

1 EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

2 Public Meeting

3 Thursday, November 10, 2005 - 10:12 a.m.

4 441 West 5th Avenue, Suite 500

5 Anchorage, Alaska

6 TRUSTEE COUNCIL MEMBERS PRESENT:

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

8 U.S. FOREST SERVICE MR. JOE MEADE

9 (Chairman) Forest Supervisor

10 STATE OF ALASKA - DEPARTMENT MR. KURT FREDRIKSSON

11 OF ENVIRONMENTAL CONSERVATION: Commissioner

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

13 National Marine Fisheries Svc: MR. JAMES W. BALSIGER

14 Administrator, AK Region

15 STATE OF ALASKA - DEPARTMENT MR. McKIE CAMPBELL

16 OF FISH AND GAME: Commissioner

17 STATE OF ALASKA - MR. SCOTT NORDSTRAND

18 DEPARTMENT OF LAW: MR. CRAIG TILLERY

19 Deputy Attorney General

20 State of Alaska

21 U.S. DEPARTMENT OF INTERIOR: MS. DRUE PEARCE

22 U.S. Department of Interior

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1 TRUSTEE COUNCIL STAFF PRESENT:

2	MS. GAIL PHILLIPS	Executive Director
3	DR. RICHARD DWORSKY	Science Coordinator
4	ROB BOCHENEK	Data Systems Manager
5	MICHAEL SCHLEI	Analyst Programmer
6	CAROLYN ROSNER	Research Analyst
7	DOUG MUTTER	Department of Interior
8	CAROL FRIES	ADNR
9	DEDE BOHN	U.S. Geological Survey
10	MICHAEL BAFFREY	Department of Interior
11		(TELEPHONICALLY)
12	GINA BELT	Department of Justice
13	CARRIE HOLBA	ARLIS Librarian

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P R O C E E D I N G S

(Anchorage, Alaska - 11/10/2005)

(On record - 10:12 a.m.)

CHAIRMAN ZEMKE: Well, I guess everybody is here. My name is Steve Zemke. I'm sitting in for Joe Meade, who is on a Copper River Flyway meeting he had scheduled many months in advance so he sends his regrets that he couldn't be here. And I guess looking at the roundabout, Joe was up so -- actually, maybe that's why he left, too. So I guess I would like to call this November 10th meeting to order. And I guess the first order of business is a consent agenda and the first item on that is the approval of this day's agenda. Is there any.....

MS. PEARCE: Move to approve.

CHAIRMAN ZEMKE:discussion on that item?

MR. NORDSTRAND: Second.

CHAIRMAN ZEMKE: Hearing a second, all those in favor of approval of the agenda as it stands say aye.

IN UNISON: Aye.

CHAIRMAN ZEMKE: Opposed.

(No audible responses)

CHAIRMAN ZEMKE: The agenda is approved.

The next item on the agenda is approval of Trustee Council

1 meeting notes. There's actually -- Gail -- I guess a set
2 of three notes.....

3 MS. PHILLIPS: Yes.

4 CHAIRMAN ZEMKE:that we need to
5 approve. And so I guess there's the -- I guess we can
6 entertain discussion on -- I guess in order -- of the
7 August 10th, 2005 meeting notes. Is there any discussion
8 on.....

9 MS. PHILLIPS: August 5th.

10 CHAIRMAN ZEMKE: August 5th.

11 MS. PHILLIPS: Thanks.

12 MS. PEARCE: Do you want separate motions
13 on each of them.....

14 CHAIRMAN ZEMKE: Oh, okay.....

15 MS. PEARCE:Mr. Chairman?

16 CHAIRMAN ZEMKE: Yeah, separate
17 motions.....

18 MS. PEARCE: Okay.

19 CHAIRMAN ZEMKE:on each one would be
20 in order.

21 MS. PEARCE: I would move the August
22 5th.....

23 CHAIRMAN ZEMKE: Yeah.

24 MS. PEARCE:notes for approval.

25 CHAIRMAN ZEMKE: So the current discussion

1 is August 5th.

2 MS. PEARCE: Which we've got a 5th missing
3 here.

4 MR. NORDSTRAND: Oh, right.

5 CHAIRMAN ZEMKE: All those in favor of
6 approval of the notes say aye.

7 IN UNISON: Aye.

8 CHAIRMAN ZEMKE: Opposed, same sign.

9 (No audible responses)

10 CHAIRMAN ZEMKE: The meeting notes for
11 August 5th are approved. August 10th, 2005 meeting notes.
12 Are there any discussion on those notes?

13 MS. PEARCE: Move to approve.

14 MR. NORDSTRAND: Second.

15 CHAIRMAN ZEMKE: Second. All those in
16 favor, say aye.

17 IN UNISON: Aye.

18 CHAIRMAN ZEMKE: Opposed, same sign.

19 (No audible responses)

20 CHAIRMAN ZEMKE: Motion is approved. On
21 the August -- or the September 21st meeting notes, was
22 there any discussion on those? Kurt.

23 MR. FREDRIKSSON: Yeah, Mr. Chairman, on
24 Page 2, under Item No. 2, Arctic-Yukon Kuskokwim
25 sustainable salmon initiative, there's a reference to a

1 motion that I believe I made that is characterized as a
2 motion to approve entering into a memorandum of an
3 agreement and I believe my motion was to draft a memorandum
4 of agreement, which we have in our package today. So I
5 might just make that one modification.

6 CHAIRMAN ZEMKE: So the modification would
7 read then.....

8 MR. FREDRIKSSON: Motion to draft a
9 memorandum of agreement.

10 CHAIRMAN ZEMKE: Okay. I guess, Gail, does
11 that require a resolution?

12 MS. PHILLIPS: Just an approval of his mo
13 -- a second approval of his motion.....

14 CHAIRMAN ZEMKE: Okay.

15 MS. PHILLIPS:and then you can
16 change.....

17 MR. FREDRIKSSON: I don't think we even had
18 a motion, did we? I would move adoption of the September
19 21st meeting notes with the modification on Page 2 to
20 change from to approve entering into to draft a memorandum
21 of agreement.

22 MR. CAMPBELL: I second that.

23 CHAIRMAN ZEMKE: Okay. All those in favor
24 say aye.

25 IN UNISON: Aye.

1 MS. PEARCE: Could I.....

2 CHAIRMAN ZEMKE: Oh.

3 MS. PEARCE: If you look at the Page 3 --
4 if I could ask a question, please, for discussion -- Page
5 3, there's another approved motion -- motion to approve
6 entering again. And that was because we had to come
7 back.....

8 MS. PHILLIPS: Uh-huh. (Affirmative)

9 MS. PEARCE:and make some change, but
10 again, that motion was not to actually approve entering
11 into the MOA, it was to approve the drafting of an MOA that
12 we would then approve. So.....

13 MR. FREDRIKSSON: I'd be happy to.....

14 MS. PEARCE:Commissioner, you want to
15 just.....

16 MR. FREDRIKSSON:amend my.....

17 MS. PEARCE: Why don't you amend it.....

18 MR. FREDRIKSSON:motion to.....

19 MS. PEARCE:it's easier.

20 MR. FREDRIKSSON:make both of those
21 changes. To draft the agreement as opposed to entering
22 into the agreement.

23 CHAIRMAN ZEMKE: Okay.

24 DR. NORCROSS: Excuse me. Those of us
25 online are having difficulty hearing what's going on in the

1 room. Could you please reiterate what you just agreed on?

2 CHAIRMAN ZEMKE: We haven't agreed on a
3 motion as yet. There's -- the motion is on the floor right
4 now to -- if you have the package -- one is to approve the
5 motion to draft a memorandum of cooperative agreement
6 between EVOS and AYK and then the second motion is on Page
7 3, is to draft -- again, draft a memorandum of
8 understanding between the AYK and EVOS Trustee Council.
9 Could you hear that?

10 DR. NORCROSS: Thank you.

11 CHAIRMAN ZEMKE: Any further discussion on
12 those changes?

13 (No audible responses)

14 CHAIRMAN ZEMKE: So, Mr. Fredriksson,
15 you've made a motion to approve those.....

16 MR. FREDRIKSSON: A motion to approve
17 and.....

18 MR. CAMPBELL: I seconded.

19 CHAIRMAN ZEMKE: Okay, and a second. All
20 those in favor, say aye.

21 IN UNISON: Aye.

22 CHAIRMAN ZEMKE: Opposed, the same sign.

23 (No audible responses)

24 CHAIRMAN ZEMKE: The motion is approved. I
25 guess are there any -- I guess we're done with that --

1 hopefully. The next item on the agenda is public comment.
2 I guess we'll start with those in the room and you need to
3 probably come up and sit at the table and give your
4 comment. And then after that, we'll go on to those in
5 teleconference. So I don't have a -- I guess whoever would
6 like to start, they can come up. I -- sure. Please state
7 your name for the record.

8 MR. TREADWELL: Mr. Chair, my name is Mead
9 Treadwell, I'm a member of the Public Advisory Group. I'm
10 speaking as an individual, not for the PAG, which will be
11 represented by its chairman, I presume, later in the public
12 comment period.

13 I just wanted to reiterate my support for
14 the Adams-Mullins proposal that's before you this
15 afternoon. I look at it this way, when the EVOS trustees
16 began a Sound ecosystem assessment project many years ago,
17 we brought together almost 20 million dollars to the table
18 to develop a large amount of raw information on
19 predator/prey relationships in Prince William Sound. A
20 large amount of information that brought physical
21 oceanography and biology together. And the process of this
22 proposal is to take that information that we worked on and
23 develop a working model that I think will be an important
24 legacy for this work.

25 I should also say that I've been watching

1 very closely the work of NPRB, which is working on some
2 modeling. I was in Washington yesterday talking with our
3 Congressional delegation on a Magnuson-Stevens Act renewal
4 and we know the challenge that we're all facing in terms of
5 getting ecosystem management. And I'd just as soon say as
6 a matter of public purpose, what has been done here and
7 what can be done here can be a very important contribution
8 to national need as well as the contribution it will make
9 to your own mandate of restoration. Thank you.

10 CHAIRMAN ZEMKE: Thank you, Mr. Treadwell.
11 Are there any other comments from the floor?

12 (No audible responses)

13 CHAIRMAN ZEMKE: Seeing none, I guess we
14 can move on to those on teleconference, I guess. Would you
15 state your name for the record? Who would like to go
16 first?

17 MR. ADAMS: How about Ken Adams?

18 CHAIRMAN ZEMKE: Ken Adams.

19 MR. ADAMS: He is willing to step forward.

20 CHAIRMAN ZEMKE: Sure. Go ahead, Ken.

21 MR. ADAMS: Thank you very much, Mr. Chair.

22 I'd like to express thanks to Executive Director Gail
23 Phillips for all her help and encouragement in the
24 advancing of this proposal as well as to the EVOS staff.
25 And also, to the Trustee Council for their development of

1 the FY-06 invitation. And I'll tell you quite frankly, it
2 was a bit puzzling in how best we were to respond to the
3 FY-06 invitation, coming off of our FY-05 project, which
4 had to do with planning for the implementation of a model.
5 And there didn't seem to be any room for us within the '06
6 invitation on a modeling basis, however, when that proposal
7 -- when that invitation, I should say, was scrutinized, I
8 think our realization of our project's compliance with the
9 objectives of the Trustee Council was heightened. And I
10 for one, I was astounded at the degree of compliance our
11 project offered in terms of the programmatic review. These
12 are the criteria that are used by the reviewers to judge
13 whether or not proposals are suitable for funding. So we
14 were in compliance with the programmatic review directly.
15 And also, with the Council's much referred to 1994
16 restoration plan. And in Chapter 2 of that restoration
17 plan, there were 21 criteria that are used to judge
18 proposals and all but just a very few we were in direct
19 compliance with. So the FY-06 invitation itself helped to
20 heighten our focus and increased our evaluation of the
21 proposal itself and the fact that we were in such close
22 compliance with your criteria.

23 I would also like to express thanks to
24 members of the PAC and also members of the general public,
25 especially for their support at the June 10th meetings that

1 the trustees held in Cordova. And a lot of that support I
2 think was on the community involvement basis, the community
3 involvement nature of our proposal. And the STAC -- or
4 pardon me, the PAC recommended modification of the proposal
5 because there were some -- or actually a number of concerns
6 raised by the STAC in their review. They said our proposal
7 was technically deficient and I have to admit, yes, this
8 was the case.

9 So the next thanks go to the Trustee
10 Council. And at their August the 10th meeting, the Trustee
11 Council granted our request to submit a proposal revision
12 in which to allow us the opportunity to address the
13 concerns of the STAC.

14 A second thanks then to the STAC for their
15 second review of this proposal. They recognized the
16 technical merit of it and they gave the proposal a good
17 review and recommended funding. So we certainly appreciate
18 all the support and effort on the part of the STAC to
19 advance this proposal.

20 I'd like to offer thanks also to the
21 various organizations which have submitted letters of
22 support for this proposal, including ADF&G, the City of
23 Cordova, Prince William Sound Science Center, CDFU,
24 University of Alaska, and one particular individual who is
25 also a Globec researcher, and Valdez Fisheries Development

1 Association. All of these have submitted letters of
2 support for this particular proposal.

3 And finally, I'd like to also call to your
4 attention the fact that one additional letter of support
5 came forth earlier last month and it was from Governor
6 Murkowski and he also issued his acknowledgement and letter
7 of support for this effort.

8 And I would say that there is just one last
9 thank you and I'm going to keep it in the wings and await
10 the result of your discussion and a consideration for
11 funding of this proposal. And I thank you for your time
12 this morning.

13 CHAIRMAN ZEMKE: Okay, thank you Mr. Adams.
14 McKie -- excuse me, McKie Campbell would like to say
15 something right at the moment.

16 MR. CAMPBELL: And perhaps this may pertain
17 to any additional testimony on this proposal that we have
18 but just speaking for myself, I would find testimony on the
19 scientific merit perhaps most persuasive as opposed to
20 resuscitations of support.

21 CHAIRMAN ZEMKE: Thank you. Kurt. Mr.
22 Fredriksson.

23 MR. FREDRIKSSON: This is Kurt Fredriksson,
24 Ken. I guess -- and I'm interested in hearing public
25 testimony and I appreciate Commissioner Campbell's request

1 for any comments on the scientific merit but I'm also -- I
2 recognize that -- I think it's on number -- Item 6 of our
3 agenda is when we'll actually get into taking action on the
4 proposal. Gail, will -- Ken are you anticipating staying
5 until that point so that -- I mean, I -- any questions, I'd
6 like to just kind of reserve until that time to directly
7 pose to you, Ken, and perhaps others. So if that's okay, I
8 just wanted to make sure we had the opportunity to ask Ken
9 questions at that time.

10 MR. ADAMS: Mr. Fredriksson, I will
11 certainly be here.....

12 MR. FREDRIKSSON: Okay.

13 MR. ADAMS:and I'm sure Ross as well.

14

15 MR. FREDRIKSSON: Okay, good.

16 MR. ADAMS: And we thank you for the
17 opportunity later on.

18 CHAIRMAN ZEMKE: Okay, thank you.

19 MR. FREDRIKSSON: Thanks, Ken.

20 CHAIRMAN ZEMKE: I think that's most
21 appropriate at that -- we probably don't need to get in --
22 this isn't a question and answer period, it's just for
23 public comments, so and -- okay, thank you very much. Next
24 commenter on teleconference. Who else would like to
25 comment?

1 MS. OTT: This is Rikki Ott in Cordova.

2 CHAIRMAN ZEMKE: Thank you, Rikki.

3 MS. OTT: And I will keep my comments short
4 because I'm hoping there's a whole bunch of others of us.
5 I have four points: The reopener, the reopener, the
6 reopener, and the GEM program.

7 On the reopener, first point, I'd just like
8 to bring to your attention that a resolution was passed by
9 the Kodiak Island Borough last week I believe asking for
10 the State of Alaska and the federal government to invoke
11 the reopener. And I'm sure you can get a copy of that
12 resolution. That resolution is also being considered by a
13 number of other governing entities in the spill zone, city
14 councils, tribal councils and borough councils. So that's
15 one point.

16 That reopener -- that resolution, by the
17 way, asks for mitiga -- well, asks for three potential
18 categories of projects. One is the mitigation/restoration
19 of lingering harm and as second component is public
20 education with the understanding that one of the
21 unforeseen, unanticipated harm was that oil does cause long
22 term harm. And so that's an education -- public education
23 would benefit realizing that. And the third one is
24 prevention. So anyway, that's the resolution that Kodiak
25 just passed.

1 Second point on the reopener is that I just
2 completed an interview with Integral, which I know the
3 Trustee Council has hired, and I was a little alarmed to
4 realize that they're not really counting what happened or
5 even looking at what happened to human health regarding
6 polycyclic aromatic hydrocarbon exposure. I think there's
7 a wealth of information out there. What's happening on the
8 cutting edge of science that medical science is combining
9 with the veterinary science to look at what's happening
10 with different chemical exposures in domestic animals in
11 the case of a vet.

