fact, Gary recommends  
15 that nine years is a minimum number of years that the  
16 population should be monitored to pick up trends in  
17 disease. So of course I'm using disease as just one  
18 element and one variable that we need to monitor in herring  
19 populations.

20                   And the reason I bring up all of these  
21 various monitoring projects is a lead in to these four  
22 projects that we're talking about today. These monitoring  
23 projects measure a variety of end points and in some cases  
24 have been in operation since 1970. But why should we care  
25 about measuring these physical ocean measurements like

1 salinity or water temperature? These variables tell us a  
2 lot about the marine ecosystem with which we are concerned.  
3 For example, if we use herring as an indicator of an  
4 ecosystem health, we know that their population numbers are  
5 depressed. They've been depressed for a long time and the  
6 population that exists now is diseased.

7                               However, in order to understand the  
8 mechanisms that predispose herring to disease and to  
9 population crashes, we have to understand the conditions  
10 for which we live -- in which they live. So let's liken  
11 the herring situation to a sick child, maybe one that isn't  
12 old enough or is too sick to tell us what's wrong, where it  
13 hurts, or what it needs to get better. Well, you would set  
14 out to answer all kinds of questions, like for example, we  
15 would probably take his temperature to see if he has a  
16 fever and we would probably monitor that temperature to see  
17 if it got better or worse. We would probably figure out  
18 what kind of food he has eaten, if there has been any food  
19 available, or if he has been eating at all. We would think  
20 about the child's history. Has he ever been sick like this  
21 before? Does this type of illness run in the family? Is  
22 there a genetic link to what the problem might be? We  
23 would also try to determine if the child has been around  
24 other sick people, if he's been in an environment that  
25 could just pass this illness from person to person. And so

1 on.

2                   The same analogy holds up when we're trying  
3 to determine the environmental conditions that surround the  
4 depressed or sick populations of herring in Prince William  
5 Sound. So I go back to my question. Why do we care about  
6 salinity and water temperature in the Gulf of Alaska? This  
7 information on this slide is courtesy of Evelyn Brown and  
8 this slide was actually created by Carolyn Rosner here in  
9 our office. And it's a very nice graphic of the life  
10 cycle of Pacific herring and the factors that influence  
11 survival or mortality of each life stage.

12                   So briefly, what we have, we have the  
13 nearshore environment, the pelagic environment, nursery  
14 bays, and bays and passes. The adult herring come into the  
15 nearshore, lay eggs, the larva drift around in the pelagic  
16 environment, they metamorphose, they go into nurseries and  
17 bays as juveniles, they hang out in bays and passes, and  
18 then as two year olds or older, they find adult schools and  
19 then they go back out into the ocean environment.

20                   So let's go back to some of these  
21 oceanographic parameters that we were talking about and see  
22 where some of these things would fit. For example,  
23 temperature. Well, if you look at what types of factors  
24 influence survival of herring, you can see here that  
25 temperature is very important in several of these life

1 stages. Or for example zooplankton. It's very important  
2 that these juveniles end up in bays that have enough food  
3 resources so that they can grow, get larger, and then move  
4 out into deeper water where they'll meet adult schools.

5                   So how is this information helpful to us?

6 Well, it can be important, for example, in intervention  
7 activities, which is what we're talking about. For  
8 example, if we were to raise herring to the juvenile stage  
9 in captivity, we would want to make sure we released them  
10 into areas with enough food. It also helps us understand  
11 conditions in their environment that may be keeping them  
12 depressed. For example, water temperature or decreasing  
13 salinity could affect various life stages.

14                   But just like in the disease graph showing  
15 three years of data, if we don't have enough data over time  
16 to determine a trend, the information won't help us  
17 understand the environmental conditions that these fish  
18 live in or provide us with information that will help us  
19 enhance herring in Prince William Sound.

20                   So in summary, long term monitoring is  
21 consistent with the restoration plan. Some monitoring  
22 provides us with a way to measure things like population  
23 status and environmental conditions. The extension  
24 projects that we're talking about specifically measure  
25 environmental factors that are important to understanding

1 conditions and changes in Prince William Sound and that  
2 many of these factors that we're measuring are important to  
3 the life cycle of several resources, including herring.

4                   What I would like to do now, before we go  
5 to question, is invite Brenda to come up and talk  
6 specifically about these four monitoring projects as well.

7                   DR. NORCROSS: If you could flip that off  
8 now.

9                   MS. TRUST: It's on the website of the  
10 university.

11                   DR. NORCROSS: I know. It does mean I  
12 should put a different one up, doesn't it.

13                   CHAIRMAN CAMPBELL: Brenda, before you  
14 start, let me just ask you a question. We've had delivered  
15 to us today -- well, I guess.....

16                   DR. NORCROSS: Yes, that's it.

17                   CHAIRMAN CAMPBELL: .....your testimony.  
18 And in it you say that while you are, you know, with the  
19 STAC and everything that you and Tom are speaking not --  
20 while you serve as co-chairs of the STAC, you're not  
21 talking as the STAC, you're talking as private individuals  
22 and I guess I'm a little confused about which hat you are  
23 wearing as you sit here in front of us today.

24                   DR. NORCROSS: Well, that's an excellent  
25 question because what I -- Tom and I spent some time

1 preparing this for the public testimony and then when I  
2 just sent it to Kim for her information she went, oh, would  
3 you please explain that to them in this slot instead of  
4 earlier. So I would defer that question to Kim.....

5 MS. TRUST: Yeah, I didn't.....

6 CHAIRMAN CAMPBELL: Which hat is Brenda  
7 wearing?

8 DR. NORCROSS: .....who put me in this  
9 chair at the moment.

10 MS. TRUST: I'm sorry. I should have  
11 explained that better. I didn't realize Brenda was going  
12 to be here in person or I would have asked her to come up  
13 as an expert testimony during this period. And I also  
14 didn't realize that her testimony had gone out to the whole  
15 Trustee Council as part of the public testimony. So I  
16 apologize for that.

17 CHAIRMAN CAMPBELL: Okay.

18 DR. NORCROSS: So it got switched in.....

19 MS. TRUST: It got switched.

20 DR. NORCROSS: .....between the time I sent  
21 it and said this is public testimony and she said, oh,  
22 let's not do that.

23 CHAIRMAN CAMPBELL: Okay, so you're here on  
24 behalf of the STAC. Okay, great. And then just also for  
25 our knowledge, I don't believe you are but is Tom involved

1 in the GAK1? Is he actively involved in that?

2 DR. NORCROSS: Not now.

3 CHAIRMAN CAMPBELL: Not now but was?

4 CHAIRMAN CAMPBELL: He's the one who  
5 originated it starting in 1970 but he's not doing it at the  
6 moment. So what I'm going to do is.....

7 MR. ROYER: Do you want me to comment on  
8 that?

9 DR. NORCROSS: Tom, are you there?

10 MR. ROYER: I'm here.

11 DR. NORCROSS: Okay.

12 MR. ROYER: This is Tom Royer. No, I'm not  
13 actively involved. I had a project that did the GLOBEC  
14 work that did sample GAK1 and I've sampled it a number of  
15 times but I don't have any funding for that.

16 CHAIRMAN CAMPBELL: Who is doing GAK1  
17 because I did see a Royer and Grosch, 2006 reference?

18 DR. NORCROSS: Oh, that's the newspaper.  
19 Weingartner is the one doing GAK1 right now.

20 CHAIRMAN CAMPBELL: And Weingartner.....

21 DR. NORCROSS: You mean sampling by doing?

22 CHAIRMAN CAMPBELL: Well, I just see a  
23 Royer and Grosch, 2006 paper.

24 DR. NORCROSS: Right, his -- Tom?

25 MR. ROYER: Yeah, that's analysis of the

1 prior data.

2 CHAIRMAN CAMPBELL: Okay.

3 MR. ROYER: Including some of the data that  
4 were gathered by Exxon Valdez support.

5 DR. NORCROSS: Okay. So sorry for the  
6 confusion of who I am. Basically what I wanted to do was  
7 just explain to you and put these four monitoring projects  
8 in perspective, which is why you have in front of you right  
9 now a map of the Gulf of Alaska and the current system. Is  
10 this -- am I pointing it the wrong way? Oh, I see -- maybe  
11 -- or not.

12 MS. TRUST: Are you punching the button?

13 DR. NORCROSS: I have no idea.

14 MS. TRUST: There's a little button on.....

15 CHAIRMAN CAMPBELL: It's on the ceiling.

16 MS. TRUST: Here you go.

17 DR. NORCROSS: Oh, it's on the ceiling.

18 CHAIRMAN CAMPBELL: Now it's down on the  
19 bottom right.

20 DR. NORCROSS: Okay.

21 CHAIRMAN CAMPBELL: There we go.

22 DR. NORCROSS: So what I want to show you  
23 is, if we start with 1989, which is a very critical time  
24 for all of us, what I'm going to do is walk you through  
25 this map of the Gulf of Alaska and the circulation. And

1 you know that the North Pacific current comes across, hits  
2 approximately right at the line between Vancouver and  
3 Washington state, which I think is incredibly -- had a lot  
4 o foresight on the part of those politicians who put that  
5 line there. But current comes up the coast and this thin  
6 line you see is the Alaska Coastal Current. And what I  
7 want you to notice is that this current goes around and  
8 goes in through Prince William Sound, this star-like object  
9 here is GAK1. The Alaska Coastal Current keeps going down  
10 the coast and in fact does go into the Bering Sea. The  
11 bars that you see here are the precipitation. So what you  
12 see of these bars here, this is how much rain is falling in  
13 Southeast and of course this fresh water that's running off  
14 and getting into the marine system is floating on top of  
15 the water, of the salty water, and it's causing this Alaska  
16 Coastal Current which is basically a fresh water stream in  
17 the ocean.

18                               So when this fresh water stream comes along  
19 the coast from Southeast by Yakutat, comes around Kyak  
20 Island and goes into Prince William Sound, it's being  
21 influenced by everything that happened upstream of it.  
22 Within Prince William Sound there's so much precipitation,  
23 rainfall and melting of glaciers that the amount of  
24 precipitation in Prince William Sound adds further to this  
25 stream, which that influences everything downstream of

1 that.

2                   With that background in mind, think of  
3 1989. The weather conditions in March of 1989 when the  
4 Exxon Valdez oil spill occurred affected the currents in  
5 the Gulf of Alaska and in Prince William Sound. At the  
6 time there was an abnormal high pressure atmospheric system  
7 that dominated the region, brought clear skies and low air  
8 temperatures. At that time the Alaska Coastal Current was  
9 probably at its lowest. Which because of that, the ice  
10 from the Columbia Glacier remained within the bays longer  
11 than it normally would, which then, as we all know, it was  
12 avoiding ice bergs that supposedly caused this oil spill.

