

**EXXON VALDEZ OIL SPILL**

**TRUSTEE COUNCIL**

**Public Meeting  
Friday, February 4, 2005  
9:00 o'clock a.m.**

**441 West 5th Avenue, Suite 500  
Anchorage, Alaska**

TRUSTEE COUNCIL MEMBERS PRESENT:

U.S. DEPARTMENT OF COMMERCE,      MR. JAMES W. BALSIGER  
National Marine Fisheries Svc:    Administrator, AK Region  
(Chairman)

STATE OF ALASKA - DEPARTMENT      MR. DOUG MECUM for  
OF FISH AND GAME:                    Acting Commissioner  
Wayne Reglin

STATE OF ALASKA -                    MR. GREGG RENKES  
DEPARTMENT OF LAW:                  Assistant Attorney General  
State of Alaska

U.S. DEPARTMENT OF AGRICULTURE,   MR. JOE MEADE  
U.S. FOREST SERVICE                  Forest Supervisor  
Forest Service AK Region

U.S. DEPARTMENT OF INTERIOR:      MS. DRUE PEARCE  
Senior Advisor to the  
Secretary for Alaskan  
Affairs,  
U.S. Department of Interior

STATE OF ALASKA - DEPARTMENT      MS. KURT FREDRIKSSON  
OF ENVIRONMENTAL CONSERVATION:    Acting Commissioner

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TRUSTEE COUNCIL STAFF PRESENT:

MS. GAIL PHILLIPS	Executive Director
MR. RICHARD DWORSKY	Science Coordinator
MS. CHERRI WOMAC	Administrative Assistant
MS. PAULA BANKS	Administrative Assistant
BRYN CLARK	Research Analyst
MR. MIKE SCHLIE	Data Systems Assistant
MR. MICHAEL BAFFREY	Department of Interior
MS. CAROL FRIES	AKDNR
MR. TIM OBST	General Council's Office Department of Agriculture
MR. STEVE ZEMKE	U.S. Forest Service
MS. GINA BELT	Department of Justice
MS. DEDE BOHN	U.S. Geological Service
MR. BRETT HUBER	ADF&G
MS. CARRIE HOLBA	ARLIS Librarian
DOUG MUTTER	Department of Interior
PETE HAGEN	NOAA

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P R O C E E D I N G S

(On record)

CHAIRMAN BALSIGER: Good morning, everyone. I think we can start the meeting. This is Jim Balsiger, I'm NOAA's Trustee on the Trustee Council right now. All six actual Trustees here, although, Mr. Mecum, are you the actual Trustee or are you a stand-in?

MR. MECUM: Alternate, I believe.

CHAIRMAN BALSIGER: You're an alternate. That was what I was searching for. So thanks for coming together. I have agreed to chair this meeting. My chairman skills aren't that great so please tolerate my stumbling a little bit.

The first order of business is to approve the agenda. Is there any comments on the agenda?

(No audible responses)

MS. PEARCE: Motion to approve.

CHAIRMAN BALSIGER: Motion by Pearce to approve the agenda.

MR. MECUM: Second.

CHAIRMAN BALSIGER: Second. Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, we shall approve the agenda. The second agenda item is to approve the minute -- meeting notes from December 10th Trustee Council meeting. Are there any comments on those minutes?

MR. MEADE: So moved.

CHAIRMAN BALSIGER: I have one question on it. I notice that they start off by saying Trustee Council meeting notes and it says by Kevin Duffy. I think Kevin chaired that so does that mean that the chair has the responsibility to produce these notes? If not, good, because I wasn't going to do that. So I heard a motion to approve those.

MR. FREDRIKSSON: Second.

CHAIRMAN BALSIGER: Any comments or questions? Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, we will approve those.

MR. MECUM: Well.....

CHAIRMAN BALSIGER: I'm sorry. Mr. Mecum.

MR. MECUM: Well, we had a couple of comments from staff under Item 4. It says Konar-Iken additional funds should be -- the motion should be reworded. I honestly haven't had time to look at that to see how it should be reworded. And then under number 7, this is just sort of a housekeeping thing, that the motion didn't show a maker or a second. But those would just be some minor amendments.

CHAIRMAN BALSIGER: So these would be viewed as non-substantive comments?

MR. MECUM: Right.

CHAIRMAN BALSIGER: So is it the sense of the Trustees that those can be taken care of by staff post-meeting and we don't need to reconsider a motion? Okay, thank you. We will do that then.

That does then bring us to our public comment period. My watch has exactly 9:15 as is scheduled. My watch might be a little fast but.....

UNIDENTIFIED SPEAKER: It is 9:15 a.m.

MR. FREDRIKSSON: We have confirmation on that.

MR. MEADE: No, mine's fast too.

CHAIRMAN BALSIGER: In that case, let's start with public comments and we will start with those on the list that I have on front of me, which are people on the phone line. The first person on my list is a Larry Evanoff from Chenega Corporation. Mr. Evanoff?

(No audible response)

CHAIRMAN BALSIGER: Number 2 on the list is Stacy Studebaker from Kodiak. Ms. Studebaker?

MS. STUDEBAKER: Yeah, I'm here. I'm here but I'll save my comments until the question and answer period for the PAC.

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN BALSIGER: Yes, please.

MS. PHILLIPS: That's an action item to be taken by the Council today, it's not necessarily part of the agenda for today because the Council has not taken

action on that particular issue yet.

CHAIRMAN BALSIGER: Yes, Ms. Studebaker, I was struggling for explanation as well. I know that the Trustee Council has been asked to provide at its meetings a question and answer period. We haven't debated that yet. It's possible we could debate that, discuss it and approve it, and then we would have a, even at this meeting, a question and answer period. But in the event that that motion should not be made or failed, there might not be a question and answer period. So with that in mind, perhaps you would like to reconsider whether you want to make a statement now. I should have asked at the start, since we have a fairly long list, that we limit our public comments at this point to three minutes each. So, Ms. Studebaker, would you like to comment?

MS. STUDEBAKER: Okay, I just want to say that since the very controversial meeting last August, the Trustee Council meeting where the 2005-2007 work plan was approved, the way that was done has created so much concern, I'll say, in the scientific community and the public that I think -- I attended whole symposium last week, the whole marine symposium, and I mean, I heard so many, so many people voicing concern about that. And I think that the Trustee Council should consider that they're in a mode of massive damage control at this point. And it would certainly behoove the Trustee Council and the whole GEM program for the Trustee Council to consider some very

clear statements to the public as to, you know, where we're going with the GEM plan.

And I think that the Trustee Council owes that to the public, owes it to the scientific community, to express loud and clear how you intend to proceed in your deliberations for future proposal work plans and how you presently view the direction of the GEM plan. And I guess that's all I have to say right now. Thank you.

CHAIRMAN BALSIGER: Thank you very much. Questions from the Trustees. If there are questions from the Trustees, please get my attention at the end of each person. Number 3 on the list is Craig O'Connor from Seattle. Number 4 is Bob Spies.

MS. PHILLIPS: Mr. Chairman, Bob Spies will be here for the lingering oil presentations. Thanks.

CHAIRMAN BALSIGER: Today?

MS. PHILLIPS: Yes.

CHAIRMAN BALSIGER: So does this.....

MS. PHILLIPS: He'll be online.

CHAIRMAN BALSIGER: Online, I see.

MS. PHILLIPS: Yes.

CHAIRMAN BALSIGER: Number 5 is Ken Adams from Cordova.

MR. ADAMS: Mr. Chairman, could you hear me all right?

CHAIRMAN BALSIGER: We hear you loud and clear, Mr. Adams.

MR. ADAMS: Thank you, sir. Good morning, Executive Director Phillips and members of the Council. Thanks for the opportunity to offer a few comments. You'll notice on the agenda, item number 6, miscellaneous items, there is a letter addressed from me that also contains the comments of my partner, Mr. Ross Mullins, in a project that we've undertaken with your support. The project we're currently involved in is planning for the implementation of the pink salmon fry survival model. In the aftermath of the December 10th meeting that both Mr. Mullins and I attended, we were both surprised that a comment was made on the part of the Trustees that there was a recommendation not to go forward with this implementation. This is quite surprising because the proposal itself was directly responsive to quite a few criteria that were issued by the staff and Council.

And in the FY05 invitation, there was the implicit understanding that we would proceed with the one year planning effort, followed by a two year implementation effort. So to have come this far and not to proceed with the actual implementation, we felt would have been tragic. So consequently, I contacted every Trustee member, with the exception of Trustee Pearce, whom I couldn't reach at the time. And I explained the merits of the project and I think I helped to explain the project a little better. And there was a little more understanding and appreciation of it. And at this time I would just request that you give

consideration for providing some opportunity for the advancement of this project in the FY06 invitation.

And I also, as Ms. Studebaker mentioned, also, as a member of the public and a stakeholder in the spill impacted area, am very much concerned about the direction that the Trustee Council would take with respect to GEM. And again, we view GEM as a very positive legacy. It's tremendous importance, tremendous value to us stakeholders in the spill impacted area and we would urge your full consideration and full support for not just maintaining but enhancing this program. And we understand there's a bit of a funding crunch right now and we hope we can all keep strapped in our seats and endure the ride but not lose vision. Not lose track of the value of this important program.

And that will conclude my comments, just with respect to one final remark, that I would urge you to have a look at that letter that is included under miscellaneous items. If there's any further question about the project that I call to your attention. Thank you very much.

CHAIRMAN BALSIGER: Thank you, Mr. Adams.

MR. ADAMS: And I'll just add, we have another member from Cordova this morning, Tori Baker.

CHAIRMAN BALSIGER: Yes, I have her on my list but she's not next, so I'll get to her shortly, if that's all right.

MR. ADAMS: Okay, she's here.

CHAIRMAN BALSIGER: Thanks. Comments?

(No audible responses)

CHAIRMAN BALSIGER: On my list, yet another person from Cordova, is Nancy Byrd. Is Ms. Byrd there?

MR. ADAMS: Nancy is not here at this time. She will join us a little bit later but she's not present to make public comment.

CHAIRMAN BALSIGER: Okay, in that case, Mr. Adams, you get your way and Ms. Baker can be next.

MR. ADAMS: Thank you, sir.

MS. BAKER: Good morning, you all. I have no testimony at this time. I am Tori Baker, I'm a member of the Public Advisory Committee and just checking in. Thanks.

CHAIRMAN BALSIGER: Thank you for listening. Next on the list would be Ross Mullins, also from Cordova. R.J. from Cordova?

(No audible response)

CHAIRMAN BALSIGER: Is there a Bob Shavelson from Homer?

MR. SHAVELSON: Yes, here.

CHAIRMAN BALSIGER: Would you care to make comment?

MR. SHAVELSON: Yes, I would, Mr. Balsiger, thank you. My name is Bob Shavelson, I'm the Executive Director at Cook Inlet Keeper. Thank you for the

opportunity to comment. I'll be brief with my remarks. I just want to pass along that I've been very disappointed or maybe I should say greatly concerned with the recent Council actions. I don't think my concerns are unique, there's many people in the scientific and the public interest community that share these concerns. I don't have the time here to recount all of them but two of them stand out, one of them as was referenced earlier by a comment, was the Council's process, starting with its August 2004 meeting where the plainly violated its own procedures by making deliberations behind the scenes and then failing to discuss those deliberations in a public manner, it left the scientific community and the public in the dark as to the basis for those decisions and really cast a pall over the Council and the way it does business. And today when we have ethical matters in the newspapers on a daily basis, I think it's incumbent on all of us to make sure we have an open and deliberate and transparent process with this decision making.

Next I just want to say -- and I understand the recent firing of the science director is a personnel matter that can only be discussed in the closed session, but I have to say that I keep myself pretty well plugged into the things that go on around here and it appeared to be overtly political move. And I don't think it's any secret to anyone that politics and science rarely mix too well and I would just hope that we can engage in a

direction now that's going to look at the merits of science and try not to drive things in a manner that's going to reflect some political ideologies rather than sound science.

With that said, I'd like to commend Dr. Mundy on his performance with the Exxon Valdez Trustee's Council. I think he did an invaluable job. I think everyone I've spoken with speaks very highly of his work and they credit him for pushing the science program and the GEM program in a wonderful direction.

Finally, I'd just like to wrap up and thank the members of the Scientific and Technical Advisory Committee and the Public Advisory Committee for the hours that they put in and I hope that the Council will seriously consider all the effort that these folks put in to making this process work and carefully consider the opinions of those people when they make decisions and not simply ignore them in the process. I understand from letters that have come from the Council that there's efforts to revise the science plan and I understand that would include looking at the GEM very closely and we'd like to stay plugged into that very carefully. And I'll conclude my comments there. Thank you very much.

CHAIRMAN BALSIGER: Thank you, Mr. Shavelson. Is there any -- is Mr. Evanoff online? Is there anyone else on line who would like to make a public comment?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, is anyone in the room here who would like to comment on the record?

(No audible responses)

CHAIRMAN BALSIGER: Seeing no comments, public comments will be closed at 9:27 by my watch, which people tell me is fast. Our next agenda item is the Executive Director's report. Ms. Phillips.

MS. PHILLIPS: Thank you, Mr. Chairman. A few little housekeeping notes to begin with. For any of you that might need to have a private office or to use a little space during our breaks, there's a little tiny office right next door that has a phone in it and you're welcome to use that office. Also, right over in this office will be coffee and rolls whenever anybody would like. And I'd like to just let you know that our new front desk person is a temporary person for the next couple of weeks, her name is Robin. So when you walk out, please make sure and greet her.

The first item under my Executive Director's report is the introduction of our new EVOS staff member, Bryn Clark. Bryn, if you would stand up, please. Bryn is a geologist. She received her master's degree from the University of Wyoming and her bachelor's from Colorado College. She was hired as our research analyst. She'll be working on science management and data management issues. She'll be our project manager for all the EVOS studies,

responsible for quarterly and annual reports from the PIs. She'll help organize all the old data reports that are on our computer and will help to update and maintain our reports on the website. She'll assist in preparation of the annual invitation and provide leadership to principal investigators and the agencies. She'll also be our lead staff person to the staff. So we're very pleased to have Bryn on board and her qualifications are very good.

CHAIRMAN BALSIGER: Yes, are these -- this Executive Director minutes in here are from the report on December 10th, is that correct?

MS. PHILLIPS: Yes.

CHAIRMAN BALSIGER: So this material you're reading now is not in our binders?

MS. PHILLIPS: That's right. These are my notes so I don't forget to say something.

CHAIRMAN BALSIGER: In that case, would you tell me Ms. Clark's first name again?

MS. PHILLIPS: Bryn, B-R-Y-N.

CHAIRMAN BALSIGER: Thank you.

MR. MECUM: Well, you obviously made a good hire, hiring someone who graduated from the University of Wyoming like I did.

MS. PHILLIPS: Good. Glad to know that.  
Thanks.

MR. MECUM: Go cowboys.

MS. PHILLIPS: Our next item on the agenda

is a report from our ARLIS librarian, Carrie Holba, and I'd like Carrie to come forward and give her report.

MS. HOLBA: Good morning. My name is Carrie Holba. I'm the Trustee Council funded librarian at Alaska Resources Library and Information Services, ARLIS. Last summer ARLIS moved to new quarters in the new library complex on the UAA campus. The new addition houses the UAA/APU Consortium Library, the Health Sciences Information Service, and the Alaska Moving Images Preservation Association. ARLIS occupies renovated space in the old portion of the building. ARLIS was closed for one month during the move. We moved out of our old location by our August 31st deadline and reopened in the new location on September 7th.

The new space is larger and more attractive, however, we've had a few building problems. The electrical power supply to the wall where most of our equipment is located proved to be insufficient. We had to temporarily relocate our photocopiers and use only one of our three microfilm reader/printers, which was shared by staff and library users. The problem was finally corrected two weeks ago and we now have adequate power to that wall.

We have no exterior or interior signage to direct library patrons to ARLIS when they get to the campus or once they are inside the library complex. According to our relocation agreement with UAA, the university must provide this. We are currently using paper signs and flip

chart easels to mark the entrances to ARLIS. Our patrons have free parking in the UAA parking garage but there are no signs to direct them to the library from the garage. ARLIS staff has put up a series of 20 paper signs to mark the way to ARLIS but the UAA facility staff have removed them because they are unofficial.

Steve Rollins, director of the UAA library, has accepted a bid from a local contractor for interior signage and we hope that will be in place sometime this year. The exterior signage falls under the university's overall signage plan, which is done in phases. And we may not have exterior signage for another year.

Our relocation agreement with UAA states that UAA must provide new furniture in the public areas of ARLIS. To date, we have received new study carrels, new work tables, and most of the new chairs. We are still waiting for the new computer tables and the rest of the chairs. We're using folding tables in the interim. The designer says she has not ordered the furniture because there is no money left but Steve Rollins is following up on this.

Our biggest building problem is security. The library complex has an open floor plan. This design allows library patrons to move easily between ARLIS and the Consortium Library while visually defining each library. However, the design does not provide doors to secure the ARLIS place when the library is closed. Due to budgetary

constraints, ARLIS is not staffed all the hours the Consortium Library is open. Without doors to lock the four entrances when the library is not staffed, the ARLIS collection is vulnerable to theft or damage. The university would not change the design nor allow ARLIS to purchase and install doors or security grills.

As a compromise, the ARLIS Founder's Board provided funding for locking high density shelving to house those items that are unique, rare and irreplaceable, some of which are available nowhere else in the world. These materials are secured in the locked shelving when ARLIS closes each day, while the rest of the collection remains accessible to patrons all the hours the Consortium Library is open. The shelving has 10 double-sided rows, each row is 30 feet long. The shelves have handles that allow them to be rolled tightly together and locked with a lock at one end. Since ARLIS reopened five months ago, this special collection shelving has been broken into seven times. We have no way of knowing if anything has been stolen or if it is simply vandalism. This would require us to do a complete inventory of the special collections after each break-in and we do not have the staff to do that.

In addition, some of the material in these shelves is archival in nature, papers contained in boxes or binders. Pieces could be missing and not show up on an inventory. We are now on our third set of locks and each one has been stronger than the last. UAA is now paying for

the locksmith work and has promised to pay for any other break-in related expenses. Prior to the move, UAA promised security patrols through ARLIS on evenings and weekends when ARLIS is not staffed. We finally succeeded in getting those on a regular basis in January. These are done by students and we now require them to sign in on a log sheet each time they do a patrol. The comments they provide on the log sheet have been helpful in determining when the break-ins are occurring.

Initially the campus police did not consider the forced locks to be break-ins but rather weak or faulty locks. They would not file a report until the fifth break-in occurred. On Wednesday, January 26th, after the sixth break-in, at Steve Rollins' request, campus police installed a covert surveillance camera. The last three break-ins occurred on Wednesday evenings, so they turned the camera on that evening. We were told not to use the stronger locks because they might deter the perpetrator and they wanted to catch the person. No break-in took place that evening.

The next break-in was on Sunday evening, January 30th. Due to the short life of the camera batteries, which last only about one and a half days, there was no surveillance tape to review. I was told by campus police that they would expedite the purchase of batteries with at least a three day life and replacements that could be used while the batteries recharged.

There have been some other smaller problems. Someone has activated the chimes on the visitor counters that we have at each entrance. We don't use the chimes because of the noise factor, we only used the counters to count our visitors. So we keep the chimes turned off. But on six or seven occasions they have been turned on during the evening and were on when I came to work the next day. This did not coincide with the break-ins, however.

Someone used a black marker to mark a five inch X on one of the wooden end panels on one row of shelving. The X is about six feet up from the floor and we were able to scrub most of that off. UAA has had some problems too. There have been minor thefts and vandalism in a break room. And several weeks ago, a patron was accidentally locked in the building at closing because the security sweep was not thorough.

As part of ARLIS's funding for FY05, the Trustee Council kindly provided \$30,000 for a security camera system. We are currently working on the bid process to purchase this system. We are researching equipment options, contacting other libraries about their systems, and working with the Fish and Wildlife Service warehouse manager who will show us his system and look at ARLIS to give recommendations for our system.

We are monitoring library usage to see how it has changed in our new location. Usage by UAA students

and faculty more than doubled in September. When the statistics for the first quarter of FY04-FY05 are compiled, we'll have more detailed information to report. Thank you.

CHAIRMAN BALSIGER: Thank you, Ms. Holba.  
Are there questions from the Trustees?

(No audible responses)

CHAIRMAN BALSIGER: Do we have a copy of that report here? I didn't see it.

MS. PHILLIPS: No, but we will. We'll give that to the Trustees.

MS. HOLBA: What I just read?

CHAIRMAN BALSIGER: Yes.

MS. HOLBA: Yeah, I can provide that.