12 But I think the same mirror can be set up
13 with harm to human health and harm to wildlife.
14 Specifically, the Environmental Protection Agency listed 22
15 PAH's back in 1999 on its list of persistent bio-
16 accumulative and toxic pollutants. That's both people and
17 animals. So I think if we're trying to talk about a
18 synthesis here of long term harm from oil, it needs to
19 include the human health aspect also.

20 The third point on the reopener is I
21 brought to Integral's attention the study design of a lot
22 of the Exxon studies that were conducted early on for the
23 NRDA, the damage assessment. And I was told that part of
24 what Integral is aware of is that, you know, we've got
25 differences in study design. And I want to point out that

1 these are not just differences in study design, I covered
2 this thoroughly in my book, Sound Truth and Corporate
3 Myths. What we're really looking at here is flaws in study
4 design that absolutely invalidate and void a lot of the
5 early Exxon studies. So I'm hoping that you request that
6 Integral -- you, the Trustee Council -- request Integral to
7 take, you know, a fine tooth comb over differences in study
8 design and also have a look at human health.

9 And finally on the GEM program, I feel that
10 one of the -- kind of the flags that came out of the Exxon
11 Valdez oil spill legacy are the ecosystem studies which
12 showed exactly that, that we need to do ecosystem based
13 management if we want to look -- be able to tell down the
14 road effects came from this oil spill or effects came from
15 a climate regime shift or effects came from global climate
16 warming. I mean, this can only be done if there's long
17 term ecosystem management. It was one of the fallacies
18 going into the Exxon Valdez oil spill. We found out we
19 didn't have adequate ecosystem monitoring. Now we know
20 what that is, we know how to do it, and now we're not doing
21 it. And that seems to me absolutely crazy.

22 So I hope we get back to funding GEM.
23 Thank you very much.

24 CHAIRMAN ZEMKE: Thank you, Ms. Ott. Do we
25 have Ross Mullins online?

1 MR. MULLINS: Yes, I'm here in Cordova.
2 And if I would respectfully ask the Council if I could
3 defer my comments to the end of the meeting. Since we have
4 a proposal under review, I think it would be more
5 appropriate to comment at the end, if that's possible.
6 CHAIRMAN ZEMKE: I think that's possible.
7 So we'll have that during the -- Item No. 6. Is that what
8 you're asking? The Adams.....
9 MR. MULLINS: Sure, that would be fine.
10 CHAIRMAN ZEMKE: The Adams-Mullins revised
11 proposal. Okay. Thank you. How about Torie Baker we have
12 online?
13 MS. BAKER: Hello?
14 CHAIRMAN ZEMKE: Hello.
15 MS. BAKER: Hi. I'll defer comment as
16 well.
17 CHAIRMAN ZEMKE: Okay. Any other people
18 online that would like to make comment?
19 UNIDENTIFIED SPEAKER: Hi.
20 MR. SCOTT: I would like to.....
21 UNIDENTIFIED SPEAKER: Mr. -- oh, I'm
22 sorry. Go ahead.
23 CHAIRMAN ZEMKE: Go ahead.
24 MR. SCOTT: Okay, I'll go ahead. My name
25 is Gabriel Scott, I'm another Cordova -- I'll be real

1 brief. First of all, I'm -- it's striking to me and I'm
2 offended by the fact that while Exxon is enjoying an
3 obscene 9.9 billion dollar quarterly profit, this council
4 and sort of quibbling over the details of crimes that Exxon
5 has committed. I think people notice that.

6 I think that people in Prince William Sound
7 and the Sound itself deserve full payment from Exxon and,
8 as I think all of you all know, that includes the hundred
9 million dollar reopener. Every idiot knows the spill has
10 causes unanticipated long term damages. There is just no
11 doubt about that. The collapse of the herring fishery,
12 dying pods of killer whales, sea otters still digging up
13 oil. There is just no doubt but that there was
14 unanticipated long term damages. The consequence of that
15 is that people here expect that you are going to pursue the
16 full hundred million dollar reopener. And the job of the
17 Trustee Council within that is to get the homework done and
18 get it done right. There's cause for concern given the
19 past -- that Trustee Council has taken recently, there was
20 firing the science director, the Integral contract, the
21 seemingly lost support for Gulf Ecosystem Monitoring
22 Program. There's the cutting out of the Public Advisory
23 Committee from most of the key decisions. Those are cause
24 for concern.

25 My question for you today is whether or not

1 you have the courage to break this pattern and stand up to
2 Exxon or not. On the one hand we have obscene profits; on
3 the other hand we have struggling small towns. I wonder
4 whose side you're on and I urge you to do the right thing,
5 which you know what it is. Thanks.

6 CHAIRMAN ZEMKE: Thank you for your
7 comment, Mr. Scott. McKie, do you have a.....

8 MR. CAMPBELL: Yeah. Just -- this is
9 McKie. It strikes me that maybe at the start of every
10 meeting we ought to have a little reading of the terms of
11 the settlement. And this is not an issue of what people
12 may want or what people may not want but rather what is
13 legally possible and what's legally allowable. It seems we
14 hit this issue every day and unfortunately the terms of the
15 settlement have nothing to do with the amount of profits,
16 they have to do with very specific terms and specific
17 projects in showing the cause -- and Mr. Tillery has been
18 through this for us again, and again, and again.

19 And I do agree it is totally -- it is the
20 responsibility of this group to make sure we are doing the
21 homework to the make the -- so that then the responsible
22 government officials, not the EVOS council, can make those
23 decisions. I think we're all totally committed to making
24 sure that homework is done but for whatever it's worth, I
25 just really wish people would read the settlement and read

1 what we can and cannot go after in the opener. I recently
2 discussed a resolution from a group asking for a group of
3 things that were just clearly, totally, wholly outside of
4 the terms of the settlement. And I pointed this out to
5 them and they said they knew it but they thought there had
6 to be a way. And I think they're arousing public
7 expectations unrealistically.

8 I'm very interested in making sure we do
9 our homework. I think every trustee is very interested in
10 making sure we do our homework where the governments can
11 then make this. But I just really urge people, despite
12 their feelings about the matter, to look at the terms of
13 the settlement, see what the court said, and make sure they
14 familiarize them self with what we can and cannot pursue in
15 terms of the opener. Thanks.

16 CHAIRMAN ZEMKE: Okay, thank you. Are
17 there other comments online?

18 MS. SMITH: Yeah, this is Kristin Smith
19 from the Copper River watershed project in Cordova. And I
20 just wanted to comment, like everybody else, on the
21 reopener. The conditions, as I understand it, are proof of
22 unanticipated long term harm to a resource, which I think
23 has been pretty well documented and a realistic method of
24 correcting them.

25 And my concern is, from the perspective of

1 the Copper River and the pipeline and given that we have
2 learned quite a bit from the science that's been conducted
3 since 1989, that we apply as much of that as we can because
4 an ounce of prevention is worth a pound of cure. And I
5 realize that the cleanup methods would be quite a bit
6 different if you're dealing in a fast flowing river system,
7 like the Copper and all of its tributaries and the Delta.
8 But I think we know quite a bit more also in terms of
9 prevention and that that can applied.

10 And that's the comment I would like to make
11 for today. Thank you for taking comments.

12 CHAIRMAN ZEMKE: Thank you, Ms. Smith. Any
13 other comments?

14 (No audible responses)

15 CHAIRMAN ZEMKE: Hearing.....

16 MR. KOPCHECK: This RJ Kopcheck.....

17 CHAIRMAN ZEMKE: Okay.

18 MR. KOPCHECK:in Cordova. I'd love
19 an opportunity to just make a couple of comments, if I
20 might. Number one -- first and foremost -- and I know
21 we're hitting towards the tail end of preparing any
22 documents relating to any reopeners -- I would like the
23 trustees to consider very, very strongly a focus on loss of
24 ecosystem services for those -- for communities within the
25 Sound. And for that loss to portray issues relating to

1 both lingering loss of subsistence opportunity and
2 certainly the impact on herring populations and the impacts
3 on the communities economically that relied on those
4 ecosystem services. I think some economic profiles of
5 those will come up with some numbers that can represent
6 specific amounts of money that can be requested under the
7 reopener provisions to replace or mitigate that impact from
8 loss of ecosystem services. Those certainly weren't losses
9 represented in any litigation to date and they certainly
10 were unanticipated.

11 I think it goes along as well with the
12 lingering oil component of the unanticipated impacts. We
13 still have a tremendous amount of oil, volatile aromatics
14 trapped under gravel. This was completely unanticipated
15 and those impacts represent a lingering and continuing loss
16 of ecosystem services. And although they may not be
17 specific cleanup or remediation components that relate to
18 getting the oil off of the beaches, there certainly should
19 be a justifiable claim that relates to the loss of
20 opportunity or the continuing impact to the ecosystem from
21 that lingering problem.

22 So I encourage the trustees to direct their
23 staff and their researchers to take a look at those kinds
24 of losses and to actually have some economic profiling done
25 so that we can have a real understanding of those impacts

1 on communities.

2 The other thing I'd like to observe is that
3 I know it's not the duty of the trustees to petition for a
4 reopener, and this has been a continuing discussion on
5 whose role is it anyway to ask. And I do understand that
6 it is the role of the trustees instead to prepare the
7 information and the documents that would be used by the
8 federal and state government to make a determination on a
9 reopener. I'm hopeful that the efforts that the trustees
10 have made so far in consolidating information through their
11 contract with Integral bear fruit. I'm not -- and I'm
12 hopeful to take a look at what they're doing here in the
13 next couple of weeks, I've been invited to meet with some
14 of those folks.

15 But anyway, my third comment would relate
16 specifically to the ecosystem program that -- base program
17 that Mullins and Adams had proposed. I know it's requested
18 that I speak to the scientific validity of that. The
19 ability or capacity to integrate multiple disciplines to
20 come up with these models is an evolving piece of science.
21 It's tragic that after the SEA program was completed a
22 decade ago -- or almost a decade ago at this particular
23 point -- that that effort was discontinued as a finished
24 project because we learn every time we make that attempt.
25 I think the Adams-Mullins proposal and the team that they

1 put together represent one of the best opportunities to use
2 the science that was done by the scientists on the EVOS, to
3 actually have practical applications relating to long term
4 management of our resources in the Sound. So I encourage
5 you to look favorably on that proposal.

6 Thank you for the opportunity to talk.

7 CHAIRMAN ZEMKE: Thank you, Mr. Kopcheck.

8 Is there anyone else online that would like to comment?

9 MS. GIBBONS: This is Jennifer Gibbons with
10 the Eyak Preservation Council in Cordova. And I want to
11 thank the Trustee Council for the opportunity to comment at
12 the open of this meeting. And I also want to thank the
13 members of the community who called in today or who are
14 attending the meeting.

15 First of all, I'd like to express our
16 support for the work being done by Ken Adams and Ross
17 Mullins and express our support for the proposal that they
18 have being considered by you today.

19 I also want to urge the Trustee Council to
20 fully support the PAC and to ensure the full participation
21 of the PAC. This is the best way to ensure a transparent,
22 open process. And a transparent, open process is required
23 by the settlement agreement, by council procedure, and the
24 restoration plan.

25 Regarding the reopener, the Eyak

1 Preservation Council stated at the Cordova meeting of the
2 Trustee Council this past spring that we expect the Trustee
3 Council to pursue the reopener to the fullest extent
4 possible and to the fullest extent in terms of what's
5 appropriate by the council. But we expect that to happen.
6 We're monitoring how the Trustee Council chooses to pursue
7 the reopener and we're very concerned about it.

8 We're also very concerned about the
9 relationship with Integral, both in process and content.
10 And I think that Rikki Ott's comments were very
11 enlightening today. We're deeply concerned about what
12 appears to be a wavering commitment on the part of the
13 council towards the GEM program. And it's concerning for a
14 number of reasons but in a situation where consensus is
15 frequently a challenge and in a situation where we're
16 dealing with a lot of complex factors, we know one thing
17 for sure, there's widespread support for the GEM program
18 and we need to get back on track with it.

19 And lastly, I think it is relevant to
20 consider Exxon's financial situation. Exxon continues to
21 prosper at expedient rate and yet the people of Prince
22 William Sound are not prospering and Exxon needs to be held
23 accountable, they need to be forced to pay what they are
24 responsible for paying. Thank you.

25 CHAIRMAN ZEMKE: Thank you, Ms. Gibbons.

1 Is there anyone else online that would like to speak?

2 (No audible responses)

3 CHAIRMAN ZEMKE: I guess hearing none,
4 there were a couple of new people that came into the room
5 here. Is there any of those who would like to make
6 comment?

7 (No audible responses)

8 CHAIRMAN ZEMKE: Hearing none, I guess
9 we'll move on to the Public Advisory Committee dialog. And
10 to start off, we would have the PAC chairman's report and I
11 guess Dr. John Gerster is online. Would you please give
12 that report, John?

13 DR. GERSTER: Yes, this is Dr. John
14 Gerster. Can you hear me?

15 CHAIRMAN ZEMKE: Yes.

16 DR. GERSTER: First of all, as PAC chair, I
17 would like to speak up on the very necessary quality of the
18 PAC to advise the trustees and would hope the trustees
19 would continue to listen to the PAC.

20 Second of all, the PAC is very supportive
21 of the Adams-Mullins proposal and would like to see that
22 approved.

23 Next, the PAC is very supportive of the
24 small parcels policy. Not large, but the small parcels
25 policy, and we'd like to see that continued.

1 Next, we note that there will be a
2 lingering oil committee under IGD and the PAC would like to
3 be involved in that. As we heard from a number of
4 testifiers today, there is a lot of input that can be had
5 from local people directly affected by the oil spill.

6 Next, the PAC would like to speak up in
7 support of the GEM program, which we think should be
8 continued. And I'd just give that for the trustees'
9 perusal.

10 Next, I would like to recommend to your
11 reading two different documents. One is a book, The Sound
12 Truth and Corporate Myths by Rikki Ott. And that other is
13 the North Pacific Research Board's science plan, which if
14 any of the trustees do not have, I can give you a copy of
15 and hope that EVOS can work with the North Pacific Research
16 Board on co-funding research projects.

17 And then lastly, I would also commend the
18 Marine Science Symposium, which will be January 22nd
19 through 25th at the Hilton hotel. Any person online who
20 wishes to submit either a paper or a poster, it needs to be
21 done by November 28th. This is a joint funding from NPRB,
22 EVOS, Marine Manning, NMS, AOOS, the North Pacific Fish
23 Management Council, NOAA, UAA, the Alaska Sealife Center,
24 Pacific Science Center, USGS, and the Arctic Research
25 Commission. And I commend you coming to the Marine Science

1 Symposium in January. Thank you.

2 CHAIRMAN ZEMKE: Thank you, Dr. Gerster.

3 Are there any comments from the -- Mr. Fredriksson.

4 MR. FREDRIKSSON: Maybe just a comment
5 because, John, I was fortunate to have the time to not read
6 in detail but at least peruse Rikki Ott's book. And again,
7 not read in detail but look over the NPRB science plan.
8 And I would agree with you, I think both documents have
9 some real good information. I was very impressed with the
10 science plan for the NPRB. I think it's a model for the
11 kind of science plans that we might be looking for in the
12 future in terms of ecosystem management and the kind of
13 long term monitoring that would be directed by such a plan.
14 So I thank you for bringing that up.

15 DR. GERSTER: Thank you. And I hope we can
16 work together. I'm on the North Pacific Research Board.

17 MR. FREDRIKSSON: Good.

18 CHAIRMAN ZEMKE: Any other comments from
19 the council?

20 (No audible responses)

21 CHAIRMAN ZEMKE: I guess the next item then
22 would be PAC member comments. Are there any PAC members in
23 the audience that would like to speak?

24 (No audible responses)

25 CHAIRMAN ZEMKE: How about online?

1 MS. STUDEBAKER: Yes.

2 CHAIRMAN ZEMKE: Pardon?

3 MS. STUDEBAKER: Yeah, this.....

4 CHAIRMAN ZEMKE: Okay, online. Go ahead.

5 MS. STUDEBAKER: Okay. This is Stacy

6 Studebaker in Kodiak, un-burying from the blizzard the last

7 24 hours. I just wanted to say if you haven't received a

8 copy of the reopener resolution that the Kodiak Island

9 Borough just passed last week, I can get you one. Have you

10 seen that yet?

11 MS. PHILLIPS: We have not received one.

12 CHAIRMAN ZEMKE: We haven't. We haven't --

13 we have a couple other.....

14 MR. FREDRIKSSON: I don't think it's in our

15 packet.

16 CHAIRMAN ZEMKE: It's not in our packet.

17 MS. PHILLIPS: We have not received it.

18 MS. STUDEBAKER: Okay. Is Gail in the

19 room?

20 MS. PHILLIPS: Yes, and.....

21 MS. STUDEBAKER: I don't know if Gail has

22 received it either.

23 MS. PHILLIPS:Stacy we have not

24 received that.