13                   Well, we wouldn't have known that if we  
14 didn't have the knowledge of the coastal flow which came  
15 from measuring temperature and salinity at GAK1.

16                   MR. MEADE: Can I apologize -- to back up  
17 just to the.....

18                   DR. NORCROSS: Certainly. And I'm trying  
19 to explain to you what this looks like.

20                   MR. MEADE: No, this is excellent. The  
21 Columbia Glacier, how did that affect the spill again?  
22 Could you repeat that piece?

23                   DR. NORCROSS: Sure. Basically what  
24 happened was the water wasn't moving out of Prince William  
25 Sound very fast at that time, not in its normal speed.

1 Therefore the ice hung around. And usually you can take a  
2 Stan Stevens cruise or the ferry and see the bergs coming  
3 out. And in fact, they were all essentially blocked up by  
4 the Columbia Glacier and right at the Valdez Narrows in  
5 March of 1989.

6                   At the time Tom Royer looked at his data  
7 from GAK1 that he started in 1970, used those observations  
8 of temperature and salinity, and projected, plotted where  
9 the trajectory of the oil should be. He passed the  
10 information on to Senator Stevens and others to help them  
11 for the containment of the oil and impacts along the  
12 western side of the Gulf of Alaska. And although, some of  
13 you probably remember, there was speculation at the time of  
14 maybe the oil was going to go towards the east, towards  
15 Yakutat, Sitka, and Juneau. There is -- it was given based  
16 on the work that had been done at GAK1 that there is no way  
17 the oil could have gone that way. The flow is downstream.  
18 Yes?

19                   CHAIRMAN CAMPBELL: Can I ask a question?

20                   DR. NORCROSS: Sure.

21                   CHAIRMAN CAMPBELL: The specific references  
22 to what GAK1 measures keep referring to temperature and  
23 salinity but there keep being references to conclusions  
24 about flow and I have two questions. I guess the first is,  
25 are there also current meters interspersed in GAK1; and

1 two, I'm curious how a one spot meter is determining the  
2 full flows that you're showing. I've been involved in some  
3 current studies and we used -- had to use many, many, many  
4 more current meters over a much, much smaller area to get a  
5 good feel for how the currents were flowing. So I'm  
6 curious about that part.

7 DR. NORCROSS: Tom?

8 MR. ROYER: You want me to ans.....

9 DR. NORCROSS: I can do this but  
10 considering how many years experience you have, I would  
11 like -- could you hear McKie's questions?

12 MR. ROYER: I heard McKie questions.

13 DR. NORCROSS: Okay.

14 MR. ROYER: Very good. Yeah, it isn't  
15 based simply on the measurements at that one location. We  
16 can get the cross shelf gradients of temperature and  
17 salinity also and we supplement those data with other  
18 observations around the Gulf. We don't need to do all of  
19 those all the time because we can look at the change in the  
20 conditions just by measuring the conditions at GAK1. And  
21 you're absolutely right, one of the things that has been  
22 added to those temperature and salinity measurements is the  
23 current meter mooring that EVOS has funded. So those  
24 currents are very important and we can see the changes  
25 there at Seward and relate those all along the coast.

1                   CHAIRMAN CAMPBELL: At Seward or GAK1  
2 or.....

3                   MR. ROYER: Yeah, Seward.....

4                   DR. NORCROSS: GAK1 is just.....

5                   MR. ROYER: Well, it.....

6                   DR. NORCROSS: .....outside.

7                   CHAIRMAN CAMPBELL: And is I this just  
8 surface measurement or is it a series at various depths  
9 throughout the column?

10                  MR. ROYER: We measure temperature and  
11 salinity throughout the column and currents throughout the  
12 column.

13                  CHAIRMAN CAMPBELL: Okay.

14                  MR. ROYER: The water depth there is  
15 relatively deep for a shelf, it's 263 meters, so it's a  
16 pretty deep area.

17                  DR. NORCROSS: So to give you a little  
18 history of GAK1, when Tom Royer started at UAF in 1970, he  
19 made a decision to set up that location, which is right out  
20 of Seward, because the university ship transits out of  
21 Seward. Whenever somebody went in or out, they stopped and  
22 dropped a conductivity temperature depth sensor at that  
23 location. So in the early years, it wasn't consistent,  
24 once a month or something like that, but it is what the  
25 time series was based on. So originally it was

1 opportunistic and then it was added as a -- when there was  
2 a lot learned from that area, that it was added as a focus  
3 spot. And as Tom was saying, the paper that he has in  
4 revision right at the moment is a lot based on GLOBEC,  
5 which GLOBEC funded a whole transect there. When we were  
6 sampling Prince William Sound in 1989, when I took the ship  
7 out, I would run the whole transect to add more data at  
8 that point. And to cite this paper that Royer and Grosch  
9 have at the moment, this is literally hot off the press,  
10 over the 850 foot water column, which is where GAK1 is --  
11 GAK1 is when you're in a little boat going out of  
12 Resurrection Bay and you think -- you're running out  
13 Resurrection Bay and you're thinking how calm it is, when  
14 you get to the point where you can't stand up, and it  
15 happens about that fast, that's GAK1. It literally is as  
16 soon as you get hit by the wind, which doesn't make it the  
17 most pleasant place to stop and sample. It's also the only  
18 place I've ever been severely seasick so that would be my  
19 personal experience.

20                   So what Tom's found, that in this 850 feet  
21 of water that's right there at GAK1, that upper 350 feet is  
22 getting fresher, whereas the bottom 500 feet is getting  
23 saltier. So what that would mean is there's less mixing,  
24 the top is definitely a different layer that's going to  
25 change the flow rate. And over time what he's shown is

1 that the temperature averaged over that water column has  
2 increased since 1970 by 1.8 degrees Fahrenheit. And you've  
3 all heard enough about global warming to know that's really  
4 a pretty big increase.

5                   So this freshening or the fact that the  
6 upper layer is getting less salty is due to increased  
7 storminess. There's more rain and warming, there's more  
8 runoff because everything that you've heard about the  
9 glaciers melting.

10                   CHAIRMAN CAMPBELL: Brenda.

11                   CHAIRMAN CAMPBELL: The paper speaks to why  
12 you think the upper layer is getting fresher but it doesn't  
13 speak -- and maybe it's inherent in that -- on why you have  
14 increased stratification and the lower level is actually  
15 becoming saltier.

16                   DR. NORCROSS: Tom, do you want to address  
17 that or do you want me to?

18                   MR. ROYER: I can address that. You follow  
19 up if there -- as you increase the upper layer, there's  
20 probably more movement offshore of the -- I'm sorry, as you  
21 increase the stratification, the upper layer gets fresher  
22 and it tends to move offshore and it's replaced by saltier  
23 water coming in along the bottom of the shelf there.

24                   The other way that the bottom can get  
25 saltier is with the storm activity. We really don't know

1 the details of the mechanism but it appears that the water  
2 column is becoming more stratified.

3 CHAIRMAN CAMPBELL: Well.....

4 DR. NORCROSS: The simple version.....

5 CHAIRMAN CAMPBELL: .....I have additional  
6 questions. I'll wait. I won't.....

7 DR. NORCROSS: Okay. The simple version  
8 is, if you have fresh water pushing offshore, something is  
9 coming in to replace it on the bottom. So the fresh water  
10 is running further offshore, the salt water is coming in on  
11 the bottom. And since it's coming from offshore, the  
12 salt's coming from offshore, there's more salt. It's not  
13 mixed.

14 CHAIRMAN CAMPBELL: Is that top layer  
15 getting narrower then?

16 DR. NORCROSS: Not necessarily narrow, it's  
17 getting broader. But it's -- and if it's moving faster,  
18 it's not mixing as much.

19 MR. O'CONNOR: So you're not saying that  
20 there's an accumulation of saltiness below the fresh water  
21 lense, it's just that it's saltier than it otherwise would  
22 be because it's coming from further offshore?

23 DR. NORCROSS: Yes. My analogy to it,  
24 which is really simplistic, would be the way the  
25 Mississippi River is, you know, when the fresh water comes

1 out and you can see pictures and they tell you there's a  
2 plume and you can see the fresh water on the surface? We  
3 can't see it but the same thing is happening here.

4 MR. O'CONNOR: There's also a dead zone out  
5 there.

6 DR. NORCROSS: Yeah, that we -- I'm not  
7 using that part of the analogy of the dead zone, okay.  
8 That's not even close. So the reason the GAK1 is really  
9 important is that there are no other observations in the  
10 entire Gulf of Alaska north of Ocean Station P. And Ocean  
11 Station P is in Canadian waters several hundred miles  
12 offshore in deep water. And it's consistently been sampled  
13 since -- what do you think, the 50's, Tom?

14 MR. ROYER: Yeah, about 1954.

15 DR. NORCROSS: Yeah. But there's nothing  
16 else except GAK1 in the entire Gulf of Alaska and the  
17 Bering Sea that's been consistently sampled. And for the  
18 last several years, the EVOS Trustee Council has been  
19 funding the sampling and those current meters at GAK1. So  
20 the.....

21 CHAIRMAN CAMPBELL: Where did funding for  
22 -- it's been going through from the 70's?

23 DR. NORCROSS: 19 -- yes.

24 CHAIRMAN CAMPBELL: Where did funding for  
25 it come before and to what extent is its continuation

1 dependent upon EVOS funding?

2 DR. NORCROSS: Originally funding was  
3 literally piggy-backed on whatever NSF cruise was going out  
4 when the ship came out.

5 MR. ROYER: I can -- Brenda, I can answer  
6 that.....

7 DR. NORCROSS: Go for it.

8 MR. ROYER: .....a little bit. The first  
9 people that funded it were the Office of Naval Research.  
10 And then along came the OCSEAP, the Outer Continental Shelf  
11 Environmental Assessment Program. And then NSF was funding  
12 projects in the 80's and finally in the early 90's NOAA  
13 funded it for about five years. And it's also gotten to be  
14 a tradition with the marine operations at the University of  
15 Alaska, that whenever the research vessels go in or out of  
16 Seward, out of Resurrection Bay, then they always sample  
17 that. It's part of the nautical tradition. I guess they  
18 think that evil things will happen to them if they don't  
19 sample that. So that it has been pieced together. And  
20 it's been sort of ad hoc and this is true of a lot of long  
21 time series that they're just pieced together by hook or  
22 crook. And so EVOS is a vital link in that at the present  
23 time and the current meters that are out there greatly  
24 enhance this and I think we'll see those results in the  
25 next few years.