MR. RENKES: Are you satisfied with the potential -- excuse me, I just had a bite of muffin when he said are there any questions. But it's my fault. Are you satisfied with the plan going forward, that we're going -- that the collection is going to be protected?

MS. HOLBA: Not at this time.

MR. RENKES: Sure doesn't sound like it.

MS. HOLBA: No. No, we're quite concerned.

MR. RENKES: Yeah.

MS. HOLBA: Every time we walk in, in the morning, you know, we don't know what we're going to face. And we've been lucky -- we think -- you know, we can't identify any loss except for one report. There was one Fish and Game report that we found, the cover was empty,

the pages had been removed. And unfortunately, it was one of those reports that isn't available anywhere else. So we are concerned about the security.

MR. RENKES: It doesn't sound like the university has been as helpful as they could be along the way.

MS. HOLBA: I believe that's correct.

MR. RENKES: Is there anything the Trustee Council can do to assist you with your relationship with the university to try to get more assistance or security procedures or equipment or.....

MS. HOLBA: It would help if the Council would express their concerns to the university. That would, I believe, that would help. The management team at ARLIS has complained consistently. Our Founder's Board has met and, at the last Founder's Board meeting, January 14th, they reviewed the situation and decided that as we do these additional measures, if they prove to be insufficient, they want to revisit of having doors installed on all four entrances. And if that is something that the Trustee Council could support, we would appreciate the Trustee Council conveying that to the university.

MR. RENKES: Mr. Chair, I'd like to suggest that we task the Executive Director with drafting a letter on behalf of the Council members to the president of the university and the chancellor or new chancellor. I guess that's today, huh? And expressing a little bit of this

history and the concerns that are presented in the report and then asking for some assistance going forward. Maybe that might help.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: Was their not wanting you to put the doors in, is that a design thing because they wanted an open design or what was their reason?

MS. HOLBA: It's partially a design issue. The four entrances to ARLIS, there's one, kind of what we consider the main entrance, it's off the main street, which is the aisle between the two buildings, the old one and the new one. There's a side entrance off another hallway. There's an entrance from a stairwell that comes from the second floor. And there's another entrance off a hallway that has an elevator and another stairway.

We wanted doors on all four locations and the university did not want to block the flow of traffic through the elevator and the stairway from the second floor to the first floor. However, our patron counters indicate that that traffic is minimal. The stairway entrance gets anywhere from four to twelve entrances in any 24 hour period. So it's not highly used. And those entrances could be blocked off at 5:00 o'clock each day. Used during the day but blocked off evenings and weekends in some manner. Quite some time ago before the building was built and we were looking at plans, we talked to the architects and they said that that was possible without violating any

codes or anything. So it is possible.

CHAIRMAN BALSIGER: Well, I don't believe that we're capable here to design it without seeing pictures of the stairwells, et cetera. So we appreciate your concerns and I don't know if you've finished.....

MS. PEARCE: I was just going to say, it's unacceptable that the collection be at risk because so much of it is not -- are things that we absolutely cannot copy or get again in any way shape or form. So I would hope that -- a letter, I think, is a good idea on behalf of the Trustees but I also think it might be useful if the Executive Director would call the director of the -- whoever is head of the library.....

MS. HOLBA: Steve Rollins.

MS. PEARCE: .....and begin a dialogue and strongly point out that this is just not acceptable.

MS. PHILLIPS: Mr. Chairman, Mr. Rollins and I have had this discussion for about the last six months and unfortunately, the ARLIS library is governed by the Founder's Board. I was the only member of the board that pushed for the security doors to be put in in the first place. And we said, you know, they could be glass, so there's clear view, or they could be a metal gate that just comes up and down in the evenings. Nobody else on the Founder's Board would agree to it. The university was adamantly opposed. After our last meeting and the last series of break-ins, we finally got the Founder's Board to

say, okay, if there's one more incident happen, we're going to take some kind of action. So we're moving towards it, unfortunately we've had the loss and no support from the other members of the Founder's Board until now.

MR. MECUM: Who else is on the Founder's Board?

MS. PHILLIPS: Carrie, do you want to give.....

MS. HOLBA: Steve Rollins is the representative for the university, he is the designated representative for the chancellor. We have John Gall from MMS. We have a representative, Leslie Holland-Bartels from USGS. Diane Young from the National Park Service. Robin Willis from ADF&G. And Richard Hannan from Fish and Wildlife Service. And Gail, from the Trustee Council.

MS. PEARCE: Well, I can fix four of those.

MR. MEADE: I was going to suggest that agencies could be in contact with their agency representatives as well perhaps contact with the chancellor to encourage the university to have a higher level of recognition.

MS. HOLBA: Greatly appreciate that.

MR. FREDRIKSSON: Yeah, we'll deal with it.

MR. MECUM: That's why we asked the question.

CHAIRMAN BALSIGER: Well, I think those are all good ideas. Then is it the sense of the Trustees that

we would like Mr. Renkes' letter to be drafted as well? We don't need a motion for that?

MR. MECUM: No.

MR. RENKES: Yeah, we'll do it.

CHAIRMAN BALSIGER: Okay.

MS. PHILLIPS: But I do have one question.

CHAIRMAN BALSIGER: Please.

MS. PHILLIPS: Do you still have the funds that would have allowed you to install the doors? Was that your money or was that.....

MS. HOLBA: That was money that Gail had considered using in lieu of the security cameras.

MS. PHILLIPS: So is it still sitting somewhere?

MS. HOLBA: We haven't spent it yet, no.

MS. PHILLIPS: Okay, great.

MS. HOLBA: So that money could be used for doors.

MS. PHILLIPS: Okay.

CHAIRMAN BALSIGER: Okay, thank you. Thank you, good report.

MS. PHILLIPS: Thank you, Carrie.

MS. HOLBA: Thank you.

CHAIRMAN BALSIGER: Ms. Phillips.

MS. PHILLIPS: The next item is Public Advisory Committee comments, question and answer period added to the Trustee Council agenda. In your packet you

have a letter from Pat Lavin listed -- it's under miscellaneous items. I sent out the letter to everybody when I received it and received favorable comments back from most of you that this would something that you wouldn't mind seeing placed on the agenda.

Basically what the Public Advisory Committee would like to have, is an opportunity for dialogue with the Trustee Council during the meeting, question and answer period, so that it's not just them making a comment and then no response from the Trustee Council. This would allow Trustee Council to have dialogue. And if you would agree with amending the agenda in the future to include this, I would recommend that it go right after public comment.

CHAIRMAN BALSIGER: Mr. Fredrick -- oh, Joe.

MR. MEADE: Mr. Chairman, I'd like to make a motion that we strongly encourage or that we do adopt a question and answer dialogue, that we strongly encourage that dialogue take place so that there is a good conversation about decisions and discussions that shape the issues that the Trustee Council must address. And I'd like to also include in that motion that we incorporate the opportunity for that question and answer dialogue to occur starting this session today.

CHAIRMAN BALSIGER: Is there a second?

MS. PEARCE: Second.

CHAIRMAN BALSIGER: Is there discussion?

Mr. Fredriksson.

MR. FREDRIKSSON: Yeah, I also got that letter, Gail, and thank you. I asked that this also -- I concurred with having this become an agenda item. I was a little surprised by the action item. The earlier draft had just shown it as an agenda item for discussion purposes and that would have been my preference. I'm not inclined to vote in the affirmative on this motion, and let me explain why. I think it's unnecessary, to be honest with you. I stood back and I thought, gosh, we have -- so we have foreclosed any communication with the PAC, is that how the Trustee Council has conducted its business to date? No, it hasn't. That has never been our intent. That, in fact, I then went back -- Molly McCammon, before she left, presented this -- we were all kind of in transition -- she provided a document that is substantial. A three-ring notebook of some maybe eight to 10 inches in thickness and it is very comprehensive. She did a very good job kind of going over all the rules and procedures of this council and included in that, I went over again the charter for the Public Advisory Committee.

And I just, for the Trustees, I'd like to read what the charter includes. Within the official -- under official to whom the Public Advisory Committee reports -- I won't read all this but the important section is, the Trustee Council's regular agenda shall include a

period during which the Public Advisory Committee representative or representatives may report on its activities, ask questions of the Trustee Council, and be available for questioning by the Trustee Council. I don't think it's necessary to vote to allow for question and answer when we already have a charter which provides for that and is already in existence. And I think this was signed when -- '02. It was signed by Secretary Gale Norton in October of 2002.

So I don't see action being necessary on this. I think what we need to do is work with the PAC, as I think we have through annual meetings and opportunities -- Gail, I've been real pleased. I think everybody has been pleased with the effort you've done to work with the PAC in terms of the meetings you had last week, for example. Those should continue. I think we all endorse that. And I'm very interested later on in this very agenda, in fact, we will hear from Dr. Gerster on behalf of the PAC resolutions and the PAC communication with this council. And I would just say that should be the opportunity for this exchange, I would think. It's consistent with the charter. So, for discussion.

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN BALSIGER: Ms. Phillips.

MS. PHILLIPS: There's just a slight variation in -- what you say is absolutely correct and that's why we do have a PAC chairman's report always under

the Executive Director's report. That fulfills the requirement in the documents. What the PAC is asking for is that additional people be able to speak. It's always been the PAC chair that gave the report. And they would like the opportunity for other PAC members to be able to speak with the Council or make comments or questions and answers.

MR. FREDRIKSSON: I guess I -- well, then I would start to question why have a PAC chairman. I guess I have yet to hear from Dr. Gerster this afternoon or this morning. I think we have a chairman there to take in all the input of the PAC members. We have opportunities for the PAC to come together and annually -- I know we have already had an annual meeting, I would encourage us doing that on an annual basis so that we can sit down with all the PAC members in an informal, if you will, setting to discuss where we're headed, where we've been, where we're going. And then try and keep our meetings here very focused on the action items and the information items we have on our agenda and use the PAC chair for purposes of coordinating actions from the PAC. And I just -- how many members do we have now on the PAC?

MS. PHILLIPS: Twenty.

MR. FREDRIKSSON: To think we would kind of open up these meetings to have as many as 20 people kind of get in a question and answer period just seems unnecessary to me.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: Just for clarification, and if I might in all due respect to Kurt's viewpoints, I believe as public servants, affording the ability, particularly in a Federal Advisory Committee process with a Public Advisory Committee, affording an opportunity to have full awareness and disclosure of perceptions, ideas and approaches is a real important principle. I feel that with the lack of clarification from the board dating back to the August meeting that was spoke to in public comment period earlier, the ability for mis-perceptions and misinterpretations of the motives of the board is fostered.

I long for the board to have an opportunity as we in brief did in our annual report to put forward a matter of public record on what our intent was back in that August meeting so that the reputation and integrity of the Trustee Council does not continue to erode by perceptions, versus the ability to have good dialogue and through that dialogue, awareness. So I wonder if it might be a compromise to agree to a specified period of time. Perhaps it would be 30 minutes, perhaps it would be 60 minutes at the conclusion of each of our Trustee Council meetings, four times a year.

So for those four meetings a year to afford that opportunity, those four hours or perhaps 30 minute increments, for a question and answer dialogue to be facilitated to ensure that as misunderstandings or

interpretations or perceptions are with the Public Advisory Committee, they have an active forum to be able to have dialogue with each of us and we can then through that reach, hopefully, good objective clarification. Again, I think communication is so critical. I think often what happens as public servants, certain actions are perceived by others to have certain intent and then you have a snowball effect that continues to erode public confidence in our roles. So that would be my persuasive discussion to offer to seek some compromise.

CHAIRMAN BALSIGER: Any other thoughts, comments from Trustees?

MR. MECUM: Jim.

CHAIRMAN BALSIGER: Mr. Mecum.

MR. MECUM: Well, I guess I'm agreeing with Mr. Meade and with Kurt. And I think they're both saying the same thing, they want to have full awareness and good dialogue and they don't want to have these mis-perceptions and misunderstandings about motives. It kinds of just gets -- ends up -- so everybody agrees on that, it ends up being how you do it in a process question.

And, you know, I'm new to this particular process but I would be concerned about the time that it might take and the expense that might be involved in having some kind of fairly significant or extensive facility to dialogue with a large number of PAC members. You know, I guess that's a question, do you really have the time and

funding to be able to even pull that off. I don't know.

MR. MEADE: If I might.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: I would just offer that as our Public Advisory Committee representatives do, each of us likely donate and contribute significantly to the time it takes for us to be prepared and come to these meetings. And I'd ask for the Public Advisory Committee to recognize and be aware of the fact that we all, like they, contribute significantly to help lead the efforts that we do. In turn, in due respect to the time they give, I feel we should afford them that opportunity for dialogue as well and that they each contribute significantly too.

I would suggest we can shape how that time is used. I suggested perhaps starting with a 30 minute block, four times a year. Through the fund system and the meeting forum we have here, so I think the impact to us would be potentially that 30 minutes in our agenda on a reoccurring basis, those four meetings a year. I would also advocate that I think the synergy it will create will save us time through the year and gain ourselves collective dialogue and synergy toward positive outcomes rather than misgivings.

CHAIRMAN BALSIGER: Thank you. Mr. Mecum.

MR. MECUM: I appreciate those comments and again, I mean, what your saying sounds good, it seems reasonable. Maybe one more question, and that is, when

you're in these kinds of forums, even if you do provide that kind of dialogue, often times it ends up being somewhat stilted and somewhat formal and I'm not really sure how open and -- that kind of communication ends up being. You know, it certainly could improve things but I think what Kurt is offering and I would agree with Kurt is the opportunity, at least on an annual basis, to have a much more extensive, much less formal dialogue to try to address the same kind of problems that you see. And that's my sense, that that would be a better way to go.

CHAIRMAN BALSIGER: Well, from the chair's perspective, I believe that Mr. Mecum summarized it correctly. Everyone is for the full dialogue. We don't have room for disagreements. And there's a couple of ways we can do it. We have had meetings between the Trustees and the PAC in the past, PAG in the past, and we are anticipating one in June. So that's on the agenda. The motion is to have also the 30 minute block here. Would it be possible to put the 30 minute block on the next one without adopting it for all time in the future to see how it worked and whether that 30 minutes was stilted? It would impact just our next meeting and then we would have the June meeting in Cordova, if that worked out, and we'd discover how we're getting along with each other. Mr. Fredriksson.

MR. FREDRIKSSON: Jim, I think that's an excellent suggestion. Again, I hated to see this become an

action item because I don't feel -- I'm not sure it's something that is kind of an up or down type vote. I would like to try something, use the 30 minutes on our next agenda. I would like to, though, build it with the PAC presentation. We will have a PAC agenda item in all of our meetings where we will hear from the PAC chair. And if we are going to then open it up to the other 19 to get into question and answer, I think one, there should be a time limit and I think also it should be in conjunction with the PAC chair presentation. And if we might try it at our next meeting and, as we have already aligned ourselves with a meeting of the PAC, perhaps that would be an appropriate way to go.

CHAIRMAN BALSIGER: So can we do that without motion? That would require perhaps either voting down the motion or having it withdrawn.

MR. MEADE: I would be pleased to modify the motion to follow that suggestion that we concur that it is advantageous to us to have an enhanced and improved dialogue with the Public Advisory Committee and that we will, at our next scheduled meeting, set aside time to have such a dialogue and to analyze its potential benefit to ongoing application.

CHAIRMAN BALSIGER: Is that all right with the second?

MS. PEARCE: Second.

CHAIRMAN BALSIGER: More discussion? Any

opposition?

MR. MECUM: Just one more question.

CHAIRMAN BALSIGER: Mr. Mecum.

MR. MECUM: I hate to be a stick in the mud but, do these people -- if the Public Advisory Committee members want to come to this 30 minute time period at these regular meetings, does the Council end up paying their travel too or is that something that's voluntary on their part?

MS. PHILLIPS: We pay for the PAC meetings for their meetings. Every one of their meetings we pay for. We have been paying for the chairman to come to the Trustee Council meeting, in order to make the report. But otherwise, we have teleconference that everybody can go in on teleconference.

MR. MECUM: So this would be at their own expense and their own time.

MS. PHILLIPS: Right.

MR. MECUM: All right.

CHAIRMAN BALSIGER: With that understanding, no opposition, the motion passes. Thank you very much. Ms. Phillips.

MS. PHILLIPS: Thank you. The next item on your agenda is the investment working committee report. I sent you a memo on January 21st giving you an update on the last meeting of the investment working committee. The committee did discuss the need to make adjustments in our

allocation policies however they are still waiting for updated information from Callan Institute so that they can know what recommendations to make to the Trustee Council. As of this week, that information had not been received yet from Callan. So as soon as we do get it, we will convene another meeting of the investment working committee so that they can work to make recommendations on allocation policy adjustments that need to be made.

You also received a memo from us dated January 3rd, showing an allocation band adjustment that we have made. And those band adjustments are based on the amount of interest return in each different segment of the accounts. Our financial advisors in the Department of Revenue recommended that we make these adjustments. I can do that just with their recommendations and we did take that action.

Also attached for your information is a summary of the performance rates of return on all of our accounts, December 31st.

CHAIRMAN BALSIGER: Thank you. Questions or comments?

(No audible responses)

CHAIRMAN BALSIGER: Would you remind me who's on the investment working group?

MS. PHILLIPS: Gary Bader is the chairman. The head of the Permanent Fund Board, Mike Burns. Paula, who else?

MS. BANKS: Jim Balsiger.

MS. PHILLIPS: Jim Bal -- Jim, you are.

MR. MECUM: Oh, we're in trouble.

MS. BANKS: Peter Bushre.

CHAIRMAN BALSIGER: I know we've had a number of meetings, none of which I've been able to attend, so I thought perhaps there was a -- if you missed three meetings, you're automatically off, so I was confirming I was still on by that question.

MS. PHILLIPS: You're still on.

CHAIRMAN BALSIGER: And there was another issue, I thought that I saw in here where they were looking to change our fee basis.....

MS. PHILLIPS: That will be the different place.

CHAIRMAN BALSIGER: Oh, that's later?

MS. PHILLIPS: Yeah. Yeah, thanks.

CHAIRMAN BALSIGER: Okay, thank you.

Please go on.

MS. PHILLIPS: Okay, thanks. The next item is our liaison hour survey that Paula worked on. Paula, would you come forward, please?

MS. BANKS: Good morning.

CHAIRMAN BALSIGER: Good morning, Ms. Banks.

MS. BANKS: For the record, my name is Paula Banks. It's B-A-N-K-S. The liaison survey at the

last Trustee Council meeting, you brought up some questions regarding possibly amending the administrative budget to provide funds to each agency that is putting forth time and effort into the EVOS program and that aren't already being compensated through project management or through general administration fees for projects. And I sent out an e-mail requesting information from each agency and received back -- and you can read your memo and I'll just reiterate what it says.

The Alaska Department of Environmental Conservation requested \$50,000 -- and keep in mind these dollar amounts are just kind of thrown out there as an estimate of what they see may be helpful to their agency. They would be required if you agreed to allow them to submit a budget for '05 and/or '06. But they would be required to bring forward a budget, an actual budget, for your approval.

Anyhow, the Alaska Department of Environmental Conservation wanted the opportunity to submit a budget for '05 and an option to submit a budget for '06. And I received information from DNR after the memo was written and they would also like that opportunity. Fish and Game wanted to kind of see what the other agencies' needs were before they made any decisions. And the Department of Law wanted the agencies to be reimbursed from the point of decision forward. So it's -- they're willing to go with whatever you chose.

NOAA expressed an interest in leaving the option open for the agencies to submit a proposal in '06. So basically your three questions at the end of the last meeting regarding this issue was either to amend the project management budget to compensate the agencies in '05 or amend the '05 budget and give them an option to bring forward in '06 or just say '05 is done and over with and we'll start off with '06 with the budget. Or do absolutely nothing at all and leave things as they are.

CHAIRMAN BALSIGER: Thank you. Questions?

MS. PHILLIPS: Thank you, Paula. And Mr. Chairman, in your packets, you'll have a memo from me, dated January 21st, giving you the options to consider. I would like to caution, if you are going to -- look at the last paragraph -- if you are going to reimburse agency for uncompensated costs, I'd recommend that you establish a set amount of money for travel as you have on yourselves. And one of the requests came in with a very high travel request, which you don't even allow yourself that. So, you know, if you're going to allow it, I would make a recommendation that you establish that.

CHAIRMAN BALSIGER: Is the point on the agenda where you expect action or is this a report and it comes back up later?

MS. PHILLIPS: If you would like to take action on this today, you can. If you'd like us to hold it off and put it as an action item next agenda, it's money

into the agency, so.....

MR. MECUM: I think the question was, right now or later on today on the action.

MS. PHILLIPS: It can be right now.

CHAIRMAN BALSIGER: All right, let's go with it now. If there's any comment. I saw -- Mr. Fredriksson.