25 MS. STUDEBAKER: Okay. Well, I'll be sure

1 that they get you a copy of that. Thanks for the
2 opportunity to speak today. I'm Stacy Studebaker, the
3 vice-chairman of the Public Advisory Committee. And at the
4 last Trustee Council meeting, I believe it was September
5 21st, a very important agenda item was the revised Integral
6 -- the current Integral contract. And there was much
7 discussion and debate about whether or not to include the
8 recommendations from the PAC and the STAC. And those
9 recommendations focused primarily on the inclusion of more
10 guidelines for insuring that the EVOS scientists were
11 seriously involved in the process of evaluating the
12 presence and effects of lingering oil in the oil spill
13 area.

14 And the recommendations also included
15 participation of the STAC and PAC on panels which would
16 review Integral's reports at various draft benchmarks along
17 the way before the final report was issued. And I attended
18 that meeting by phone and then also went back and reviewed
19 the transcript afterward. And in the end, the Trustee
20 Council voted to approve the revised Integral contract
21 without the STAC and PAC recommendations. And I know that
22 Joe Meade was the only trustee who really thought it was
23 important to include the public recommendations and I
24 really want to thank him. I'm sorry he's not here today
25 because I really want to publicly thank him now for

1 championing the public interest at that meeting.

2 But in the end, the recommendations were
3 not included in the motion or the contract with Integral.
4 So I'm just wondering if you can explain to the public now
5 why you voted not to included the STAC and PAC
6 recommendations and can you explain what provisions,
7 language, mechanisms, or involvement the contract does
8 include that meaningfully involves the public in the
9 Integral synthesis projects.

10 CHAIRMAN ZEMKE: The -- oh, go ahead.

11 MS. PEARCE: If you want it at this time or
12 we can.....

13 CHAIRMAN ZEMKE: Yeah.

14 MS. PEARCE:wait until everybody's
15 had a chance to make their comments. Whatever.

16 CHAIRMAN ZEMKE: I think we probably should
17 just make comment right now. This is dialog so it's going
18 to.....

19 MS. STUDEBAKER: Yeah, this dialog.

20 CHAIRMAN ZEMKE:it should be rather
21 -- it's all up to you -- non-formal.

22 MS. PEARCE: Well, as I remember, Joe was
23 actually associating himself with remarks that I made that
24 clearly there is a place for and we expect that the public
25 -- and therefore the Public Advisory Committee -- be a part

1 of the process.....

2 MS. STUDEBAKER: Can you speak up? Is that
3 Gail that's speaking? You must be far away from the
4 microphone because I can't hear you.

5 UNIDENTIFIED SPEAKER: I can't either.

6 MS. STUDEBAKER: Other people online can't
7 hear you either.

8 MS. PEARCE: Joe was associating himself,
9 as I remember, with comments I made about the expectations
10 we have of the process of having the PAC -- and in fact, I
11 think we went back and looked at the place where the public
12 comments should -- the public should be a part of the
13 process and that is the PAC. And the motion was made with
14 those expectations associated with the motion. That was
15 very clear. And I know that we instructed Gail to make
16 sure that Integral was aware of where we expected that to
17 happen in the process.

18 I don't have the previous notebook with me
19 to go back and look at the specific pieces but certainly --
20 and indeed, that was part of their submission as part of
21 the -- what did we call it -- the local participation --
22 whatever -- I've forgotten the term of art that we used --
23 but it is part of their actual original proposal.

24 CHAIRMAN ZEMKE: Looking back -- thank you,
25 Drue. Looking back on the notes from September 21st, there

1 was the approved motion, Integral would address the
2 council's additional expectations regarding inclusion of a
3 representative with traditional ecological knowledge and
4 then also two Public Advisory Committee, PAC
5 representatives on the technical review panel. Which they
6 are being formed right now. I don't think they've gone
7 through their process yet, so it's somewhat, I guess, not
8 opportune right at the moment to say that you haven't been
9 included in, I guess, the.....

10 MS. PEARCE: And I could just add, I've
11 just been told, they have asked for a meeting room during
12 the symposium in January and that's where -- which is what
13 we thought would happen, that's about the right timing --
14 for the public input for the process.

15 CHAIRMAN ZEMKE: Mr. Fredriksson.

16 MR. FREDRIKSSON: Yeah, if I might. It's
17 very difficult and -- Stacy, when -- what we have here in
18 terms of the minutes are really executive summaries, if you
19 will, but I would encourage anybody on the PAC -- I myself
20 have gone back and I think it's either through your office,
21 Gail, or through ARLIS -- to get the actual transcripts of
22 these meetings because there is important discussion and
23 dialog between the Trustee Council members and the public
24 that gets lost over time and lost in the summaries
25 necessarily. Gail, I'm not criticizing your minutes,

1 because I think you do a real good job, but the transcripts
2 are a real good reference point. So I would encourage
3 anybody, if there's a question as to what was the council
4 trying to get at, you can look at those transcripts and get
5 a pretty good picture.

6 With -- and now I'm just -- without working
7 off the transcripts, at least off my memory, I know there
8 were concerns about public involvement and involvement of
9 the principal investigators that have been involved in a
10 number of EVOS studies over the years. And I was
11 impressed, I think everybody on the council was concerned
12 about how Integral would address those issues. It is
13 significant to me that Bob Spies, who used to be the
14 science director here in EVOS, is on the Integral team. He
15 is paid, he is part of the contract, he is on the team.
16 Bob Spies, I understand in talking to Gail today, is the
17 principal coordinator for peer review of all our PI
18 studies. So I was impressed by that -- and I'll just speak
19 for myself.

20 The other thing I was impressed with is --
21 and I don't know all the PI's personally or directly but
22 you get to know them a little bit over time. But I see
23 their names and I see the Bodkins and the Irons and a
24 number of the PI's. All of those were named specifically
25 by Integral as scientists that they were going to reach out

1 to and bring into the process.

2 With respect to public involvement, I know
3 one of the items I brought up and John, I appreciate you
4 mentioning again, the Marine Symposium here on January
5 22nd. Because I thought there is no better time to bring
6 people together than perhaps at that symposium. And when
7 we wanted to make sure Integral reached out to the public,
8 I spoke to -- and I guess, Gail, my expectation is that
9 Integral will be integrally related to that symposium.
10 That there are places -- and we'll probably get into this a
11 little later today because we haven't talked about the
12 symposium greatly -- EVOS, the Trustee Council, is making a
13 major financial contribution to that effort. That's not --
14 I know NPRB and some others are financially committed to
15 that as well, that's why it is statewide in scope and not
16 just Gulf or Prince William Sound focus.

17 But the Trustee Council is putting a great
18 investment in the Marine Symposium and this year I'm hoping
19 that Marine Symposium will focus on the synthesis of the
20 work done over these 16 years on Exxon Valdez oil spill
21 damages and what's been done to restore, and I expect
22 Integral to be there. So I just wanted to, Stacy, at least
23 share with you my recollections of how those two issues
24 were at least addressed in my mind.

25 CHAIRMAN ZEMKE: Thank you, Mr. -- Gail.

1 MS. STUDEBAKER: Okay.

2 MS. PHILLIPS: Mr. Chairman. Mr. Chairman,
3 if I could just continue with two items. Integral is going
4 to be at the symposium. They will have a meeting room to
5 meet with all members of the public during the three days
6 of the meeting. They will also be meeting with the joint
7 PAC and the STAC meeting following the symposium the next
8 day on the 26th.

9 Also, they are in the process right now,
10 through direction from the Trustee Council, they are in the
11 process right now of meeting with members of the public and
12 talking with members of the public as evidenced by both
13 Rikki Ott and RJ's comments during the public testimony.
14 RJ -- or Integral is in that process right now of meeting
15 with the public members.

16 CHAIRMAN ZEMKE: Any other comment?

17 MS. STUDEBAKER: Okay. Thank you for that
18 clarification. I'd just like to see the language in the
19 contract, if you could get that to me Gail, where that's --
20 you know, where that is specified, it would be, you know,
21 great.

22 MS. PHILLIPS: Stacy, didn't I already.....

23 MS. PEARCE: Stacy, if you go back, we
24 actually went through and read it. I read it out loud in
25 the contract -- or the proposal, the last -- at the meeting

1 and you were at that meeting listening.

2 MS. PHILLIPS: And Stacy, I thought we had
3 already sent you the transcript of the meeting.

4 MS. STUDEBAKER: Yeah, I got it.

5 MS. PHILLIPS: It's in there.

6 MS. STUDEBAKER: I got it. Yeah.

7 CHAIRMAN ZEMKE: Okay.

8 MS. STUDEBAKER: Okay. I just have one
9 more comment, too. I also reviewed the revised budget that
10 Gail just sent out to us a few days ago. And on Page 4,
11 there's a breakdown of fund distribution to the various
12 Trustee Council agencies. Do you have that in front of
13 you?

14 CHAIRMAN ZEMKE: Yes, we do.

15 MS. STUDEBAKER: Okay. And I was just
16 wondering if anyone could explain why ADF&G, why their
17 personnel budget is so much higher than all the other
18 agencies put together.

19 MS. PHILLIPS: That's the personnel.....

20 CHAIRMAN ZEMKE: Go ahead, Gail.

21 MS. STUDEBAKER: That would be great if you
22 could explain that. It would be really nice.

23 MS. PHILLIPS: Stacy, the personnel budget
24 under ADF&G is the EVOS staff. Because all of our
25 financial, all of our accounting, comes under Fish and

1 Game. That is the budget proposal for the EVOS staff, the
2 entire staff.

3 MS. STUDEBAKER: Well, that's kind of what
4 I thought but it was still not real clear.

5 MS. PHILLIPS: You see it says internal
6 there?

7 MS. STUDEBAKER: Yes.

8 MS. PHILLIPS: And if you'll go back to
9 Page 2, under personnel, Item No. 1, it says EVOS personnel
10 cost for December and in parenthesis it says internal.
11 Item No. 2 is agency staff external.

12 MS. PHILLIPS: Okay.

13 CHAIRMAN ZEMKE: So does that answer your
14 question.

15 MS. STUDEBAKER: Yeah, that answers that
16 question. Thank you for the clarification on that too.

17 I also wanted to recommend that you approve
18 funding for the very popular Adams and Mullins proposal,
19 which is a continuation of the very important SEA project.
20 And that's all I have today. Thank you very much.

21 CHAIRMAN ZEMKE: Thank you, Stacy. Are
22 there other PAC members online that would like to make
23 comment?

24 MR. LAVIN: This is Pat Lavin.

25 CHAIRMAN ZEMKE: Go ahead, Pat.

1 MR. LAVIN: I had a couple of follow up
2 questions on public participation in the Integral project
3 and then a question about GEM.

4 On Integral, has information been sent out
5 -- and apologies if I've just missed it -- about the
6 details on the symposium? Which dates Integral is going to
7 be there and which times it's for discussion with the PAC
8 versus discussion with a general public?

9 And also, sounds like they're talking to
10 people, is there a way for members of the public who would
11 like to have a conversation such as RJ or Rikki may have
12 already had with them to be able to do that?

13 MS. PHILLIPS: Mr. Chairman.

14 CHAIRMAN ZEMKE: Sure. Go ahead, Gail.

15 MS. PHILLIPS: Yes, Pat, all the schedule
16 and everything for the symposium is posted on our website
17 and you can go to see that. The room that the Integral
18 will have, the space they will have will be for Monday,
19 Tuesday, and Wednesday, all day long. So that they will
20 have a room designated so that people can come in and talk
21 with them anytime during the day. We have not put out the
22 call yet for the PAC meeting but it will be on January
23 26th. Doug is getting ready to issue the call for that.
24 They will be meeting with the joint PAC and STAC on that
25 day also.

1 But the space for them and the room that we
2 are getting reserved for them is so that people can meet
3 with them at any point in time. You don't -- there doesn't
4 have to be appointments or anything. People can just come
5 in and meet with them. They want to keep it fairly
6 informal.

7 MR. LAVIN: Okay. And I guess one other
8 thing I forgot to ask the first time around is, it sounded
9 like the discussion at the prior meeting was for -- prior
10 Trustee Council meeting was for two PAC members to be
11 included on a technical review panel and that, from the
12 earlier discussion today I gathered that that panel was
13 going to come together around the time of the symposium.
14 Is that correct?

15 CHAIRMAN ZEMKE: I couldn't tell you
16 exactly. I think that is the general process, looking at
17 January as getting some of the information together.

18 MR. LAVIN: Okay. On GEM, at the last
19 meeting, it was -- I think it was the last meeting -- we
20 had a little bit of discussion about establishing a --
21 similarly to the case of identifying continuing damages in
22 the Integral project, similarly discussing or setting out
23 publicly a process maybe for discussing GEM and whether the
24 council intends to, you know, move forward with GEM as
25 planned or modify that in some way and that that would be

1 public discussion or a discussion in which there would be
2 opportunities for public involvement and such. And I'm --
3 I think as you can tell from the public comments, there are
4 -- there's a lot of talk on the street kind of about both
5 the reopener and GEM -- the future of GEM and such. And
6 I'm -- so I'm going to ask, is that process something that
7 you've given some thought to and something will be shared
8 with the public where they can join a discussion about the
9 future of GEM?

10 CHAIRMAN ZEMKE: Now your question is, have
11 we formulated direction for where GEM should be in the
12 future?

13 MR. LAVIN: Well, not exactly. Whether
14 you.....

15 CHAIRMAN ZEMKE: I think we basically said
16 we were putting GEM on hold until we took care of lingering
17 oil and of the synthesis portion of it and then we'd get
18 into discussions of where if indeed GEM should go in the
19 future.

20 Mr. Fredriksson.

21 MR. FREDRIKSSON: Yeah. This is Kurt
22 Fredriksson, Pat. Let me see if -- I think we've tried
23 over a number of meetings, I think we've put it in our
24 annual report, I think we've made a number of different
25 statements how we are focused on dealing with the

1 restoration issues as a first order of business before we
2 then venture into what is into the future, whether it's GEM
3 or something else. I guess from where I sit, the
4 settlement brought us a large but yet finite amount of
5 resources to address the duties given us in that
6 settlement, which is to restore the damages and the
7 services from the Exxon Valdez oil spill. GEM is but one
8 piece of that. We are now working to try and synthesis as
9 much information as we can from the last 15 years of
10 studies to position ourselves so that we know how to move
11 forward. I heard earlier -- it was RJ who was speaking of
12 lost subsistence opportunity and the continuing reduc --
13 well, the limitation on the herring fishery. People can't
14 fish herring right now. That to me is a damage that is
15 present and we need to account for. How we're going to
16 account for that, what it is going to cost, will have a
17 bearing on what long term allocations we make through the
18 settlement.

19 So it's not that we've abandoned GEM, it is
20 trying -- we are trying to -- at least from where I sit --
21 we're trying to assimilate, we're trying to synthesize
22 everything that we have known to date from our studies as
23 to what are the continuing damages to resources and
24 services, what can be done to restore those, and then what
25 is remaining to be done, which may be in the form of GEM

1 and maybe in the form of other things as well. I just
2 don't know at this point.

3 So I don't know if we can be -- or I can be
4 any clearer than that. But I think the public's
5 opportunity will be here shortly when we actually -- I
6 believe this spring is when we're going to -- the Trustee
7 Council will receive the benefit of the studies that it has
8 funded over the last two years, to bring together the
9 synthesis so that we can take those next steps.

10 CHAIRMAN ZEMKE: Thank you, Trustee
11 Fredriksson. Any other comment on that?

12 MR. LAVIN: Yeah, this is Pat.

13 CHAIRMAN ZEMKE: Go ahead, Pat.

14 MR. LAVIN: Maybe the -- I appreciate that,
15 Kurt. Thanks. I do understand the current attention being
16 on restoration and I think the GEM question rolls around at
17 some point and maybe it's just a question of timing. I
18 guess what comes to mind is maybe the next invitation
19 things like that are going to start coming up and unless
20 we're going to keep looking at lingering oil and damages
21 and stuff for another go-round the presumably, you know, if
22 that's not what's going to happen, then it will be
23 something else. And so we'll hit -- we'll reach a time, I
24 would think even by spring, where there would need to be
25 some thought given to what the council -- what kind of work

1 the council wants to seek.

2 MR. FREDRIKSSON: Absolutely, Pat. Thanks.

3 CHAIRMAN ZEMKE: Thank you, Pat. Any other
4 comment?

5 (No audible responses)

6 CHAIRMAN ZEMKE: Okay. Thank you very
7 much, Pat.

8 MS. PHILLIPS: Steve.

9 MR. TREADWELL: Yeah, this is Mead
10 Treadwell, a member of the PAC. I just wanted to say that
11 personally I've been -- I was frustrated while we took time
12 out from monitoring activities to create the GEM project
13 and that was almost a three -- about a three year hiatus
14 from data collection and synthetic science that happened
15 during the last set of trustees.