1 DR. NORCROSS: So I think to answer your  
2 question is, the EVOS funding for GAK1 right now is vital.  
3 Does anyone think EVOS is going to fund it for 20 or 50  
4 more years? No. We're -- I would say that the objective  
5 would be to keep it going somehow. There has not been one  
6 long term patron yet. If EVOS wanted to be a long term  
7 patron, I suspect the offer would not be turned down, but I  
8 don't think that's what anyone is asking for at the moment.

9 So the fact of knowing this current  
10 circulation is important because what's going on out in the  
11 Gulf is affecting what's coming into Prince William Sound  
12 in terms of nutrient, phytoplankton, zooplankton, and this  
13 long history of GAK1 has paid off because way before there  
14 ever was an Exxon Valdez Oil Spill Trustee Council, there  
15 was an Exxon Valdez oil spill. And so at that time, as I  
16 explained to you, these data that had been collected from  
17 there were vital at determining which way the spill was  
18 going to go. Yes, many other people have used these data  
19 since then.

20 As Tom just explained, they had been paid  
21 for by a lot of people, the analysis has explained a lot of  
22 things. Alaska is in fact unique in the country for having  
23 anything like this. There is a time series of data off of  
24 California called CalCOFI that samples plankton that's been  
25 going on since the 1950's and that's the longest time

1 series of data in the United States. They've been doing  
2 temperatures off of NOAA ships since the 1970's on the  
3 whole east coast of the U.S. in their bottom trawl surveys,  
4 but there isn't a one point that's as consistent over time  
5 and seasons as this one.

6                   Also what I wanted to point out to you, and  
7 it's not written there, sorry, that in Tom and Chet Gross's  
8 new paper, one thing that they found out is when they look  
9 at these data of what's going on and use the temperatures  
10 and salinities along the Atlantic -- the Gulf of Alaska  
11 coast, what they show is in the long shore displacement in  
12 isotherms, meaning where the temperature of 300 kilometers  
13 since 1970. So what he -- that's -- the Gulf of Alaska is  
14 unique in that things just don't move north, they move  
15 north and west, where in the Atlantic, you just thing, oh  
16 it's getting warmer towards the north. Here you have to  
17 look at it's getting warmer downstream, which includes down  
18 the Aleutians.

19                   So there's some real data to show the Gulf  
20 of Alaska has decidedly gotten warmer and this warmth is  
21 spreading. And if you've seen the paper lately about more  
22 salmon that are moving north up the coast of -- past Norton  
23 Sound, up the Coast of Alaska, into Barrow, or the salmon  
24 that were recently caught up in the Arctic on the east  
25 coast in Canada, those are indicators of warming. It's

1 easier to measure a temperature consistently over time and  
2 place than it is to go look for fish moving. So what I  
3 would say is that the continued monitoring GAK1 is  
4 essential to the evaluation of oil spill damage in here,  
5 because it tells us where the currents are moving. The  
6 monitoring is analogous to a canary in a coal mine but it  
7 requires the decades of measurements to detect these  
8 changes. We've got decades, we're finally starting to  
9 detect changes.

10                               However, we have to think about it in terms  
11 of there are different kinds of changes that occur. There  
12 are some that occur over decades, there are some that occur  
13 instantaneously, as in a catastrophe. The Gulf of Alaska  
14 is know for huge Katrina-like storms that can affect it.  
15 There are things like earthquakes, like in 1964. Things  
16 that the earthquake affected but couldn't be measured  
17 directly at the time. By having some kind of a long term  
18 consistent monitoring program, those spikes or changes can  
19 be noticed, can be detected, can be quantified.

20                               And you're all familiar now with El Nino,  
21 southern oscillation effects. There's warming. The  
22 warming may be detected off of California but there are  
23 years when it's decidedly detected off of the Gulf of  
24 Alaska and it can be found at some time other than a turtle  
25 showing up in Prince William Sound in the summer. It can

1 be found several months ahead of that by this kind of  
2 monitoring.

3                   So I would say that GAK1, which is the  
4 Weingartner proposal you have in front of you, is the  
5 linchpin that anchors all of these monitoring. The ferry  
6 box sampling, which is Cokelet, collects measurements on the  
7 Alaska Marine Highway system. The information that gives  
8 you extends from -- I'm switching to another figure now.  
9 Joe, this one is a closeup and it's got GAK1, showing it  
10 come out of Seward and then it shows the path of the  
11 Tustumena. Yeah.

12                   MR. MEADE: And cross checks it.

13                   DR. NORCROSS: Yeah, it's got the  
14 Tustumena, it shows the Tustumena, the ferry coming out of  
15 Valdez going right past GAK1 into Seward, coming down from  
16 Seward and going to Kodiak and Port Lyons and up into  
17 Homer. Well, the Tustumena has the ferry box system on  
18 which you recall we discussed years ago and it took some  
19 doing for the State of Alaska to allow that to occur. So  
20 you can see that this sampling, while it's not doing depth,  
21 it's doing breadth. This is sampling at the level of the  
22 hull and it goes right through GAK1 and it gives a time  
23 series of data across a very large space.

24                   At the same time, they are compliments in  
25 depth which are being done by Okkonen. He's sampling but

1 he's using depth to -- along a pathway. And Sonya Batten,  
2 who is looking at a continuous plankton recorder,  
3 continuous plankton recorder is like having two pieces of  
4 cheesecloth continually rolling. Water goes through it,  
5 what's ever in the water is squished between the  
6 cheesecloth, you know because of the speed at which those  
7 little thing rolled, what the distance has covered by  
8 measuring the cheesecloth.

9                   And what that does, that's coming, Joe,  
10 that's coming from Anchorage down, out through Cook Inlet,  
11 and then it goes down to California. So it's cutting right  
12 across the Tustumena path, it's cutting right across the  
13 Alaska Coastal Current.

14                   MR. MARQUEZ: Could I ask a question?

15                   DR. NORCROSS: Sure.

16                   MR. MARQUEZ: On the route of the  
17 Tustumena, it looks also -- is that red line just the route  
18 of the -- to the west of Kodiak Island.....

19                   DR. NORCROSS: Yes.

20                   MR. MARQUEZ: .....is that also monitoring  
21 in there or is that merely the route of the.....

22                   DR. NORCROSS: No, that's -- it's still  
23 collecting. The biggest problem with the Tustumena is that  
24 it's running all the time and can collect a lot of data but  
25 not only EVOS doesn't give the scientists enough money to,

1 you know, measure 300 days worth of data a year, they don't  
2 employ enough scientists to measure that many. So what  
3 they do is look at it and make sure they've got seasons  
4 represented. And make sure that it's got the key areas  
5 represented. So basically what the data from the Tustumena  
6 are doing, they're recording and archiving lots of data  
7 that cannot all be worked up right down.

8                   But should we decide for some reason that  
9 we wanted to go back to another season or another place,  
10 this is when it goes to Dutch. The data exists, which is  
11 really critical because what's on the Tustumena is a probe  
12 and actually you can go on the Tustumena and you can see,  
13 it's mounted and you can see all the data being collected.  
14 And there's a public display and there's a website that you  
15 can see real time what's happening so the people on the  
16 ferry can sort of get into it.

17                   I would say the really important thing  
18 about these collections are the fact they are so  
19 inexpensive because no one in EVOS or somewhere else is  
20 paying between 5 and \$10,000 a day for one of these huge  
21 ships that's going this way. The ship time is donated,  
22 except for that little bit of time to go out to GAK1 and  
23 service the buoy. The rest of the ship time is all  
24 donated. And in oceanography, that's the biggest expense.  
25 I mean I went to the Chukchi and was only able to do 18

1 stations on a huge NOAA Russian cruise. We covered a lot  
2 of space and it took three weeks but most of the money goes  
3 into the ship time.

4                   So I would say that the data that comes  
5 from the combination of these, so now you've got one place  
6 that's consistent all the time, with a current meter at  
7 GAK1; you've got the breadth of the Tustumena; you've got  
8 the depth from Okkonen; and you've got some biology from  
9 Batten. This gives a bigger picture of what's really going  
10 on because this -- if you've ever run around in a boat in  
11 this area, this is no small area from Valdez to Kodiak. If  
12 you were on the east coast of the U.S., you'd be going  
13 across a lot of states to get that far. It's just the  
14 people on the west coast who understand that states are  
15 like really big and have long coastlines. You can tell I  
16 was on the east coast for a long time first.

17                   So when I look at these, you know, I have a  
18 bias towards herring. So I'm looking at it to see how  
19 could these possibly relate to herring studies? What's  
20 going on that it could help? Well, the first thing is,  
21 I've contacted Sonya Batten because of where -- her studies  
22 go right across here. I know that one of the time frames  
23 in the herring life history, that there's very little  
24 known, is where did the adults go to feed? You know,  
25 everyone cares about them when they spawn. They have to do

1 something in between to feed, to survive, and most  
2 indications are, okay, the herring are leaving Prince  
3 William Sound and basically following the same route as the  
4 Alaska Coastal Current or the Tustumena coming right down  
5 the shelf. Which means they're probably passing over and  
6 using this area outside Cook Inlet where Sonya Batten is  
7 collecting the zooplankton. I've checked with her. She's  
8 collecting zooplankton that I would expect to find in  
9 herring's stomachs. So I think that over time this kind of  
10 information that she's got could relate to herring quite  
11 well.

12                                   The other thing that's happening right now,  
13 as you're all aware, that last year the EVOS Trustee  
14 Council funded a herring synthesis project which Jeep Rice  
15 is the principal investigator. It has several different  
16 parts. In fact, Kim Trust invited everyone to come and  
17 give presentations at the herring workshop and I'm working  
18 with Terry Quinn and a couple of students, looking at a  
19 model and analyzing following up on some of the work that I  
20 did on SEA, analyzing over the life history of the first  
21 year of the herring. And what we have found is that the  
22 larval period is the most vulnerable. What the results are  
23 going to say is that if the larval period is not  
24 successful, then there is not going to be a good year  
25 class. That you can have a great egg survival, you can

1 have a great juvenile herring survival in the fall of age  
2 zero, or winter herring survival, but without excellent  
3 larval survival, you're not going to have a great year  
4 class.

5                   And all of that fits with where the flow  
6 goes through Prince William Sound. And the flow through --  
7 it's harder to see on this little tiny map -- but the flow  
8 goes through Prince William Sound. So it's the effect of  
9 what happened upstream. Basically it's the runoff from  
10 Southeast, it's everything coming out of Yakutat, it's how  
11 fast is the Bering Glacier melting. This flow that's  
12 coming in Prince William Sound and then what's going on in  
13 here, because the herring are spawning in Prince William  
14 Sound and being distributed around in Prince William Sound.  
15 The larve are. So that part is really critical. So by  
16 knowing these, having these measurements of GAK1, is a  
17 downstream measurement of what the flow was in Prince  
18 William Sound. If all I had was GAK1, at least it would  
19 tell me if the flow picked up or it slowed down. I would  
20 know that much.