MR. FREDRIKSSON: Yeah, Jim. I know we had been looking at the '05 and I've gone back into my agency and talked to my administrative people and '05 is difficult at best for us to try and capture. Clearly it's our intent that we do want to start funding the agency liaison work. We feel the agency liaison is critically important. In terms of PAC communication, it will help us much if we can have dedicated staff at least part time working on the Council business in addition to the Trustee Council. But '05, at this point, is really not an option for us. So we're looking at '06. I don't know if that's going to need to be an action item necessarily for the Trustee Council. I suspect we're going to need to come in with an administrative budget that we would bring forward for Council approval.

MS. PHILLIPS: That would be the case.

CHAIRMAN BALSIGER: Any other comments?

MS. PHILLIPS: If you choose to go that route.

MR. FREDRIKSSON: The only other comment

I'd make is I endorse Gail's suggestion that at least we kind of put a standard on the travel so that she has something constant to work with there.

CHAIRMAN BALSIGER: Thank you. Mr. Meade.

MR. MEADE: I'd just like to comment, I feel, on behalf of each of the agencies here, that it is important that we charge as worked. And those agencies that need to have dedicated individuals part time need to be compensated for the work that they do, otherwise it's unconscionable that the constituents of our different agency responsibilities have a lot of dedicated staffing time and resources that go towards the work of the Exxon Valdez Oil Spill Board of Trustees. But from a principle standpoint, I feel that's just essential.

The question I would ask of the Executive Director would be the impacts in '05. I don't want to see us in the current constraints we have in putting forward critical work we need done associated to injured species and lingering oil issues in '05. I would not want to see a request this late in the process affect the ability for us to get as much work done as we can in the '05 season. Based on that, I would be in support of the '06 application, '05 if we could find efficiencies within the Exxon Valdez staff, but not at the peril of the program or project activities this operating season.

CHAIRMAN BALSIGER: Thank you. Any other comments? Mr. Mecum.

MR. MECUM: Well, it seems to me that there's -- certainly I understand the '05 question, I think it's unrealistic to even think about '05 and '06 would be the time to bring it forward. But when this is brought forward, I guess I would like some clarification on, are we talking about sort of a billable hours type of a situation or are we talking about just arbitrarily paying for half of somebody's time or what? And would you pay it up front or would it be something that you would get charged back for?

MS. PHILLIPS: Paula did a survey of the hours that the agencies put in that were uncompensated. So we have that information. And we could build a budgetary request for '06 based on that information.

MR. MECUM: I mean, I guess I'm concerned that there's a lot of money already spent on administration right now relative to EVOS and, you know, I would -- I'm not saying that the numbers that have been provided aren't necessarily accurate, but if I was you, if I -- I guess I am you -- I'd be concerned about people saying, well, half of a person's time is going to be billed to that when in fact half of that person's time isn't actually being devoted to Council activities. And I don't know how you resolve that but one possible way would be to say you would reimburse them for actual costs related to something related to the Council.

CHAIRMAN BALSIGER: Well, I sense that's what we're talking about, is the actual costs. So it's a

question of justifying them or verifying them, I guess.  
Mr. Meade.

MR. MEADE: I'd just like to add that I think the executives here at the board should have good awareness of what time their individuals are expending and I feel Gail and the staff here can help validate that those are proportionately correct amounts. As a taxpayer, I just would ask that we don't spend more time tracking compensation than it costs to compensate.

CHAIRMAN BALSIGER: Thank you. So we understand, we're going to, at some point, for the '06 budget, and what would the timing for that be?

MS. PHILLIPS: Paula.

MS. BANKS: It would be brought forward to the Council in August with the FY06 work plan.

CHAIRMAN BALSIGER: Do you think we need a motion for that or.....

MS. PHILLIPS: No.

CHAIRMAN BALSIGER: Okay, we don't need a motion.

MS. PHILLIPS: I mean, just I have sense of direction that, number 1, we're not going to compensate for '05 necessarily, because we just don't have that money. But we'll bring it forward in the '06 work plan budget.

CHAIRMAN BALSIGER: Any other discussion here?

(No audible responses)

CHAIRMAN BALSIGER: Thank you, Ms.

Phillips. Next.

MS. PHILLIPS: Thank you very much. Okay, the next item -- thank you, Paula.

CHAIRMAN BALSIGER: Thanks, Paula.

MS. PHILLIPS: The next item on the agenda is the joint PAC/TC meeting in Cordova, June 11th and 12th, with a field trip. I checked with and sent a message out to the Trustees. Almost everybody was very favorable about scheduling a joint PAC and Trustee Council meeting in Cordova at this time. We will make all the arrangements as far as trying to put together a field trip on one of those days. Hopefully the fast ferry will be running so we can take the fast ferry from Whittier to Cordova on one way, at least one way on the transportation. And I think it will work. It would work out very, very well. We would focus that meeting on community involvement and another topic came up yesterday.

CHAIRMAN BALSIGER: Communicating between the Trustees and the PAG, I hope.

MS. PHILLIPS: Yeah, that will be one of them. But we will have a community involvement focus for that meeting. So if everybody is amenable, I'm going to go ahead and start making arrangements. We need to tie down the hotel space right away because that's the same time and the Copper River Nouveau and we want to make sure that we have the space and rooms.

CHAIRMAN BALSIGER: What day is the actual party?

MS. PHILLIPS: It's the night of the 11th. Saturday night.

MR. RENKES: Is that a facilitated meeting or does the PAC chair and the Trustee Council chair conduct the meeting? How is it structured?

MS. PHILLIPS: It will be a regular Trustee Council meeting.....

MR. RENKES: A regular Trustee.....

MS. PHILLIPS: With the PAC invited to be a participant at the meeting. So it will be a joint meeting but it will be a regular Trustee Council meeting.

MR. RENKES: So it will have the same kind of formality.....

MS. PHILLIPS: Right.

MR. RENKES: .....and the PAC will sit in front of the Trustee Council?

MS. PHILLIPS: Or can sit with, however you would like.

MR. RENKES: And there will be some opportunity for exchange?

MS. PHILLIPS: Yes. Yes.

CHAIRMAN BALSIGER: Just a suggestion, how much -- are we talking about a 30 minute facilitated dialogue or this is a longer.....

MS. PHILLIPS: No.

CHAIRMAN BALSIGER: Okay.

MS. PHILLIPS: This would be an open meeting, a meeting that would be.....

CHAIRMAN BALSIGER: And mainly aimed at the communication issue?

MS. PHILLIPS: Right. Right.

CHAIRMAN BALSIGER: I'd just make a suggestion that you might contemplate a facilitator for that, if you haven't already. And I would also suggest that that facilitator talk to the Trustee's staff and the PAC members in advance to try to flesh out what some of the issues are that people see on all sides. And so that when they come to that meeting, you got kind of a focused dialogue, as Mr. Meade was talking about, on how to solve some of these issues. And I can give you some ideas on people that would be good at that, so.....

MS. PHILLIPS: Okay, great.

MR. MEADE: I'd also -- I've got a couple of folks we use in areas to help promote conflict resolution and communication to achieve those same goals and I could offer some contacts to you. I think that's an excellent suggestion. The other request I would have is quite trite but I would like to be sure that this year we coordinate with Federal agencies to be sure that the field trip does provide for any safety regulations that we must abide by. I was unable to make the trip almost two years ago because of some -- a rate of communication technology

that was not incorporated. So I'd just like to be sure that we think through that in advance so we can have as much participation by Federal agencies, anyhow, as we could.

MS. PHILLIPS: We'll definitely do that.

CHAIRMAN BALSIGER: Thank you, Mr. Meade.

Anything else?

(No audible responses)

CHAIRMAN BALSIGER: Carry on, Ms. Phillips.

MS. PHILLIPS: Okay, thank you. I just want to do a brief report on the January science symposium. The science symposium went very, very well this year. We had increased numbers over the past year and far more presentations and poster presentations. We actually had 68 spoken presentations, which was amazing, and over 60 poster presentations. So very, very good response for the symposium.

Received good media coverage, both printed media and televised media. Every day of the symposium there was something in the papers and on television. We had hosted a very cordial dinner between the STAC and PAC and staff members, that went very well. And then our evening session with Charlie Cole giving the history of the oil spill and then the scientists doing the lingering oil issues was very well received by the public. There was not a lot of public members there but the people that were there that weren't involved with the symposium thought it

was very good and I think we should continue that.

The symposium planning committee meets next week to do a debriefing on the session and start planning for next year's and see what we can do to make it better. So if anybody has any ideas, be sure and get them in to us before next week.

CHAIRMAN BALSIGER: Comments? I attended virtually all of the science symposium and did hear Charlie Cole's speech that evening. I'm not sure I received it as well as you said that the public did but nonetheless, it was entertaining. Next item, please.

MS. PHILLIPS: If there's anything we can always say about Charlie Cole, he is entertaining. The next item on the agenda is the PAC report and I'd like the new PAC chairman, John Gerster, to come up and give the PAC report.

CHAIRMAN BALSIGER: Dr. Gerster.

DR. GERSTER: Thank you, Gail and Trustees. Just by way of self introduction, I was on the board of the Alaska Science and Technology Foundation for 15 years and presided over about 100 million dollars in grants. And I currently serve with the North Pacific Research Board, NPRB. And I'd just like to point out, before my report, that NPRB has consciously decided to avoid giving grants in the oil spill effected areas because of EVOS. However, NPRB is concentrating on the Aleutians, the Bering Strait and the Arctic Ocean and would hope that NPRB and EVOS

could work together if there were any synergies in grants that could perhaps work on both areas.

I'd like to echo Gail's comments that the PAC was very impressed with the January science symposium. The PAC, remember, are members of the community, not scientists. And every PAC member I talked to was very impressed with the quality of the information presented. And I for one learned a lot. I just want to put a plug in to thank Chuck Meacham for his service as the previous PAC chair. He put in a lot of hours and did a great job and now I'm the guy to shoot at.

I'd like to reiterate PAC support for lingering oil and endangered species. The PAC also believes these are two very important things that need to be addressed now. However, the PAC is also very much in support of the GEM program and is hoping that the Trustees will not neglect the GEM program. And we are hoping that perhaps the immediate need for supporting lingering oil and endangered species will be followed by a long term commitment to the GEM program.

I need not remind the Trustees but for the audience, the PAC, the Public Advisory, is actually a Federal Advisory Committee Act, a FACA. And so we have Federal standing to advise. As such, I think the PAC should have a role in helping advise in the reopener clause, perhaps in helping to look at or perhaps select or direct or talk about, formally or informally, projects that

may affect the reopener.

Next, I'd like to talk about the bow wave. Anybody who's a mariner knows that there's a bow wave that goes in front of a large ship that pushes in front. And when I was on the board of the Science and Technology Foundation, we went from single year funding to multi year funding not thinking about the bow wave. What's going to happen in year two, year three, year four. And we've committed five year funding. And all of a sudden, after a number of years, it turns out, that forward year funding turned out to be as much as we had available. I see this coming for EVOS as we do multi year projects and are not sure of our total income. I would just warn you that this is not an uncommon concern.

There was substantial angst on the PAC at losing Dr. Phil Mundy, who was universally respected, as a friend and a scientist, a mentor and a leader. While I realize the reasons may be political, he will be sorely missed. And so the PAC did the first thing in its lifetime, which is to pass a resolution, thanking Dr. Mundy for his service, which you have there. The PAC has approved it and I would wholly hope that the Trustees would also approve that resolution. I would also hope that the Trustees make every effort to get a scientist of equal or better caliber as science is what we as EVOS should be doing.

There was also angst at using executive

session as a vehicle for decision making. Witness a recent op-ed article which was not sanctioned by the PAC but is not inconsistent with the thinking of the PAC. And rather than debating that, I would like to ask Doug Mutter to tell us what the sign on his wall says.

MR. MUTTER: Perception is reality.

DR. GERSTER: Thank you, Doug. It was very informative to have both the PAC and the STAC together. The PAC I have been impressed with as people who are out there. They are the commercial fishermen. They are the guys who know the Sound. They can tell you when the tides are, what's running, what is not. The STAC can tell you what the research is. And to have a joint PAC/STAC meeting was really quite eye-opening as the scientists got to have free interchange with the guys who are actually out there doing it. I might recommend we try to promote more joint PAC/STAC meetings.

There was concern about the role of the small parcel account. The PAC is not enamored of purchasing more parcels. I realize that the small parcel account is primarily set in stone, 25 million plus interest, which is now 30 million, Gail?

MS. PHILLIPS: 32.

DR. GERSTER: And the Trustees may not be also enamored of using that. It may take either an act of God, an act of Congress or an act of changing an MOA to change that. But I might recommend, with the great people

we have in this room, we can do an act of God and I would invite you to examine or reexamine that. I'm very much in favor of interchange between the PAC, the TCs and the STAC. Not just on 30 minutes of stilted conversation but on a boat, perhaps a glass of wine, talking over hours, chatting about the state of the world, learning from each other. And so we are very much looking forward to the Cordova meeting.

I would hope though that you would continue the question and answer period at the Trustee's meetings, not as the major interchange, but as a way of several times a year bringing up perhaps concerns more of import at that particular time. And realize that a number of important questions can be done in 30 or 60 minutes, so I would not put that off.

As a final thing, I would urge you not to ignore the PAC but to use it wisely. My feeling that I have found is that there is a great depth of experience. Perhaps not a knowledge, but a great depth of experience. And I would urge you to feel free to call up any member of the PAC, e-mail or phone at any time with any questions about what it's really like out there in the real world. Thank you.

CHAIRMAN BALSIGER: Thank you, Dr. Gerster. Any questions, comments? Mr. Meade.

MR. MEADE: I'd like to offer three remarks, Doctor. I appreciate your report very much. And

I guess for clarity, those several hours of conversation with the wine, I hope that's not an H in the wine.

DR. GERSTER: Point taken.

MR. MEADE: I would really value the opportunity for good dialogue and the richness and the understanding that would grow from that. I would like for a matter of record to share that at the executive session in August there was not any discussion and decisions reached as to move forward with the budget issues as perception is churning with that bow wave into reality. I think it will behoove us to get that behind us, but to have clarity in the record from the Board of Trustees that that was not an executive session that was utilized to shape the budget consequences.

We have had some challenges to be able to put focus toward providing funding to lingering oil and to injured species and we've had a -- as you well know with the budget dilemma and the bow wave analogy -- a challenge to be able to look in this short time ahead what we can and cannot fund to be able to achieve critical research. But the piece I guess I wanted to share from my heart is there was not a discussion that was inappropriate and I would like to regain the PAC's trust in that context. And however we carry forward that dialogue, I think that's an important perception to clarify and get behind us.

The last thing I would need to ask our Council for interpretation, but as I understand it, the

Board of Trustees will not have a role in the reopener. And so though I appreciate the request you bring forward from the PAC, I would need to seek additional legal advice. As I understand it, that will be a question left to the Department of Justice and the Attorney General for the Governor for the State of Alaska and will not be something the Board of Trustees will have a direct responsibility in.

My last remark would be just to appreciate again the Public Advisory Committee, the contribution, the volunteering, and the significant insights you do bring, and I value that greatly. Thank you.

CHAIRMAN BALSIGER: Mr. Meade. Mr. Fredriksson.

MR. FREDRIKSSON: Yeah, just a few comments. And to follow up on Joe's about the executive session. Gail, I see at least you've provided us with copies of the letters that we sent to President Hamilton and Bob Shavelson and Nancy Byrd. I just wanted to make sure the PAC had copies of those as well.

MS. PHILLIPS: They did.

MR. FREDRIKSSON: I think that addresses it at least more formally than the question of what did or didn't occur in executive session.

The other item I wanted to maybe follow up a little bit on, John, is your comments about the bow wave with respect to multi year funding. I have talked to Ken Adams, a member of the committee, about a concern he had

and he raised it earlier this morning with respect to FY funding which the Council actually approved, but his expectation was that that was going to be multi year funding. When in fact, the Council, all it had before it was a single year '05 funding request. Could you elaborate a little bit on -- I think you were touching upon the concern of perhaps expectations or future funding ability over a multi year work plan. Could you just maybe elaborate a little bit on what the concern you see there, the problem you might see there.

DR. GERSTER: Well, on the board of the science foundation, we started out with single year funding. We knew exactly what we were giving out. And then people would come to us and say, gee, you know, I need to do this over three years. I know you only do one year funding but would you kind of perhaps look favorably upon our funding for the next two years if we come back? And we'd say, well, we can't commit but here's your first year. And they'd come back and we'd say, I'm sorry, we're not going to give you your second year. And things would fall apart, they would call senators, one of which perhaps is in the room, representatives, you know, we were promised this money. Well, no they weren't promised this money but they were expecting it.

And then we moved on to actually funding multi year with performance reviews. You have to have a performance review, you have to have done certain things to

get your second year. Well, then they spend all their time working on the performance requirements instead of doing their research because they want their funding. Kind of like politicians wanting to be re-elected. And that became another game.

And then the market crashed and the upward tremendous income of the science foundation went way down. And we had all of these projects that we're committed to and no money for new projects. And that was really hard because we would see really fine projects walking in the door and we were committed to funding kind okay projects which we had from last year. And I just bring it up because I've seen this time and time again and I just don't want EVOS to fall into that trap.

MR. FREDRIKSSON: I appreciate that. One other -- maybe a comment or concern. And I know Gail is going to get to this but I can't help but jump ahead since it's such a nice document, it's our annual report. But within the annual report it does talk about habitat acquisition and the money that kind of has been put in that category. But I don't believe there's anything cast in concrete that six votes can't redirect, is my understanding, Gail.

MS. PHILLIPS: Except for the funding for habitat protection.

MR. FREDRIKSSON: Okay.

MS. PHILLIPS: And Drew sent me a memo --

Mr. Chairman. Drew sent me a question last night whether or not this was regulatory or whether the -- how it was established.

MR. FREDRIKSSON: Uh-huh. (Affirmative)

MS. PHILLIPS: In 1991 Federal law established the breakdown of the habitat investment account, our three accounts. Based on a resolution passed by the Trustee Council in March of '99 that identified every single aspect of it, the Federal law reads that if the money doesn't go as appropriated in that law, it was tied to the Federal investment system. And if we don't spend the money exactly the way it is established today, then we lose the ability of having our funds invested in the Alaska Department of Law. They have to go back under the Federal investment authority. So it would take an act of Congress to change it.

MR. MEADE: Which is only but next to an act of God.

MR. FREDRIKSSON: That's what -- it's starting to sound like concrete. Okay, I appreciate that. That helps. I wasn't aware of that.

MS. PEARCE: And the interest also follows back into the same account.

CHAIRMAN BALSIGER: More comments?

MR. RENKES: Doctor, just back to the reopener for a second, what, in the discussion of the PAC, what kind of input or understanding that the claim is a

claim that could be brought individually by the State government or the Federal government or collectively by the state and Federal government but it cannot be brought by the Trustee Council. That said, the work that's funded by the Trustee Council has great bearing on what those claims may be or how they may be substantiated or what information is available to the State and the Federal government as they evaluate and pursue these claims. What kind of input or dialogue is the PAC looking for on the question of the reopener?

DR. GERSTER: I actually went out and read the Federal Advisory Committee Act, and a FACA is a pretty powerful group. You the Trustees are not a FACA. We the PAC are a FACA. And a FACA can give advice. How that advice is used is up to a lot of different things. But it is my reading that the PAC has the ability to give advice on the reopener whether or not the Trustees have the ability to sue or not. If that has to be the Department of Law and the Department of Justice, we the PAC still have the ability to advise under Federal law. And I think we ought to be, since the PAC is out there in the middle of it, the PAC has a lot of information that could be useful to both the Department of Law and the Department of Justice and I think we ought to utilize that information.

MR. RENKES: Is there anything standing in the way of that? Is there a reason why that's not -- why that hasn't occurred last year or the year before that or

why it's not occurring now?

DR. GERSTER: Nobody's done it.

MR. RENKES: It's up to the PAC as a FACA group?

DR. GERSTER: Yes, but it would be nice to have friendly ears on the Trustee Council.

MR. RENKES: I think the friendly ears are here and I think, you know, the State government and the Federal government are also, in evaluating this claim over the last -- you know, there's not a date certain for filing this claim. There's a deadline beyond which it cannot be filed. And so in the years preceding time, you know, there were -- there are plenty of opportunities for the PAC to make comments or provide advice.

And, you know, if there's valuable information there and the PAC has standing to provide that information, I don't think it should be seen as some sort of adversarial process with the Trustee Council or the State or Federal government. I think, you know, the goals are common and shared and the PAC organize themselves about providing whatever advice they want to provide to the Federal government, to the State government and I think to the Trustee Council as well. Understanding that if that advice comes with recommendations for the Trustee Council to file some claim, that the Trustee Council is not in the position to do that.