16 And under this set of trustees, we then --
17 you know, once we finally got GEM kind of, we thought,
18 nailed down, we've taken this hiatus for synthesis. I am
19 in support of the synthesis project but I very much hope
20 that in the next invitation we figure out through
21 discussions with AOOs and discussions with other science
22 groups working in the Sound what the data monitoring gaps
23 are, who we figure out together how to keep them going.
24 Because I think have these long term data trails are very
25 important to the restoration process, to understanding

1 things like you talked about with herring, Kurt, and so
2 forth.

3 And I can't tell you -- you know, it's
4 funny, I sit on a number of science boards and a number of
5 company boards that do technology and the lack of
6 continuity here in terms of collection of what you need in
7 order to have the results you need has been one of the
8 biggest challenges and frustrations that I've watched with
9 this process.

10 CHAIRMAN ZEMKE: Thank you, Mr. Treadwell.
11 Any comment? Dialogue. Hearing none, any other PAC member
12 like to make comment?

13 MS. BAKER: Yes, this Torie Baker, Cordova.
14 Can you hear me?

15 CHAIRMAN ZEMKE: Yes, we can.

16 MS. BAKER: Hi. Good morning all. Yeah, I
17 just want to just take a brief minute to support definitely
18 Mead's comments as well as others on the whole process that
19 we are and where we are at this particular point and
20 respecting that we do have a whole new slate of trustees.
21 I mean, I watched myself with a bit for frustration as the
22 orientation took place and I applaud the different spins
23 and the different information needs that you all folks have
24 expressed and the way that you are trying to go about
25 reaching those.

1 But I just have to say that I think Mead
2 did a very nice job of encapsulating what has been a very
3 engaged process up until we went into this hiatus mode. I
4 think that the gap analysis on long term monitoring needs
5 was very aggressively taken to front and center with the
6 previous groups there and personnel at the trustees' level
7 -- or council trustee staff level. I just hope that we get
8 very quickly towards that common understanding of where we
9 need to go and what we need to start looking at. I just
10 think that there's a lot of work that has been done and has
11 been accomplished. There's been a lot of synthesis. I
12 think we're all pretty much where -- you know, where we
13 need to be.

14 But I am too willing to continue to be
15 patient and work with Integral. I too was approached by
16 one of their researchers to have a conversation here
17 shortly. And I had to ask her very point blank, I didn't
18 know where this was going and I was a little confused as to
19 how this was actually being integrated, literally, into
20 their project as it is currently put together.

21 But I welcome the opportunity to continue
22 the conversation but I think we've got a lot under our
23 belts already that answers specifically how science can be
24 related to restoration, what restoration is and isn't, and
25 what tools we do have. I just encourage us all to stay

1 engaged and stay patient. But stay very engaged. Thanks.

2 CHAIRMAN ZEMKE: Thank you, Torie. Any
3 comment?

4 (No audible responses)

5 CHAIRMAN ZEMKE: Are there any other PAC
6 members that would like to make comment?

7 (No audible responses)

8 CHAIRMAN ZEMKE: I guess hearing none, I
9 guess we're closing the PAC member comment period. And
10 with that, I would like to take a five minute break. And
11 then so by my watch, we'd be coming back about 11:20.

12 (Off record - 11:15 a.m.)

13 (On record - 11:25 a.m.)

14 CHAIRMAN ZEMKE: I guess we're getting
15 ready to start the meeting again. And -- as soon as Drue
16 sits down -- we had a request to be able to move the FY-
17 2006 admin budget continuing resolution for December 2005
18 discussion up to before the executive director's report.
19 I'd like to entertain a motion.

20 MR. CAMPBELL: I'd so move.

21 MR. NORDSTRAND: Second.

22 CHAIRMAN ZEMKE: Second. Okay. All those
23 in favor, say aye.

24 IN UNISON: Aye.

25 CHAIRMAN ZEMKE: Approved. So Gail, I

1 guess you're going to be able to.....

2 MS. PHILLIPS: Well, you have the budget
3 documents in your packet. I sent you a memo on the 7th
4 outlining the differences that are in the December budget
5 versus the two month interim budget that you approved for
6 October and November. Primary differences, there's changes
7 in personnel costs. We're including a budget figure for
8 the science director position. A decrease in the amount of
9 the budget for the admin manager, changing this to an admin
10 officer at a lower beginning salary. And a deletion of the
11 ARLIS library position because you already approved that in
12 the previous budgets in August.

13 Travel costs for this budget have gone from
14 zero to 5,800 to cover travel costs for trustees and for
15 the STAC meeting that you had requested for meeting with
16 the STAC in December. Under contractual administrative
17 expenses in September, you approved the total amount of the
18 parking fee expenses so I've taken this out of the budget.
19 And under science management, I've added 33,000 to cover
20 anticipated expenses for covering -- for conducting peer
21 reviews and also \$20,000 for the establishment of the
22 lingering oil committee as directed in the IGD to review
23 all the current body of work regarding lingering oil
24 projects.

25 Let's see, those are basically the

1 differences between the budget you approved previously for
2 September and October -- I mean, October and November and
3 what I am proposing for December. And I'll be glad to
4 answer any questions.

5 CHAIRMAN ZEMKE: Thank you, Gail. Are
6 there any questions? Scott.

7 MR. NORDSTRAND: Not so much a question, I
8 just wanted to put on the record sort of where we are in
9 the budget subcommittee process. And I thank you, Chair,
10 for moving this item up. I'm going to have to leave the
11 meeting here shortly and the Deputy Attorney General will
12 be taking my seat.

13 We embarked, I guess, in August in an
14 effort to look at the current administrative budget and to
15 see if there were efficiencies that could be found to see
16 what the pattern had been over the years in terms of
17 expenditures. And we have been successful in part in
18 finding sort of -- finding some history that will be
19 helpful. We have obtained some information from the
20 Department of Fish and Game and I want to thank the
21 Department and the Administrative Services Director Tom
22 Lawson for assisting us.

23 And the reason, just by way of
24 introduction, the reason the Department of Fish and Game
25 can provide us this information is because the EVOS Trustee

1 Council's budget is housing in the Department of Fish and
2 Game. So it's administered through the Department of Fish
3 and Game, both the personnel inside of it and all the
4 expenditures. And so we were able to mine some data and
5 came up with a five year cost estimate by broad category.
6 And we don't have the detail that's necessary to look at
7 every individual kind of -- or smaller category, sub-
8 category, but at least we can see a spending trend and we
9 can look at that against, you know, our income, the role
10 that that EVOS Trustee Council has continuing, and we can
11 make some judgments.

12 We've also been able to obtain some
13 information on the trend of personnel costs and what those
14 are. And we're going to be doing some further look at the
15 division of personnel within. The Department of
16 Administration is going to look at some of these personnel
17 descriptions and make sure that the -- that over time what
18 happens, in my experience, is sometimes the actual jobs
19 people are doing don't match up with the position
20 descriptions and the classification that they're at as so
21 that -- things get out of whack and the pay may not be
22 correct. Maybe too low; maybe too high. It just needs to
23 be looked at periodically. And so we're going to undertake
24 that.

25 This all the long way of saying is we don't

1 quite yet have a final budget to present -- and ultimately
2 Gail and her staff will present that -- but we have
3 created, with Tom's help, a budget structure. Categories
4 of expenditures and sub-categories, so that going forward
5 at least, we can track what's being spent in various areas
6 in EVOS Trustee Council a little more closely and then we
7 can compare that to actual expenditures in the budget.

8 The trustees will recall that over the
9 years there's been significant lapses in funds from the
10 EVOS Trustee Council budget and we're going to try to
11 figure out where the budgeting isn't matching up with the
12 expenditures and why are there lapses. And we're talking
13 about upwards of a half a million dollars of lapse in an
14 administrative budget of a million, million and a half. So
15 we're talking about a lot of money that -- so we want to
16 try to find a better way to budget.

17 And our goal is to see if we can bring this
18 to the Trustee Council in December. We'll have the new
19 budget draft from Gail here shortly, using the new
20 classifications and sub-categories, and then the
21 subcommittee will evaluate it, look at it, see if we would
22 recommend any changes and together we'll bring that to the
23 Trustee Council when it's finished. That all means though
24 that we've got to set -- have another month of a continuing
25 resolution of sorts to allow the Trustee Council to

1 function, and that is what this particular proposal is
2 about.

3 CHAIRMAN ZEMKE: Thank you much for that
4 information update. It's very helpful. So I guess are
5 there any discussions back on the continuing resolution or
6 the one month budget?

7 MR. NORDSTRAND: I would say one thing, I
8 would propose that the one month budget be modified such
9 that the salary and benefits here -- there's a proposed
10 change -- and this happens in state government, as you know
11 -- there's a proposed change of range and step for some of
12 the positions. And until we complete the evaluation of the
13 personnel -- or the position descriptions and all of that
14 and the salary ranges, I propose that that remain the same
15 as it is now. In other words, there not be a range/step
16 increase included.

17 If you look at Page 2, it anticipates four
18 different positions changing their range and step. Now one
19 of these -- and I don't want to get into the specifics --
20 but I believe one of them has already happened and that
21 would -- that's not a problem. But for those positions
22 that have not had their range and step changed to date, I
23 would propose to the council that that remain in force
24 until we have a chance to look at the position descriptions
25 and the classifications. That would be one change I'd

1 suggest.

2 CHAIRMAN ZEMKE: Okay. That would be the
3 -- basically the Executive Director, the Science Director,
4 and the admin officer, the 18D?

5 MR. NORDSTRAND: I believe so.

6 CHAIRMAN ZEMKE: Is that correct, Gail?

7 MS. PHILLIPS: Yes.

8 CHAIRMAN ZEMKE: Okay. And Drue.

9 MS. PEARCE: Well, do we have language for
10 continuing resolution? I'm not sure exactly what -- we
11 don't have a motion, I'm not sure exactly what's in front
12 of us. I know that there -- we need to delete something
13 from the spreadsheet, but I don't know that the spreadsheet
14 is the motion. I'm not sure.

15 MS. PHILLIPS: We have resolutions prepared
16 but they are based on these figures.

17 MS. PEARCE: Okay. Well.....

18 MS. PHILLIPS: So if we amend these
19 figures, we're going to have to -- and I don't have these
20 figures, I'll have to get them and get -- we'll have to re-
21 draft the resolution and get it to all of you to sign.

22 MS. PEARCE: Okay. Under admin support,
23 which is Page 2 of the memo that we have under admin
24 support, the DOI/USGS bond, that \$2,300 should be deleted
25 because that -- it's my understanding that the original

1 project is no longer so that we shouldn't get that money.
2 We would just ops it back and that doesn't make any sense.
3 And so if you go over to Page 4 though, then that needs to
4 be carried onto Page 4 to change the fund distribution
5 also, because the 2,300 comes out of that admin support,
6 the 800, and then everything else changes. So it's --
7 somebody is going to have to sit with a calculator and
8 figure that out.

9 Then I think we determined -- someone else
10 determined, it wasn't me -- that under ADNR on Page 4, that
11 that project management line might be too low but then
12 because of personnel costs, I'm not sure whether we decided
13 it was or wasn't, just in terms of the proper numbers.

14 CHAIRMAN ZEMKE: Yeah, it appears that.....

15 MS. PHILLIPS: The numbers were correct,
16 the ADF&G does not get GA on the lingering oil committee.
17 That will come under administration rather than Fish and
18 Game. But we just needed to include the expenses for it
19 somewhere. And what the 8100 is, exactly half of what you
20 approved last month. So it would not be eight percent of
21 the 123 because Fish and Game would not get GA support for
22 the lingering oil committee.

23 CHAIRMAN ZEMKE: Okay. The other question
24 is on the ADNR.....

25 MS. PEARCE: Yeah, I'm talking about DNR,

1 not Fish and Game.

2 MS. PHILLIPS: I'm sorry.

3 CHAIRMAN ZEMKE: The.....

4 MS. PEARCE: The 700.....

5 CHAIRMAN ZEMKE:contractual peer
6 reviews. You have a total of about 42,000 and it shows GA
7 of about 775. So looking at this, looking at -- there is
8 no GA on the -- looks like the contractual peer review
9 portion of that.

10 MS. PHILLIPS: No. The GA for ADN -- for
11 Natural Resources last month was 1500. I took one half of
12 that for December.

13 MS. PEARCE: But we didn't have.....

14 MS. PHILLIPS: So if you need GA to cover
15 the peer reviews, then we need to add that in.

16 MS. PEARCE: Yeah. So that.....

17 MS. PHILLIPS: And I did not add that in.
18 Mainly I didn't know how much we could approve for G -- for
19 peer reviews.

20 CHAIRMAN ZEMKE: Okay.

21 MS. PEARCE: So I don't know what number is
22 where -- putting forward.

23 MS. PHILLIPS: Yeah.

24 CHAIRMAN ZEMKE: So would you propose
25 making that change then?

1 MS. PEARCE: Well, I think we have to. I
2 mean, well I think we should. I don't know if we have to
3 but we certainly should. We should know what we're --
4 clearly we don't want the 2300, which will change now --
5 delete on Page 2 and delete in the total and then we'll
6 carry over to 4.

7 CHAIRMAN ZEMKE: The 2300 on Page 2 is from
8 what line item?

9 MS. PEARCE: Admin support. DOI/USGS.

10 MS. PHILLIPS: So the 38 would have the
11 reduction, that would be 1500 now for admin support of
12 DOI/USGS.

13 MS. PEARCE: And then on Page 4, that's
14 going to have to carry through.

15 CHAIRMAN ZEMKE: Okay. Are there any other
16 changes that are noted?

17 MS. PEARCE: Well, we'll have to -- ADNR
18 project management cost will have to be recalculated,
19 right? It needs to be because of the 33,000?

20 MS. PHILLIPS: Right.

21 CHAIRMAN ZEMKE: Yeah. So I would as.....

22 MS. PEARCE: I don't know what the proper
23 number is.

24 CHAIRMAN ZEMKE: It's about around 4,000, I
25 would assume. That's -- nine percent of 42,000 is 4,000.

1 So any -- so I think with those changes, I guess I would
2 entertain a motion or a resolution, I guess, is what -- I
3 guess one thing, do we need -- do we have the resolution?

4 MS. PHILLIPS: We do but it's based on the
5 195 so we'll have to redo it. You can approve it based on
6 these changes and then we'll redraft it and get it around
7 to you for signatures.

8 CHAIRMAN ZEMKE: That sounds fine.

9 MR. NORDSTRAND: I would make a motion that
10 we approve the interim EVOS administrative budget for
11 December of '05 as presented with the changes noted and
12 that the final resolution be circulated later for
13 signatures.

14 MR. CAMPBELL: Second.

15 CHAIRMAN ZEMKE: All those in favor say
16 aye.

17 IN UNISON: Aye.

18 CHAIRMAN ZEMKE: Opposed.

19 (No audible responses)

20 CHAIRMAN ZEMKE: Hearing none, it's
21 approved. So we've done with the admin budget. So I guess
22 now we move onto the Executive Director's report.

23 MS. PHILLIPS: Just a moment, please.

24 Thanks for keeping us operating for another month.

25 Under Executive Director's report, the

1 first item under the Executive Director's report is, at the
2 September 21st meeting, you directed that we come up with a
3 draft proposal for an MOA between the EVOS office and the
4 AYK-SSI. We did -- we have drafted -- we sent a draft
5 memorandum around to all concerned parties and we've come
6 up with a draft MOA for your consideration. This draft MOA
7 does not contain the financial aspect of how the MOA is
8 going to be implemented. That will be in a separate
9 document, that is still being worked upon. There are some
10 questions with Fish and Game and with the federal people as
11 to how we set up that structure. That is still being
12 worked upon.

13 I would ask Rob Bochenek to come forward
14 and just bring you up to date on where we are and he will
15 answer any questions you might have on the MOA itself.
16 Thanks, Rob.

17 MR. BOCHENEK: Rob Bochenek, data systems
18 manager for the Exxon Valdez Oil Spill Trustee Council.
19 Are there any questions concerning this MOA? Would you
20 like me to go over it or any issues you see or any
21 direction in terms of future drafts?

22 CHAIRMAN ZEMKE: I guess the state or ADF&G
23 had some concerns. Can you articulate what those were,
24 McKie?

25 MR. CAMPBELL: If I can. ADF&G's concerns

1 are not from the EVOS side. The ADF&G is in the position
2 of both dealing with EVOS and also having the money for
3 AYK-SSI go through their -- there are a number of
4 administrative hoops on the AYK side that we just have to
5 make sure that they are complying with. I don't see
6 anything that's going to cause problems, they just need to
7 articulate those and those are our requirements in terms of
8 responding to the appropriate federal agencies. I believe
9 that that -- we've communicated those to AYK-SSI and my
10 understanding is they're in the process of complying with
11 those.

12 CHAIRMAN ZEMKE: Okay. Thank you. Drue.

13 MS. PEARCE: Thank you. I have, I guess --
14 well, first I'll start with, we have a letter or a
15 memorandum, I should say, from the Department of Justice
16 dated November 5th that has some specific questions and
17 concerns. Rather than get into a protracted discussion
18 with Gina on the telephone rather than being here of
19 specifics, I would just say that if there's a motion to
20 approve, I am going to make that contingent upon sign off
21 by the Department of Justice and whatever changes she wants
22 made. It would have to be embodied before it is actually
23 signed.