21                   Right now there is sampling going on in  
22 Prince William Sound that actually melds with this  
23 perfectly. If you got the Prince William Sound Science  
24 Center newsletter that actually I got in my mailbox  
25 yesterday, it gives the transect and they're doing the same

1 kind of work in Prince William Sound that Okkonen is  
2 collecting offshore. So it fits perfectly and adds another  
3 smaller component to all of this.

4                   If you have long term data, it's easier to,  
5 in retrospect, figure out why there's something weird. For  
6 example, if you've got a herring population, you're doing  
7 the age structured analysis models and it appears that, say  
8 all of a sudden they're surviving better but you don't know  
9 why, and you don't want to really change your age  
10 structured analysis model if you don't have a foundation on  
11 which to base the change. You go back in time, you look at  
12 it, you have some data and you see a marked change, for  
13 instance at 1998 there was -- I went to a meeting in Hawaii  
14 last month, in fact I came straight from there to the  
15 herring meeting, that talked about regime shifts and long  
16 term changes. This is documentation of a long term change  
17 in 1998. There can be long term changes documented in  
18 Japan, it doesn't mean it happened here. But some people  
19 went back and looked then at these data and decided they  
20 were affecting what's going on with some of the fisheries  
21 in the Gulf of Alaska. Consequently, there is a physical  
22 reason to say, oh, I can change my model now, at this point  
23 in time, re-analyze and see what I think is a better handle  
24 on predicting what the stocks are.

25                   So I would say that, lastly, the new State

1 of Alaska recently issued ocean research priorities that  
2 directly fit -- these monitoring stations directly support  
3 them. No, I'm not advocating that EVOS spend their money  
4 directly supporting something that's a State mandated  
5 monitoring system, but in fact, EVOS -- these four  
6 monitoring programs support six of the 16 ocean research  
7 priorities. They do large scale relationships, will allow  
8 for fine scale management, they look at marine water  
9 trends, fresh surface water that we're seeing from the  
10 runoff. Definitely my favorites, which are climate change  
11 effects on fisheries and integrated physical, chemical, and  
12 fisheries oceanographic studies.

13                   So these are six of the priorities for the  
14 State of Alaska research and it fits with EVOS Trustee  
15 Council desire of restoration of non-recovered species and  
16 services that can be addressed by the four of these. So  
17 Tom and I, on behalf of ourselves individually as  
18 professionals and on STAC, would urge you to fund these  
19 four. Joe.

20                   MR. MEADE: The 16 items you just  
21 highlighted and referred to, that State of Alaska, could  
22 you give me a bit more background? Who established that?  
23 Who's the responsible State agency to execute it? And how  
24 can we affirm they shouldn't be collecting this data versus  
25 EVOS?

1 DR. NORCROSS: Heather?

2 CHAIRMAN CAMPBELL: Why don't we have Kurt  
3 answer that.

4 DR. NORCROSS: Okay.

5 MR. FREDRIKSSON: Perhaps if I could, Joe.  
6 This was actually a spinoff of a meeting that Governor  
7 Murkowski had with President Hamilton.

8 MR. MEADE: President Hamilton?

9 MR. FREDRIKSSON: Hamilton of the  
10 University of Alaska.

11 MR. MEADE: Thank you. I'm sorry.

12 MR. FREDRIKSSON: And the University of  
13 Alaska is a recipient of many State dollars as well as the  
14 recipient of many federal dollars. And they do research.  
15 And the Governor was concerned that the University of  
16 Alaska's research priorities may have been driven more by  
17 Federal needs without adequate consideration of State  
18 needs. So the Department of Fish and Game, the Department  
19 of Natural Resources, Department of Environmental  
20 Conservation and others were directed by the Governor to  
21 assemble what our research priorities were so that we could  
22 actually share those with the University of Alaska. And  
23 not just the University of Alaska but Federal agencies to  
24 see if those needs could be met through some of the funding  
25 opportunities that the university provides. It was not --

1 it wasn't, if you will, a State priority list, that the  
2 Governor said, okay, these are the priorities which now we  
3 have budgets for and you shall march down the path for.

4 CHAIRMAN CAMPBELL: Additional questions?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: No. In that case --  
7 yeah, Craig. Point and rephrase to say, additional  
8 questions before we take a short break, we've had a  
9 request.

10 MR. O'CONNOR: I just want to ask a  
11 question before Brenda leaves. And if she's going to  
12 escape during the break, I would like to -- if not, I don't  
13 want to stand in the way biol.....

14 DR. NORCROSS: No, I will return after the  
15 break if you would like me to.

16 MR. O'CONNOR: How much have we used the  
17 information that's been collected over the last decades in  
18 the determinations that we've made as a trustee council  
19 with regard to restoration of the resources for which we're  
20 responsible, other than telling Ted Stevens that the oil  
21 wasn't going to go where he was worried about it going?

22 DR. NORCROSS: I have to ask you to clarify  
23 the question. Do you mean how much have the Trustees used  
24 the information? Do you mean how much of the information  
25 that was collected in these monitoring projects was used to

1 develop new projects or applications? Do you mean how many  
2 fish species does Fish and Game put environmental variables  
3 into their stock assessment analysis?

4 MR. O'CONNOR: No, what I want to know is,  
5 of what utility has this information been to the Trustee  
6 Council in the fulfillment of its restoration program for  
7 the species injured as a result of the spill?

8 DR. NORCROSS: That's a very interesting  
9 question. I didn't think of it that way and I'm -- would  
10 be happy to take the break to think about it because I  
11 think the answer would be, it hasn't been if no one asked  
12 the question, and no one's asked the question before.

13 MR. O'CONNOR: Okay, let's take a break.

14 CHAIRMAN CAMPBELL: Okay, Kurt. Kurt has a  
15 question.....

16 MR. FREDRIKSSON: Let me.....

17 CHAIRMAN CAMPBELL: And.....

18 MR. ROYER: Can I say one thing, quick  
19 thing, before the break?

20 CHAIRMAN CAMPBELL: Yes, Tom.

21 DR. NORCROSS: Yeah.

22 MR. ROYER: A similar question was asked of  
23 me during the OCSEAP days back in the mid-70's. And the  
24 program manager wanted to know, when am I going to be done  
25 analyzing the data that we gathered during the OCSEAP

1 program. And I said, never. And that's true. I'm still  
2 using those same data points to try to understand the  
3 system. What I'm trying to say is that the data that  
4 you've gathered will be used by others later in addition to  
5 what's going on right now.

6 CHAIRMAN CAMPBELL: Kurt.

7 MR. FREDRIKSSON: Yeah, Tom, this is Kurt  
8 Fredriksson. I appreciate your answer because I think  
9 that's an honest, very fair answer. But let me be more  
10 direct to the question that I think Craig posed. And what  
11 we have in GAK1 is a substantial length of time and in  
12 terms of long term patrons, you listed off the names, and  
13 I'd characterize that as Federal government. All those  
14 were Federal agencies that have contributed over the last  
15 36 years to the GAK1 operation. So I just make that note  
16 because I think the Federal government, clearly there was a  
17 national interest driving this data collection effort.

18 And one of the concerns that I have here in  
19 the context of Exxon Valdez is with the impact of EVOS oil  
20 on herring. And in fact that issue has come up with the  
21 legislature. And the Federal government has testified  
22 before the legislature with respect to the application of  
23 herring as a reopener issue. And the science doesn't seem  
24 to support that connection right now, at least as it was  
25 testified. And I'm curious as to how this long term

1 monitoring program -- and you don't have to answer it now,  
2 you may want to take the break -- but I'd be curious of how  
3 what has been a Federal initiative to date, to collect this  
4 information, the Federal government is presented with an  
5 issue with respect to whether or not herring damage --  
6 whether herring is a reopener issue and how the GAK1  
7 information or this monitoring information can help us  
8 answer that question.

9 DR. NORCROSS: I see what you're saying but  
10 I think what I might say is there's a difference between  
11 saying that GAK1 was a Federal initiative and the fact  
12 there were scientists with initiative who bugged the Feds  
13 enough to get money.

14 CHAIRMAN CAMPBELL: Why.....

15 DR. NORCROSS: There's a difference.

16 CHAIRMAN CAMPBELL: Why don't you reflect  
17 during the break on Craig's and Kurt's and actually I have  
18 one additional one for you to reflect on, on the break. I  
19 don't need to be convinced that long term monitoring yields  
20 knowledge, that knowledge is good, that it is useful in a  
21 wide variety of scientific endeavors. I guess the thing  
22 that I am having some difficulty with is when I see the  
23 current map up there on the PowerPoint and I see a current  
24 of the entire North Pacific, and there's an implication,  
25 though there was reference there were some other things

1 involved, that GAK1 is sort of mapping the North Pacific.  
2 It makes me then have doubts about the whole thing, because  
3 I know that can't be the case and I know that's not what  
4 you're really saying. But that sort of seems to be the  
5 implication. And, I mean, as -- again, I said I've been  
6 involved in a minor way on some much smaller current  
7 studies where we had to -- but in similar depth of waters  
8 where we had to do many, many, many more current meters and  
9 stations to even have a claim of credibility in a much  
10 smaller -- much, much smaller area. So I'm just trying to  
11 see how all that fits in. But we can talk about it  
12 afterwards.

13 DR. NORCROSS: Okay.

14 CHAIRMAN CAMPBELL: Okay. Let's take a no  
15 more than 10 minute break. Well, I'll say back at 20 of,  
16 is that fair?

17 (Off record - 2:27 p.m.)

18 (On record - 2:46 p.m.)

19 CHAIRMAN CAMPBELL: Let's go ahead and try  
20 to get going again. Craig?

21 (Off record conversations)

22 CHAIRMAN CAMPBELL: During the break we  
23 asked -- or before the break, we asked Brenda a wide  
24 variety of questions, which we led her to believe we would  
25 then invite her to come and answer. However, that is not

1 the case. The situation has changed. What we are going to  
2 do is just try to go ahead and proceed through the agenda,  
3 through the business items relatively quickly because we  
4 may lose a quorum and so we're going to try to deal with  
5 those quickly before we lose a quorum and proceed on.

6 So Brenda.....

7 DR. NORCROSS: No, I have to tell you.....

8 CHAIRMAN CAMPBELL: No. No, actually you  
9 don't get a chance. I'm sorry. What we were just saying  
10 is, we have changed what we were doing so we will talk with  
11 you later. Okay.

12 DR. NORCROSS: Okay. Because I felt like  
13 it was one of those quiz shows where you say I'm going call  
14 for help.