DR. GERSTER: I certainly agree but I would

hope that, from what I hear, that these are now friendly ears for the PAC to provide input.

MR. MECUM: I'll defer to Drue.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: Well, I guess we can all provide information to each other in terms of the reopener but the Department of Justice has made it pretty clear to the Federal Trustees and the agencies that if they call and ask for advice, then we give it, but they haven't asked us for advice and we have no role to play. We are a client, kind of. Certainly not in any way shape or form like the State sits in the particular Trustee Council with the member who is the Attorney General being a member of the Council. So I don't want to give the public the erroneous thought that them telling me what we should or shouldn't do on the reopener is going to affect in any way, shape or form my either ability to tell Justice what the public thinks or their decision, because it won't.

MR. RENKES: Right, I think that's a good point.

MS. PEARCE: And so.....

MR. RENKES: I'm saying there's no -- yeah.

MS. PEARCE: I'm very concerned. I mean, our attorneys have made it very clear to us that they don't want us going out -- us, the Trustee Council -- going out and trying to educate the public about the reopener. They don't want us to get ourselves in this very position. And

so while I appreciate that the PAC probably has 20 different opinions and behind that there's thousands of opinions about the reopener, I'm concerned we're getting ourselves -- we're walking into something that we've been told not to do. And certainly without -- Gina is sitting back there frowning, that tells me that we've -- from our side anyway, this is not a dialogue that we should entertain. Not because we don't care, but because we've been told to stay the hell out of it.

MR. RENKES: Yeah, I think that's good, Drue. And I don't want to be mis-perceived to suggest that just because the PAC has its right to express its view, that that means that the Trustee Council is going to, you know, act on those views in some way or take some role, because we really are not in a position to do that and can't. And it's the same with the Federal agencies involved. You know, these are legal decisions that will be made on behalf of the Federal and State government by the legal arms of those governments. But on the other hand, I didn't want it to be perceived as I thought it was presented, that the Trustee Council in some way is limiting the ability of the PAC to state whatever kind of position or advice it might stay under its charter as a FACA committee.

And we're not controlling the PAC in any way in that regard but as the PAC expresses its view, you know, whether that's received and what's done with it, you

know, it really at the discretion of the Federal and State governments as they individually and collectively evaluate their legal positions.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: I think both are good points of clarification. And in response to my comments, Doctor, I strongly encourage and welcome the Federal Advisory Committee to bring forward thoughts, ideas, insights and advice and share them in a forum that gains appreciation for the knowledge the Public Advisory Committee holds, representing the opinions and viewpoints of thousands.

What would not be correct or beneficiary is to have any of those individuals court me personally or individually to try to encourage my perspective associated to the reopener. Because that's where it comes right to Drue's point, I have nothing to do with that question. As the Exxon Valdez Oil Spill Board of Trustees, we have a responsibility to compile science and knowledge and make available to the two entities that will. I just wanted to be clear so that -- I've already been in past sought my opinion on the reopener. I clearly know from my attorneys what my role is not and I wanted to be clear about that.

CHAIRMAN BALSIGER: Thanks. Ms. Pearce, another comment on that?

MS. PEARCE: I was just going to say, if the PAC would avail itself of -- and I'm not sure who would do it -- but if the PAC chose to avail itself of a good

legal description and analysis of the case that's before the Federal and State, Department of Justice and Department of Law, that might be a useful starting point. I'm not sure whether the attorneys in question -- I just don't know how that would actually take place.

CHAIRMAN BALSIGER: I must.....

MS. PEARCE: It's pretty complicated.

CHAIRMAN BALSIGER: I'm not certain myself, so that's an interesting point.

MS. PEARCE: Yeah.

CHAIRMAN BALSIGER: Mr. Mecum.

MR. MECUM: Well, it's on a different topic. It's a small parcel acquisition program. Could you repeat what you said earlier, that the PAC doesn't support that program or that they want to see it de-emphasized? I didn't understand that.

DR. GERSTER: I don't think there's the support on the PAC for using all of that for small parcel acquisition based on what we see so far in small parcels. And when we're in a time of a budget shortfall, question arose, is that money better spent on research and helping the Prince William Sound. I just bring it up as a point.

CHAIRMAN BALSIGER: Was this something the PAC actually voted on or.....

MS. STUDEBAKER: This is Stacy Studebaker online, the Vice Chair of the PAC. And before John, you know, gets too far into this, I'd just like to say that the

PAC has never really discussed this. And I'm not sure where John is getting all this. I know that the PAC was very concerned last year about the future of the small parcel program. And to address those concerns, we formed a work group, which I was the representative for, for the PAC. And we refined the definition of the small parcel program and the application process. So I'm just not -- I'm kind of confused here, John, where you're coming from on this.

CHAIRMAN BALSIGER: Let's see, I guess as the Chair I'd suggest this isn't the place for the PAC to decide or debate their position. So perhaps you'd have an opportunity to get back to Ms. Studebaker. And we do have agenda item on the small parcel that we probably won't get to for a little while. And maybe we'd know if there was a resolution.

DR. GERSTER: Mr. Chairman, I simply brought it up as a point of discussion.

CHAIRMAN BALSIGER: Okay, thank you. Anything else? If not, thank you very much, Doctor. So let's see, that clock is stopped up there -- no, maybe it isn't.

MS. PEARCE: Yeah, it has.

CHAIRMAN BALSIGER: Yes, it.....

MR. MECUM: 1:36 is what I have.

CHAIRMAN BALSIGER: It confused me because its almost an hour behind, so.....

MS. PHILLIPS: Michael, would you take that clock down, please?

CHAIRMAN BALSIGER: And so.....

MS. PHILLIPS: It seems to have lost its battery.

CHAIRMAN BALSIGER: .....we have one more agenda item on the Executive Director's -- can the Trustees stay for that before we take a short break?

MR. MEADE: Yes.

MS. PHILLIPS: Okay, great.

CHAIRMAN BALSIGER: Okay, let's complete that.

MS. PHILLIPS: And I'd ask -- during the scheduled PAC/STAC meeting, which was held on the 27th, it was a very good meeting. Brenda Norcross will make the report of the STAC portion of that meeting and their subsequent meeting.

CHAIRMAN BALSIGER: Dr. Norcross, please.

MS. NORCROSS: Thank you very much. I'm sorry, this is the best I can talk. First, for the record, I need to identify myself. I'm Brenda Norcross. I'm co-chair of the STAC, I'm the STAC representative and the science and technical representative on the PAC and I'm a professor of fisheries oceanography at UAF. I would like to concur with what you've heard so far, that the STAC thought that the January meeting was really excellent. We are very happy with the quality of the papers that were

presented. We were really happy with the participation. I personally went to my dean, who was there, who you may or may not know, he's new to the state, and suggested he come up with some funding to get some of the students to attend. First he sort of went yeah, yeah, yeah. And then at the end of the meeting, he actually came up to me and said, you know, you're right, I learned a whole lot. So I thought that was pretty helpful.

The STAC also really appreciated having the joint STAC/PAC meeting. Because while I'm the liaison and I try and explain to the STAC what the feeling is and actually how involved the PAC members are, they definitely have a new appreciation for the PAC.

This STAC also had a meeting last week following the joint STAC/PAC at which the Executive Director and some of the agency liaisons were present. We felt it was extremely helpful to have frank and open discussions so that the STAC could understand what the goal of the Trustee Council was. To understand what the Trustee Council wanted so that we could figure out what perhaps the Trustee Council wanted from the STAC.

As far as the issue that was just brought up by John Gerster about multi year funding. That wasn't brought up last week at the joint STAC/PAC meeting, so the STAC didn't address it. We have addressed it in the past, which is actually why there's multi year funding now, because we think it's expeditious. And if you have

questions about that, I can address it.

So what I'd really like to do is just give you really brief presentation that says, here's where we're at, this is the summary of the five hour STAC meeting that we had last week.

So what the STAC is asking from the Trustees is that you clarify what our role is. That was -- when the STAC came together last week, they were rather confused as to what we were supposed to do. Gail did an excellent job of explaining to us of what she thinks our role is. And there was some confusion among us. In the past it seemed that we were only supposed to address GEM, although we didn't really see it that way. So -- oh, that's not supposed to have a question mark on the end of the second one, I apologize for my typing. So we anticipate that we'll be requested to review the proposals for FY06, including lingering oil proposals. If that's not what we're supposed to do, please let us know. Or if there's something different that you want, please let us know.

What we did do, was we looked at the proposals that we were given to review lingering oil for addendums to the proposals funded out of FY05. We expressed concern about the methodology. Those concerns were sent in writing, not by us but I assume by the Executive Director to the PIs, Brenda Ballachey answered us. Those knowledgeable members of the STAC went through

and we got the answers yesterday. So, for your information, yes, we endorsed those proposals. They're addressed all our concerns.

We also reviewed the Konar and Iken completion proposal, which you have on the agenda for later. We endorse conceptually the funding of the proposal and the completion of the project but we would like to suggest that this type of process be avoided in the future. And I believe there's been wording in the FY06 invitation to avoid this sort of special funding in the future.

I'd like to quote -- and I'm not sure I spelled John Shively's name right -- but in the session that Gail did last week, it was actually -- it was one of those things that was off-putting but incredibly refreshing to have a politician stand up there and say, we can't establish a baseline because everything is always changing, went on to say, but if we don't look at it, we'll have no clue what the changes are. So the STAC wants to reiterate some of the things you've already heard today, that a longer data set makes it possible to see more patterns.

I'd like to give you an example from some long going -- the longest time series of marine temperatures in Alaska, which is from something called GAK1, it's just outside of Seward. That Tom Royer, who sits as co-chair of the STAC, established when he first got to Alaska in 1970. And what this shows you is that if you only looked at data from 1970 through 1978, you'd be quite

alarmed at what was going on. And by now everybody is familiar and it's pretty much household words in Alaska about a regime shift. And there was this incredible temperature shift, 1976, '77.

However, if you look at this longer time series that goes through 2004, you see that that's not really what's happening. What's happening is yes, the temperature is going up; no, it's not going up at this alarming rate that indicates that the Gulf is going to boil if you put in a linear regression. And we'd also like to point out that for the end of this time frame -- and Gail could probably tell me how many years -- but four years and maybe six years, EVOS has been funding sampling this location. And the whole point of this is, the length of time gets back to what John Shivley said, if you look at it for a longer period of time, you're going to come up with patterns and come up with different answers.

And one of the presentations that was made last week that was absolutely excellent was John Walsh gave a really good summary with great graphics of the Arctic climate impact assessment report, which I found much easier to understand than reading that entire report. And I would suggest, if you can, that Gail get a hold of his Powerpoint presentation because I'm going to have him, hopefully, make the presentation to the School of Fish and Ocean scientists because they're all not going to sit down and read that report.

And what this graphic shows is a hundred thousand years of temperature variation in Greenland. And so what it does is it's graphed in the thousands of years before present and it shows the last 15,000 years have been very warm. Well, that's warm compared to the 85,000 years before that. We're pretty sure the last 15,000 years was not caused by the industrial age. Okay? We're willing to buy like the last 200 or 100 years. But the point is, the longer time series, the more perspective you have and it puts everything in a different light.

And the reason I'm bringing this up to you is to show you this graphic that on the bottom axis shows temperature in centigrade and on the Y axis shows the percent of growth per day. And basically what it says is there is an optimum temperature at which fish, in this case, can grow. And the temperature range for northern species is quite limited. So all we're trying to show -- and this also is from the Arctic climate impact assessment report -- is that it's important to look at things like the temperature change at GAK1 to -- you can't do anything about, perhaps, but what we can do is say, oh, this could have an impact on fish growth. If the fish grow -- they get to a point they grow faster, that's fine, but are they growing so fast that they're using up their food, therefore less fish can be fed within this ocean. Or does it get so warm to the point that growth reduces.

That's the kind of thing that when we look

at the entire EVOS GEM program in an ecosystem, you need to know. Because when you ultimately want to get it down to the fact that the general public perception -- I don't mean PAC, I think they're incredibly enlightened -- is keep everything the same. All those of you sitting in management agencies know that's not even possible. I think part of the responsibility that EVOS and GEM does an excellent job of is explaining basic science or what we're learning to the public. I think having an informed public is critical and this is part of it. The studies that EVOS and GEM are doing can show that this is what is happening. I think that EVOS is making an excellent effort to find out if this was related to oil, if this was related to climate and what happens when you put both of them together. There's not a simple answer but I do think that for each of your agencies, it comes out to be helpful to you in making your regulations and explaining to the public why you can't always do exactly the simple things that the public perceives.

So lastly, what I'm saying is that the STAC endorses the EVOS sponsored long term investigations. We recognize that to discern the patterns is needed for restoration and we're endorsing the continuation of the currently funded multi year projects. We understand John Gerster's concern and firmly believe that the highest project should be funded so that you don't end up with, as John says, you have okay projects funded and something

great shows up. You don't fund okay projects. You fund good projects that you know have the best potential of coming up with some answers and some help for your agencies, for EVOS and for the public.

We think it's imperative to invite GEM projects for FY07 for continuing and new projects and we want to reiterate that EVOS and GEM program is an integral projects in the other Alaska programs that are currently funded like NPRB, like AOOS, like each of your agencies are doing, like PCCRC. Because all of those projects are trying to work together. And as John just explained, NPRB wants to work with GEM but they don't want to duplicate the efforts. I think all the agencies are saying, this is great, you have all things that can work together. Thank you.

CHAIRMAN BALSIGER: Thank you. Any questions, comments? Mr. Fredriksson.

MR. FREDRIKSSON: That was a very good overview.

MS. NORCROSS: Oh, thank you.

MR. FREDRIKSSON: And I heard you very clearly, even over your voice.

MS. NORCROSS: Thank you for hearing -- you mean, you heard me or you heard me?

MR. FREDRIKSSON: I hope both. There are a number of questions raised. One, with respect to the Konar project, because we are going to be taking that up later,

you said we need a process change. Can you describe to me what -- the process problem the STAC discovered with the Konar project?

MS. NORCROSS: Yes, actually here's what happened. From a scientific point of view, the STAC agrees that Konar should be able to -- Konar and Iken should finish because they found more samples than they anticipated. Konar and Iken put in a proposal last year to do more funding and to finish what they had found in the previous year. That project wasn't funded.

So it's our understanding that the science director told -- well, first of all, Konar and Iken were instructed to redraft their proposal to be more specific, and they did, and that one wasn't funded. So it's our understanding that the science directed Konar and Iken to write another proposal for supplementary funding to just finish the previous work. The STAC doesn't agree with the process of individual PIs being requested separately from the staff level to submit another proposal.

We think that in that case the -- is should have -- we'd prefer to avoid the whole thing by putting language, which I understand in my conversations with Richard, based on Richard sitting in our meeting last week, and the concerns the STAC addressed about the wording of the FY 06 invitation. That is says, if there have been any changes in your proposal, clearly spell them out. Put in a proposal and it will be reviewed by the STAC. We don't

want any perception of special treatment.

MR. FREDRIKSSON: Quite separate then from the substance of what Konar sampled?

MS. NORCROSS: It's -- yeah.

MR. FREDRIKSSON: Okay.

MS. NORCROSS: That's totally different than the substance and we dealt with it two ways. So our answer was, because that process -- because it was done that way and we can't fault the PIs for it being done that way, we endorse the project, based on the science.

MR. FREDRIKSSON: I appreciate that. One other.....

CHAIRMAN BALSIGER: Yes, please.

MR. FREDRIKSSON: .....question. And that goes back to the purpose of the STAC. And maybe this is even to you, Gail, in terms of the -- I guess I have two concerns. One, what is the purpose of the STAC, because I think you're asking for clarity and it would be nice to know at least what we view it as the foundation. And then since Dr. Gerster was talking to us about FACA, I've become -- and the STAC is proposing to be advisory to this Council, I'm curious as to how FACA would play into that as well.

MS. PHILLIPS: FACA does not play into effect with the STAC. The STAC is an advisory committee to the Executive Director. As such, their reports will come under the Executive Director's comments.

MR. FREDRIKSSON: Okay.

MS. PHILLIPS: So they do not fall under the Federal public meetings advisory committees type thing laws. And I will let Brenda answer the first part of your question.

MR. FREDRIKSSON: Okay.

MS. NORCROSS: And we discussed that specifically and Gail talked about that last weekend. The STAC is specifically set up that way so that they can hold a closed meeting to discuss proposals and things that should never be discussed in public. The STAC's understanding was that we were the science advisors on EVOS projects and we were looking at that little diagram last week.

I mean, perhaps we just ignored it in the past, but actually our understanding by looking at the diagram that's in this GEM program was that the lingering oil proposal -- the head of that committee is Bob Spies -- if you look at the diagram -- on some page that Gail knows where it is -- feeds into to the STAC. But in fact, we had never reviewed lingering oil proposals before and we basically saw lingering oil as incredibly separate from GEM and we wanted to know why. Because we thought they should fit together in a whole ecosystem process and we were somewhat concerned about that.

And so the STAC's perception was -- this is one of the -- exactly like you're talking about with the

PAC. The STAC's perception was that the Trustee Council didn't want to hear from us on that. Now we reviewed the lingering oil ones that went through this time because -- I can't remember why. I think maybe we asked where they were, if we were supposed to see them. And one of the liaisons said these are going on, do you know about it. And we went, no.

And so that's where a lot of the misunderstanding came, because if we're only supposed to do GEM, then we have to define GEM. We assumed that GEM was the whole process of all the research and science going on under EVOS and some other people interpreted it differently. So that's what I mean we'd like to know where we stand with you. Which is the part about we assume you want us -- after our meeting with Gail last week, we assume you want us to review the FY06 proposals. Prior to the meeting with Gail and the explanations from Gail, we didn't know what you wanted. Is that.....

CHAIRMAN BALSIGER: Questions?

(No audible responses)

CHAIRMAN BALSIGER: Thank you, Doctor.

MS. NORCROSS: Thank you.

CHAIRMAN BALSIGER: Gail, you have a little -- STAC notes from Gail. Do you have something to add?

MS. PHILLIPS: I just have one note to add before we close off the Executive Director's report and I'm very happy to announce that the annual report is out. I

hope everybody grabs a copy of it, it's very informative. And if you need more copies for any of your organizations, just let us know. Thanks.

CHAIRMAN BALSIGER: Thank you. So with the approval of the Trustees, we'll take a break.

CHAIRMAN DUFFY: By all means.

CHAIRMAN BALSIGER: I believe the clock has been corrected so can we get back by 11:10 actually?

MS. PHILLIPS: Yeah. Okay, great. Thanks, Brenda.

(Off record)

(On record)

CHAIRMAN BALSIGER: We are significantly behind the scheduled agenda so I hope we can make a little time. So we've completed the Executive Director's report. We're on large item number 4, which are action items. The first item of which is called the small parcel proposal. Gail, can you lead us into that, please.

MS. PHILLIPS: Thank you very much, Mr. Chairman. The small parcels acquisition working group has met several times over the past year to put together the proposal that you have in your packet. In addition, I made a presentation on this proposal to the PAC and they were generally supportive. We received no comments of opposition from the PAC. I asked them to respond to me by yesterday if they had anything to add, and I did not get any additional comments from the PAC. However on Tuesday

this week I received a message from Tony DeGange, the Federal liaison to Fish and Wildlife Service, with his comments on the proposal. His comments, which are as follows, were supported by Steve Zemke for a Service liaison. And the comments that they submitted were in regards to the lead agency issue for the Federal government. The lead agency designation that is in your packet proposes that Fish and Wildlife Service be the lead agency for the Federal government. They didn't think that this was as good as an idea as the committee came up with because there are several different departments involved at the Federal level. Department of Agriculture being different from Fish and Wildlife Service. So they requested that we change that, make a revision that reads, for the Federal government, small parcel acquisition request, be coordinated through the appropriate sponsoring agency. And in order to facilitate ease of this action at the Federal level, I certainly would -- I don't see anything wrong with that recommendation. So in your proposals, rather than lead agency being Fish and Wildlife Service for the Federal government, it would be appropriate sponsoring Federal agency. And I'll be.....

CHAIRMAN BALSIGER: Is that specific language that's someplace here in front of us?

MS. PHILLIPS: Yes, it's in the first -- let me -- just pull -- small parcels, small parcels -- it's the administrative polices and procedures. So first of all

you have my memo dated January 15th and then you have the administrative.....

CHAIRMAN BALSIGER: Yes.

MS. PHILLIPS: .....policies and procedures and that the first designation would be lead agency. So we're recommending rather than, for the Federal government small parcels acquisition request be coordinated through U.S. Fish and Wildlife Services, recommending that that be changed to appropriate sponsoring agency.

CHAIRMAN BALSIGER: Thank you.