24 But my second -- I have a more specific
25 question. We're entering an MOA that will provide for cost

1 recovery for EVOS for providing services to AYK and that's
2 fine. But what's the priority for your time? Does your
3 EVOS work come first? Does AYK work come first? Do we
4 make sure that our requests happen first? I want to know
5 where the -- how we do this.

6 MR. BOCHENEK: Well, the development of the
7 system, the peer review system, the work is actually
8 concurrent in that when we're developing the system, we're
9 both developing it for AYK in addition to EVOS. There is
10 probably about a five percent increase in terms of the
11 workload in incorporating other agencies into the peer
12 review database. That being said, the only way I can
13 explain it is it's not segmented, it's not like a week is
14 spent doing EVOS work and another week is spent doing AY --
15 you know, supplying AYK access to the work.

16 As we develop the system, it is built so
17 multiple parties can access and utilize it. That being
18 said, it's just an additional amount of work in order to
19 supply multiple interfaces to it. The priority is there's
20 -- the priority is not developing the system in a vacuum
21 for AYK and then developing it in a vacuum for EVOS, it's
22 just developing the system so that multiple people can
23 access it.

24 MS. PEARCE: I understand that, I'm more
25 concerned about the priority of developing AYK, EVOS, and

1 other peer review database vis-a-vis the rest of your
2 workload and other things that we've instructed that we
3 would like to be part of your workload, like going back and
4 updating all the old files into the system and other
5 things.

6 MR. BOCHENEK: Right.

7 MS. PEARCE: I don't want to see, just
8 because there's an MOA, I don't want to see this be the
9 only thing.....

10 MR. BOCHENEK: The priority, right.

11 MS. PEARCE:you know, first and
12 foremost and everything else gets pushed to the side
13 because there's work that EVOS has asked to be done. And
14 so my question is, how are those things being decided?

15 MR. BOCHENEK: Well, we've scheduled in our
16 draft DPD for this year the redevelopment of the peer
17 review database in the fall. Assuming that that process
18 will -- was going to take maybe around three or four weeks
19 to redevelop, an additional five percent workload is
20 envisioned as an increase. I believe that activities of
21 data salvaging from historical processes are -- I mean,
22 historical proposals are still going to continue. Just
23 because we're agreeing on this MOA and supplying AYK access
24 to this database in no way means it's going to be a much
25 larger workload for us. I mean, that's the reason why this

1 -- we went forward and have been pushing so hard on this
2 MOA is that we developed the system so that it can very
3 easily be ported to other individuals and other entities.

4 So what I'm trying to say is, other
5 agencies will benefit greatly from this with a very low
6 cost in terms of workload from the data management staff
7 here. So if we weren't -- if you would like a comparison,
8 maybe four to five weeks would be spent, if we developed
9 it, for EVOS, strictly only EVOS. And then the rest of the
10 time would be spent on data salvage. Compared to five to
11 six weeks developing it so that other agencies can access
12 it.

13 MS. PEARCE: Okay.

14 CHAIRMAN ZEMKE: McKie.

15 MR. CAMPBELL: You mentioned other agencies
16 several times. Is it envisioned that other agencies other
17 than AYK-SSI who are going to tap into this? Is that the
18 plan?

19 MR. BOCHENEK: North Pacific Research Board
20 is also utilizing it. And they've been utilizing it since
21 the inception of the database. They contributed pretty
22 heavily to its development and the creation of it. In
23 addition, they supplied some hardware two years ago and an
24 MOA that our database server is currently running. We
25 share the cost on that.

1 MR. CAMPBELL: Are there any other agencies
2 out there that envision that will also become involved or
3 is.....

4 MR. BOCHENEK: Well, the primary idea with
5 this peer review database is not necessarily -- I mean one
6 of the benefits is automating the peer review process. But
7 the most advantageous aspect of the system is creating a
8 standard set of keywords, keywords that describe fresh
9 water, estuarine and marine research. And so if all of the
10 marine, fresh water, and estuarine research is classified
11 via these keywords, it will be very easy to find
12 information based on keywords across research programs in
13 addition to perform gap analysis between research programs.
14 That's the true benefit of the system.

15 Automating the peer review process and
16 matching up the peer reviewers is kind of like a secondary
17 product. I mean, it's one of the primary products, it's
18 why it was originally developed, but it's grown to more of
19 a -- creating a common metadata scheme to kind of describe
20 research so people can find, synthesize, and access
21 information.

22 So as of now, I mean, it's AYK, NPRB, and
23 EVOS accessing it but it could potentially grow to describe
24 any type of marine or fresh water biological or physical
25 research that's occurring regionally.

1 CHAIRMAN ZEMKE: Kurt.

2 MR. FREDRIKSSON: I have two practical
3 questions and I share Drue's concern more along the lines
4 of your time, the office time, being dedicated to assist
5 others without necessarily getting our work done here, what
6 we think is important. And I'm operating off your
7 reassurance. Because to be honest, I don't track a lot of
8 what you're saying. But I do track things like this, which
9 is a \$33,000 budget we just approved for EVOS to, with the
10 help of Dr. Bob Spies, conduct a peer review of Jeep Rice's
11 wild pink salmon and habitat recovery report. Okay. Now
12 that's a peer review project that Dr. Spies will conduct on
13 our behalf and I assume the database that currently exists,
14 that you're thinking of sharing with this other
15 organization, will -- he will utilize to conduct that peer
16 review, is that correct?

17 MR. BOCHENEK: No, that's not true.

18 MR. FREDRIKSSON: Okay.

19 MR. BOCHENEK: It could be utilized.

20 MR. FREDRIKSSON: Well, explain to me.

21 MR. BOCHENEK: The peer review of file
22 reports has been for the last year or I think say 18 months
23 been a serious question as to the policies and protocols
24 and kind of just how we're going to go about validating or
25 vetting those final reports. If -- and this is more of a

1 policy decision than a technology decision. If we want to
2 utilize the peer review database to peer review these final
3 reports through a volunteer network, it can be done.
4 Technically, that's not the problem. The problem is in the
5 past, historically, these final reports were not peer
6 reviewed by a volunteer network. They were peer reviewed
7 by some contractual peer review system or the peer reviews
8 were managed by the science director, him or herself.

9 I -- coming from a technical standpoint,
10 that is not a problem. We could use the peer review
11 database to peer review final reports. The decision that
12 would need to be made is whether that is sufficient to vet
13 those final reports. Do we need to go out to contract and
14 just modifying the policies and procedures that's driving
15 that.

16 MR. FREDRIKSSON: Why -- well, let me
17 follow up on that then. EVOS -- it is the EVOS peer review
18 database program.....

19 MR. BOCHENEK: Yes.

20 MR. FREDRIKSSON:that we've built.

21 MR. BOCHENEK: Uh-huh. (Affirmative)

22 MR. FREDRIKSSON: What did we build it for?

23 MR. BOCHENEK: We built it to peer review
24 proposals applying for research, not the products of the
25 proposals.

1 MR. FREDRIKSSON: Okay.

2 MR. BOCHENEK: And in that -- but what I'm
3 saying is, technically we could utilize it perform
4 volunteer peer reviews on final reports.

5 MR. FREDRIKSSON: Don't we have the STAC to
6 peer review proposals?

7 MR. BOCHENEK: They rely heavily on the
8 input from the volunteer peer review network. The reason
9 being is generally a lot of these proposals are such arcane
10 -- well a lot of times they are very -- I don't know if
11 arcane is the correct word but just a very.....

12 MR. CAMPBELL: It's the correct word.

13 (Laughter)

14 MR. BOCHENEK:very specific fringe
15 science or something where there may only be a few
16 individuals in the region of the world.....

17 MR. CAMPBELL: Stick with arcane.

18 MR. BOCHENEK: Yeah.

19 MR. O'CONNOR: Yeah, stick with arcane, it
20 beats fringe every day.

21 MR. BOCHENEK: Okay. Okay.

22 (Laughter)

23 MR. BOCHENEK: Even though our members of
24 the STAC vary, their understanding of marine science is
25 very broad, I don't believe they have the intense knowledge

1 about the specifics of a lot of these proposals. And the
2 peer review database allows us to, through an online survey
3 of a classification of the peer review and the
4 classification of a the proposal, is be able to run an
5 algorithm and have the computer determine who, out of the
6 5,000 people in there, is the best to do the review.

7 MR. FREDRIKSSON: What one -- and that
8 helps, I think, a little better. Let me just kind of go
9 down back to now a practical question. Do we have a
10 database right now that we can in fairly short order
11 identify every project that this council has funded since
12 its inception and the status of those projects in terms
13 of.....

14 MR. BOCHENEK: Yes.

15 MR. FREDRIKSSON:receipt and.....

16 MR. BOCHENEK: Uh-huh. (Affirmative)

17 MR. FREDRIKSSON:completion and peer
18 review?

19 MR. BOCHENEK: There's a link right off our
20 web page called the project search engine.....

21 MR. FREDRIKSSON: Okay.

22 MR. BOCHENEK:that ties you directly
23 into our database. And we've, in the past nine months,
24 have made a very aggressive attempt to salvage all
25 historical projects in there. And now there.....

1 MR. FREDRIKSSON: But at this point in
2 time, there's no question in your mind at least, that EVOS
3 office is capable of identifying every project that has
4 been funded by this council and its stages of completion.

5 MR. BOCHENEK: Yeah.

6 MR. FREDRIKSSON: Okay.

7 MR. BOCHENEK: And it's -- the problem
8 though is that, you know, real -- and this is kind of a
9 statement that can be argued and I'm sure that it's going
10 to potentially infuriate some people. But I'll say this,
11 that modern data management didn't begin here until 2004.
12 And so we are attempting to salvage to the best of our
13 ability all historical data from 1991 through 2003. And as
14 you go back farther in time, the specifics about the
15 project become fuzzy and the information that was recorded
16 about those projects continually kind of fall into more of
17 a gray area. But every day we are updating historical
18 information.

19 The next step that we're going to push for
20 right now is actually going out through a web application
21 and actually contacting all of our historical PI's to have
22 them validate the information we have in our database and
23 supplement that information with any information that they
24 have. In addition to having the ability to upload data
25 sets, final reports, presentations, any type of digital

1 product that they produced during their research efforts.

2 So as soon as we do this, we expect a very large amount of
3 information to be stored describing historical projects.

4 MR. FREDRIKSSON: And then just as a follow
5 up, and then this MOA won't frustrate that effort?

6 MR. BOCHENEK: No.

7 MR. FREDRIKSSON: Okay.

8 MR. BOCHENEK: No, I mean it actually ties
9 into the effort because when we finally define this
10 metadata scheme, we're going to go back and have these
11 individual PI's from historical projects describe their
12 projects via this metadata scheme. And it will have access
13 through -- we'll have access to all of our historical data
14 through access through keywords, species lists and
15 management issues and so forth.

16 CHAIRMAN ZEMKE: Okay, Gail.

17 MS. PHILLIPS: Steve, I would just like to
18 make a comment for Kurt's comfort. And to acknowledge the
19 work that the staff has put in on updating our web pages
20 and web links as far as finding information on projects.
21 They -- through data -- the data folks and Carolyn, they
22 have updated and created a document now that even I can go
23 on there and push a button and whether it's by PI name or
24 project or region of expertise or whatever, I can find the
25 materials. And it's amazing and it's great. So I

1 recommend that everybody try it. It's just great.

2 MR. BOCHENEK: And will be, even in I think
3 next six to 12 months. I know that it would be much more
4 useful if we had this information now for the synthesis
5 project. And we supplied an image of our entire database
6 to Integral and it's somewhere around, I think, three or
7 four gigabytes of data and information. But there's a lot
8 of information. Over 400 final reports.

9 MR. FREDRIKSSON: Well, what I'm interested
10 in is not some much, you know, harlequin.....

11 MR. BOCHENEK: Right.

12 MR. FREDRIKSSON:but all. I want to
13 hit the all button.

14 MR. BOCHENEK: You can do that.

15 MR. FREDRIKSSON: I want to hit -- okay.
16 As long as we can hit the all button so that we have that,
17 that's what I'm after.

18 CHAIRMAN ZEMKE: Are there any other
19 questions?

20 MR. O'CONNOR: Yes, please. I'm fringe
21 myself so I.....

22 (Laughter)

23 MR. O'CONNOR: Pardon this question, but
24 what is it that I am getting as a Trustee Council member or
25 that this Trustee Council is getting as a result of this

1 project that we can utilize or is it just.....

2 MR. BOCHENEK: Right.

3 MR. O'CONNOR:to the benefit of our
4 work?

5 MR. BOCHENEK: You're getting a better peer
6 review system. You're getting a more complete and defined
7 metadata scheme to describe a research which will lead to
8 better gap analysis in terms of our research. Also, you're
9 also just gaining the idea that we are attempting to
10 spearhead regional green data management in the region.
11 And that we will be developing for not only the staff here
12 to utilize but for other regional research entities to
13 utilize.

14 MR. O'CONNOR: Part of that is not our job.

15 MR. BOCHENEK: It's not.

16 MR. O'CONNOR: The part of that about
17 management is not our job. It's not our responsibility to
18 be providing leadership to the managers that are
19 responsible for the natural resources of this region. Can
20 you explain what I'm getting and what this is all about
21 that doesn't include that role?

22 MR. BOCHENEK: Doesn't include management?

23 MR. O'CONNOR: Yeah.

24 MR. BOCHENEK: You're going to get a better
25 data system. You're going to get better standards and

1 protocols for the management of information and data. When
2 it comes to the cost of managing data and information as a
3 function of the volume of data and information, it would
4 seem that it would be some expediential function. As you
5 manage more and more information, it becomes more and more
6 difficult. I disagree. I think that having a wider
7 spectrum of information to manage allows you develop
8 methods which manage them more efficiently. Computers are
9 very good at doing that. If you set up the correct
10 standards and algorithms, you will in the end get a better
11 product for managing more information. So.....

12 MR. O'CONNOR: What's going into this
13 database? What informa -- anything beyond what has been
14 done by our PI's and the comments and so on by our peer
15 reviewers?

16 MR. BOCHENEK: The database is the --
17 there's core metadata information describing kind of the
18 background and the methods utilized by the PI in addition
19 to kind of the regional and also species information and
20 physical kind of research information. In addition to
21 that, there's the administrative side of the database in
22 which we track final annual reports, fiscal information.
23 In addition to that, we track any product that is being
24 produced by the project, which includes final reports, the
25 actual documents themselves, any type of electronic

1 material.

2 We are moving to actually being able to
3 host individual data sets and providing a space on our
4 servers for PI's to access and store their individual --
5 and archive their living data sets as they change. We're
6 also going to be, in essence, creating profiles for
7 researchers so that the public can access these profiles
8 and find out where EVOS informat -- EVOS funds are going.
9 What type of research is being done. See some of the
10 products. See some more aesthetic products than data sets.
11 For instance, pictures and graphs and video even
12 potentially being stored on these, this information.

13 The way we see it is, it's just data and as
14 we grow we're going to be storing more and more and more
15 information concerning these projects.

16 MR. O'CONNOR: It's unsettling to hear that
17 we don't know what we've done and that we don't know today
18 what studies might have been conducted over the last 15
19 years. What the conclusions are from those studies. What
20 knowledge we may have gained as a result of those studies.
21 That's unsettling. And I think that's what we heard. And
22 we didn't begin the process of trying to figure out where
23 we are until I guess you came along in 2004.

24 MR. BOCHENEK: Uh-huh. (Affirmative)

25 MR. O'CONNOR: If this project is going to

1 give us as Trustee Council members and the public the
2 ability to access all of that information and formulate
3 their own conclusions and to understand what the science
4 has said and what the efforts that the Trustee Council has
5 engaged in has produced, then I think we have a good
6 undertaking here. If what we're being asked to do is fund
7 something that is not going to provide us with that or
8 provide us with a fringe benefit -- and in fringe, I mean
9 something beyond the scope of what we need to do our job
10 and to inform the public with regard to the impact of the
11 spill and what we're doing, then I don't think we should be
12 spending the money.

13 There has been prepared a three page
14 memorandum from the federal attorney, Gina Belt, on this
15 subject. The fact that there's three pages written on
16 something that is costing us potentially what, \$25,000?