15 CHAIRMAN CAMPBELL: Yeah. Okay. This  
16 being the case.....

17 DR. NORCROSS: Oh, dial -- you can tell I  
18 don't watch them.

19 CHAIRMAN CAMPBELL: We have the monitoring  
20 projects before us. Do we have a motion for the purposes  
21 of discussion?

22 MR. MARQUEZ: I so move approval.

23 MS. PEARCE: Second it.

24 MR. MEADE: I'd second.

25 CHAIRMAN CAMPBELL: And second -- and we

1 have a second. And is there discussion? Kurt, I guess.

2 MR. FREDRIKSSON: I would -- I have a  
3 number of items that I'd like to bring up, one which is  
4 important to me. And this is not -- what I am going to say  
5 now in no way am I suggesting that GAK1 is not useful, is  
6 not important, that I don't appreciate and support long  
7 term monitoring as well as short term monitoring. I  
8 thought the monitoring presentations were very good. I  
9 think they all have a place in our work here.

10 MR. MEADE: Which would just simply be  
11 funded under the 16 point Alaska State initiative?

12 MR. FREDRIKSSON: Well, apparently. I  
13 didn't know that, Joe, but.....

14 MR. MEADE: I just wanted to seek your  
15 support.

16 CHAIRMAN CAMPBELL: Without all the  
17 caveats, we have faith in you.

18 MR. FREDRIKSSON: Okay.

19 CHAIRMAN CAMPBELL: Go ahead.

20 MR. FREDRIKSSON: So the one thing that is  
21 real important though, is during the Exxon Valdez oil  
22 spill, the trajectory analysis that was done, the  
23 projection of where to chase the oil did not hinge on GAK.  
24 In fact, there was a State/Federal incident command  
25 structure that was tracking the oil, was using a number of

1 different tools, not the least of which was CDFU. And to  
2 suggest that they were standing around thinking that it was  
3 going to wind up in Yakutat or in Juneau is just, from  
4 where we sit as the Department and the State government  
5 that's responsible for spill response, just not accurate.  
6 Having said that, I have also talked to the principal  
7 investigators of a number of these projects, none of which  
8 -- well, three. One, I think it was Sonya Batten, we  
9 couldn't get hold of because of field work. But those  
10 investigators told us that they did not feel that there was  
11 an urgent need for funding at this time. So what I would  
12 like to see happen, what I would propose, is that we view  
13 these monitoring projects in the context of the '07  
14 invitation. We have, in fact, two of the investigators.  
15 We have outstanding reports. We have two years of  
16 quarterly reports that haven't come in on the GAK project.  
17 We have an annual report that hasn't come in on one of the  
18 monitoring projects. So we have some delinquency issues  
19 that we have to take care of with respect to those  
20 investigators. And that's not to say that they can't be  
21 easily resolved but what I would propose is that we wait  
22 for the '07 invitation, that we not make a decision today  
23 on the merits of these particular four, that we do that in  
24 the context of the '07 invitation and for the reasons I've  
25 outlined there.

1                   CHAIRMAN CAMPBELL: Okay. Joe.

2                   MR. MEADE: Mr. Chair. And in the art of,  
3 to try to seek -- compromise is the wrong term but, kind  
4 of a shared leadership or a shared solution, I wonder,  
5 Kurt, if you would be willing to -- my interest would be to  
6 insure that these projects don't lose their ability to  
7 sustain funding through the '07 operating season. That  
8 means we need clarity, do they actually need the funds --  
9 based on your contract with the PI's -- do they actually  
10 need the funding revenue or not. The interests I would  
11 share. If we could go to interest based problem solving.  
12 The interest is to insure that these four projects can be  
13 secured and stable through the '07 operating season so that  
14 they then can be evaluated as you've highlighted in the '07  
15 invitation. And even in the discussions we had earlier of  
16 one year, multi-year, or broader, be considered in the  
17 context. Are these by example then some examples of that?  
18 But the interest I would share is to have them not lose a  
19 year of essential data collection while they get evaluated  
20 for their long term importance. So if there's a way we  
21 could find a common ground, the common ground I would be  
22 interested in is to stabilize the funding where and if  
23 needed while again is subject to the '07 invitation for  
24 further consideration for its applicability.

25                   CHAIRMAN CAMPBELL: Yeah, and Joe, I think

1 my -- the concern I have is that it's been represented that  
2 the funding is somehow insecure and that if the Council  
3 doesn't take action today, somehow these projects will fall  
4 by the wayside. And I -- after our contact with the  
5 principal investigators as well as I understand with a  
6 number of these projects, there are multiple funding  
7 sources. EVOS is not the only funding source. They have  
8 funds from AOOS, they have funds from NPRB. I don't, at  
9 least from the information I have with me today, there's  
10 not a critical need for the Council to take action at this  
11 time.

12 MR. MEADE: But you left out the State of  
13 Alaska in some of those funding ingredients. I'm just  
14 trying to help you save Alaska State funds here.

15 CHAIRMAN CAMPBELL: I appreciate that, Joe. Thank  
16 you.

17 MR. FREDRIKSSON: Three out of the four of  
18 these projects are by Fish and Game principals and it is my  
19 understanding while they certainly would welcome early  
20 funding, they aren't the ones who requested it and they are  
21 sufficiently funded through '06.

22 MR. O'CONNOR: Which one is the not funded?

23 CHAIRMAN CAMPBELL: The outli -- I don't  
24 know if it's not funded, it's just not a Fish and Game  
25 project that I can speak to, that's the Weingartner.

1 UNIDENTIFIED SPEAKER: No, it's Batten.

2 MR. FREDRIKSSON: No, it's the Batten, I guess.

3 CHAIRMAN CAMPBELL: No, it's really the  
4 Batten, excuse me.

5 MR. HAGEN: Actually one of the projects is  
6 joint funded through NOAA and ADF&G. So that's the Ned  
7 Cokelet and Pegau project. And most of the funding goes to  
8 NOAA and a portion goes to ADF&G, to Kachemak Bay recently.  
9 And I haven't had the same communication that they're  
10 secure for FY-07. The possibility of delayed funding,  
11 perhaps they can work out just in case of, you know, risk I  
12 think would be the issue.

13 MR. MEADE: I guess I'll just make one last  
14 appeal to try to seek consensus in a consensus operating  
15 board. If there's a way that we can find an interest to  
16 insure as needed funds are stabilized. I've heard for the  
17 last number of meetings pretty compelling reason why this  
18 baseline monitoring with each of the four factors and how  
19 they uniquely distinguish the data knowledge set we have  
20 over a long spectrum to time. To me it's pretty essential  
21 for the investment we're talking about and putting it  
22 potentially at risk. So my interest is just to not put at  
23 risk for further consideration in that broader '07  
24 invitational. I heard today some direct linkages to  
25 herring as well and we've already identified in the '07 a

1 real interest of the investment in herring, including the  
2 potential '06 investment. So to me, unless we're being  
3 given a bill of goods, that these projects are funded and  
4 EVOS funding is purely optional, that's not what I've been  
5 hearing. So that's -- the place I'm puzzled is we've been  
6 hearing over the past five or six months as we recycled  
7 this issue that it's pretty important funding, so.....

8 CHAIRMAN CAMPBELL: Okay.

9 MR. FREDRIKSSON: I think, Joe, I wouldn't  
10 say we've been sold a bill of goods. And I wouldn't want  
11 to characterize it as that, but what we have not had is  
12 these projects in a context. We've just had these projects  
13 proposed to us as something that the investigators really  
14 needed. I now have questions about that. We've made a  
15 contract of the investigator, we haven't heard from the  
16 principal investigators through any of this discussion.  
17 We've had surrogates represent on behalf of the  
18 investigators.

19 When I contacted directly the  
20 investigators, they were surprised, to be honest with you,  
21 that there was this to do and that they didn't seem much  
22 concerned about whether or not their projects would  
23 continue or not. Now long term they expressed concerns.  
24 They expressed concerns, I think that we heard from Brenda,  
25 that what is a 36 year investment from university and

1 Federal government might fall by the wayside in the future.

2 CHAIRMAN CAMPBELL: Let me ask, unless  
3 there's further discussion, as I understand the motion, and  
4 I wanted to double check to see if I was correct, the  
5 motion was to place these four items in the '07 invitation.  
6 Was that your motion or do we need an amendment to the  
7 motion to do that? Where are we on that?

8 MR. MEADE: I think Craig had a motion.

9 MR. MARQUEZ: I made the motion.

10 CHAIRMAN CAMPBELL: You made the motion?

11 MR. FREDRIKSSON: To approve the four  
12 projects, I believe.

13 CHAIRMAN CAMPBELL: To simply approve?

14 MR. MARQUEZ: To approve the four projects.

15 CHAIRMAN CAMPBELL: Okay. So then the  
16 question is, are you offering an amendment to the motion?

17 MR. FREDRIKSSON: I would propose an  
18 amendment to the motion.

19 CHAIRMAN CAMPBELL: Is there a second to  
20 the amendment?

21 MR. MEADE: I seconded the amendment as it  
22 stood.

23 MR. O'CONNOR: Well, I've got a procedural  
24 question, Mr. Chairman.

25 CHAIRMAN CAMPBELL: Yes.

1                   MR. O'CONNOR: My recollection is that we  
2 approved these projects this morning as a component of the  
3 '07 solicitation, particularly with regard to their critic  
4 -- I love this word -- criticality for assessing the  
5 situation with regard to herring. What we might need then  
6 would be a motion for reconsideration of the earlier  
7 decision.

8                   CHAIRMAN CAMPBELL: I believe that what his  
9 motion is is that they be included in the '07 invitation.

10                  MR. O'CONNOR: Well, I think they already  
11 are.

12                  MS. PEARCE: They're already there.

13                  CHAIRMAN CAMPBELL: Yeah, right. So, okay.

14                  MS. PEARCE: It is there.

15                  MR. O'CONNOR: So we've done that.

16                  CHAIRMAN CAMPBELL: Okay. So we've done  
17 that.

18                  MR. O'CONNOR: But they're in it in the  
19 sense that we've said yes, we're going to do that along  
20 with whatever else comes out of the process.

21                  MR. MARQUEZ: Should I withdraw my motion  
22 then? If it's already been dealt with, I withdraw my  
23 motion.

24                  CHAIRMAN CAMPBELL: Okay.

25                  MR. MARQUEZ: How about the second?

1                   CHAIRMAN CAMPBELL: With the consent.....

2                   MR. MARQUEZ: Does the second.....

3                   CHAIRMAN CAMPBELL: .....of the second.

4   Whoever seconded it.

5                   MR. MEADE: I would.....

6                   CHAIRMAN CAMPBELL: Okay.

7                   MR. MEADE: .....consent and if I

8   understand.....