MS. PHILLIPS: Other than that, the packet is quite extensive. There's been an awful lot of work done to put this together. And I'd be glad to answer any questions that you might have on it. It is a comprehensive package that could put a whole new small parcels program into effect, if you so choose to adopt it.

Let me just give you an update. As of yesterday, the revenues in the habitat sub-account today total \$32,208,028 as of yesterday.

CHAIRMAN BALSIGER: So your memo talks about establishing a working group under the Executive Director to prepare the policy. And subsequently you talk about a committee. So, are there two things or they're the same?

MS. PHILLIPS: No, that was already done. We established that working group, this is the proposal from the working group, what you have in here.

CHAIRMAN BALSIGER: Okay, so the committee or the working group are the same body.

MS. PHILLIPS: Yes.

CHAIRMAN BALSIGER: Thank you. Any questions? Mr. Fredriksson.

MR. FREDRIKSSON: Gail, I guess I would ask the Trustees if we might -- I hate to do this, but I'd prefer to defer this to our next meeting in terms of taking action. I've been working with the other State resource agencies and working with Department of Natural Resources to kind of go over this. I know there's a State funding component I noticed and that they were going to be working with the Governor's office and that may have already occurred. I just haven't had any confirmation on the State side.

MS. PHILLIPS: All of this was put together with the committee, which was the agency people and the liaisons. And we have gone through -- I mean, we've met the last six to eight months and the liaisons and agency people were all part of putting this together. And this was finalized -- the final language was vetted through DNR for the State's portion of it. And does it matter?

MR. FREDRIKSSON: Well, you know, and I don't even come here with any proposed changes and I could find myself in June endorsing the very product you're bringing before us, Gail. I just, at least internally, I haven't had the opportunity -- and earlier this week we had

a meeting scheduled that just wasn't -- it wasn't possible to come together. And that would be my by preference. Unless -- I don't know, Gail, if this causes any undo hardship on your side or.....

MS. PHILLIPS: We do have a big request of projects from the Federal level that would still be held in abeyance then. We wouldn't be able to do anything with those requests. But I think everything else at the State level is being worked on. You approved an addition for funding at the State level last time. So I think the State level is fine but we do have quite a big packet of requests at the Federal level that would not be able to be considered until you guys adopt a policy.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: I would -- especially based on your comments there, would also concur with Kurt's recommendation that we defer. I do know on behalf of the Department of Agriculture, the predominant viewpoint is that the small habitat purchase needs associated to the Exxon Valdez oil spill responsibilities have been met and that it should be rare that additional parcel acquisition is needed. And that's in strong respect to the interest that the State holds in similar fashion. So for me, I would need to be briefed if there are projects of interest to the Federal Trustees and have opportunity to understand if those are compelling enough to have the Department of Agriculture's representative here be in support of those

positions. So I too would like more time to have more awareness of what's in the package.

Also, if the package infers that we would have resources come out of the investment account to be available without knowledge that they need to be used, I would advocate that we would not want to disrupt those resources being in an interest earning account. While there's not likely to have consensus in a.....

MS. PHILLIPS: If you will go through -- I mean, if you just look at -- none of those parcels would come directly to the Trustee Council.

MR. MECUM: Correct. No, I understand that.

MS. PHILLIPS: If you adopt this packet, if you adopt the program, all of them will go through a specific process before they come to the Trustee Council. And if you'd look at the flow chart toward the back of the -- let's see -- go through the administrative policies and then you'll -- the criteria for the small parcel program is next. And then after page 5 of the criteria, you come in the flow chart from the small parcels program. And you'll see how the set of projects that I have right now from the Federal government, I can't do anything with them until you adopt some type of a program that I can then send them to whatever Federal agency needs to start the review process before it comes to the Trustee Council.

CHAIRMAN BALSIGER: Ms. Pearce, were you

seeking recognition?

MS. PEARCE: I was. I'm not -- I'm comfortable with a deferral and actually adopting this, but I'm wondering -- I assume that the committee, which -- working group -- must have had some conversations as you were putting the new program guidelines together about success to date. And I'm wondering if we could ask the group to put together some sort of evaluation for us of the parcel acquisitions that have happened since the inception of the program. And the success or lack thereof of meeting whatever the restoration goals -- the goals of the program. Have the purchases that we've done really helped restore the injured resources. And there must be some sort of way to evaluate that. I can't say that I know quite what it would be but I'm just -- you know, is there a good reason to move forward with acquisition and I would really like to know whether we think our previous acquisitions were successful in meeting those restoration goals. So, not to pile on more work for the group, but as I say, I assume there have been some discussions of that sort to have come up with this. And so maybe trying to figure out how you could evaluate those and bring something to us, if not at the June meeting then at the next meeting, to give us a good -- better feel.....

MS. PHILLIPS: Sure.

MS. PEARCE: .....for how successful we've been.

CHAIRMAN BALSIGER: Well, I don't know if the Executive Director needed to respond to that further or not but I would like to make a comment on that. Is that, I guess I'd like to have that information too. You know, how successful this program has been in achieving those objectives. I just kind of doubt that you're ever going to be able to determine that. But certainly some kind of an inventory or some kind of a general report that at least tries to lay that out as best they can. But I wouldn't have an expectation that I'm actually going to be able to say in any kind of a quantitative fashion or anything like that that it's achieved all its objectives in all cases. I guess the way I look at it is there there's been a lot of really good work put into this packet. I mean, I read through it briefly and it looks very comprehensive. It looks to me that it will achieve all of the goals that we'd all like to see when we go out and do these purchases. I don't have any doubt of that. But I think there still is a funding mechanism question here. And in my reading of the materials, one of the problems has been is that it takes so long once you get a parcel identified to actually get it purchased. You may not be able to complete the purchase because the landlord says, I ain't waiting that long. And so what we're trying to do on the State side is to try to clean up that funding mechanism problem.....

MS. PHILLIPS: Right.

CHAIRMAN BALSIGER: .....to really make

this thing work. And that's, I think, the primary motivation behind what we're asking for on delayed action. So, well we have one, two, three, four Trustees asking for delay. So don't think we need to belabor that any longer. The question would be whether it can come back at June, which I understood the joint meeting was primary for PAC/TC communication. We don't want to list too many.....

MS. PHILLIPS: Right.

CHAIRMAN BALSIGER: .....action items at June.

MS. PHILLIPS: Right.

CHAIRMAN BALSIGER: So perhaps we can leave that to the staff to figure out when then can come back?

MS. PHILLIPS: Sure. And if you'd just look at the last page in the packet, it will show who all was on the working committee, just so everybody has that information.

CHAIRMAN BALSIGER: Anything else on this issue?

(No audible responses)

CHAIRMAN BALSIGER: Gail, next please.

MS. PHILLIPS: Okay. The next item on the agenda is the UC Davis invoice, and I'd like Brett Huber please to come forward and explain that.

MR. HUBER: Thanks, Gail.

CHAIRMAN BALSIGER: Mr. Huber.

MR. HUBER: For the record, my name is

Brett Huber. I'm liaison and program coordinator for the Department of Fish and Game. This is really cleanup issue that I have before you and you have a memo in your packet that I drafted and sent to Council staff explaining it. I don't know if you want me to go through that again or if you have questions, I'd be happy to answer the questions. I would point out that this project has been completed and that the final report has been received. I believe it's now going to go through the peer review process. And the final report is on the effects of disease on Prince William Sound herring recovery. So certainly a timely issue for the Council. If there's questions I'd be happy to respond.

CHAIRMAN BALSIGER: Perhaps a bottom line. How much money are we trying to transfer?

MR. HUBER: You're actually not going to transfer anything, it's already sitting in the GEFONSI account as a lapse. There is \$2,800 lapse, there's \$2,200 due to satisfy the final invoice. So the money is already there, it's just an administrative issue with it lapsing. And the policies and procedures of the Council, because of the latest of the invoice request, requires you all to approve of it.

MS. PEARCE: I move that we approve.

MR. MECUM: I second.

CHAIRMAN BALSIGER: Seconded. Any discussion? Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, that's approved.

MS. PEARCE: Mr. Chairman.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: Could we ask -- or I would like to ask the Executive Director to entertain -- and I don't know whether you have to do something in our operating manual -- but entertain what we would need to do to be able to -- for you to put together just a consent calendar for us. So some of these things that we know we're going to approve, some of the small things, we could do in one motion and.....

MS. PHILLIPS: Sure.

CHAIRMAN BALSIGER: Good suggestion.

MR. MEADE: If that was in the form of a motion, I would second it.

MS. PEARCE: Then I guess it was.

CHAIRMAN BALSIGER: I just learned of this term, like in this last couple of weeks, and I presume this is something the legislators.....

MS. PEARCE: Consent calendar?

CHAIRMAN BALSIGER: .....used to sneak stuff through all the time.

MS. PEARCE: No, we can't. The legislature can't use a consent calendar.

MS. PHILLIPS: Local governments use it.

MS. PEARCE: Local governments use it.

MS. PHILLIPS: Yeah, but not the legisla --  
and I don't know if it's allowable but I will look into it.

CHAIRMAN BALSIGER: Okay. Good idea, I  
think.

MR. MECUM: The Council uses it too.

CHAIRMAN BALSIGER: Thanks. The North  
Pacific Council? They slipped it past me all these years?  
Okay, thanks. Gail, next.

MS. PHILLIPS: Okay. Next item is -- I  
would ask Richard to come up and give a recommendation for  
deferring work on the science plan for one year until we  
have the lingering oil projects and the Bob Spies work in  
hand so that we can use those to go forward with the  
science plan.

MR. DWORKSY: My name is Dick Dworsky, I'm  
the science coordinator. In your book you have a proposal  
to defer the changes and the revision to the science plan.  
It was called for last year, we put out a draft. There was  
direction by the Trustee Council to change the directions  
for this year. And recommendation to the Executive  
Director is we just formally say, so we'll have consistency  
in our work plan, we're going to defer the science plan  
until next year. The plan that I have in mind is, once we  
get the invitation out, is to get the work groups together  
to put together the science plan team and draft a new  
science plan, integrating both the focus on restoration  
activities and long term requirements that are identified

for restoration such as monitoring and research. So my recommendation is just to defer these changes.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: I'm uncomfortable putting off the science plan for a year. If I'm hearing you correctly, so I want to clarify. Are you talking about doing nothing and not working on it until after the '06 call, so you -- or having it ready to be part of the -- I'm sorry, '07 -- having it be part of the '07 invitation, done before -- approved before the '07 invitation?

MR. DWORKSY: Exactly so. My anticipation is to draft the science plan this summer so it will be ready '07.

MS. PEARCE: Okay.

MR. DWORKSY: All right, so.....

MS. PEARCE: So we have a draft by.....

MR. DWORKSY: Well, you'll have a draft, I would anticipate, by the August meeting.

MS. PEARCE: Okay, that.....

MR. DWORKSY: Which is consistent with what you had before.

CHAIRMAN BALSIGER: That's consistent with what I think we need to do but it's not necessarily consistent with some language in here. So I think it's important to note that we aren't really delaying the development for 12 months or a year, it's going to be developed this summer. So it will be ready in 12 months

for the invitation, I think. Any other dis.....

MS. PEARCE: That explanation I'm comfortable with.

CHAIRMAN BALSIGER: Any other comments?

MS. PEARCE: But I agree this language doesn't fit it.

CHAIRMAN BALSIGER: Okay, Mr. Fredriksson, go ahead.

MR. FREDRIKSSON: Yeah, I'd like to take a few minutes maybe just to explore science plan, work groups. I was convinced by the confusion that Ms. Norcross brought to our attention with respect to the STAC. And we, at least, I think on the State's side if not on the whole Trustee Council, has attempted to put the GEM in the context of the restoration plan. The restoration plan has many elements to it, not the least of which is monitoring, both short term and long term. If one was to characterize GEM, at least in my mind, that starts to fall into the long term monitoring element.

So GEM is just one of many elements that's nested in the restoration plan. I'm interested in a science plan if to the extent we need to update and revise the science plan, I would like to have a restoration plan/science plan, if you will, as opposed to just a GEM science plan. Which every time we have in the past talked about the science plan, we tend to talk about restoration plan but then all of a sudden it takes a very strong right

hand turn into a GEM science plan. And work groups are created that no longer are reflective of the restoration plan but are reflective of the GEM plan.

Richard, I guess I'm -- you had mentioned work groups and of course my primary work group is called the agency liaisons, the very people that work within the agencies here. And perhaps we would then be able to talk about the role of the STAC, but what's your -- when you say science plan, Richard, what are we looking at here? And when we speak of work groups, what are we speaking of?

MR. DWORKSY: As part of GEM in the long term program, there was a science plan established to be able to identify and modify long term proposals. I think -- I guess I think the hang-up is we considered GEM as its own life. I'm not exactly sure that that is -- my personal belief is I'm not sure that's exactly so. The idea of this Council is restoration. The ideas that constitute restoration include land acquisition, include specific projects that can improve the species, which includes research, it includes long term monitoring. There's a list of four or five things. I think the science plan needs to look actively at all those things. All those different topical ways to conduct restoration.

So that's what I think. If that's not appropriate, then I think it's really up to the Trustee Council to identify where you want me to take the science plan. Because I'm going on the assumption of the past

products and the outputs. Now as part of that, as part of the GEM, and I don't know previously, you established working groups. These working groups are people who are experts in some of the fields. NOAA experts, USGS experts, Forrest Service experts. They are supposed to provide insight and guidance to elements of the science plan and to assist the Council in making appropriate decisions.

We discussed last week, the last TC meeting, the idea of work groups. I think they have a good value. We would use a work group very much like we would use any other group to help us gather information, identify projects. And then the process we have established, and I think it's an absolutely spectacular process, is to use in fact the STAC to provide adequate peer review science and to help in the peer review and the identification. I think the TC would be remiss to make science decisions not based on peer review or the best available science.

And so that's how I think that the STAC fits in. I think that in our meeting with the PAC and the STAC, this is the principle that was established. So that's my belief in what we're doing.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: I think that this dialogue is very constructive and I think it ties back to the STAC report and the STAC asking for a pretty clear set of guidance for the Trustee Council as to the role of the STAC, the of science. And I would, at a point that it's

appropriate, urge us to put forward a pretty clear and concise set of guidance that makes clear that the purpose of the science plan is to address the science needs of the Exxon Valdez Oil Spill Council. And that GEM is included within a component of that science, but certainly as we heard the STAC group brief us on earlier through Brenda, the elements of lingering oil, injured species, those are all factors where science has important applicability that we should look to our science plan, we should look to our STAC group, to give us their best science knowledge in peer review. So I don't know if that helps to address the question that I think you put your finger on the pulse of the issue and that's the question, is the science plan specific to GEM or is the science plan tiered to the restorative responsibilities that we have as a Trustee Council?

CHAIRMAN BALSIGER: I think we're coming together on this. You know, three years ago, four years ago, I think everyone, me included, thought that GEM was going to include all elements of restoration science. And I still think if you read it you can find it in there. Nonetheless, that's not the sense of the Trustee Council any longer. And so the Trustee Council sees a role for a GEM that is more long term monitoring but it's not the science. So I think the science plan we're talking about now is something that supports the entire restoration effort, part of which would be GEM.....

MR. MEADE: Yes.

CHAIRMAN BALSIGER: .....but it's much broader than that. And we've had a difficult time -- and maybe it hasn't been difficult for you but it's been a little difficult for me to evolve to that position. But I think I understand where we want to go and I think it probably is clear now for most people and I hope the confusion is gone. We need the science plan for all the restoration science, underneath that somehow GEM fits. And that's kind of part of the task of developing the science plan, to show how that fits. Any other comments here? Mr. Meade.

MR. MEADE: I just would want to be clear in my comments too. It is in no way intended to be an inference on a distancing or a lessening support for GEM. I continue to be, as the individual I replaced, a strong advocate for the benefits that GEM on an ecosystem wide basis brings to the work in front of the Trustee Council and I think a benefit to the state of Alaska and the residents and the individuals that are in the areas impacted by the oil spill. So strongly committed to GEM. But as I understand and look at the primary goal and purpose that casyntropy [sic] was set up for. I think the restorative element of our responsibility is a broader umbrella which GEM is a very important of it into the future. So I wouldn't want to be misinterpreted to be lessening our support for GEM, I'm strongly and advocate

for GEM, but recognizing that it is one of several important things that the Council has business to be about.

CHAIRMAN BALSIGER: Thank you. So we have a proposed motion in front of us that might need to be worded slightly differently. I gather the motion is necessary because we've taken a previous position on developing it. Any clever wordsmiths that can put it in front of us?

MR. MECUM: I have some wording, if you'd like, but it would be a substitute, I guess.

CHAIRMAN BALSIGER: We don't have a motion at all so -- we had a suggested.....

MR. MECUM: Okay, so I.....

CHAIRMAN BALSIGER: .....but it's not on the table.

MR. MECUM: .....could move some language then?

CHAIRMAN BALSIGER: Yes, please.

MR. MECUM: The Trustee Council directs the EVOS science staff for the update of the GEM science plan, in lieu of work in support of the re-evaluation of the status of injured species and the completion of additional lingering oil studies. And so it's really just, I think, addressing Ms. Pearce's issue with respect to the time frame and not unnecessarily delaying it if the work is completed sooner. And maybe just a little -- it's just wordsmithing I think beyond that. I don't know if that

covers what your concerns are or not. And I can provide this to.....

MS. PHILLIPS: And would you read that again, please?

MR. MECUM: The Trustee Council directs the EVOS science staff to defer the update of the GEM science plan, in lieu of work in support of the re-evaluation of the status of injured species and the completion of additional lingering oil studies. So it's very similar but I just don't know if that incorporates all of the things that you were concerned about.

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN BALSIGER: Ms. Phillips.

MS. PHILLIPS: You might to add a reference to having it available for the FY07 invitation, if you want to do that.

CHAIRMAN BALSIGER: Well, we'll note that but Mr. Meade was first.

MR. MEADE: Again I would be concerned, unless there is -- stepped in documents and direction by the Trustee Council, I would be concerned that we would speak to the GEM science plan. Again, I think it is left to the Trustee Council to interpret if it is the GEM science plan. And so I appreciate the words, I would advocate that we were to agree to deferring the movement forward on the restoration science plan to which in part would address the GEM element and that work would be done

here in the summer ahead so that we would have it prepared in time for '07. But I would like to keep it in that broader context so that we have been clear that it is a science plan that tiers to our restorative responsibilities, to which GEM is a very important element.

CHAIRMAN BALSIGER: Mr. Fredriksson.

MR. FREDRIKSSON: Jim, I -- and Doug, I appreciate your motion. I think if we had a friendly amendment perhaps to it and strike GEM and insert restoration.

CHAIRMAN BALSIGER: Well, that's probably my failure as chairman but I failed to ask for a second, there is none. So the motion dies for lack of a second. Please, is there a motion to be made on this issue?

MR. MECUM: Why don't you take a shot at it?

MR. FREDRIKSSON: Well, let me take a shot. I think I have some of that language anyway. Let me offer a motion that Trustee Council directs the EVOS staff science staff to defer the update of the restoration science plan in lieu of work in support of the re-evaluation of the status of injured species and the completion of additional lingering oil studies.

MS. PEARCE: With no time certain?

MR. FREDRIKSSON: With -- I didn't have with time certain. I'm wondering.....

CHAIRMAN BALSIGER: With the expectation

that it would be available for '07 invitation?

MR. FREDRIKSSON: For '07.

MR. MECUM: Second.

MR. FREDRIKSSON: With the expectation it would be available for '07.

CHAIRMAN BALSIGER: That's moved by Fredriksson, seconded by Mecum. Any further discussion? Ms. Pearce.

MS. PEARCE: And so that expectation includes a draft in August.

MR. FREDRIKSSON: Would that be on the schedule?

MS. PEARCE: We could do that. Okay.

CHAIRMAN BALSIGER: Mr. Fredriksson first.

MR. FREDRIKSSON: I feel good that we're recognizing the science plan has a much broader scope than just GEM. That in fact, as we talked about a minute ago in terms of looking at our habitat acquisition and the success of that, it would be wonderful to have the STAC take a look at studies that would help us understand the answers to those questions. We are still -- in the past we have been bound by work groups that were not amenable, I don't think, to some of the questions in the structure of our restoration plan. I would just -- I guess, Gail, this would be my expectation, would be that the science staff would work with the liaisons on the organization of work groups that would really fit this mission so that we're not

restricted in our work group to what was the old GEM model.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: I don't know if I'll need a friendly amendment for what I'd like to suggest but I think it is important, especially in the lack of question and answer dialogue that we currently have, to be clear that the Trustee Council is in strong support of science and strong support of the elements associated with that science plan that incorporate GEM and that we're committed to in directing that to be done for its inclusion in the '07 program. I guess I'm offering those words because I want to be clear to the PAC, to the STAC and to all interested individuals that we're not distancing ourselves from support of a science plan, we're recognizing the importance for delaying the science plan to address critical issues associated to lingering oil and injured species. And affording our limited staff capacity the time to put a quality science plan, a restorative science plan together to be actively used in the '07 offering.