17 MR. BOCHENEK: No, we're receiving 25,000
18 in funds.....

19 MR. O'CONNOR: We're receiving money.

20 MR. BOCHENEK:we're not paying.

21 MR. O'CONNOR: Okay.

22 MR. BOCHENEK: Okay.

23 MR. O'CONNOR: So we have three pages,
24 single spaced, worth of concerns from our lawyer. I think
25 I have the same reaction that Drue has indicated and that's

1 that I don't want to go anywhere until my lawyer is
2 satisfied that the issues raised here are fully addressed.
3 And one of the issues that's being raised here is whether
4 or not the federal government may have an augmentation of
5 its appropriations going on through this project and the
6 receipt of these monies. And if that's the case, then we
7 have us a serious problem. Unfortunately this is a nickel
8 and dime project but it is an extremely meaningful one and
9 I don't want to throw out, as they say, the baby with the
10 bath water. We need to be able to figure out what we have
11 done, what we know, and make that information available to
12 anyone who wants it for any purpose, including us. Let's
13 make sure that's what we're doing first and then if there
14 are fringe things, if there are other fringe benefits we
15 can receive, let's do it next.

16 And I guess that in substance is my comment
17 and the concerns of my agency with regard not just to this
18 project but to where we stand today with regard to our
19 knowledge.

20 MS. PHILLIPS: Mr. Chairman.

21 CHAIRMAN ZEMKE: Go ahead, Gail.

22 MS. PHILLIPS: Thank you. I'd like to read
23 just a very brief statement that I just received from my
24 research analysis regarding this. This is about
25 information management. The research analyst's, Carolyn's,

1 position is moving from spending half a day researching
2 through a dozen file cabinets to be able to provide answers
3 in minutes. Good data management let's us know right away
4 what we have. This freeze up time for reporting on that
5 information and doing better public outreach and
6 interpretation of and reporting on research via our
7 website. The alternative is physically a person digging
8 through old files.

9 CHAIRMAN ZEMKE: Drue.

10 MS. PEARCE: I think having read Gina's
11 three pages, single spaced, a number of times, I think if
12 you go to the first page of the memorandum of agreement
13 which we haven't approved, we just did -- we just made a
14 motion that one be drafted. It was my understanding and I
15 think like reading -- Gina's understanding that what we
16 were going to have before us was going to be an over-
17 arching MOA providing for the opportunity to have these
18 sort of projects under it as opposed to the memorandum, the
19 background and purpose be that intent to establish a one-
20 year cooperative agreement. The MOA was supposed to be an
21 ongoing MOA that would allow us to have the projects. What
22 we're talking about is just one of the projects.

23 So I think the way that the MOA is written
24 is incorrect. And then we have -- there are some questions
25 that Gina has about how it fits into the overall structure

1 of the consent decree but also how the funding mechanism
2 works and how we authorize the work that's already being
3 done that started back in October under an MOA that we
4 don't yet have. So to me at the moment there are more
5 questions than there are answers. And I agree that it's an
6 over-arching discussion about a project that's relatively
7 small but I think it is important that we understand what
8 we're doing and what the MOA that we're establishing is.
9 And I don't -- I'm not there.

10 MR. TILLERY: Mr. Chairman.

11 CHAIRMAN ZEMKE: Craig.

12 MR. TILLERY: I've become confused.

13 Because I've heard Rob and I've heard Mr. O'Connor talk
14 about databases that allow us to tell what projects we have
15 and we can access videos and we can do all these kinds of
16 things. And my understanding of what this MOA was dealing
17 with was not that but that it talks about creating a
18 collaborative cost sharing means to extend the database
19 structure to provide efficient proposal reviews, expands a
20 pool of peer reviewers.

21 I mean, I thought all this \$25,000 did was
22 expand the pool of peer reviewers and allow AYK to access
23 this little discreet database that when you pump in sort of
24 the parameters of a study, it spits back out who you should
25 send it out to peer review. How did we get into videos and

1 all this other sort of stuff?

2 MR. BOCHENEK: Well, the reason why that we
3 got into videos and all that other kind of stuff is that
4 this is a small part of -- I mean, when I say the database,
5 there's the peer review database. But the peer review
6 database is actually part of the over -- everything is
7 connected. Everything is linked together. So maybe I kind
8 of drew the -- I rose up way above what the context of this
9 memo is but the peer review system is tied directly into
10 the rest of the database.

11 MR. TILLERY: Does this memo, does the MOA,
12 and does this 25,000 relate to anything beyond simply
13 the.....

14 MR. BOCHENEK: No.

15 MR. TILLERY:peer review?

16 MR. BOCHENEK: Simply the peer review. Is
17 providing.....

18 MR. CAMPBELL: Thank you.

19 MR. BOCHENEK:them access to pretty
20 much an existing system that is being -- the finishing
21 touches are being put on it right now for our use but it
22 would be very easy for us to port this service to them and
23 it would greatly assist them in terms of their problems
24 they're going to be running into during this proposal cycle
25 for AYK.

1 MR. TILLERY: And for 25,000 they will have
2 access to it and we will end up with a peer review database
3 that is expanded in terms of people, that has better search
4 capabilities.....

5 MR. BOCHENEK: More defined keywords --
6 better defined keywords.

7 MR. TILLERY: and that they can
8 access?

9 MR. BOCHENEK: Right.

10 MR. TILLERY: That's what I understand.

11 MR. O'CONNOR: Why are we charging them for
12 that?

13 MR. BOCHENEK: We don't have to. They --
14 it was -- it's kind of a token amount to show that we're
15 cost sharing. Also there was -- the data management budget
16 came under scrutiny from the budget subcommittee and we
17 thought that receiving these 25K in funds could support our
18 activities during the year, some of -- purchasing of
19 additional equipment, some training, just offset the
20 general costs that we were planning on spending, the costs
21 that we were planning on accruing over the year.

22 If the council does not want us to receive
23 this 25K, we don't necessarily need it to supply the
24 service to them. It's not a requirement. I think that we
25 could supply the service without the 25K. And if the 25K

1 is the serious bottleneck in this process, I've spent well
2 over the amount of time that I've worked on recreating the
3 database, I've spent trying to draft this MOA. And what
4 I'm getting to find is that maybe this entire effort should
5 just be -- we should desist from it. I don't know.

6 I mean, I have this memo -- this copy of
7 this memo from Gina also and I would like channels of
8 communication opened up a little bit better. I sent this
9 MOA out for review and I didn't receive a single comment
10 from Gina. And it would have been nice if I would have. I
11 know that this is probably confidential but I've attempted
12 to draft this, I've sent it out for review, I sent it to
13 the Trustee Council, I didn't really receive any comments.
14 I received some comments from Craig and Craig's staff and
15 I've attempted to incorporate those, but I don't really
16 know what to say.

17 CHAIRMAN ZEMKE: Okay, thank you. I got a
18 note. The people online need to try to keep their noise
19 down. The mute button or -- we're getting a lot of
20 background and it's hard to hear. And then two, is that
21 I've been informed that some of the state trustees may have
22 to leave at 1:00 o'clock so we need to try and expedite
23 this discussion and then move on with the rest of the
24 agenda. So.....

25 MR. BOCHENEK: I wanted to say that I have

1 read this memo by Drue -- I mean, excuse me, by Gina -- and
2 I think that I can adequately address each of the issues in
3 here. I don't believe that there's any issue in here that
4 is -- you know, could stall this. Maybe I should have a
5 discussion with Gina.

6 CHAIRMAN ZEMKE: That would be good but I
7 guess I would be willing to entertain a motion either one
8 way or the other on whether or not we're ready to pass a
9 memorandum of agreement. I guess hearing none, I guess
10 then we're not.....

11 MR. CAMPBELL: Yeah, let me ask -- I
12 believe earlier it was expressed that you might be willing
13 to support this contingent on DOJ approval. Is that still
14 the case and is that -- would that address your concerns,
15 contingent upon DOJ approval as well?

16 MR. O'CONNOR: Yes, although I still have
17 an issue as to why we're charging these people for
18 something that seems to be to our benefit. But maybe it's
19 just because I don't understand.

20 MR. CAMPBELL: If that's the case, I would
21 like to make a motion we approve the MO -- is this an A or
22 an U -- A -- contingent upon DOJ approval.

23 CHAIRMAN ZEMKE: Okay. Is there a second?

24 MR. O'CONNOR: Second.

25 CHAIRMAN ZEMKE: I hear a second. So all

1 those in favor, say aye.

2 IN UNISON: Aye.

3 CHAIRMAN ZEMKE: Opposed.

4 (No audible responses)

5 CHAIRMAN ZEMKE: The motion is approved.

6 MS. PEARCE: I think there may be some
7 policy questions that Gina has not.....

8 DR. NORCROSS: This is Brenda Norcross. I
9 can't hear what you just said. All I heard was the motion
10 blank.

11 CHAIRMAN ZEMKE: Okay. The motion was
12 approved to approve the memorandum of agreement contingent
13 upon the Department of Justice's concerns.

14 DR. NORCROSS: Thank you.

15 CHAIRMAN ZEMKE: And I assume Gail and Rob
16 will be meeting with Gina and others soon to be able to
17 hammer that out.

18 MR. FREDRIKSSON: If I might just ask Gail
19 at our next meeting in December if we could have on the
20 agenda a council discussion of the question of -- I, like
21 Craig, I believe we have a settlement that's supposed to
22 pay for the cost of what we do here so anytime we're in the
23 receiving monies always causes my antenna to go up a little
24 bit.

25 The other question I have that I'd to

1 explore further is we have this database, we have peer
2 review. As I said, we just approved a budget to do peer
3 review and I would like to know why we would not use this
4 database to do that. That is a policy question and I'd
5 like to explore that further as to why we should or
6 shouldn't use the database we built to conduct our peer
7 reviews.

8 CHAIRMAN ZEMKE: Do you want to make an
9 official motion on that or just request.....

10 MR. FREDRIKSSON: I think if we just
11 asked.....

12 MS. PHILLIPS: I'll get with you.

13 MR. FREDRIKSSON:Gail to do that,
14 without opposition -- without objection.

15 CHAIRMAN ZEMKE: So be it.

16 MR. TILLERY: I'd like to make a quick
17 comment.

18 CHAIRMAN ZEMKE: Yes, Craig.

19 MR. TILLERY: Don't take anything I said as
20 criticism for the work you're doing and the need and the
21 importance of that work. I just want to be sure that we're
22 giving you everything you need to help us do our job.
23 That's what I'm striving for.

24 CHAIRMAN ZEMKE: Thank you, Rob. Gail,
25 onto the next item.

1 MS. PHILLIPS: Okay, thanks. Next item --
2 and I'll go quickly through the rest of the Executive
3 Director reports. At the last meeting you asked that we
4 bring up a -- or let me know what all MOA's that we -- or
5 MOU's that we have in existence and this spreadsheet shows
6 those that are currently in place with us. If there's no
7 questions, I'll go on. Okay, thanks.

8 The next issue was the establishment of the
9 lingering oil committee by approval on the budget. You did
10 authorize the establishment of the lingering oil committee
11 as mandated in the IGD. This is a budget just for a two
12 day meeting in December. Bob Spies will chair the
13 lingering oil committee. The duties of the committee will
14 be to review current lingering oil projects; make
15 recommendations for remediation projects, if still needed;
16 and to assist in making recommendations for the '07 Work
17 Plan.

18 The idea is that they will meet probably
19 two or three more times in the -- oh -- you know, after the
20 first of the year. We haven't set that schedule or
21 anything yet but the first meeting will be -- the first and
22 second meetings will be to focus upon the body of current
23 work and to make these recommendations.

24 CHAIRMAN ZEMKE: Kurt.

25 MR. FREDRIKSSON: And Gail, I assume you'll

1 work with the steering committee.....

2 MS. PHILLIPS: Yes.

3 MR. FREDRIKSSON:to get that Work
4 Plan laid out.

5 MS. PHILLIPS: Yes, yes.

6 MR. FREDRIKSSON: Okay.

7 CHAIRMAN ZEMKE: Any other.....

8 MS. PHILLIPS: All right.

9 CHAIRMAN ZEMKE: Hearing none, Gail.

10 MS. PHILLIPS: The last thing is I just
11 wanted to brief you that we did have a public records
12 request from the Trustees for Alaska and we responded to
13 that. We logged in, we responded with all the information
14 we had in-house and using computers and taking all the
15 information off of our computer so we didn't -- weren't
16 going through all these paper files, it still took our
17 staff about 25 hours to respond to this request.

18 That's all I have.

19 CHAIRMAN ZEMKE: Any comment? Questions?
20 Okay, I guess we're.....

21 MS. PEARCE: Can I.....

22 CHAIRMAN ZEMKE: Go ahead, Drue.

23 MS. PEARCE: Very quickly, back to
24 lingering oil committee, the kind of placeholder in our
25 package says that we should have -- when will we have the

1 proposal for the committee structure?

2 MS. PHILLIPS: It was in the budget that
3 you approved.

4 MS. PEARCE: Oh, it -- so that was just the
5 structure.....

6 MS. PHILLIPS: Right.

7 MS. PEARCE:it didn't show the.....

8 MS. PHILLIPS: Right.

9 MS. PEARCE:individuals.

10 MS. PHILLIPS: Yeah.

11 MS. PEARCE: Okay. That's fine.

12 MS. PHILLIPS: And I'll send you a memo
13 when I have it. I'll put it together now and send you a
14 memo on that, Drue.

15 CHAIRMAN ZEMKE: Thank you. I guess the
16 next item would be the Adams/Mullins revised proposal. And
17 this was a -- indicates an action item. So who's going to
18 -- do we have a briefing on that?

19 MS. PHILLIPS: Richard and Brenda Norcross.

20 DR. DWORSKY: Good afternoon, I'm Dick
21 Dworsky, the science coordinator. The action item you have
22 before you is the Adams/Mullins proposal. The background
23 on that is it was submitted as part of the invitation. You
24 as a council decided to ask them to revise and rewrite. It
25 has been reviewed twice by the STAC and the PAC and

1 approved both times. The proposal simply is before you to
2 continue for one year to develop their model, the pink
3 salmon model. And I suspect there will be some longer term
4 ramifications that will come out of this at the conclusion
5 of this one year or the subsequent invitations.

6 So I think the consensus from the STAC, the
7 Executive Director, the PAC, and the science coordinator is
8 to go ahead and fund this under the revised proposal.

9 CHAIRMAN ZEMKE: Okay. Are there
10 questions? Kurt.

11 MR. FREDRIKSSON: Yeah. And Ken, I trust
12 you're still on the phone or Brenda, perhaps this is more
13 appropriate to you. I'm looking in our package -- gosh,
14 it's a few pages back. It's in the earlier funding
15 recommendations from the STAC that noted that -- and I'm
16 just kind of following along the paragraph initially. Now
17 this is on the FY-06 proposal that was originally reviewed
18 by the STAC. And I know there has been a revision now
19 that's under consideration. But I want to go back to the
20 original proposal where not only did we note that the pink
21 salmon is a recovered species but as I note here from the
22 STAC's recommendation, this project was funded for a year,
23 no results from the first year were included in the
24 proposal.

25 The basis of this proposal is that a model

1 for pink salmon will be available to be used by fishermen,
2 however, this proposal does not state what the model does.
3 There is nothing about the model in here. And when I look
4 at the proposal now and the three principal objectives of
5 the proposal, Ken, I see the first being that your proposal
6 is to install this model.

7 My first question is, was the model a
8 product of a previous EVOS investment? Was this a model
9 that you were -- that was developed as a result of EVOS
10 funds?

11 MR. ADAMS: Mr. Fredriksson, this is Ken.
12 Very definitely this was a SEA product program that you
13 funded -- Trustee Council funded from '94 to '99. And Mr.
14 Fredriksson, may I ask if Mr. Vince Patrick, if Dr. Vince
15 Patrick is also listening in at this point in time? Dr.
16 Patrick is the author of the model and any specific
17 questions relevant to the model I'm sure he has the
18 capability to answer. But certainly I can address -- and
19 Mr. Mullins I'm sure is here too -- we can address
20 questions as best we can.

21 DR. NORCROSS: This is Brenda. I don't
22 think you need the details Vince would give you but, Kurt,
23 the short answer, Kurt, is the original proposal, Adams and
24 Mullins revised it and put in everything STAC wanted.
25 Basically they didn't explain well enough in their original

1 proposal what they had done. And so when they re-did it,
2 they explained what the model is, how the model worked, and
3 yes, the model is absolutely a result of the original SEA
4 project, which is why the STAC views it -- now that they've
5 emphasized that, which is why the STAC views it as a
6 synthesis product, because it takes a lot of the research
7 that was done before and puts it in perspective where it
8 can be used.

9 And also the pink salmon was recovered but
10 the commercial fishery has not recovered. And so what
11 they're looking at and what they've now emphasized in their
12 rewrite of the proposal is that what they're trying to do
13 is get a tool that will help the fishermen and the fishery
14 because they are not a recovered resource.

15 MR. FREDRIKSSON: Brenda, I want to -- and
16 Ken, I want to thank you because I did recognize the
17 reference to the damaged service, is what this project is
18 really directed to restore. So.....

19 MR. ADAMS: Yes sir, that is correct. That
20 is correct and I think again the FY-06 invitation was a
21 focal point to really make that point very strong for us.
22 That this modeling effort is more than just -- much more
23 than just an academic exercise. This has very definite
24 potential for aiding economic recovery of the Prince
25 William Sound fishery.