9                   CHAIRMAN CAMPBELL: Okay now, here is the

10 question. We passed the '07 invitation this morning. In

11 there is an implication that these are going to be done but

12 we have not taken action to do them. So do we have a

13 motion to do something with these four items and if it is

14 to do something other than proceed with funding them now,

15 it should also include proper adjustments to the '07

16 invitation. In other words, that they be included in the

17 '07 invitation not as the implication that they are done

18 and funded but rather as items to be proposed or invited.

19                   MR. FREDRIKSSON: That's my understanding

20 of where we were earlier today on the '07, was it was

21 characterized as they were incorporated under the herring

22 component of the '07 invitation.

23                   CHAIRMAN CAMPBELL: So do you want to make

24 a motion to do what I said?

25                   MR. FREDRIKSSON: Do we need to -- I don't

1 know if we need to do anything.

2 CHAIRMAN CAMPBELL: No?

3 MR. BAFFREY: It's already in there.

4 MR. FREDRIKSSON: It's already in there.

5 MS. TRUST: It's in there as.....

6 MR. BAFFREY: Monitoring.

7 MS. TRUST: Well, as projects that we're  
8 soliciting. It's like you said, Kurt, that no -- and my  
9 understanding is that they are not approved for funding,  
10 they're in there.....

11 CHAIRMAN CAMPBELL: And there's your  
12 soliciting. Okay. So do we need any further motion on  
13 this?

14 MS. TRUST: If you're going to fund them  
15 this year. Or this.....

16 MR. O'CONNOR: I move that -- yes. I move  
17 that this matter be clarified and that that clarification  
18 be that these projects will be funded to assure -- to what  
19 degree is necessary to assure that the time sequence of  
20 information being collected is not disrupted. If there are  
21 sources for funding, and it doesn't have to be EVOS money,  
22 then wonderful. If they're going to continue, great. If  
23 there needs to be money infused into them so that the time  
24 sequence is not disrupted -- and I'm responding to Kim's  
25 short time sequence circles up there. A year or perhaps

1 two years could be a confusing or a confounding situation  
2 as we address something as sensitive as herring, which has  
3 a relatively responsive concern.

4 CHAIRMAN CAMPBELL: Well, let me ask.  
5 Perhaps if we're speaking to your motion or something,  
6 let's get a second and then we.....

7 MR. MEADE: I'll second the motion.

8 CHAIRMAN CAMPBELL: Okay. We have a  
9 second. And then did you want to finish, Craig, speaking  
10 to.....

11 MR. O'CONNOR: Yeah, I'll.....

12 CHAIRMAN CAMPBELL: Okay. And if you  
13 could, capsulize for us again the motion.

14 (Laughter)

15 MR. O'CONNOR: Fund them to the extent that  
16 they aren't otherwise funded because I don't want there to  
17 be a gap in the time sequence. And I think the answer to  
18 the question that I asked Brenda is that this information  
19 has been critical over the course of the last 15 years to  
20 the work that's being done by the scientists. It may not  
21 have been presented to us as there's a salinity issue here  
22 or there's a temperature issue here, but this kind of  
23 oceanographic data is critical to the analysis that  
24 scientists use as they evaluate what's going on in our  
25 ecosystem. And because herring is particularly sensitive

1 to mild perturbations, I think we need a very compacted  
2 time sequence of information -- salinity, temperature and  
3 so on -- so that we can evaluate what the hell is going on  
4 with herring. And if we're -- and I don't want to miss  
5 that. So.....

6 CHAIRMAN CAMPBELL: Kurt.

7 MR. FREDRIKSSON: Craig, my only fear with  
8 the motion and how it was presented was it's -- I feel like  
9 we're almost writing a blank check to monitoring programs  
10 that are tied to individual investigators with no time  
11 certain. I was hoping that in the '07 invitation we would  
12 actually get a reasonable time projection, even if that's  
13 10, 15, 20 years. I don't know what it is but I know it's  
14 not three years or else they wouldn't be seeking an  
15 extension. I know it's not one year because I've heard  
16 them characterize it that that's just kind of a bridging  
17 year so they can get other funding sources. Well, I'm not  
18 interested in that. If we needed to get it done, I'd like  
19 to see a long term commitment to it.

20 I also know that the data has already -- on  
21 the work done by Okkonen, on the polar Alaska, he's already  
22 removed his equipment from that tanker. It is not  
23 collecting data right now as we speak. I know the Tustumena  
24 was not collecting data because the Tustumena was in dry  
25 dock. So to me, where I'm sitting today, is I have a lot

1 more questions about the specifics of these projects, which  
2 only I think the investigators themselves can speak to.  
3 And I was hoping to accomplish that through the '07  
4 invitation.

5 CHAIRMAN CAMPBELL: Let me -- I won't apply  
6 this to you but I was just going to say we're going to lose  
7 our quorum so I'd just ask us all to discipline our  
8 remarks.

9 MS. PEARCE: Well, you know, this is at  
10 least the third time we've heard about these projects and  
11 this discussion. As I remember, the polar Alaska was going  
12 into dry dock but they wanted to go ahead and have the  
13 early funding so they could put the equipment back on  
14 whatever it is that will be coming out so that we didn't  
15 lose the continuity. I don't disagree that she went into  
16 or is going into dry dock, but that was the point. They  
17 wanted to know that they were going to have it so that they  
18 could move the equipment from ship A to ship B. And so,  
19 you know, that one's pretty easy, frankly, to explain.  
20 Yeah, that same ship isn't out there but something else is  
21 going. The oil hasn't quit pulling down taps and there are  
22 other ships. So they were just trying to, you know, put  
23 the equipment in a different place. It wasn't ending.

24 CHAIRMAN CAMPBELL: Craig.

25 MR. O'CONNOR: My response to you, Kurt, is

1 that the PI's may or may not want is irrelevant to the  
2 question of what do we need. And I think we need this  
3 information to be making the decisions that are coming down  
4 the pike and I want to make sure we don't lose that  
5 information flow. That's all I'm driving at.

6 CHAIRMAN CAMPBELL: I guess let me ask, do  
7 we have further discussion before we have a call for the  
8 question on Craig's motion?

9 (No audible responses)

10 CHAIRMAN CAMPBELL: No. In that case,  
11 could we have a vote on the question on Craig's motion?

12 MR. FREDRIKSSON: Could we hear again the  
13 motion?

14 CHAIRMAN CAMPBELL: Do you want to repeat  
15 your motion, Craig?

16 MR. O'CONNOR: I want to fund it if we got  
17 it to keep the information flowing, those four pro.....

18 MR. MARQUEZ: But otherwise it remains a  
19 part of the invitation?

20 MR. O'CONNOR: That's correct.

21 CHAIRMAN CAMPBELL: And Craig, let me ask,  
22 as part of your motion, is it your understanding that upon  
23 research, each of the projects is adequately funded for the  
24 remainder of '06, that we would rely upon that funding and  
25 that we would put the '07 and beyond funding in the '07

1 invitation, but if they are not adequately funded for '06,  
2 we would fund them for the completion of '06, is that.....

3 MR. O'CONNOR: That's correct. I want to  
4 know if we had the flow.....

5 CHAIRMAN CAMPBELL: Is that okay?

6 MR. O'CONNOR: .....that the  
7 information.....

8 MR. FREDRIKSSON: Okay, I'm quite  
9 comfortable with that.

10 CHAIRMAN CAMPBELL: I think we are there.  
11 Let me ask this way, we have a motion, we have a second.  
12 Is there any objection to the motion as restated?

13 (No audible responses)

14 CHAIRMAN CAMPBELL: No. In that case, the  
15 motion passes.

16 MR. O'CONNOR: Good.

17 MS. TRUST: I'm sorry. Just one point of  
18 clarification. It's my understanding that all these  
19 projects are funded through September '06. We are talking  
20 about giving them funding for '07 before the '07 invitation  
21 came. So they're funded in '06. So it that's what your  
22 motion is, they're already.....

23 MS. PEARCE: But just until September?

24 MR. O'CONNOR: I just want to be sure  
25 there's enough money to collect.....

1 MS. TRUST: Just till September.

2 MR. O'CONNOR: .....the information.

3 CHAIRMAN CAMPBELL: Okay.

4 MS. TRUST: Through what time frame, I  
5 guess.

6 CHAIRMAN CAMPBELL: Let.....

7 MS. TRUST: Sorry.

8 CHAIRMAN CAMPBELL: Why don't we look at --  
9 the question will be whether or not there's a gap between  
10 existing funding and funding that could respond from the  
11 '07 invitation. Okay. Joe.

12 MR. MEADE: I don't know if it's just a  
13 point for clarification or for discussion or.....

14 CHAIRMAN CAMPBELL: It's a point for the  
15 next item.

16 MR. MEADE: .....modifications. The point  
17 is, is there could be a gap.

18 CHAIRMAN CAMPBELL: Yes.

19 MR. MEADE: As Drue has noted, for some  
20 reason we've been micro-managing this set of four projects  
21 for some time and there are some re-outfitting vessels of  
22 opportunity that need to occur that could occur in '06 or  
23 in early '07. I presume the Tustumena, since that's  
24 changing over to, you know, a different ferry operating in  
25 the Prince William Sound triangle, may be part of that

1 vessel of opportunity. I don't know the specifics. The  
2 interests I have, much as Craig has already discussed, is  
3 to not have a gap in funding while we further ponder and  
4 look at the longer term deed in the invitation.

5 CHAIRMAN CAMPBELL: And I think that's what  
6 we've all just agreed to, is.....

7 MR. MEADE: Okay. Even if it's beyond  
8 '06.....

9 CHAIRMAN CAMPBELL: Yes, that.....

10 MR. MEADE: .....we going to not have a gap  
11 in funding in '07 until the '07 invitation can.....

12 CHAIRMAN CAMPBELL: If there's a gap  
13 between existing funding and funding that would be provided  
14 from the '07 invitation, if they are selected. Then it  
15 would be filled in from ongoing funds and budget.

16 MR. MEADE: And that's what Craig had said  
17 when he -- so.....

18 CHAIRMAN CAMPBELL: Yeah.

19 MR. MEADE: .....if we could.....

20 CHAIRMAN CAMPBELL: We're good. Why....

21 MR. O'CONNOR: Now would be a good  
22 time.....

23 MS. PEARCE: What?

24 MR. O'CONNOR: ..... to start wheezing.

25 (Laughter)

1                   CHAIRMAN CAMPBELL:  It's good.  Okay.  The  
2  next item.....

3                   MS. PEARCE:  Wait a minute.  On Sep -- I  
4  don't understand.  On September 1st, if we haven't had  
5  another meeting and adopted these yet again, then Michael  
6  goes ahead and starts paying for them?  Is that what you  
7  just said?