CHAIRMAN BALSIGER: Thank you. I think that the motion and the understanding of the Trustees incorporates all of that.

MR. MEADE: Very good.

CHAIRMAN BALSIGER: Any other comments?

(No audible responses)

CHAIRMAN BALSIGER: This is a fairly significant thing, not because of the deferral but because

a description of the science plan. So I'd like to have an affirmative vote. All those in favor, please say aye.

IN UNISON: Aye.

CHAIRMAN BALSIGER: Opposition?

(No audible responses)

CHAIRMAN BALSIGER: It passes unanimously.

Thank you. Gail, the next issue?

MS. PHILLIPS: Thank you very much. And I'll get with Joe to get all the language.

MR. MEADE: Go to the tape.

MS. PHILLIPS: The next item on your agenda is the Konar, the issue -- Richard, if you'd just stay there -- the Konar project. In your packets is a memo from me dated January 19th outlining the history behind this request. As you know, the Konar project request was before you at your last meeting. You deferred action on it at that time and asked that we go back to the STAC and PAC and have them -- bring the project to them and then get a briefing back from them on their recommendations.

The PAC passed a motion confirming their support of continuing the work on the project however they did not address the issue of the university's overhead agreement with the Council. They felt that this was something the Council and the university need to work out. The recommendations from individual STAC members support continuing the project. The STAC as a whole took a position on the overhead issue and recommended that the

Council pay the university overhead and also included this policy in the invitation.

Night before last I received the attached e-mail from Fish and Game's liaison, Brett Huber, who recommended that the Council fund the project under option number 2, which would pay for the technicians needed to do the work plus the university's overhead plus ADF&G's GA cost, minus any travel costs. Total for that would be about 17 -- it would be \$17,712.50. If you want to continue with the program or take any action on it, I would have to have a motion from you.

CHAIRMAN BALSIGER: Mr. Fredriksson.

MR. FREDRIKSSON: I would move that we do fund the Konar project, \$17,713 and I would make that motion.

MR. MEADE: I would second that.

CHAIRMAN BALSIGER: There's a second. So this was motion to -- so I missed the prior -- this includes university overhead?

MS. PHILLIPS: Yeah, it includes the university overhead. It includes Fish and Game GA. It does not include travel.

CHAIRMAN BALSIGER: Okay. Mr. Fredriksson, please.

MR. FREDRIKSSON: Just a little discussion. First of all, I think we are obligated to the university overhead. I think we just have to -- and that is included.

MS. PHILLIPS: It is included.

MR. FREDRIKSSON: The other item that Brenda brought to our attention, I think -- and we had the procedural problem last time with this project. I think that's where we stumbling and that's why we directed it back to the PAC and the STAC and we appreciate their looking at this and bringing their recommendations and advice to us. So we think this is an opportunity to go ahead and take advantage of those samples and get the project completed but in follow up to Brenda's comments -- and I think this is just commentary to staff -- but we just don't -- we want to make sure there's a process that's truly competitive and in front of the Trustee Council at its meetings and kind of secondary solicitations were not helpful to the process.

CHAIRMAN BALSIGER: Doug Mecum.

MR. MECUM: Just a question in the detail that this would be completed in the previously outlined time frame, which is June 30th, 2005.

MS. PHILLIPS: Richard, did you -- in talking with them did you -- was there any problem with doing it by that time frame?

MR. DWORKSY: I did not find that out.

CHAIRMAN BALSIGER: It's my understanding -- I mean, maybe staff could address that too. They've come into contact with.....

MS. PHILLIPS: And this was -- there would

be -- that, the motion that is on the table, would not allow any funding for the PIs, just for the technicians to do the compilation work.

MR. MECUM: That's just my understanding.

CHAIRMAN BALSIGER: Correct, and.....

MR. MECUM: And did you want to have staff come up to confirm that?

CHAIRMAN BALSIGER: Yes, please. Is there -- Mr. Huber, do you know?

MR. HUBER: Thank you, Mr. Chairman. Yes, I've talked to the PIs, I actually traveled to Fairbanks to see where they're at on the project because of the confusion the last time. And the '04 project, the funding on doing the '04 and completing it. The money ended for '04 on December 15th. It was '04 money with an extension through December 15th but they have project objectives and tasks that it continued into '05 and they've always planned on completing those objectives. However, they found themselves in a position where they would only be able to do the algal analysis and not the invertebrate analysis. So with this technician to do more of the invertebrate work and kind of the time consuming assaying and categorizing, they believe that they can complete the entire project inclusive of invertebrates of their June time line. So really, I would suggest this is more of a supplemental change to an '04 project than it is an '05 stand alone project.

CHAIRMAN BALSIGER: Any other discussion?

Questions?

(No audible responses)

CHAIRMAN BALSIGER: We have a motion to approve 17 thousand something and 13 dollars. I have it right here. \$17,713. Any objection?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, that passes. Thank you. One more issue, at least.

MS. PHILLIPS: One more issue, Mr. Chairman. And that is the issue of the recommendations for our investment management fees. And I sent you a memo this January 21st regarding this. Apparently we have not been paying the piper enough money over the years and since we have our funds managed by the Department of Revenue, they kind of lumped our fund management into a lot of the others, where smaller fee funds are paying much more -- or were paying much money than we were paying for our management fees. Department of Revenue has made an adjustment and come up with the fact that we need to pay some more money. And that brings us in line with the other investments that they are managing. So it's not something that's out of line or out of character. The one thing I do particularly want to bring to your attention is the information I put in the report as far as if we choose not to go with them and go to an outside management fund manager. We could be looking at far greater -- far more

money for those investment fees than we are looking at with DOR.

CHAIRMAN BALSIGER: Any questions or comments?

MS. PHILLIPS: And you have all the memos for backup in your packet.

CHAIRMAN BALSIGER: Is this something that the investment working group looked at or commented on or.....

MS. PHILLIPS: No this has nothing to do with them. This has to do with Department of Revenue's fees, what they charge us. So it's a.....

CHAIRMAN BALSIGER: So if we disagree and don't agree to pay, are they going to send us our money back or what?

MS. PHILLIPS: No, then we would go out, probably have the investment working group get together and go out and try to find somebody else to manage our investments for us.

MR. MECUM: Jim, do you and I want to start a little firm here or.....

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: Would these be fees they would assess in our future or are these back fees they are saying, though they did not identify a rate change that they want to collect from past billing.

MS. PHILLIPS: Well, they got to us and

brought this forward to us in December first. They wanted to put it into place then. We told them that we were meeting in February, asked them if they could hold off until we had a chance for the Trustee Council to address this. And that was fine with them.

CHAIRMAN BALSIGER: But they did say that they would retroactively charge those fees back to the first of the year.

MS. PHILLIPS: To the first of the year. And the chairman of our investment working committee, I sent the proposal to him and asked him for his input and he said it's very reasonable.

MR. MEADE: But it's not back years, it's just back to the first of this year.

MS. PHILLIPS: Just to the first of this year.

MR. MEADE: Yeah, that seems reasonable if the State charges certain fees and they're more cost effective and do as efficient or better of a job than going outside, and I anticipate they do, it seems like it makes good sense.

CHAIRMAN BALSIGER: Do we need a motion?

MS. PHILLIPS: Yes.

CHAIRMAN BALSIGER: Is there any among us that feels strongly enough to make a motion that we should continue to pay this group?

MS. PHILLIPS: Please.

MR. RENKES: Can it be as simple as I move  
that we pay the fee that.....

MS. PHILLIPS: Yeah, pay the piper.

MR. RENKES: Pay the piper.

MS. PHILLIPS: Yeah.

MR. MEADE: I'll second the piper motion.

CHAIRMAN BALSIGER: Okay, there's a motion  
that -- accept the fee proposal that we received and is  
there any discussion?

(No audible responses)

CHAIRMAN BALSIGER: Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, that  
passes.

MS. PHILLIPS: Thank you very much.

CHAIRMAN BALSIGER: Okay, it's straight up  
12:00 o'clock I guess. We have a couple of agenda items  
left on the action item section. What's the Trustee's  
pleasure?

MR. MECUM: Oh, let's finish it.

CHAIRMAN BALSIGER: Let's finish it? Okay,  
that's fine with me. Lingering oil projects review. Craig  
and Gina.

MS. PHILLIPS: Gina. You're.....

MS. BELT: Craig's online.

MS. PHILLIPS: Oh, Craig's online. Okay,  
Craig's online.

MR. RENKES: Craig, are you online?

MR. TILLERY: Hello, can you hear me?

CHAIRMAN BALSIGER: Yes, we can.

MS. PHILLIPS: And Bob Spies should be online also.

DR. SPIES: Yes, I am.

CHAIRMAN BALSIGER: Okay, so Mr. Tillery, are you going to lead this for us?

MR. TILLERY: Yes. Am I coming through okay.

CHAIRMAN BALSIGER: I can hear.

MR. TILLERY: Okay. At the last Trustee Council meeting I brought to the Trustee Council the concerns that a lingering oil subcommittee meeting had identified, a number of projects that it might be useful to -- as follow up projects to complete before the next project cycle. The Trustee Council indicated that we should take a further look at those and get back to them at this meeting. We've done so. Originally we had looked at about a million dollars worth of projects. We have now limited those to about 250,000 by eliminating projects that either on closer examination were not feasible or projects that were -- that really didn't need to be done that soon and could wait for a later date.

The projects that we have proposed have been reviewed by Dr. Spies and he can explain his review and that of the people that he had review them. They have

been reviewed by the Public Advisory Committee who I believe took no particular formal action on them. And they have been reviewed by the STAC who gave us some concerns. And as you heard earlier, those have been dealt with.

The first couple of projects are really almost like RFP type projects. One of them is to do a synthesis, the existing information on herring. And really, it's kind of a more in-depth study than has been done to date. To a large extent, this would take the place of any look at herring and any future general synthesis project to species. The reason to bring that forward now is primarily because of information brought to us by Dr. Mundy, that he believes that very recent developments had indicated that it would be useful to take another look at this now and determine if a link could be established between the oil spill and the decline in herring.

I would note that we had several comments about this project at the PAC meeting. They were all positive, generally along the lines of, well, we -- it's about time or we really think that this is a good project and you should go forward with it. The second of those types of projects is a oil remediation technologies. We had originally looked at the concept of simply doing an RFP for a pilot project for oil remediation technologies to deal with lingering oil. After consulting with a number of people, we felt like we would get a better product rather than just seeing what came in the door by simply having

someone experienced in the field go out there and look to see what was possibly available that could fit with our needs. This one we're -- and these are -- they're kind of guesses but we were estimating at about \$50,000, as was the herring synthesis at about \$50,000.

There was then a series of three projects dealing with lingering oil and sea otters. Those are sort of the Jim Bodkin and Brenda Ballachey group of projects. They really are kind of clarifications of, for the most part, of prior years in that they involve reanalysis of prior data where there was some ambiguity in the data or there was some concern that the data might not have been -- is inaccurate or in one case where it was -- where we wanted to try to compare different types of data. Also doing DNA adduct assays on archived samples. Right now our analysis has only showed us that these animals were exposed to oil. DNA adducts would, if it comes forward, would allow us to conclude at least to some extent that there had actually been some injury to the animals from this oil.

And then third, kind of following up on another evaluation of population status of sea otters for this year, this will try to deal with a gap in the surveys that were going to be done this year.

And finally there is a project to deal with time variations in the harlequin duck exposure. This is by Mr. Esler. And we want to try to re-analyze the prior studies to try to get a better sense that they are accurate

and determine that recovery -- or if there has been recovery to harlequin ducks from the oil exposure. Dr. Spies is a -- and again I've indicated -- Dr. Spies had expressed some concerns about him. I believe you probably have his analysis. Those concerns we sent to Bodkin, Ballachey and Esler. They indicated that those concerns were great and we really need to change the description.

With respect to issues he had with the herring study, we concurred in those and have made changes to that. The STAC had some concerns about whether the samples would still be valid for these re-analysis. And after examining -- after looking at those and having Brenda and others talk to them, they've agreed that yes, it would be a useful project to go forward.

So anyway, that's just an overview of it. If you have any specific questions about them, Dr. Spies would be a better person than I to talk to.

CHAIRMAN BALSIGER: Dr. Spies, do you have any comments at this time.

DR. SPIES: No, no. Not really. I'd be happy to answer any questions. I know your meeting is long and you're a little bit behind schedule, so if you have any questions, I'd be pleased to field them.

CHAIRMAN BALSIGER: Any questions or comments from the Trustees.

(No audible responses)

MR. MECUM: Well, I'm not clear what we're

actually being asked to do here. Whether we're being asked to approve in concept an amount of money that probably would work. These projects seem to be pretty straight forward projects and put an invitation and then with the expectation that these projects would be approved at about those levels? Or are we talking about spending the money now and giving it to somebody and saying go forth and multiply?

CHAIRMAN BALSIGER: I think those are good questions. It's hard to understand if this comes out of the '05 money, what this does to the '06 invitation and all of those questions. It was difficult to track that down in here. So if you can address that quickly.

MS. PHILLIPS: I will. At your last meeting you were very clear that these lingering oil projects that we're discussing right now would be funded out of the '05 monies. They would not be funded out of '06. And so they don't become part of the \$600,000 that's available for '06. They will be added to the '05. We appropriated a specific amount of money for '05 lingering oil, these will be included in that.

CHAIRMAN BALSIGER: So these -- allow me if you would first.

MR. MEADE: Sure.

CHAIRMAN BALSIGER: So these would be sort of -- two of these are people we know, so we're just going to write the check to them. Two of them are RFPs, we don't

know who we're going to give them to. So these are RFPs or solicitations that are in addition to whatever we decide with the '06 invitation. So we could have like three invitations go out simultaneously. Is that sort of right?

MS. PHILLIPS: We could but I think this is ready to go very quickly.

CHAIRMAN BALSIGER: Okay, but there will be three solicitations. One for mechanisms, one for herring synthesis and then whatever we do with the '06 invitations.

MS. PHILLIPS: That will be separate, yes.

CHAIRMAN BALSIGER: Okay, so I understand that. Mr. Meade. Or maybe Mr. Fredriksson had his hand up.

MR. MEADE: Yes.

CHAIRMAN BALSIGER: I lost track.

MR. FREDRIKSSON: Well, I was.....

MR. MEADE: Last I saw, his hand was up.

CHAIRMAN BALSIGER: Okay, thanks for the help.

MR. FREDRIKSSON: I was just hoping for -- in terms of those RFPs, would these RFPs go through you, Gail, or would they.....

MS. PHILLIPS: Well, the ones in the past went through Department of Law. I am assuming they will continue to go through the Department of Law.

MR. TILLERY: I do not anticipate they would go through the Department of Law. We would hope that

the remediation would be something that DEC could do. And as for the herring, we're hoping that Fish and Game would be able to do that one.

CHAIRMAN BALSIGER: Does that help you, Mr. Mecum?

MR. MECUM: No. Well, again, I'm struggling a little bit here because you put out an invitation and then it's up -- and then we'd see what we get back, at least on this herring synthesis, yeah. We see what we get back and then we can make a decision at that time who's going to administer it. At this point we're going to spend the check on the ones that the Department of Law has talked about here and we're going to put out an invitation and then we can decide who's going to administer at that time, correct?

MS. PHILLIPS: That's correct.

CHAIRMAN BALSIGER: Now Mr. Meade.

MR. MEADE: I guess for clarity, we're looking at this near \$250,000 to be above our cap. We're not going to impact our '05 research projects already under way and we're not going to limit our '06 invitation.

MS. PHILLIPS: That's correct.

MR. MEADE: Very good.

CHAIRMAN BALSIGER: Mr. Fredriksson.

MR. FREDRIKSSON: I guess -- so Craig, your expectation then on those two projects were you might be looking or we might be looking to have DEC RFP one and Fish

and Game RFP the other. Those details, have they been discussed with the agency liaisons at this point?

MR. TILLERY: I have mentioned them but I don't think I received necessarily concurrence. But the point of fact is, I mean, Department of Law doesn't have the expertise to go out and do an RFP on otter remediation, that's a DEC matter.

MR. FREDRIKSSON: But we have general concurrence, if I might, that these projects are projects that are worthy and need to go forward. So pending that discussion as to who the most appropriate RFP agency would be, we might endorse the projects and then with the expectation that -- I guess, Craig, you've had a working group with the liaisons working on this, haven't you?

MR. TILLERY: Yes, we have been working with sort of lingering oil group on this.

MR. FREDRIKSSON: Okay.

MR. TILLERY: I would note that as far as funding goes, the monies could go through the Department of Law because we have sufficient funding authorization from the legislature last year that would cover those two projects and then the money just, for example, be RSA to another agency. If the funding issue becomes a problem. The other projects, other than those two, would need to go through, I believe, Fish and Wildlife Service.

CHAIRMAN BALSIGER: To Dr. Mecum's point, I guess, if we could put off, I guess, ultimately deciding

who oversaw it but the development of the RFP has to occur very rapidly. So I guess we need some understanding that Alaska Department of Fish and Game could put an RFP together for the herring, so we'd know how we're going to proceed. And DEC for the mechanism one.

MR. MECUM: Yeah, I think I want to have a timeout on this one.

CHAIRMAN BALSIGER: Well, perhaps this would be an appropriate time to have our lunch break and.....

MR. RENKES: Do we have to decide that in order to approve the funding for these projects?

MS. PHILLIPS: No, we could.....

CHAIRMAN BALSIGER: Okay.

MS. PHILLIPS: .....work that out. If you want to do a motion to conceptually approve the \$250,000 that looks like it's going to be needed for these.....

MR. MECUM: It seems like we ought to get past the budget issue and then work on the.....

MS. PHILLIPS: Yeah, we can work out the details later.

MR. MECUM: That's fine.

CHAIRMAN BALSIGER: I think that's a very good suggestion.

MR. MEADE: With that discussion I'd just like to offer the commentary that I think it is important that we're explicitly clear as a Trustee Council, lest

perception deceive us yet again, this is not going to impact the '05 research program and it will not affect the offering in '06. We're making a decision as a Trustee Council to dip into our reserves, so to say, because of some critical lingering oil or injured species data that we need. And I want to be clear about that so that at the end we don't have more commentaries that suggest that we were doing something without good public record of clarity that what we're doing is not taking away from the current research program.

MS. PHILLIPS: Mr. Chairman, that was one of the things that I strongly reiterated to the PAC during the meeting, their meeting.

CHAIRMAN BALSIGER: Okay, so Mr. Tillery, you were looking for.....

MR. TILLERY: Yeah, Mr. Chairman, I guess I'm a little confused here. Are you asking -- we were asking for specific approval of those projects so that we could go forth and obtain the money and expend it and get those projects going right now. By conceptual approval, does that mean I have to come back, and if so, for what purpose?

CHAIRMAN BALSIGER: My understanding was that we would approve the specific money but we don't exactly know who's going to develop the RFPs. So that's where the conceptual idea came in, and maybe that was a poor word.

MR. MEADE: Perhaps it would be helpful to have a motion that would identify that the funding is approved by the Trustee Council with the guidance to the State Trustees to discern how to move forward the RFPs in rapid order.

MR. RENKES: That would be good.

CHAIRMAN BALSIGER: Is there a second?

MR. FREDRIKSSON: Second.

CHAIRMAN BALSIGER: Motion by Meade.

Second. Is there discussion? Dr. Mecum.

MR. MECUM: Well, I guess I was okay with the conceptual approval but I guess I'll just leave it at that, again, until I get a chance to get some background information on where we're going with this. I think it would be a good time for a break, myself.

CHAIRMAN BALSIGER: All right. I suggest that without completing this agenda item that we take a break for lunch. We will have an executive session so we'll need a motion to move into that. And do we need a motion to table this discussion first or can we just quit?

MS. PHILLIPS: We can quit.

CHAIRMAN BALSIGER: Quit talking about that.

MS. PHILLIPS: And come back to it.

CHAIRMAN BALSIGER: Is there a motion to move into executive session?

MS. PEARCE: You have to tell us what the

reason is before you can the motion.

MS. PHILLIPS: Personnel.

MS. PEARCE: Okay. I move we move into executive session for the purposes of discussing personnel issues.

MR. FREDRIKSSON: I would second.

CHAIRMAN BALSIGER: Ms. Pearce moved to move into executive session for personnel discussion. Seconded by Mr. Fredriksson. Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, we will do that. How long do you think this will take?