1 MR. FREDRIKSSON: Thanks, Ken. My final
2 question -- and maybe this is probably directed to you,
3 Richard, more than anybody else -- but I just -- I wanted
4 to reassure myself that as we move forward to put a product
5 of the EVOS program in place -- because I understand we're
6 actually installing now this model and endorsing its
7 application -- that that model has been peer reviewed.
8 That we've gone through -- and I suspect it's part of the
9 SEA product -- has gone through the peer review process.

10 DR. DWORSKY: Well, what you would expect,
11 number one, is we have a number of people in the STAC that
12 are competent to review models but the entire model hasn't
13 been prepared yet. So it's tough to peer review it. What
14 my suggestion to the trustees would be at the end of this
15 year, when a model is in place to go in fact go do the
16 mathematics and go do the analysis of a model at that point
17 to see if that has some validity. And to see what
18 modifications and changes you may want to have. From what
19 I can see and what I've heard, we're not at the point of
20 having a fully descriptive model.

21 MR. FREDRIKSSON: Well, let me -- Ken,
22 maybe you can clarify that. Has the model been developed
23 and completed yet or not? Is it still under development
24 stage?

25 MR. ADAMS: Mr. Fredriksson, this model has

1 been continuously updated over about a 14 year period. And
2 it has never been implemented. So to say it is achieved
3 its level of perfection at this point in time would be a
4 little bit pretentious. I will say that the model is
5 poised and ready to be advanced to the next stage, which is
6 implementation. And it's my understanding that it needs to
7 be further adjusted. But that will come. That will come
8 with time, just what the adjustments need to be made. But
9 I think we've come very close to the blink to put this into
10 service.

11 DR. NORCROSS: This is Brenda. Models are
12 iterative and Vince has developed this based on the data he
13 has. What Ken is trying to say is you can't tell -- the
14 model has to be tested in real life and then the data that
15 now will come out when you apply the model will be used to
16 perfect the model again. It's like weather forecasts, it's
17 always dependent upon new data coming in. That's what he's
18 talking about.

19 CHAIRMAN ZEMKE: How long would it take to
20 validate the model? One life cycle? Two life cycles?

21 DR. NORCROSS: It all depends on what
22 happens each year. Because the model will be validated and
23 I'm sure it will work to some degree. The problem will be,
24 it will be just like weather. It will be -- if we have an
25 El Nino next year, it's going to affect something. If we

1 have an incredibly cold winter, it's going to affect
2 something. So what will happen will be the model will work
3 well within the parameters over which it has been
4 developed. The longer the model runs, the broader spectrum
5 of parameters, the better the model will run over another
6 set of parameters.

7 MR. FREDRIKSSON: So Brenda -- this is Kurt
8 Fredriksson again -- so you're saying that the development
9 of a model, the design of a model does not go through a
10 peer review process?

11 DR. NORCROSS: Yes, it does, and actually
12 different iterations of this have been peer reviewed.
13 Vince has a copy of this model published in the 2001 SEA
14 volume of fisheries oceanography where we published all of
15 our synthesis results to that time.

16 MR. FREDRIKSSON: Okay. Brenda, that
17 answers my question. I just was looking for verification
18 and a reassurance that in fact this model had been peer
19 reviewed by other modeling professionals just as we would
20 any of our products.

21 DR. NORCROSS: Yes. Vince just continues
22 to work on it and make it better.

23 MR. FREDRIKSSON: Okay. Thank you.

24 MR. ADAMS: Mr. Fredriksson, if I can just
25 comment. As Brenda mentions, there's a parallel of this

1 model with weather forecasting. And one very positive
2 development which has come about in the last few years and
3 certainly more so recently, is the development on a
4 national level of the integrated ocean observing system.
5 And here in the state, the portion that we know that is
6 AOOS, the Alaska Ocean Observing System. And we perceive
7 that we will be able to interface with AOOS and more
8 locally the Prince William Sound Ocean Observing System,
9 for providing some of the monitoring data we need to make
10 this program work.

11 And in addition, there are other existing
12 monitoring programs. For example, the programs conducted
13 by the hatchery system. We have two separate hatchery
14 programs conducting monitoring of zooplankton and other
15 parameters. Plus there are activities at the science
16 center, Prince William Sound Science Center. Acoustic
17 monitoring of predators and prey and zooplankton. Plus
18 ongoing work of ADF&G. So we are poised for integrating
19 and collaborating results of these, at present, stand alone
20 monitoring programs. And this is a wonderful opportunity
21 to form a coalescence, like a real -- a little regional
22 collaboration to propel this model.

23 CHAIRMAN ZEMKE: Okay, thank you. Other
24 questions? Craig.

25 MR. TILLERY: Yeah, the STAC comments

1 indicate that -- or they caution that it's a multi-year
2 effort and that you must be prepared to fund it over a long
3 period of time in order to reap the most benefit of it.
4 And I guess my question is, are we being asked to approve a
5 single year or a multi-year and what happens -- how much
6 benefit do we get if it isn't funded for a multi-year? So
7 is a -- I guess the first question is, is this a single
8 year or multi-year?

9 DR. DWORSKY: Single year.

10 MR. TILLERY: And what happens if it
11 doesn't get funded next year? Do we lose everything
12 or.....

13 DR. DWORSKY: Well, you will have some
14 information on the shelf, presumably in the next invitation
15 they will reapply.

16 CHAIRMAN ZEMKE: Do we have any indication
17 about what the level of funding would be for the next
18 several years? Similar to this.....

19 DR. DWORSKY: I would expect it would be
20 similar.

21 MR. FREDRIKSSON: Well, let's -- when I
22 looked at -- and Ken, I think you're the only one that's
23 capable of answering this question. Because we heard from
24 the STAC in the documents we have here that we should be
25 aware that this may be a multi-year commitment. And then I

1 read in your communication that in fact you were looking at
2 a one year and you were going to seek support from other
3 avenues into the future. So what are we looking at here in
4 terms of beyond this year?

5 MR. ADAMS: I think that's a very good
6 question. I think first off the council itself has spoken
7 in favor of partner -- formation of partnerships. And
8 beyond this year, looking at advances that we would make
9 with the model and moving towards implementation this year,
10 I think we would be poised to reach out to other entities. I
11 would expect that we would still rely upon some degree of
12 support from the Trustee Council and what amount, I can't
13 say. I can't say at this point. I think that would be a
14 topic that we would have within our collaborative group.
15 And also in an agreement with the Trustee Council.

16 CHAIRMAN ZEMKE: There's some music on the
17 line. Could you please turn that off?

18 MR. FREDRIKSSON: Somebody went on hold.

19 UNIDENTIFIED SPEAKER: It's kind of nice
20 though.

21 MR. FREDRIKSSON: Somebody put us on hold.

22 CHAIRMAN ZEMKE: Yeah, I think somebody is
23 on -- well, on hold.

24 MR. FREDRIKSSON: They can't hear you if
25 they're on hold.

1 MR. ADAMS: There's new age music.

2 UNIDENTIFIED SPEAKER: A little traveling
3 music, please.

4 CHAIRMAN ZEMKE: There we are.

5 MR. TILLERY: Can I just.....

6 CHAIRMAN ZEMKE: Craig, do you have a
7 question?

8 MR. TILLERY: Yeah, if I can just try to
9 make sure I understand this then. Okay. This is a one
10 year project. It's going to involve other years, you may
11 or may not come back to the council, probably will but will
12 look for funding elsewhere. If we fund this for this year
13 and you are unable to find funding from the council or
14 anywhere else for next year, will this one year of funding
15 have created a benefit for us? And if so, can you very
16 briefly describe what that benefit is?

17 MR. MULLINS: Mr. Chairman, this is Ross
18 Mullins. Can I make a comment?

19 CHAIRMAN ZEMKE: Certainly.

20 MR. MULLINS: One of the issues with this
21 modeling effort is the fact that the original data sets
22 that went into the original design of the model were taken
23 back in 1995 and 1996. And at that time, this was under
24 the funding of the SEA program that EVOS invested over 20
25 million dollars in. It was never fully -- you know, there

1 was no continuity. It wasn't brought up to current
2 standards and to current implementation capabilities.

3 And that's where we are today. We are
4 trying to get this model transported from the University of
5 Maryland and have it reside at the office in Cordova where
6 this can be worked on aggressively to -- like Ken
7 emphasized, interface with a number of these various
8 efforts that are taking place now in Prince William Sound.
9 We got a meeting in June of the Prince William Sound Ocean
10 Observing System in which there are over 80 participants.

11 And there's a lot of opportunity coming up
12 in the future where we can potentially work with jet
13 propulsion laboratory, other entities that are involved in
14 this Prince William Sound Ocean Observing System effort.
15 And the SEA program, the name designates Sound Ecosystem
16 Assessment. And this model was the key factor that was
17 attempting to integrate many of the various biological and
18 other data in data sets that were being worked on in the
19 90's. And if it doesn't get some support here, this
20 potential for a ecosystem modeling effort is just going to
21 go by the board.

22 And we feel it's way too valuable a product
23 to allow that to happen. We think that if we can continue
24 this momentum -- and we've been working on this now -- we
25 started out with a series of workshops trying to identify

1 what the community and the stakeholders wanted for some
2 benefit to be derived from SEA. We feel this is the -- I
3 wouldn't say the ne plus ultra at this point but it could
4 become that and it could become one of the jewels in the
5 crown of the Trustee Council. It would be a tragedy to let
6 this 20 million dollars of research just sit there on the
7 shelf.

8 And the effort Ken and I have been making
9 over the last four years is to elevate this SEA knowledge
10 to where it can be used for practical application within
11 the fisheries infrastructure. It will help communities, it
12 will help fishermen, it will help the Department manage its
13 resources in a more effective manner. All of these things
14 take time to mature.

15 And since the model has not had any ability
16 to incorporate data since 1995, 1996, we're really
17 optimistic that by moving it here to the Prince William
18 Sound region and getting the principal investigator, Dr.
19 Vince Patrick, to move up here and work directly on this
20 with us, which he has agreed to do, we feel we're on the
21 verge of moving this thing ahead in a very substantial
22 manner. And that the benefits down the road are going to
23 be quite monumental.

24 CHAIRMAN ZEMKE: Craig, did that ans -- I
25 think.....

1 MR. TILLERY: Not that I could tell.

2 CHAIRMAN ZEMKE:specifically the
3 question is, what would be the product from the end of this
4 one year's funding. Would it -- example, would you be able
5 to take archival data from -- my understanding -- from '97
6 on and be able to nest it in the model and run some
7 simulations based on, you know, the actual runs that came
8 back?

9 MR. MULLINS: Absolutely. I think that's a
10 very strong likelihood. Additionally there is a need to --
11 we had a companion proposal that got funded last year for
12 the Department of Fish and Game to do some preliminary work
13 on using PIT tags in juvenile salmon to see if we can used
14 that type of marker to identify fish returning in the
15 parent year as adults. Be able to identify those fish as
16 they return. All of these components melding together will
17 make the model a robust type of structure.

18 But it is necessary to pull a lot of these
19 various data gathering entities together in a cooperative
20 manner. And we've done a lot of work in that regard.
21 We're very optimistic this is going to work out. And at
22 the end of this one year, you will have a model, I believe,
23 that is updated through present time to identify what is
24 actually further needed to move it to a fully implementable
25 stage.

1 And I know in the '04 proposal, when the
2 invitation was sent out, in terms of modeling, it
3 identified Prince William -- pink salmon model as a desired
4 output, desired entity to be funded, with the expectation
5 that in the future there would be funding for
6 implementation. And the suggestion in the '04 invitation
7 was that the implementation would require somewhere around
8 150K per year for several years after we get the model into
9 a form where it's fully articulable.

10 CHAIRMAN ZEMKE: Okay. Any other
11 questions?

12 MR. O'CONNOR: Yeah, please.

13 CHAIRMAN ZEMKE: Craig.

14 MR. O'CONNOR: This is Craig O'Connor with
15 NOAA. What we're looking at apparently from the standpoint
16 of the Trustee Council is the utilization of this work,
17 this project, the model, to restore the lost services as a --
18 the injured services that flowed from pink salmon. The
19 pink salmon have been -- have recovered. What is today's
20 linkage, given the condition of the commercial fishery,
21 that we're trying to address and the impact from EVOS upon
22 the pink salmon? What is that linkage?

23 MR. MULLINS: This is Ross Mullins again,
24 if I could comment. I believe one of the problems we're
25 having in the pink salmon fishery -- there are a number of

1 them, but one of the major problems is not being able to
2 identify run magnitude in the parent return year. Fish and
3 Game makes forecasts, hatcheries make forecasts, they're
4 primarily based on moving averages, five year moving
5 averages, that sort of thing. If you look at the graph of
6 actual returns you'll see huge peaks and valleys. I mean,
7 we have years where the forecast may be 25, 30 million and
8 the fish come back at a 20 or less million level. Last
9 year was a really unexpectedly large return, somewhere in
10 the neighborhood of 60 million. There was not anticipation
11 of that.

12 So the -- just the model's ability to make
13 more finite forecasting available to the industry will be a
14 big benefit. Because the planning they have to enter into
15 a year in advance of the actual season happening in terms
16 of ordering supplies -- a fisherman -- how much -- whether
17 or not -- if there's going to be a weak run, how many
18 fishermen are going to actually participate.

19 The pink salmon fishery right now has 272
20 limited entry permits authorized in that fishery. But as a
21 result of the deteriorating conditions of the fishery,
22 there's only about 85 permit holders actually
23 participating. So our hope is that through better
24 management and identification of large and small returns,
25 we can help increase the economic efficiency of this

1 fishery and that will help offset some of the lingering
2 damages that are being received now because of lack of
3 herring. To be able to operate more efficiently is
4 definitely a benefit.

5 MR. O'CONNOR: Okay, thank you. Is there a
6 movement or is there an interaction between the herring
7 fishermen and the pink salmon fishermen? Are they one in
8 the same? Or have they moved.....

9 MR. MULLINS: To some degree they are.
10 Herring always attracted fishermen who follow the herring
11 circuit, as you probably know. Many of these fishermen are
12 from Kodiak, from Cook Inlet, from Sitka. Cordova or
13 Prince William Sound used to be part of that herring
14 circuit. It is no longer because we're the only area in
15 the state that doesn't have a viable herring biomass
16 anymore as opposed to all these other areas who do have
17 viable herring biomasses.

18 But within the context of the actual
19 participants that reside within the region, the Prince
20 William Sound region specifically, I would estimate that
21 probably two-thirds of the fishery participants came from
22 the region. You had herring gill netting, you had herring
23 seining. Most seiners who participate in the pink salmon
24 fishery also hold herring seine permits so they have been
25 definitely impacted. Although, many of the seiners that

1 have dropped out, have dropped out also as a consequence of
2 lack of herring. So, you know, they couldn't sustain their
3 operations strictly on the pink salmon.

4 Again, I think more efficiency in
5 understanding how these large and small returns occur,
6 which this model will provide, will help gain a greater
7 economic efficiency so that perhaps more fishermen can re-
8 enter this fishery. And of course there's the function of
9 price. I mean, prices have been rising somewhat in the
10 last several years so that may help offset things a bit
11 too.

12 CHAIRMAN ZEMKE: Okay, thank you. McKie.

13 MR. CAMPBELL: Yeah, question. Thank you.
14 Not to try to forestall any additional discussion, but just
15 to get this on the floor in front of us, I'm going to make
16 a motion we approve this.

17 CHAIRMAN ZEMKE: Do I hear a second?

18 MR. FREDRIKSSON: I'll second.

19 CHAIRMAN ZEMKE: Okay. Any discussion on
20 the motion? Kurt.

21 MR. FREDRIKSSON: One of the drivers for me
22 was that this model was peer reviewed. I guess I ex -- I
23 am planning to approve this but I'm looking at it as a one
24 year only, that's what the proposal is before us. I don't
25 see this as something -- I think it needs to prove its

1 merit. I think the data exists both in the past, from what
2 this council, what this group here has invested in, as well
3 as the ongoing information that I think organizations like
4 National Marine Fishery Service and Fish and Game provide.

5

6 I think there's a number of other
7 organizations that have been identified in reference by Mr.
8 Mullins and Mr. Adams that have yet to demonstrate
9 themselves as a real provider of data. That may happen but
10 at least for now I think there are data sources that this
11 model can avail itself of and prove itself worthy or not.
12 But I plan to vote positive for it but only for one year.

13 CHAIRMAN ZEMKE: Any other comments?
14 McKie.

15 MR. CAMPBELL: I'm also going to be
16 supporting this motion and I don't know if we may have a
17 difference or not, I don't think so as I am voting for this
18 for one year, I'm going to want to look at it real closely
19 when it comes back to us. Because I do think certainly the
20 project has greater merit if it can be successful and
21 continue on a multi-year basis but I want to look real hard
22 at where we are next year before supporting any
23 continuation.