8                   CHAIRMAN CAMPBELL:  If.....

9                   MR. BAFFREY:  The contract would have to be  
10 amended.

11                  CHAIRMAN CAMPBELL:  Yes.

12                  MR. BAFFREY:  And what I'm hearing is that  
13 that's -- you have given concurrence for that amendment?

14                  CHAIRMAN CAMPBELL:  That is correct.

15                  MR. MEADE:  Yes.

16                  CHAIRMAN CAMPBELL:  If there is not  
17 existing funding.....

18                  MR. MEADE:  For them to carry forward.

19                  CHAIRMAN CAMPBELL:  .....necessary to carry  
20 -- to them to the date that funding would start  
21 flowing.....

22                  MR. BAFFREY:  From '06 funding.

23                  CHAIRMAN CAMPBELL:  .....from an award of  
24 '07 invitation.

25                  MR. MEADE:  Got it.  Very good.

1                   CHAIRMAN CAMPBELL: Okay. So that brings  
2 us to number 9, the PAC charter. And can I ask Doug, can  
3 you give us an abbreviated presentation?

4                   MR. MUTTER: Those are the only kind I  
5 give.

6                   CHAIRMAN CAMPBELL: Good. We appreciate  
7 it.

8                   MR. MUTTER: And hopefully I won't elicit a  
9 motion to clarify anything.

10                   (Laughter)

11                   MR. MUTTER: Okay. The settlement  
12 agreement requires there be an advisory committee. DOI got  
13 elected to support that advisory committee which makes it  
14 fall under the Federal Advisory Committee Act, FACA. And I  
15 work for the Department of the Interior, Doug Mutter, and  
16 I'm the designated Federal official for the Public Advisory  
17 Committee for FACA. So they can't meet unless I'm there.  
18 I take care of the Federal register notices. FACA requires  
19 their charter, the charter of all advisory committees to be  
20 sunset every two years. So every two years we have to  
21 renew the charter. And that two year period comes up this  
22 fall, this October. We're set up on the Federal fiscal  
23 year. The Trustee Council also chose to have the  
24 membership coincide with the charter renewal, so every two  
25 years you can appoint a whole new set of Public Advisory

1 Committee members or you can reappoint people. Anyway, you  
2 get a clean slate.

3                   So right now what I need is for you to  
4 approve the charter so that I can go ahead and start  
5 processing it through Washington DC. The Secretary to the  
6 Interior actually signs this charter, so everybody and his  
7 brother has to okay it before it gets to the Secretary's  
8 office, and it takes a couple of months to do this. In the  
9 meantime, figuring that we're not going to have any  
10 significant changes from Washington, which we haven't in  
11 the past, we'll go ahead and I'll work with Cherri and  
12 Michael to solicit the nominees for the PAC membership for  
13 the next cycle. And at your -- usually at the August  
14 meeting you would have a packet of member nominees and then  
15 you would select who you want to serve for each of the  
16 interest groups on the PAC at that time.

17                   So right now you've been distributed a  
18 three page charter, which we had to reformat because they  
19 changed how they wanted things done back there, and it  
20 doesn't have really any substantive changes. We did reduce  
21 the number of members from 20 initially as 14 but after we  
22 had gotten some comments from a couple of PAC members,  
23 Michael asked me to add two positions for public at large,  
24 so the number should read 15 members. And it will have  
25 one for each interest and two for public at large.

1                   And so this is what I'm asking you to take  
2 action on and then I'll take it from there.

3                   CHAIRMAN CAMPBELL: Okay. I appreciate  
4 this. This has been distributed previously to everyone and  
5 I think everyone has had opportunities to hopefully read  
6 it, ask questions. Just to get it on the floor, do we have  
7 a motion?

8                   MS. PEARCE: So moved.

9                   CHAIRMAN CAMPBELL: Do we have a second?

10                  MR. O'CONNOR: Do we have any discussion  
11 prior to a vote?

12                  MR. MARQUEZ: I just have a question. This  
13 copy I have says 14 members. Is it 14 or 15?

14                  MR. MUTTER: It's 15. You should have had  
15 one that said 15.

16                  MS. PEARCE: I does. Oh.

17                  CHAIRMAN CAMPBELL: Joe.

18                  MR. MEADE: This morning we also heard in  
19 public testimony the interest to have the STAC  
20 representation some way. Did we need to address that? It  
21 was.....

22                  CHAIRMAN CAMPBELL: It is my belief that  
23 the STAC liaison function is important, that a STAC member  
24 can certainly attend all the PAC meetings, but if you put a  
25 STAC member on the PAC, then on many proposals, that person

1 is going to vote both on.....

2 MR. MEADE: Stack the vote.

3 CHAIRMAN CAMPBELL: .....the STAC and on  
4 the PAC and.....

5 MR. MEADE: So do we need to note that  
6 there is an ex officio slot anticipated that the STAC would  
7 fill or do we just leave it.....

8 CHAIRMAN CAMPBELL: Doug is shaking his  
9 head no.

10 MR. MUTTER: You can just have Michael ask  
11 somebody from the STAC, the Chair probably, to attend the  
12 PAC meetings.

13 MR. BAFFREY: Which is my intent.

14 CHAIRMAN CAMPBELL: Okay.

15 MR. MEADE: Very good.

16 CHAIRMAN CAMPBELL: Is there further.....

17 MR. MEADE: I just wanted to not let that  
18 public comment go by un.....

19 CHAIRMAN CAMPBELL: Sure.

20 MR. MEADE: .....heeded.

21 CHAIRMAN CAMPBELL: Are there further  
22 questions or discussion? Is there any objection?

23 (No audible responses)

24 CHAIRMAN CAMPBELL: Hearing none, number 9,  
25 the PAC charter passes. We are to number 10.

1                   MR. MEADE: You should have been the Chair  
2 earlier today. We could have moved through quicker.

3                   CHAIRMAN CAMPBELL: I didn't have a member  
4 that needed to leave before. Number 10 is the small parcel  
5 program

6                   MR. BAFFREY: Let me summarize that.....

7                   CHAIRMAN CAMPBELL: Michael.

8                   MR. BAFFREY: .....real quick if I can.  
9 The Trustee Council asked the small parcels working group  
10 to revise and update the small parcels process. That was  
11 done. You approved it last fall. And last December you  
12 funded the agencies to begin work on that. The action  
13 before you today are four parcels that have received  
14 nomination and the state -- and they've all met the  
15 threshold criteria. They're in the spill area. There's a  
16 willing seller. There's a seller that's willing to buy at  
17 the appraised value. They're linked to one or more of the  
18 injured resources and services. And there's a -- oh, and  
19 it can be easily -- the parcel management can be easily  
20 incorporated into existing management systems.

21                   They have met those criteria. The way the  
22 process sets up is they then come to you for a nod on the  
23 next step and some funding to do the appraisal, to the  
24 HAZMAT and other due diligence, getting it to the point of  
25 offer. That will be the next decision point. So all

1 that's before you today is the request from the State to  
2 take these parcels on through the appraisal process,  
3 through the HAZMAT survey and other items to get to the  
4 point of offer. And that's the process that you approved  
5 last year and I recommend that you give the nod to letting  
6 that process go.

7 CHAIRMAN CAMPBELL: Okay. Do we have a  
8 motion? Kurt.

9 MR. FREDRIKSSON: I would move that we look  
10 at these parcels and we consider these parcels in the  
11 broader context of the '07 invitation. As I look through  
12 the parcels, I'm impressed by some of the injured resources  
13 and human services. Human services are an issue that I am  
14 very concerned about and I see these parcels as serving  
15 some of those recreational and passive use. And I see  
16 subsistence listed as one of the resources, the injuries  
17 that would be restored through this parcel selection. But  
18 I want to look at that in the context of what other human  
19 service proposals we have in the '07 invitation. I don't  
20 disagree with these parcels, but I want to look at it in  
21 the context of other human services. And if we decide to  
22 go ahead with these, I want to be able to communicate with  
23 the public that in fact that's how we're addressing some of  
24 these human service issues.

25 CHAIRMAN CAMPBELL: Kurt, let me just ask,

1 just so I understand the motion then let's get a second.

2 The motion itself was to consider these four parcels as

3 items within the '07 invitation, is that correct?

4 MR. FREDRIKSSON: Correct.

5 CHAIRMAN CAMPBELL: Okay. And do we have a

6 second? Is there a second?

7 (No audible responses)

8 CHAIRMAN CAMPBELL: The motion will die for

9 a lack of a second then.

10 MR. MARQUEZ: I'm not exactly sure what is

11 meant by consider them in the FY-07 -- I mean, that's all

12 asking for proposals of studies and programs. Exactly how

13 would -- who's going to respond in the FY-0 -- who are we

14 sending these to and who's going to respond and what kind

15 of response are we looking for?

16 MR. FREDRIKSSON: Well I guess how I see

17 these are coming forward is, I think these are state

18 proposals, if I'm not mistaken.

19 MR. BAFFREY: That's correct.

20 MR. FREDRIKSSON: So this is Department of

21 Natural Resources. I would like.....

22 MR. BAFFREY: Two of them and two of them

23 are ADF&G.

24 MR. FREDRIKSSON: And ADF&G.

25 MR. BAFFREY: Right.

1                   MR. FREDRIKSSON: So we have four State  
2 proposals here, which to me are right now kind of a  
3 hodgepodge of everything. I see pink salmon, I see dolly  
4 varden, I see passive use, I see recreation, I see  
5 subsistence. And I would like to see a more directed --  
6 one of the things I mentioned earlier today was the  
7 habitat acquisition catalog and what the heck have we done  
8 with an investment of 400 million dollars. I think we've  
9 done some good things but nowhere have I see us actually  
10 characterize that in terms of what that contribution was in  
11 to restoration. And I think we have a chance here to  
12 better position ourselves. And unfortunately, we don't  
13 have the habitat catalog. To a certain extent, I feel a  
14 little bit like we're flying blind from what we had said  
15 earlier on in the IGD.

16                   CHAIRMAN CAMPBELL: Okay. Let me ask, do  
17 we have a second now?

18                   (No audible responses)

19                   CHAIRMAN CAMPBELL: If we don't have a  
20 second, that motion dies for the lack of a second. Do we  
21 have any other motion on these parcels?

22                   (No audible responses)

23                   MR. O'CONNOR: I guess the other is that we  
24 would move forward with the appraisal and HAZMAT inspection  
25 on them.

1                   MR. BAFFREY: That's the next step in the  
2 process. It's everything, it's the whole due diligence up  
3 to the point of offer.