MS. PHILLIPS: About 10 minutes.

CHAIRMAN BALSIGER: Okay, so we can perhaps reconvene in the open session shortly after 1:00 or.....

MS. PHILLIPS: Or I would say 12:30.

CHAIRMAN BALSIGER: But we're going to eat at 12:00.

MS. PHILLIPS: But we're going to have to eat.

MR. MEADE: Just bring our lunches here and eat.

MS. PHILLIPS: This group can get their plates while we meet and then -- yeah, quarter to 1:00, I would say. Maybe get their lunch first.

MR. MEADE: Can't we just get our food and eat and get it done and get back to the concluding

business?

CHAIRMAN BALSIGER: Okay, so let's try that. The Trustees will run through the line and get their food really quick. We'll come in here and while we're eating we'll talk about our personnel matters and hopefully we'll be done with that and with whatever break we need to start the main public session again at quarter to 1:00.

MS. PHILLIPS: Right.

MR. MEADE: And might I ask the Council if -- typically when my general council is here they.....

(Off record)

(On record)

CHAIRMAN BALSIGER: All right. Perhaps we can come back to session. I'm sorry that it took this long and I would note for the record that in addition to the personnel matters that we discussed, we also had a legal question that we knew we had to deal with but we forgot to say that ahead of time. So we did have some discussions on a legal issue. And so I'm sorry that you waited this long. We were, let's see, completing our discussions on the lingering oil projects. Is there any.....

MR. RENKES: We had a motion to make -- do you want me to read the motion or do you want to read it, Doug?

MR. MECUM: Go ahead, Greg, that's fine.

MR. RENKES: Okay. Move approval of the lingering oil projects and proposals presented by

Department of Law.....

MS. PHILLIPS: Excuse me, Mr. Chairman.

CHAIRMAN BALSIGER: Yes.

MS. PHILLIPS: I did not hear a motion to come out of executive session.

CHAIRMAN BALSIGER: Oh.

MS. PHILLIPS: Sorry.

CHAIRMAN BALSIGER: Entertain a motion to come out of executive session.

MR. MEADE: I so move.

MS. PEARCE: I move.

CHAIRMAN BALSIGER: Second.

MS. PEARCE: I move.

CHAIRMAN BALSIGER: Any opposition?

(No audible responses)

CHAIRMAN BALSIGER: Okay, we're back legal again. I think -- please, Mr. Renkes.

MR. RENKES: Okay, the next item on the action item list is lingering oil where we left off and we had some discussion about that. Since then the staff has assisted us by drafting a motion and I will present it. I move approval on the lingering oil projects and proposals presented by the Department of Law as follows: Esler lab analysis and data analysis, samples collected in Prince William Sound, funding FY05 at \$39,000. I may get these names wrong, Ballachey.

MS. PHILLIPS: Ballachey.

MR. RENKES: Ballachey and Bodkin, lingering oil and sea otters, critical needs amendment project 04-0775, funding FY05 at \$79,800 in FY06 and \$34,900. \$50,000 for an expert review of Pacific herring populations in Prince William Sound. Recipient and lead agency will be determined following an RFP process being conducted by the EVOS science staff. \$50,000 for a project to identify and evaluate oil remediation technologies applicable to lingering oil in Prince William Sound. Recipient and lead agency will be determined following RFP process to be conducted by the EVOS science staff.

And I believe both of those projects, the herring population review and the oil remediation review would be out of FY05 money.

CHAIRMAN BALSIGER: We've got a motion, is there a second?

MR. FREDRIKSSON: Second.

CHAIRMAN BALSIGER: It's seconded. Do you want to speak more to your motion or.....

MR. RENKES: No.

CHAIRMAN BALSIGER: Is there any other discussion?

MS. PHILLIPS: Mr. Chairman.

CHAIRMAN BALSIGER: Ms. Phillips.

MS. PHILLIPS: I would ask for a friendly amendment to the motion on number 3 and number 4 to add a phrase at the end, with appropriate agency assistance as

needed.

MR. RENKES: I accept the friendly amendment. We're always here to help.

CHAIRMAN BALSIGER: Timeout now.

MR. MEADE: Once you find us in '06 that is.

CHAIRMAN BALSIGER: So the second agrees I guess. Is there any other discussion or comment?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, is there any opposition to the motion?

(No audible responses)

CHAIRMAN BALSIGER: It passes unanimously. We have one more action item. Ms. Phillips.

MS. PHILLIPS: Yes, final action item, if Richard will come forward, and that is our FY06 invitation. He'll walk you briefly through it and then we'll open that up for question and answers.

CHAIRMAN BALSIGER: Dr. Dworsky.

MS. PEARCE: Mr. Chairman.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: Before we launch, which of these drafts is the most up to date draft?

MR. DWORSKY: The one that's in your notebook.

UNIDENTIFIED SPEAKER: No.

MR. DWORSKY: Which is our latest draft?

MR. FREDRIKSSON: The one I got on the IBM.

MS. PEARCE: This one? February 4.

UNIDENTIFIED SPEAKER: Yes.

MS. PEARCE: No, yours has a cover and mine didn't. See that's -- his is different.

MR. FREDRIKSSON: I have one that marked up that you can see.....

MS. PHILLIPS: They were all marked up.

UNIDENTIFIED SPEAKER: You should have it in front of you. There you go.

MR. FREDRIKSSON: There we go.

MS. PEARCE: Thank you.

CHAIRMAN BALSIGER: Okay, thank you for the clarification. Please.

MR. DWORKSY: I sort of like forestry a lot, you know, as an old forester.

MR. MECUM: You just don't like forests.

MR. DWORKSY: Forests. At the behest and guidance of the TC at the last meeting, we made a departure from what would have been in the GEM science plan to have an invitation that focused on restoration and revisitation of injured resources and services. This was done through a pretty fair interactive process with the liaisons. We probably sent back and forth three or four copies. Nearly everybody participated. It was very helpful. I think the result is what you see in front of you.

The reason I left the changes online was to

indicate the type of actions that -- the type of changes that were recommended to us. In addition to this, copies were sent to the STAC and the PAC for comments. We did have comments as a result of the STAC meeting. They are included in this draft. We had one PAC commenter. We included those comments. We had multiple suggestions for help and word changes and these were all included.

I can do one of two things, I can walk you through this on a line by line basis but I suspect you have better things to do than editing this. Or I can just point out the highlights that I think are significant. My druthers would be to do the second. I think the important point that we made here is found in the annual report where you all agreed that the Council recognizes and commends the amount of work accomplished and once the outcome of these priority studies is accomplished, the Council will be better prepared to fully meet the goals outlined in the 1994 restoration plan, inclusive of the long term requirements of the Gulf ecosystem monitoring program.

So the point we've made to the STAC and to the PAC by the commenters, we're not abandoning the GEM per se as a program. We may -- we're going to change the words, I think we have some different wording as a result of the early portion of this meeting. So with that in mind we wanted to focus specifically on the status of the species. And on page 6 you will notice we have the milestones. We want to get this out by the 15th of

February. The proposals are due in April. Peer reviews, STAC and PAC reviews conducted during April to June. Funding recommendations drafted, public comment period and we anticipate having a presentation for your approval by August 10th. This also includes further very close working relationships with the liaisons. And they're keeping you constantly apprised of what the -- this invitation is doing.

In the invitation we are going to focus only on recovery, not recovered and recovery of known species. On page 10 there illustrative outline. We are suggesting that this outline formed the backbone of any of the proposals. It could more or it could be modified but we certainly want to use this set of words in our review and our evaluation. It's pretty straightforward. This was developed by one of the agencies in large part and concurred to but with all the liaisons and the science staff.

As a result of the STAC review, they wanted more guidance in terms of evaluations and problematic review. What we did on page 13 is identify the points, identify the percentages. And these are further illustrated in tables 3 and 4 that follow on the next two pages as evaluation sheets. So we think, save for a couple of small word changes and a little more explanation than I've heard today, this is a document that's ready to be set out for the invitation.

CHAIRMAN BALSIGER: Thank you. Any comments from Trustees?

MR. FREDRIKSSON: Maybe in terms of just responding to comments, I just want to thank Gail and you, Richard, for the work you've done on this. This is, you know, under a very short, condensed time frame given we weren't sitting long ago here talking about this. I'm really pleased to see what we have here in the '06 invitation. I'm pleased to see the work that's been done by the PAC and the STAC to really look through this I'm just delighted, from the title page right on through. So thank you.

MR. DWORKSY: Thank you. A lot of people contributed to this.

CHAIRMAN BALSIGER: I'm going to leave here at 4:45 so I'm deciding whether I should ask my question or not. I think more or less likely this meeting will end.

MR. RENKES: I've got a motion here.

CHAIRMAN BALSIGER: Can I ask one question first? Are there pieces that could -- could a proposal be submitted to this invitation that would likely be considered something that would be in the GEM program or has this been written such that the GEM program is something we're looking forward to in the future and the current ones are going to be under the restoration plan but not necessarily under the GEM plan?

MR. DWORKSY: Your second observation is

right. This is written under the restoration. We have specifically said no new invitations would be solicited. You have the option, if the entire amount of money -- if I could just think ahead -- if the entire amount of money isn't allocated, it is possible maybe to go out with a supplemental invitation or it is possible to, with the Executive Director's guidance, to use some of that money on existing funds if modifications come in. We did include a section here on modifications to existing programs in this.

My anticipation is they would not be large. My other anticipation was if they were major changes, we would go back to the STAC and PAC and do sort of an ala Konar approach. But I think if we have money left over that there's plenty of ways to utilize that in existing programs, if those opportunities arise.

CHAIRMAN BALSIGER: Thank you, appreciate that. Any other comments?

(No audible responses)

CHAIRMAN BALSIGER: Does someone have a motion? Ms. Pearce.

MS. PEARCE: I would move that the Council approves the '06 invitation and directs the Executive Director to complete any final editing changes and that would include one final round of seeing the final draft by the liaisons and then the invitation should be sent out by February 12th, 2005.

CHAIRMAN BALSIGER: Thank you. Is there a

second?

MR. FREDRIKSSON: Second.

CHAIRMAN BALSIGER: Thank you, Mr. Fredriksson. Any discussion? Any comments?

(No audible responses)

CHAIRMAN BALSIGER: All in favor, please say aye.

IN UNISON: Aye.

CHAIRMAN BALSIGER: Motion passes unanimously. Thank you very much.

MR. DWORKSY: You bet.

CHAIRMAN BALSIGER: We're on to -- we've finished our noon working lunch, no one's hungry anymore. Let's go to the next item, which would be the TEK presentation, if Dr. Wheeler is here.

MS. PHILLIPS: Okay, Mr. Chairman if we.....

CHAIRMAN BALSIGER: Or did you want to do something different?

MS. PHILLIPS: If we could take maybe a few minutes standby, she was scheduled to come on at 3:00 o'clock and.....

CHAIRMAN BALSIGER: Oh, I see.

MS. PHILLIPS: .....Cherri can go and call and see if.....

MR. RENKES: Shall we do the.....

CHAIRMAN BALSIGER: I suspect we can

maneuver it so that it comes up about 3:00 o'clock. Would you.....

MR. RENKES: I don't know if.....

MS. PHILLIPS: We're done with business.

MR. RENKES: Is there anything to be done with the miscellaneous items?

MS. PHILLIPS: No, they're just information.

MR. RENKES: Information. So this is really the last thing.

MS. PHILLIPS: Right. And I expected it to go for a couple of hours, so.....

CHAIRMAN BALSIGER: The Chairman is so expeditious.

MR. RENKES: And this TEK presentation is going to be how long?

MS. PHILLIPS: About an hour. So if we could just stand at ease for a moment and Cherri will call and see if she can come.

(Off record)

(On record)

CHAIRMAN BALSIGER: We convene. Once again, we did have one issue that we didn't discuss while Dr. Wheeler is setting up, we'll pretend you're not quite ready.....

DR. WHEELER: No problem.

CHAIRMAN BALSIGER: .....that we'll discuss

and that was a resolution thanking, recognizing Charles Meacham for his past contributions as the chairman of the PAC, I believe. And is it your view this requires a motion then, Gail?

MS. PHILLIPS: A motion to approve and then signatures.

CHAIRMAN BALSIGER: There was a draft of this in the book, so I don't know if anyone had a chance to look through it and then we'd be prepared to make such a motion. First we should discuss it, if there is any discussion, comments.

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, is there a motion on this topic?

MR. MEADE: I make a motion that we approve the resolution as submitted, recognizing the outstanding contribution that Dr. Meacham provided for the -- or Chuck Meacham provided for the leadership with the PAC.

MS. PEARCE: We can't take formal action because we don't have all six of us here.

CHAIRMAN BALSIGER: Oh.

MS. PEARCE: But we can.....

MS. PHILLIPS: You can second the motion and then talk.

MS. PEARCE: Well, we can't.....

CHAIRMAN BALSIGER: But if Greg's not coming back.

MS. PEARCE: .....accept a motion.

MS. PHILLIPS: Oh. Craig's online.

CHAIRMAN BALSIGER: Craig, are you online?

MS. PEARCE: Say it again. Craig, are you  
online?

MR. TILLERY: Yeah.

MS. PEARCE: Don't sound so thrilled.

CHAIRMAN BALSIGER: We have a motion and a  
second to pass a resolution thanking Chuck Meacham for his  
past contributions to the Council for his work as chairman  
of the PAC. Mr. Renkes has stepped out of the room so  
we're hoping as his alternate you could cast a vote as to  
whether you would support this resolution or not.

MR. TILLERY: I do. I will and I do.

CHAIRMAN BALSIGER: Thank you. Is there  
any opposition in the room?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, it passes  
unanimously. Thank you very much. Now, Dr. Wheeler, we're  
ready for your presentation. Thank you for accommodating  
our schedule. I'm sorry we didn't have a better estimate  
of our time.

DR. WHEELER: That's okay. Do you need me  
to speak into the mike or will it pick me up?

REPORTER: I can hear you.

DR. WHEELER: Okay. Usually that's not a  
problem. I have 10 copies of this presentation. I didn't

know how many people were going to be here so I don't know if you want to follow along or what. And I have some other materials that I can provide you after this.

Anyway, thank you all for the opportunity to speak to you. My name is Polly Wheeler. I'm the lead social scientist with the office of subsistence management here in Anchorage and I work primarily with the research arm of OSM, as we affectionately call it. And I'm -- sort of oversee a fisheries research program, the social science arm of a fisheries research program. And in one of my capacities in that job, I've been working on developing a protocol for capacity building for the office. And also I've been real involved in traditional ecological knowledge projects and working on incorporating the findings of those projects into fisheries management.

So I was back in DC a couple weeks ago and Drue Pearce asked me to -- or I guess pass the word anyway -- and so that's why I'm here before you today. So I'll go through this and if you have any questions as I'm going along, by all means ask then and then I think we'll probably have some time at the end to follow up if there are any questions. Oops, I'm going backwards, not a good start.

Okay, this just gives you sort of a discussion outline, where we're going to start at. I thought it would be useful to give a little bit of background on the fisheries resources monitoring program.

Member Mecum is probably a little bit familiar with that since we fund about 50 percent of the fisheries research on the Kuskokwim right now and about 25 percent on the Yukon, at least with salmon. But I thought it would be useful to talk a little bit about that, sort of what's going on with the program and what are some of the goals and purposes of our program. And go into traditional knowledge projects and how we're approaching using it in management, using traditional knowledge in management. And then a little bit about capacity building.

First with the fisheries research monitoring program, as I said, I work with the Office of Subsistence Management. The fisheries resource monitoring program is housed within OSM. There's sort of two sides of OSM, one is the regulatory side, with which I'm sure some of you are familiar anyway, and the other is the research side, specifically fisheries research. And we just started, even though the Office of Subsistence Management has had a role in subsistence management since 1990 with wildlife, the Federal government just assumed management authority for fisheries in 1999. And so the fisheries resources monitoring program started in 1999 and it basically -- our enabling legislation is ANILCA and specifically Section 812 of ANILCA.

And the purpose of the program is basically to provide information for fisheries management, to address the gaps. It's not supposed to be duplicative and it's not

supposed to provide replacement funding. And excuse me for my back to you there. It's about a seven million dollar program a year, give or take. We typically have 85 projects going on per year. It's interdisciplinary and science based and the unique part of the program, certainly from my perspective, is sort of the effort toward blending western sciences with traditional knowledge.

It's an effort. We've got a lot of work to do but it certainly a start and definitely not a finish. The kinds of projects that we fund, stock assessment projects, weir sonar counters, that sort of thing. Harvest assessment, we've done a lot with that. Post-season harvest assessment. In-season harvest assessment. In-season monitoring, sort of what's going on with the salmon runs in-season. We fund a lot of village and household surveys and then of course there's the collection, documentation and particularly the analysis of traditional knowledge that we're focused on.

And I should say basically our program funds research, we don't in and of itself do research. We have certain guidelines, which is about -- no more than 60 percent of our funding can go to Federal agencies. A lot of our funding does go to Fish and Game. Typically in partnership with NGOs and also some university research in there. But the call for proposals is open to anybody, we don't require a match. And we just had our 2006 call for proposals that ended on January 28th. We have a little

over a million dollars available for projects in 2006 and we got five million dollars worth of proposals. So we have a fair amount of work to do.

And the program is staffed by biologists and anthropologists. We've got four biologists, two anthropologists. And we sort of do an initial review of the projects and then it goes to a technical review committee that's comprised of three representatives from Fish and Game and one representative each from the five different Federal agencies. And we have some duplication from some of the Federal agencies because we have -- in order to sort of get some kind of a disciplinary balance. I will say most of the TRC are biologists. We've got two social scientists on it right now, one from Fish and Game and one from BLM.

So again, the purpose of the program is to provide information and support of Federal subsistence fisheries management. Kind of manage and conserve fisheries, insure priority is given to subsistence uses, and to build capacity. That is one of the strong mandates of the program.

It's a multi-disciplinary program, as I said, and social science perspective plays a key role in the whole program. The architects of the program felt that they kind were going after some models in Canada for research, where there was a real effort at incorporating local perspectives, traditional knowledge. Not only

documenting the stuff, because we all know it's out there, but it's a question of what are you going to do with it once it's documented. And that's really been my focus. I've been with the program for about a little under three years, before that I was with Fish and Game and was the recipient of some of this funding when I was at Fish and Game. And now I get to give the money out. It's kind of a nice switch.

Again, this doesn't say anything that I haven't said already. And I guess with capacity building, we have several efforts -- we insist that there be some capacity building component of all the projects that we fund, but we also have a program called the partners program where we fund professional level positions in typically regional non-profit organizations, although some tribal organizations also have position. Right now we've got about eight positions out there and there's also some internship programs tied to the partner's program. And again, the goal of that is to get people that are in some ways most directly affected by management involved in the management process with the idea that the more involved people are, the more understanding they have of it, and the more committed to it the will be.

As far as the issues and challenges with the traditional knowledge projects -- and I have an article that I just got published here in an anthropological journal, which probably none of you have seen, but I have a

copy of the article which I can give you which talks about -- the focus of the journal was on traditional knowledge in Federal resource management agencies. And the article that I have is sort of talking about the challenges of -- well, the challenges of actually conducting some of these traditional knowledge projects but more importantly, how can they be done the best -- how can they be done most effectively so that you can actually take this information and use it in fisheries management.

A couple of the key points that I focus on with all of the PIs that we fund is that there's got to be disciplinary expertise and rigor, replicability in all methods. Social science is a soft science but nonetheless it is a science, so replicability is key. It's been really interesting because a lot of people that we have funded tend to be pretty -- they don't want to identify what they call their key informants. They don't want to identify the people that they're talking to. And my position is, you got to identify them, you got to document their expertise. Because if you don't do that, then why should anybody believe it. You know, it's not like there's everybody out there waiting to impart pearls of wisdom. You have to kind of get at, document their expertise and show why they are experts so that the information can be trusted. Some people get queasy about it but it's one of the things that I've started to insist on with the projects that we fund.

The other thing is, and it may seem self-

evident though it's not for a lot of people, is using a combination of methods for getting that information, not just doing key informant interviews. Doing mapping, doing place names, doing local taxonomies. One of the projects that we funded up in Arctic Village, people kept saying they were rainbow trout up there and the biologist were saying no, they're not. Well, my feeling was, okay, whatever they're calling it, let's figure out what they are so that, you know -- so we developed pictures of the different fish and what people called them so that at least people knew when somebody was calling something a rainbow trout, they knew what it was.