24 CHAIRMAN ZEMKE: I would also support kind
25 of contingent on those and looking at if indeed it does

1 come back year to see what other leveraging partners are --
2 you know, is AOOS or Prince William Sound Science Center or
3 NPRB or ADF&G onboard with partnering, particularly with
4 money, which is a real demonstration of their commitment to
5 the program or that project. So are there any other
6 comments?

7 MR. O'CONNOR: I have difficulty with the
8 linkage between this project and the restoration of the
9 lost services occasioned upon the impact of the spill on
10 pink salmon. I understand the discussion about the overlap
11 or the integration between the pink salmon fishery and the
12 herring fisheries, and certainly herring has not recovered.
13 I have a lack of comfort on the ability of us to fully
14 rationalize the utilization of the monies from the
15 settlement to support this project. I'm not quite sure
16 what I'm getting, what the trustees are getting from this
17 project that are assisting in restoring the services that
18 were provided -- that were impacted and provided by the
19 pink salmon fishery.

20 I'm not sufficiently knowledgeable of the
21 modeling techniques and the utility to which these can be
22 put, so I have some hesitancy in voting it down because I
23 don't know enough to conclude whether it's good or it's bad
24 -- or it's not appropriate, pardon the phrase bad.

25 MR. MULLINS: Mr. Chairman, this is Ross

1 Mullins again. I'd like to respond to that if I could.

2 CHAIRMAN ZEMKE: Ross.

3 MR. MULLINS: My understanding of the
4 designation of injured services and recovered species, et
5 cetera, is there is an opportunity for mitigation. That if
6 an injured species, such as herring, cannot be restored by
7 the efforts of the Trustee Council, which it's unlikely
8 they can have a significant impact -- I believe one of the
9 folks at the staff level one time indicated to me, what are
10 you going to do, build a herring hatchery? Well, you know,
11 that does put the situation into some perspective.
12 Mitigation doesn't mean necessarily that you have to have
13 the herring recovering to basically improve the injured
14 services.

15 The injured services are to the commercial
16 fishing industry from the oil spill. And anything that we
17 can do to enhance those services does serve to mitigate the
18 damages. And so I don't think there's necessarily a direct
19 linkage between the fact that the pink salmon appear to be
20 recovered but the service has not. And I think you have to
21 de-link these two things to make the argument here
22 realistic.

23 CHAIRMAN ZEMKE: Thank you, Mr. Mullins.

24 MR. CAMPBELL: Call for the question.

25 CHAIRMAN ZEMKE: The question has been

1 called on the approval of Adams 060784. All those in favor
2 of approval, say aye.

3 IN UNISON: Aye.

4 CHAIRMAN ZEMKE: Opposed.

5 (No audible responses)

6 CHAIRMAN ZEMKE: 060784 has been approved.

7 MS. PHILLIPS: Thank you very much. The
8 next item under your agenda is the Bickford -- additional
9 funding for the Bickford project. The council approved
10 Bickford's herring larval drift project during our August
11 10th meeting. Unfortunately the amount of overhead cost to
12 the University of Alaska FNA were miscalculated in the
13 original proposal. An additional amount of \$1,263 is
14 needed for this project in order to cover the FNA rate to
15 the tuition costs for the master student who is the only
16 salary personnel budgeted for this proposal. This will
17 increase the cost of the project from 52,211 to 53,474.
18 Your approval for an additional \$1,263 is solicited.

19 MS. PEARCE: Mr. Chairman. I guess you
20 don't know what you're paying for until somebody has made a
21 mistake and you find these things. But does this mean
22 we're actually paying for the tuition or that the
23 university actually charges 25 percent for them to just
24 accept tuition from a master student?

25 MS. PHILLIPS: The latter. The latter.

1 MS. PEARCE: That's ridiculous.

2 MR. FREDRIKSSON: Bren.....

3 CHAIRMAN ZEMKE: That's -- go.....

4 MR. FREDRIKSSON: Brenda, can you --

5 Brenda, in fact, isn't this one of your master students?

6 How does this work?

7 DR. NORCROSS: You know, it -- I didn't --

8 you know, I had nothing to do with the budget or anything

9 so I don't really.....

10 (Laughter)

11 DR. NORCROSS: But I do know that they

12 didn't use to charge overhead on tuition so I don't really

13 know where this is coming from. When I saw it on the

14 agenda, I went to Bickford and said, what's going on. And

15 he said, hey, I don't do the budgets, they screwed up. And

16 then I realize open session. The problem is, the

17 university will take it out of the research instead of

18 saying we screwed up and bypassing the overhead. And I

19 have no responsibility for what the university charges

20 overhead on, you guys. It's not my fault.

21 CHAIRMAN ZEMKE: Any other discussion?

22 MS. PEARCE: Well, nobody was casting any

23 sort of blame.....

24 DR. NORCROSS: Oh, I know that. I was

25 joking.

1 MS. PEARCE:on you but.....

2 DR. NORCROSS: I just get somewhat
3 discouraged at the university, all right.

4 MS. PEARCE:you know, the process of
5 accepting tuition costs, it's incredible to me that they
6 would manage to then charge us 25 percent because one of
7 those students was involved in one of the projects, the
8 research projects that they brought forward. It's not
9 worth probably hours quibbling over the \$1,200 but I'm just
10 incredulous as I have always been with the university
11 system. It never changes.

12 DR. NORCROSS: It might be worth a letter
13 though to the university from the Executive Director
14 stating that point but you would never say I suggested it.

15 MS. PEARCE: Well, considering some of the
16 letters we've gotten from him, I don't think that's a very
17 good idea either.

18 DR. NORCROSS: Yeah.

19 CHAIRMAN ZEMKE: Okay. Any other
20 discussion?

21 MR. CAMPBELL: Yeah.

22 CHAIRMAN ZEMKE: McKie.

23 MR. CAMPBELL: Yeah. If this is overhead
24 for accepting tuition, I can't vote to support it. And
25 maybe that more than the letter might send a fairly strong

1 message. If someone wants to bring this back to me and
2 show that it's not overhead for accepting tuition then I'd
3 certainly endorse it and support it.

4 CHAIRMAN ZEMKE: Okay.

5 MS. PEARCE: And Mr. -- I would.....

6 DR. NORCROSS: That was kind of hard to
7 hear.

8 MR. CAMPBELL: I said if this is overhead
9 that is being charged for the act of accepting tuition, I
10 cannot support this.

11 DR. NORCROSS: Okay.

12 MR. CAMPBELL: If someone -- if that's not
13 the case and somebody can bring that back to me and show us
14 that, then I'd be happy to support it at a future date.

15 DR. NORCROSS: No, I'd tell you that's
16 exactly what it's for.

17 MR. CAMPBELL: Okay. I cannot support it.

18 CHAIRMAN ZEMKE: Okay. Is there a motion
19 on the floor?

20 MR. CAMPBELL: Not from me.

21 CHAIRMAN ZEMKE: No motion. So the
22 Bickford proposal dies for lack of a motion.

23 MS. PHILLIPS: And Mr. Chairman, I would
24 request a slight budget -- or a slight agenda amendment and
25 ask that we be able to take up the small parcels policy at

1 this time and then come back to the three outstanding --
2 just because I want to catch you guys. I need this
3 information for the next budget.

4 CHAIRMAN ZEMKE: It appears it's acceptable
5 with the Council.

6 MS. PHILLIPS: All right. In your August
7 10th meeting you approved the small parcels process and
8 requested that we come back you with small parcels policy.
9 The draft policy before you has gone through the small
10 parcels acquisition committee and they approved this
11 change. The amendment establishes the funding strategy for
12 future small parcel acquisitions. The proposed policy will
13 allocate resources equally between the state and federal
14 governments. It requires the restoration office to develop
15 an annual funding recommendation for consideration by the
16 council based on a 4.5 percent, four year average percent
17 of market value to be applied to the funds remaining within
18 the habitat fund.

19 This annual recommendation is a guideline
20 and does not prevent the council from considering a parcel
21 that exceeds the amount established should the council
22 decide this is warranted. The adoption of the attached
23 policy will allow the staff to move forward with the
24 revised parcels program and we will put all the information
25 on the web and create a little brochure and everything if

1 you agree to this.

2 CHAIRMAN ZEMKE: Okay. Any discussion?

3 MS. PEARCE: Mr. Chairman.

4 CHAIRMAN ZEMKE: Drue.

5 MS. PEARCE: I would move that we adopt the
6 small parcel policy. I would just like to make a statement
7 that as the trustee for the Department of Interior, my
8 agencies support this so I will support it. I do not
9 however intend to get into this 50/50, well gee, if the
10 state had a parcel that we're going to approve purchasing
11 then we got to go out and hunt for something to buy,
12 because that's not what I think we should get ourselves
13 into. So I'm just cautioning everyone, it's not a
14 tit-for-tat sort of a thing. But I do move to approve.

15 CHAIRMAN ZEMKE: Okay. Kurt.

16 MR. FREDRIKSSON: Yeah, when I read this, I
17 saw this as a good measure but I don't endorse the notion
18 that every year we are out there seeking parcels to buy. I
19 would like parcels to come before us that warrant our
20 attention but that we're not out soliciting because we have
21 some 4.5 percent of a four year average.

22 MS. PHILLIPS: And in the policy itself it
23 states, in addition, should the state or federal government
24 choose not to expend the authorized funds in one year,
25 those funds may accrue within the habitat fund for future

1 use by that government.

2 MR. FREDRIKSSON: Thank you.

3 CHAIRMAN ZEMKE: I had one question too
4 about the parcels my be nominated by the federal -- or by
5 the sponsoring agency. I thought it was will be nominated
6 through the sponsoring agency and that to be able to come
7 to the Trustee Council, they have to go through a.....

8 MS. PHILLIPS: Right.

9 CHAIRMAN ZEMKE:sponsoring agency.

10 MS. PHILLIPS: Right.

11 CHAIRMAN ZEMKE: When this says may, it
12 kind of indicates that.....

13 MS. PHILLIPS: All right. I'll.....

14 CHAIRMAN ZEMKE:it may or may not.
15 It's on the first page in the draft.

16 MS. PHILLIPS: Carol, did we -- excuse me,
17 could I just double check with Carol. Will. Yeah, okay.
18 Will. I'll just -- we'll just change it.

19 CHAIRMAN ZEMKE: Okay.

20 MS. PHILLIPS: Thanks.

21 CHAIRMAN ZEMKE: That sounds good. So
22 Drue, your motion was to approve the.....

23 MS. PEARCE: That is correct.

24 CHAIRMAN ZEMKE:amendment to the
25 small parcels policy.

1 MS. PEARCE: Right.

2 CHAIRMAN ZEMKE: Have a heard a second?

3 MR. FREDRIKSSON: With that revision of
4 will.

5 CHAIRMAN ZEMKE: With the revision of will.

6 MR. FREDRIKSSON: I'd second.

7 CHAIRMAN ZEMKE: I hear a second. All
8 those in favor.

9 IN UNISON: Aye.

10 CHAIRMAN ZEMKE: Opposed.

11 (No audible responses)

12 MS. PHILLIPS: Thank you very much.

13 CHAIRMAN ZEMKE: The amendment is approved.
14 And I guess one other decision I am, I guess, at least on
15 this is the proposals considered non-responsive, the FY-06
16 invitation.

17 MS. PHILLIPS: Oh, yes, that's the last
18 item on the agenda.

19 CHAIRMAN ZEMKE: So -- yeah, with the
20 Saupe, Willette, and Walker.

21 MS. PHILLIPS: Richard and Brenda. And on
22 this, when the council considered it and adopted the '06
23 Work Plan in August, there were three proposals that had
24 been submitted that were deemed non-responsive to the '06
25 invitation with its very specific instructions regarding

1 synthesis projects.

2 These three projects were Saupe, Willette,
3 and Walker. Council instructed the staff to bring these
4 three projects forward to review regardless of their
5 responsiveness and to make sure that this is the policy in
6 the future. All projects are to be included in the report
7 to trustees, whether or not they fit under the guidelines
8 of the invitation.

9 CHAIRMAN ZEMKE: Thank you, Gail. Richard.
10 Do you have any question for Richard on.....

11 (No audible responses)

12 CHAIRMAN ZEMKE: So any other questions
13 about the three proposals? Hearing none.....

14 DR. DWORSKY: If.....

15 CHAIRMAN ZEMKE: I guess we do.

16 DR. DWORSKY: Well, I wondered if we
17 progressed -- go ahead.

18 CHAIRMAN ZEMKE: I'd entertain a motion to
19 support the inclusion of the three proposals in FY-06
20 budget.

21 (No audible responses)

22 CHAIRMAN ZEMKE: Hearing no motion, the
23 proposals are not moved forward.

24 MS. PHILLIPS: That's all that I have Mr.
25 Chairman.

1 CHAIRMAN ZEMKE: Okay. Thank you very
2 much. So looking at the agenda, we're down to
3 miscellaneous correspondence. There was a Prince William
4 Sound Science Center resolution about the reopener. I
5 guess that letter was included in our packages.

6 And then there's a letter from the American
7 Fisheries Society, a letter of appreciation describing how
8 they appreciated the EVOS Trustee Council's support to the
9 annual meeting that they had. And there's some discussion --
10 there's a letter from Larry Pelts describing the amount of
11 benefit that the American Fisheries Society got from some
12 of that -- you know, about the record amount of attendees
13 and the record number of fisheries science that was
14 presented at the meeting.

15 Kurt.

16 MR. FREDRIKSSON: Just a question, Gail.
17 Do you know what the contribution from EVOS was?

18 MS. PHILLIPS: \$10,000.

19 MR. FREDRIKSSON: Okay. Thanks.

20 MR. O'CONNOR: And what did we contribute?
21 Just gave them money?

22 MS. PHILLIPS: Money. We didn't have any
23 projects or any presentations or anything this year.

24 MR. O'CONNOR: Other than a letter, what
25 did we get out of it?

1 MS. PHILLIPS: Our name on big billboards.
2 Our name in the program.

3 UNIDENTIFIED SPEAKER: PR.

4 MR. O'CONNOR: How did that help towards
5 restoration of the resources injured as a result of the oil
6 spill? It's nice to.....

7 MS. PHILLIPS: Mr. Trustee, I can't answer
8 your question because that decision was made before I came
9 onboard.

10 CHAIRMAN ZEMKE: We had considerable
11 discussion about that when it was approved for funding and
12 so I guess if next time it comes up, we could probably --
13 15 years, we could have that discussion again.

14 Looking at the agenda, I think that takes
15 care of all the listed items, other than is there a need
16 for an executive session?

17 MR. CAMPBELL: I would just suggest that we
18 ask the director to respond to the Prince William Sound
19 Science Center, that we tell them that we've received their
20 resolution, we appreciate it, we point out the fact that
21 while the trustees are actively involved in gathering the
22 information that the state and federal governments will use
23 to make the decisions, the EVOS trustees themselves are not
24 -- in their role of EVOS trustees -- are not involved in
25 that decision.

1 And we also -- and we say, for your further
2 information, here is, and we excise the part of the
3 settlement that says what is and isn't eligible, the terms
4 of the reopener, put it in the letter and send it to them.
5 Because clearly they're asking things that don't faintly
6 fit the legal terms.

7 MS. PHILLIPS: Would you like me to do a
8 generic letter that we can use for everybody that sends
9 us.....

10 MR. CAMPBELL: Yes.

11 MS. PHILLIPS:a resolution or a
12 motion or whatever.

13 MR. CAMPBELL: Yeah.

14 CHAIRMAN ZEMKE: Does the rest of the
15 council agree? Yeah, it sound good. Mead, I think you had
16 a.....

17 MR. TREADWELL: Mr. Chair, I'm a member of
18 the Prince William Sound Science Center Board of Trustees.
19 We did address that resolution to actually the members of
20 government but we felt it was important to copy you for
21 your information because we support the work that you're
22 doing toward that end.

23 MR. CAMPBELL: And I do appreciate that but
24 what would be very, very helpful to us on the reopener is
25 folks to suggest projects that we have some legal

1 possibility of succeeding in in court, that the suggestion
2 or projects that have -- that won't make in the courthouse
3 door don't help us.

4 MR. TREADWELL: I personally have been
5 asked by my board to consult with several of you directly
6 on that issue.

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

9 (No audible responses)

10 CHAIRMAN ZEMKE: Hearing none, I guess I
11 would be willing to entertain a motion to adjourn.

12 MR. FREDRIKSSON: I'll move to adjourn.

13 MR. TILLERY: Second.

14 CHAIRMAN ZEMKE: All in favor, aye.

15 IN UNISON: Aye.

16 CHAIRMAN ZEMKE: Meeting is adjourned.

17 (Off record - 1:07 p.m.)

18 END OF PROCEEDINGS

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C E R T I F I C A T E

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

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

THAT the foregoing pages numbered 4 through 121 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Meeting recorded electronically by me on the 10th day of November 2005, commencing at the hour of 10:12 a.m. and thereafter transcribed under my direction and reduced to print:

THAT the Transcript has been prepared at the request of:

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

DATED at Anchorage, Alaska this 21st day of November 2005.

SIGNED AND CERTIFIED TO BY:

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