4                   CHAIRMAN CAMPBELL: Craig, are you making  
5 that motion?

6                   MR. O'CONNOR: Yes, I will.

7                   CHAIRMAN CAMPBELL: Is there a second?

8                   MS. PEARCE: I'll second.

9                   CHAIRMAN CAMPBELL: Okay. There is a  
10 second. Further discussion? Joe.

11                  MR. MEADE: I, like Kurt -- and I'm  
12 probably the one that's flying blind.....

13                   (Laughter)

14                  MR. MEADE: .....but I, like Kurt, see a  
15 real high value in these properties. And I also see real  
16 potential human services to these properties. I guess my  
17 interest would be to learn if this is going to be in the  
18 State's interest to move forward with these. And if it is  
19 in the State's interest, then I think the investments that  
20 are called for in the duration here ahead for the HAZMAT  
21 and the other elements for the evaluation are a good  
22 investment.

23                   But it really for me would rest on the  
24 interest with the State to move forward with these four  
25 recommendations, outlining the benefits that Kurt has

1 highlighted. But let's not chase money now if there's not  
2 sincere interest to culminate.

3 CHAIRMAN CAMPBELL: Okay. Drue and then  
4 Dave.

5 MS. PEARCE: Whether we move forward or not  
6 is not as important to me as we just approved a revised and  
7 updated small parcel process last fall. And I'm just  
8 curious, what has changed? We gave the staff direction, we  
9 had our criteria, we said here's what we have to have  
10 before we'll move forward with the small parcel project.  
11 So dutifully, they've come forward. And now suddenly  
12 there's kind of a whole new thought process going on. And  
13 I'm just trying to figure out what changed from last fall  
14 to May that we need to wrap something else into these? I  
15 don't understand.

16 CHAIRMAN CAMPBELL: Dave.

17 MR. MARQUEZ: I had the same question. It  
18 seems like we just approved something in December and are  
19 we -- is it your intent, Kurt, to change direction from --  
20 assuming that the process has been followed, now it's --  
21 and they're all State programs and, you know, it's the  
22 State people that seem to be having some reticence about  
23 it.

24 CHAIRMAN CAMPBELL: And.....

25 MR. MARQUEZ: And are we changing the

1 process? And if so, I think we ought to do that purposely.

2                   MR. FREDRIKSSON: Yeah, if I might. What  
3 has changed is we haven't seen -- well, I guess what had  
4 changed is we haven't seen the products that the interim  
5 guidance document promised. We haven't seen the updated  
6 status list, which according to the restoration plan was to  
7 guide our annual investments. We haven't seen the habitat  
8 acquisition catalog that was to guide our future investment  
9 in properties, whether small or large. So it's not that I  
10 am reticence with respect to the purposes that I believe  
11 habitat acquisition is a legitimate restoration tool, it's  
12 just in the application of that tool we've committed to a  
13 process that we just are ahead of ourselves in terms of  
14 asking to sign off in investments.

15                   Now with respect to this particular -- and  
16 I'd be willing to, if you will -- my major problem with  
17 this right now is I see a laundry -- I basically see  
18 something that's written as, let's have these parcels  
19 because it will take care of all restoration needs. And I  
20 guess I don't think that's necessarily true. If we go down  
21 this path and that this small parcel is to do further  
22 assessment of the parcels, I would like to see an  
23 assessment of specifically what kind of res -- what is the  
24 restorative value of this property to an injured human  
25 service or resource.

1                   CHAIRMAN CAMPBELL: Yeah.

2                   MR. FREDRIKSSON: Because I just don't see  
3 it in what's been written here.

4                   CHAIRMAN CAMPBELL: Let me speak to it  
5 briefly. I do feel that these projects have been brought  
6 forward in compliance with the procedures that we adopted  
7 last December. I also think it's important that we are  
8 simply taking the first step here. We are not purchasing  
9 these projects at this time. We are doing assessments,  
10 hazardous waste assessments, et cetera, and appraisals. I  
11 think that it would be very appropriate if we were to  
12 proceed at this time to ask the relevant agencies and  
13 sponsors to bring forth additional information when we are  
14 faced with the issue of purchase.

15                  MR. FREDRIKSSON: Uh-huh. (Affirmative)

16                  CHAIRMAN CAMPBELL: But I guess I do hope  
17 we can proceed at this stage though.

18                  MR. BAFFREY: And if I may add to that.  
19 The decision I think that you really have to make with your  
20 concern is when everything is ready to make an offer. And  
21 at that point, I think you'll have all the information you  
22 need to make a -- I think it's a statement to the process  
23 and all the work that went into developing that process to  
24 stop it before you get to that point. And that's all I'm  
25 asking you, is to make that next step to get to the point

1 of decision.

2 CHAIRMAN CAMPBELL: Let me ask you again  
3 because I'm concerned about time. Is there additional  
4 discussion we need before we call for the question?

5 (No audible responses)

6 CHAIRMAN CAMPBELL: Okay. Is there  
7 objection?

8 (No audible responses)

9 CHAIRMAN CAMPBELL: No. Without objection  
10 then, the motion passes. And let me ask quickly, Michael,  
11 I believe the Trustee travel funds is not something that's  
12 going to require our action, right? But simply.....

13 MR. BAFFREY: It will take.....

14 CHAIRMAN CAMPBELL: It is?

15 MS. PEARCE: Yeah, we have to act.

16 MR. BAFFREY: .....a motion.

17 CHAIRMAN CAMPBELL: It will take a motion.

18 MS. PEARCE: I think I've changed my mind.

19 I don't want to come back.

20 (Laughter)

21 MR. BAFFREY: And I can speak real quickly  
22 to that.

23 CHAIRMAN CAMPBELL: Okay. Yeah, why don't  
24 you speak to it quickly and we'll just address it.

25 MR. BAFFREY: And I've lost it in the

1 paperwork. The motion would be for 48,000 [sic] -- 48,000.

2 Four thou -- 4,800.....

3 MR. MEADE: 4,000.

4 MR. BAFFREY: .....for DOI, 3,000 for  
5 ADF&G, and 1,000 for DEC above what has been allocated in  
6 the budget. The travel costs, you guys have had more  
7 meetings than you anticipated, so that's additional cost  
8 that you will need and I recommend that somebody make the  
9 motion and second it. It's just logistics.

10 CHAIRMAN CAMPBELL: Is there a motion to  
11 approve the numbers as Michael read them? We don't need to  
12 recite them. Joe.

13 MR. MEADE: I make a motion to approve the  
14 numbers as Michael has cited them and to note the  
15 efficiencies in USDA in its non-claim.

16 (Laughter)

17 MR. MARQUEZ: Same with the Department of  
18 Law. I don't see any money.....

19 MS. PEARCE: So noted.

20 MR. MARQUEZ: .....from the Department of  
21 Law.

22 CHAIRMAN CAMPBELL: Is there a second  
23 to.....

24 MR. FREDRIKSSON: I second that.

25 CHAIRMAN CAMPBELL: All right. Is there

1 any objection to the motion?

2 (No audible responses)

3 CHAIRMAN CAMPBELL: No.

4 MR. O'CONNOR: I would like to offer an  
5 amendment to the motion.

6 CHAIRMAN CAMPBELL: Yes.

7 MR. O'CONNOR: I would like.....

8 CHAIRMAN CAMPBELL: Well, just pay us,  
9 because we will retreat if you wish.

10 MR. O'CONNOR: Well, I want to -- whatever  
11 you -- I need some bread too.

12 (Laughter)

13 MR. O'CONNOR: Somewhere between Drue and  
14 -- no, somewhere in that range but I don't how much and I  
15 don't know how I'm going to get it. But any ways.....

16 CHAIRMAN CAMPBELL: Would you like to make  
17 an additional motion to however much you need?

18 MR. O'CONNOR: There's not enough money in  
19 the world to bring me back here.

20 (Laughter)

21 MR. FREDRIKSSON: Is this something we can  
22 approve later by email?

23 CHAIRMAN CAMPBELL: No. We'll do it now.

24 MR. BAFFREY: No, we'll have to do it -- you know,  
25 but there is -- you could do a conditional.....

1                   CHAIRMAN CAMPBELL: Craig, can we give you  
2 an amount to.....

3                   MR. FREDRIKSSON: Yeah. Well, what we had  
4 used to calculate was an additional three meetings before  
5 what.....

6                   MR. BAFFREY: That's what DOI used also.

7                   MR. O'CONNOR: Okay. That would be roughly  
8 \$4,500 at the rate it's.....

9                   MR. BAFFREY: So add that to the motion?

10                  CHAIRMAN CAMPBELL: Yeah.

11                  MR. BAFFREY: Okay.

12                  MR. MEADE: And I would second that.

13                  CHAIRMAN CAMPBELL: Then any objection now  
14 -- is that all right? Then the last thing we have is  
15 executive session, if necessary. Drue, do you wish to  
16 speak to that?

17                  MS. PEARCE: Yes, it was my intention to  
18 make a motion to go into executive session to discuss legal  
19 issue and I would -- when I make that motion it's my  
20 intention that Mr. Baffrey and Gina stay with us. I don't  
21 think we need anyone else. We don't have Craig by phone,  
22 right? Craig Tillery?

23                  CHAIRMAN CAMPBELL: No.

24                  MR. O'CONNOR: Do we have Rita?

25                  MS. PEARCE: Pardon?

1 MR. O'CONNOR: Is Rita on?

2 MS. PEARCE: Rita, are you on?

3 MS. LOVETT: Yes, I am.

4 MS. PEARCE: Okay.

5 CHAIRMAN CAMPBELL: Okay, we'll make a --

6 call her back.

7 MS. PEARCE: We can call you back if you'll

8 tell me your number.

9 MS. LOVETT: 269-5283.

10 CHAIRMAN CAMPBELL: Okay.

11 MS. PEARCE: 5283. Stay right there and

12 we'll call you back, so.....

13 CHAIRMAN CAMPBELL: And Drue, is it my

14 understanding that when we come back from executive

15 session.....

16 MS. PEARCE: We will not need to take

17 action. So we'll.....

18 CHAIRMAN CAMPBELL: .....you do not

19 anticipate any further action?

20 MS. PEARCE: Our only activity would be

21 adjourning.

22 CHAIRMAN CAMPBELL: Did we have a second?

23 MR. O'CONNOR: Second.

24 CHAIRMAN CAMPBELL: Second. Craig, okay.

25 So we're about to go into executive session. When we come

1 back from executive session our only anticipated action is  
2 to adjourn. So thank you all.

3 (Off record - 3:28)

4 NOTE: The Council came out of executive session at 4:00  
5 p.m. and adjourned without taking further action.

6 (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 241 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Meeting recorded electronically by me on the 23rd day of May 2006, commencing at the hour of 8:42 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 24th day of April 2005.

SIGNED AND CERTIFIED TO BY:  
\_\_\_\_\_  
Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 03/12/08