And we've also found -- we just finished a project or a project was just finished up that we funded on the Koyukuk River that had four different terms for blackfish, four different Native terms for blackfish. And it was all keyed to their biological condition at different times of the year. Again, important information because we don't know a lot about blackfish from western science. So it's a way to kind of figure, okay, well what do these guys know, how do they know it, why do they have these different names for it. So it's that kind of information that we're looking at. And again, documenting it is one thing but doing something with it is the important thing. Because we've all see lots of documentation that ends up sitting on shelves and doesn't do anybody any good.

One of the challenges that we've also had

is a focus on databases. A lot of people think, oh, they can take these interviews, slap them into databases and then everybody is going to use them. And what we've found is, because we have funded several projects along these lines, what we've found is that the databases don't get used. Most of the managers, the fisheries managers in particular, don't have time to sit down and go through interview transcripts, even if they have the key words. Not that they're not interesting or interested, they simply don't have the time.

So we've tried to get investigators to think about databases kind of as a means to an end rather than an end in and of themselves. Some people are somewhat resistant to that because you have a CD with all this cool information on it but again, utility and application is key. And I think when we're spending the kind of money that we are, we've got to be doing good science but we've got to be collecting and providing information that's actually used.

Another approach that I'm trying to encourage is -- kind of instead of having parallel tracks with western science and sort of social science projects, having overlapping tracks. Where you have a project that's asking some of the same questions but from different perspectives. And we funded one project so far along those lines, it's a Kanuti whitefish project that's doing radio telemetry.

One of the biologists out the Fairbanks Fish and Wildlife Service field office, Randy Brown, who's pretty renowned as a whitefish expert, he's working with a social scientist. The social scientist is doing interviews with key informants, trying to figure out all this information about where they think whitefish are spawning, where they're at different times of the year. And then Randy's checking out that information using radio telemetry.

Early on people were saying, oh, whitefish are spawning on the upper parts of the Alatna and Randy said, there's no way they're spawning up there. Well, guess what, radio telemetry showed that in fact they were spawning up there. Although this past year they had a bit of difficulty because the water was so low. But again, that kind of information -- but you've got to have special people that are going to be doing that kind of work. You've got to have biologists that are willing to listen to that information and check it out. And you've got to also have social scientists that know enough about the biology of these different fish species that they can be effective in asking questions. Because it doesn't really do any good to not know anything about what you're asking when you go out and interview people.

Here's a couple of examples of some of the TEK projects that we funded. And I should say, just as a side note, there's a lot of discussion -- I mean, if you go

into the literature, there's volumes on what TEK is and what TEK isn't. I don't spend a lot of time on that. I think it's just -- it's information that's held locally based on many, many, many years of use and that's sort of where I leave it. Because again, I think TEK has gotten a lot of intellectual currency over the years from a lot of people in my discipline but in fact I don't think it's really particularly useful to be going on about what the definition is. I think it's more useful to figure out how you can actually use it.

So here's some projects that we've funded. And it gives you an idea of kind of what some of the end products. Early on in the program we did a project looking at beaver/whitefish interactions because we've been hearing for years that beavers were affecting whitefish populations. And what we actually found is yeah, they were, but a lot of people were using beaver dams as a way to fish. You cut a hole in the dam, put a net underneath, and get their winter dog food supply.

But there were other things that we found. The flat seems to be drying up. There's different patterns of movement in recent years and people are concerned about that. The TEK of Yukon River salmon, it was done by Yukon River Drainage Fisheries Association. They put together a video talking about what TEK is but also provided some examples of application to management by having this video kind of going up and down the river talking to users and

how their information could or couldn't be used in management.

Then there's the project that we did on the Koyukuk River which combined a harvest survey with traditional knowledge interviews. They interviewed 15 people. The average age of the people that they interviewed was about 70. They did a harvest survey out there, it was pretty interesting because there's six villages on the Koyukuk River, they harvested 96,000 pounds of whitefish in one year, which was about five times what previous estimates had been. So, you know, the hypothesis was that people would be using more whitefish with declining salmon runs. Of course what's more, when your baseline is pretty crude, but 96,000 pounds is a lot of whitefish.

And then we just -- this one other project, the whitefish in Kotzebue Sound, we just go the final report this week. The investigator on that project interviewed 59 locals. She happens to live in Kotzebue so she could interview people in and around the area and there's just a wealth of information about whitefish, all kind of population information, abundance, where they spawn, you know, life history information in there.

And what we're trying to do now is get some of these PIs together that have looked at whitefish in different parts of the state and sort of do an assessment of, you know, what do we know statewide based on this rich

ethnographic information about whitefish. Because again, it's a species that's key for a lot of subsistence users but it's not anywhere near as sexy as salmon is, so it doesn't tend to get the attention from a lot of biologists, and whatever we can learn about them, the better.

So our -- you know, you can't have a talk without talking about paradigms here. You know, what we're trying to get our researchers to realize is that there really is a paradigm shift going on. Instead of this sort of uni-lineal relationship where you've got the research and the researcher on one side with the resources in the middle and the communities on the other side, you've got more of a triangular relationship there, where it's really a lot of -- it's sort of a feedback loop all around. Where people are coming up with reasons, coming up with the questions, potentially involved in the actual research and interested in and affected by the findings. So are we there yet? No, but I think we're getting there and I think over -- I don't think we're going to go back, certainly in rural Alaska, to what some people will call the good old days. But I don't think we're going to go back and I think that we're going to learn a lot moving forward.

Now what is capacity building? It's sort of like TEK, everybody talks about it and nobody really knows what it is. This was a definition that I sort of thought was funny but it doesn't really say much but it sort of says everything in not saying much. But a lot of

the capacity building literature actually comes from development, sort of third world development stuff. But it's actually in a lot of ways pretty applicable -- kind of the findings of it are pretty applicable to the kind of work that we're doing.

MS. PHILLIPS: Polly, would you read that out loud, please?

DR. WHEELER: Oh, sure, for those of you in back. Capacity building is a risky, murky, messy business with unpredictable and un-quantifiable outcomes, uncertain methodologies, contested objectives, many unintended consequences, little credit to its champions and long time lags. And it's actually sort of funny because in the past six months it seems like this has really taken off. There was a capacity building workshop at the university in early December and now there's a capacity building sort of -- our organization has had a capacity building white paper for a year or so that we've kind of been working on. And we finally decided that we needed to get it out because all these other efforts are going on and why reinvent the wheel.

The AYK sustainable salmon initiative, I'm working with them on capacity building. So there's all these sort of independent efforts that are coming together, I think, hopefully because there's too much to do to have everybody doing their own little thing. But this, you know, whenever I talk to people that are involved in this

whole idea of what actually capacity building is, usually people get a chuckle out of this, because it's true.

And I should have just probably said this earlier, but the FRMP, again, all bureaucracies have to have their acronyms, so the fisheries resources monitoring program, somewhat of an unfortunate acronym, the frump, but you know, it's -- people remember it.

So in terms of the fisheries resources monitoring program, what does capacity building mean? It means increasing the ability of Alaska Native rural and non-profit organizations to participate meaningfully in Federal subsistence management and research. But also to increase the ability of researchers to work outside their disciplines and also to work more with local people. And that has been a challenge in many cases. In many cases it hasn't been and people have been doing it all along. But in other cases it's presented a challenge. And I will say even within my own agency.

Fundamental question is, especially when we first started, why do it? You know, what does it matter? I just want to do my own research, da, da, da, da, da. And again, the old sermon here but, you know, if research is to be a positive component of the rural Alaska environment, it has to respect and involve local communities and people in appropriate ways. Conversely, there's got to be that respect for the researchers at the local level too. And so this capacity building is a two-way street. It's the

researchers but it's also working with local people in communities and rural organizations.

So how to do it? One thing we do is insist that all the projects funded through our program include some form of capacity building. And I have a chart, which is on the next slide, which I'll show you. But again, early on in the program, well even actually in recent years, some people said, well you know, I'm going to pay the tribe for arranging logistics and call it good. Well, that's not really capacity building. We're thinking, you know, there has to be a little bit more involvement than that.

And one of the things that we've had to do, we've found, is helping some organizations to build expertise so that they can hire and train experts and develop internships. I mean it's a learning process all along. In some organizations it involves, you know, getting them trained administratively. Getting organizations to submit invoices. I can't tell you the number of times when, you know, they'll be an organization that's in a project for \$20,000, they're doing the work and then contracting will call me and say what's going on, we haven't gotten an invoice since the start of this project, have they done the work? And I'm saying they've done the work, I know they've done the work, but they haven't submitted an invoice. So, you know, we've done a lot of sample invoices and we've learned, you know, we send people

sample invoices so that they can figure out how to do the invoices. But sometimes that's what you're dealing with. I mean, not everybody but certainly some people.

And there's other organizations that have no problem submitting invoices on a regular basis, regardless of what's been done. And for those of you back there, you may not be able to read this, the font's actually kind of small but it had to be small in order to fit on there. This is a chart, sort of our little chart that we go by in terms of capacity, how we measure it. You start at the bottom and go up to the top. I should say this is borrowed from a Canadian colleague who has done a lot of work with co-management. He uses it so differently, talking about levels of co-management, but I think it's useful to have a visual since we had so many people saying, what is capacity building, what are you expecting of us, what are we supposed to do. This gives people an idea of kind of what we're thinking about.

Now is every organization going to ultimately be at the top? No. Some organizations don't want to be, could care less, don't care. Other people do want to have a lot of control over projects. We've got several tribes -- Sitka Tribe of Alaska, Native Village of Eyak, both of whom are co-PIs on projects with other -- you know, with Fish and Game or LGL. But they're co-PIs and they're doing the work and doing quite well. And then we've got other entities that don't really have an interest

in participating in some of these projects. And so kind of communicating with them and consulting with them is okay with them. The point is, you can't assume stuff, you just kind of got to figure out, working with these communities, where they want to be at.

So it does involve a commitment on the part of the researchers to actively go out there and work with these communities and figure out where the communities want to be involved in this, if they want to be involved with this, and if so, how.

Some of our projects have strong capacity building components and you'll notice it's probably not an accident that TEK is in the title of most of them because those tend to be the projects that a lot of people are interested in working on. We've funded a three year project, it's a TEK/science camp in Fort Yukon. It's a partnership between Fish and Game, Council of Athabaskan Tribal Governments and Tanana Chiefs Conference. And the goal of that is to expose local people to fisheries management concepts but also to kind of figure out ways to use traditional knowledge in management. Because again, we hear this all the time. We know so much, the managers don't care, they're not using this stuff in management, so how can we do that. Of course then sometimes the next step sometimes is well, it's cultural property so you can't use. You know, you can't document it. And so my feeling is look, if it's got to be used in management, we've got to

get past that intellectual or cultural property issue because it is critical information and it can add some value but it can't be privately held if you want it to be used in management.

And our position is for the projects that we fund that, you know, if there are tapes that are done, then we need to have copies of those tapes so that they can be available if people want them. So, you know, if people want to do a project where they're documenting sort of maybe cultural traditions, I tell them that probably getting funding through our program isn't the best things. Because this is -- you know, we do -- particularly because we're a Federal agency, we have to be transparent, the information would have to be available to everybody. And that sounds sort of harsh maybe to some people but I think it's important to have those guidelines and those standards right from the get-go because otherwise you do get into -- you can potentially run into issues down the road.

Another project, it's a project down in the Grayling, Anvik, Shageluk and Holy Cross area. Looking again, doing harvest assessment and traditional knowledge interviews with elders down in that -- or locals down in that part of the world, mostly elders but not always. And that's again on non-salmon, not on salmon. And that's a partnership between Fish and Game and Tanana Chief's Conference.

There's the project that I just mentioned a

few minutes ago -- actually this is a different project. Sitka Tribe of Alaska and Fish and Game are doing a project, again looking at salmon monitoring but also with a strong effort at getting the 17 tribes or so down in that part of the world involved in fisheries management and the Federal subsistence management process.

And then there's another project that's just finishing up now doing subsistence fish harvest assessment and collecting all kinds of ethnographic information in Anaktuvuk Pass. And that's a partnership of Fish and Game and the City of Anaktuvuk and also the North Slope Borough. So it's kind of a neat project, they've all come together on that.

Just wanted to say a few words about the partners program that I had mentioned earlier. Again the partners program, the goal of it is to build capacity and expertise of Alaskan rural organizations so that they can meaningfully participate in management and research. The purpose of the program, this is sounding like a broken record, build capacity, promote local involvement and promote cooperative partnerships. And that's the key word there, is we don't expect these people to just go out there and do everything by themselves, everything's got to be done through a partnership. And I would say that probably 90 percent of the projects that we fund are some form of a partnership. There's a few out there where it's just Fish and Game, just the Conservancy Genetics Lab, or just Yukon

River Drainage Fisheries Association. But the vast majority of them are partnerships, again, because everybody can -- or most everybody, probably not everybody -- but most organizations can bring something to the partnership and the partners program is built on that premise.

Right now in the partners program we put out an RFP, organizations respond. Right now there's eight positions, there's six biologist positions and two social scientist positions, not saying that social science isn't important. I always argue that maybe it's because two social scientists can do the work of six biologists but who knows. So we have these professional level positions in these different organizations. Some of the organizations, BBNA for example, also has a really strong internship program. Last summer they had eight interns and they are planning on having six interns this next summer and potentially building on that. So a really strong component of it again is getting these professional level positions out there with an eye towards eventually having local people in those positions.

BBNA did have one -- they had a biologist that was from that -- was from Dillingham but he eventually -- he left BBNA last, let me think, I think in the fall to go back to Division of Sport Fish in Fairbanks. Couldn't stay away. He was at Sport Fish then he went to BBNA and then he went back to Sport Fish. And the two social scientist positions, one's at BBNA, one's at Native Village

of Eyak. And then we've got these other biologist positions.

The idea they're -- all of the biologist positions with the exception of BBNA, are on the Yukon River or the Kuskokwim River with the recognition that that's some of the more -- those are two of the more contentious areas in the state. We've got the Yukon sort of divided between lower Yukon, middle Yukon, upper Yukon. And the Kuskokwim is lower and middle. And they've got the partner positions in there. And they're sort of the eyes and ears on the ground but they're also supposed to be working on these fisheries monitoring programs, helping out on the programs, and eventually putting in their own projects.

I think we'd be remiss in talking about capacity building if we didn't talk about some of the challenges of it, because there are lots of them. One of the big issues that we experience regularly is the turnover of people in staff in different organizations. It's hard to build a program when you've got a lot of turnover. I don't know if it goes with the territory, it seems like it sort of does, but you have to kind of -- that's one of the issues that you have to deal with.

It doesn't always work, that can be frustrating too. You have a program, you're building a program and then people leave and it sort of falls flat on its face. But again, nothing ventured, nothing gained

really. It is difficult, it's time consuming. When we're dealing particularly with fisheries managers that have a lot going on, they get frustrated because they're being expected to do more, to talk to more people. You know, that's the reality of it.

And of course the sensitivity to culture and disciplinary differences is something that we probably all could do better jobs at, but it does certainly require that.

And then just a couple of points about what makes success, at least from my experience. Certainly long term working relationships with communities, meeting communities where they're at. Acknowledging the strengths and weaknesses of all involved and build on them. This sounds really Pollyanna-ish but I think some of these points are worth talking about because, you know, these things don't just happen overnight. They do require long term relationships. And the most successful efforts are really those where you have people that have been in the area for a long time and are committed to and interested in the process.

Flexibility is key. And we found too that taking time for trainings and getting feedback -- again, really time consuming but well worth the effort in our experiences.

So that's all I have. If anybody has any questions, I'd be happy to answer them.

CHAIRMAN BALSIGER: Ms. Pearce.

MS. PEARCE: Thank you. Thank you, Dr. Wheeler, for coming today and thank you, Gail, for following up on my request. As the Council has in the past year kind of looked at where we were going, made some changes in our priorities and perhaps even expanded direction, I have felt that we have gotten further away from the community involvement component. We've had some good work done. Marilyn's group did some great work, made some great recommendations, but we've been busy more looking at how does GEM fit into the larger scheme of things, asking to revise the science plan, looking at how to bring lingering oil and injures species back into the mix to a larger degree. We've kind of lost that community involvement and I don't want to let it stay lost. I recognize that in our '06 proposal, we have one paragraph and a certain percentage that goes toward traditional ecological knowledge and we want that to be a part of what we do. But I am constantly amazed at the resources that we have in our Federal agencies and the opportunities we have to learn from people who have already struggled with some of these questions and we don't need to reinvent the wheel.

So without having asked her bosses, what I would like to suggest -- because I don't have a preconceived notion as to how it would work -- while we don't have a direct responsibility as a Trustee Council for

capacity building, we do have a direct responsibility for this community involvement. And it's not, to me, it's not a Native involvement, it's not a rural involvement, it is a local and traditional. And that local can be a larger community or a smaller community but we do have that responsibility.

We've got these tremendous resources. No matter what you think of Title 8 of ANILCA and the exact program that Dr. Wheeler is in, we've got the resources that we've been building on. And I would like, working toward our '07 invitation and as we write the new science plan and have that come back to us in August, that we avail ourselves of the folks who have already been working towards this and try to build into, both the science plan but also the '07 invitation, some additional measures that will get us to that circular research paradigm rather than that linear research paradigm. So that we truly are helping to get the communities involved using that traditional knowledge, and at the end of the day, yes, building capacity, because I think that's a good place to go. And I understand that this is all really easy to say and really difficult to put in practice but I think we can do a better job.

And because we're in the midst of a rewrite of the science plan and because the '07 proposal is out there a way, I think we've got some time to put the effort into it and try to make it happen. And I would suggest to

the rest of you that I would hope you would support me in asking the Executive Director to do that and to work with the folks, not just in the Office of Subsistence Management but in other places around the state who have already built some of these programs that are getting to that paradigm. But I really do thank you for coming in. I've also asked Clarence, by the way, to have her come talk to the Pacific Research Board and talk about the same thing because I know that they're struggling with the same sort of questions in how to get there.

CHAIRMAN BALSIGER: Thank you. Any other comments?

MR. FREDRIKSSON: Maybe one.

CHAIRMAN BALSIGER: Mr. Fredriksson.

MR. FREDRIKSSON: First of all, thank you. It was a very nice presentation. We grapple with capacity building and when you start talking about invoices and the difference in communities, we definitely deal with that on a daily basis as well. So thank you for that.

In the consent decree with the Federal and State governments, there's an interesting reference to a Federal agency that we don't see here every day but it's EPA. And I'm not suggesting that they come to the table. But I bring that up because there is a fairly significant capacity building program to the tune of 15 million dollars per year, annually, 15 million dollars per year EPA gives to Alaska tribes for capacity building. I haven't seen as

clear and well presented discussion of capacity building as I heard from you today. And so, Gail, my advice is, not to overlook EPA as we kind of look to '07 in the science plan. There are other Federal agencies out there that are throwing significant resources at these questions and we don't want to overlook them.

MS. PEARCE: Right.

CHAIRMAN BALSIGER: Anything else? I also thank you. I don't think that the Trustee Council or any of the other funding people have newly awakened to the need to involve communities and this particular group has always tried to have a strong community outreach. But by putting actually structure to it, it's been difficult. So this is a useful presentation I think. Thank you very much.

And that brings us -- unless there's other comments -- that brings us back to.....

MS. PHILLIPS: Thank you, Polly.

CHAIRMAN BALSIGER: .....thank you very much -- to the miscellaneous items that we have on here.

MS. PHILLIPS: And Mr. Chairman, other than just to acknowledge the miscellaneous items, you've taken care of the Meacham resolution. Did everybody have a chance to sign it?

IN UNISON: Yes.

MS. PHILLIPS: That's all the business we have for today. Amazing. Wonderful.

MR. MECUM: Good job, Mr. Chairman.

DR. WHEELER: I have copies of this  
article.....

MS. PHILLIPS: Oh, great.

DR. WHEELER: .....if anybody's interested.  
And I apologize, they're cheesy copies but I haven't gotten  
the author's copies back. So if anybody is interested, I  
have copies of the article.

MR. MEADE: I would like to secure a copy.

CHAIRMAN BALSIGER: Mr. Meade.

MR. MEADE: No, I was just responding.

CHAIRMAN BALSIGER: Oh, okay. Thank you.  
Unless there's other business, I'd entertain a motion to  
adjourn.

MR. MECUM: So moved.

MR. FREDRIKSSON: Second.

CHAIRMAN BALSIGER: Seconded. Any  
opposition?

(No audible responses)

CHAIRMAN BALSIGER: Hearing none, we are  
adjourned.

MS. PHILLIPS: Thank you very much.

CHAIRMAN BALSIGER: Thank you very much  
everyone.

(Off record)

END OF PROCEEDINGS

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 173 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Meeting recorded electronically by me on the 4th day of February 2005, commencing at the hour of 10:00 a.m. and thereafter transcribed under my direction to the best of our knowledge and ability.

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 15th day of February 2005.

SIGNED AND CERTIFIED TO BY:

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