

Meeting Summary D R A F T

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

B. DATE/TIME: April 19, 2010

C. LOCATION: Anchorage, Alaska

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

<u>Name</u>	<u>Principal Interest</u>
Jason Brune	Public-at-Large
Gary Fandrei (T)	Aquaculture/Mariculture
Jennifer Gibbins (T)	Conservation/Environmental
John French (T)	Regional Monitoring
Amanda Bauer (T)	Commercial Tourism
Stacy Studebaker (T)	Recreation Users
Kurt Eilo (T)	Sport Hunting/Fishing
David Totemoff (T)	Tribal Government
Lori Polasek (T)	Public-at-Large

E. NOT PRESENT:

<u>Name</u>	<u>Principal Interest</u>
Torie Baker	Marine Transportation
Bill Rosetti	Science/Technical
Larry Evanoff	Native Landowners
Patience Andersen Faulkner	Subsistence
John Renner	Commercial Fishing
Vacant	Local Government

F. OTHER PARTICIPANTS:

<u>Name</u>	<u>Organization</u>
Elise Hsieh	Executive Director, Trustee Council
Doug Mutter	Designated Federal Official, DOI
Cherri Womac	Trustee Council Staff
Catherine Boerner	Trustee Council Staff
Michael Schlei	Trustee Council Staff
Carrie Holba	Trustee Council Staff
Renee James	Trustee Council Staff
Barat LaPorte (T)	Patton Boggs
Jenifer Kohout (T)	U.S. Fish and Wildlife Service (FWS)
Jeff Mow (T)	FWS
Tim Richardson (T)	American Land Conservancy
Dede Bohn (T)	U.S. Geological Survey (USGS)
Bill Driscoll (T)	Private Consultant
Bud Rice	U.S. National Park Service (NPS)

G. SUMMARY:

At 10:02 a.m. Stacy Studebaker, PAC Chair, opened the session with a welcome and introductions by all in attendance. Doug Mutter took roll—soon thereafter a quorum was present. The January 13, 2010, PAC meeting summary was approved.

Elise Hsieh gave the Executive Director's report. She stated that several documents were now being worked on and that they are "extremely draft." She said she wanted to get information to the PAC so they could participate as the process moves forward, realizing that there are a lot of materials involved. Documents to review include: the Injured Resources and Services List (IRS), Supplemental Environmental Impact Statement (SEIS), Integrated Herring Restoration Plan (IHRP), and Invitation for Proposals (IFP). The Trustee Council will meet April 30, primarily to discuss the progress on the SEIS and the results of the public scoping meetings. They will also meet on May 14 to address other issues, including the PAC Charter (this will be an action item).

Six public scoping meetings on the SEIS were held over the past few months. Hsieh said she appreciated the involvement of PAC members who could participate. Studebaker commented that Craig O'Connor did a fine job presenting background information at the Kodiak meeting. Jason Brune asked what other times on the SEIS schedule were going to be open for public comment. Hsieh responded that two additional comment periods would be available (a schedule will be emailed to PAC members): the Draft SEIS comment period is set for May 29 to July 16, and the Final SEIS comment period is set for September 4 to October 1. Public comments received are posted on the Trustee Council web site. Hsieh suggested contacting Laurel Jennings, NOAA, if more information was desired.

Lori Polasek asked if the IFP would be changed as a result of public comments on the SEIS. Hsieh said that the five focus areas will be modified as work progresses. Brune asked if the PAC intended to provide a formal comment on the draft SEIS. Studebaker suggested they keep that open and determine what to do when the draft SEIS comes out. John French supported the notion that the PAC take a position on the draft SEIS, if it can reach a consensus.

Studebaker opened the meeting for public comments. (1) Tim Richardson complemented the Trustee Council and the PAC on the efficient process for making decisions on restoration. He stated that many in the U.S. are aware of the good work being done by the EVOS group. (2) Bill Driscoll asked for clarification on the dates the SEIS would be open for public comment.

Catherine Boerner gave an update on the IHRP. A panel of three experts (Jeep Rice (NOAA), Doug Hay (Private), and Doug Woodby (ADFG)) are refining the herring information compiled over the past three years of efforts. A draft for peer review will be out the end of the week. A report should be ready for Trustee Council review in July.

Boerner reported on the status of IFP for 2012. It is in early draft stages and will be done differently from past IFPs. Pre-proposals will be requested, and staff will work with proposers to ensure projects are framed to meet the Trustee Council's needs. Studebaker asked if they were only looking for a single proposer in each of the five focus areas. Hsieh said they expected some consortiums to be formed, but the Trustee Council would only deal with one entity. French asked how the Trustee Council would address it if scientific expertise was inadequate for a proposing institution. Hsieh said the Trustee Council would interact with the institution to ensure all needs were met.

Studebaker noted that the lingering oil reports will not be completed for another two years, so it will be difficult to have a solid foundation for proposals in that focus area. Hsieh agreed that some work cannot be refined until an appropriate time in the future. Polasek asked if funding requests would be given on an annual basis to the Trustee Council. Hsieh said yes, that the idea is to have annual budgets.

David Totemoff noted that herring and lingering oil remained issues of concern for the people of Tatitlek. Studebaker said the herring objective was not very clear. Hsieh stated that objectives would be more generalized, rather than prescriptive, at this point. Gary Fandrei asked how the human services (e.g. fishing) would be addressed in the IFP, since they were still listed as in recovery. Boerner said that fishing was not one of the five focus areas and that with dwindling funds, money would not be spent on these services. Fandrei said that he hoped a final assessment of fishing services could be done. The group discussed whether a State agency would do this at some point in time as a normal course of business.

Boerner reported that the 2010 IRS list will be the last update of this document. She noted that two major changes were in the draft. First is the addition of a category “very likely recovered.” This would replace “unknown recovery” for cutthroat trout, rockfish, and subtidal communities. No proposals have been received to study these and the high costs of determining their status led to this determination. The second is the addition of the killer whale AT1 transient pod (not recovering), which is apparently going extinct, according to whale expert Craig Matkin. There are no other significant changes, just some updates. ADFG and other scientists have raised concerns about the lack of science supporting the “very likely recovered” status. Hsieh said the scientists would rather leave it as “unknown.” She said this would be a policy call for a policy document and that the Trustee Council would not be spending money on these resources. French said he agreed with the scientists.

Brune stated that listing the AT1 pod as “not recovering” implies that something could be done to help them recover, which apparently is not the case. Boerner said transient pods do change and go away. Bud Rice said it could be a food issue as much as anything, since they are mammal eaters. Totemoff said they have seen fewer killer whales in their spring, summer, and fall migrations near Tatitlek. Studebaker said she was glad to see Kittlitz’s and marbled murrelets listed separately.

Hsieh said the Trustee Council will be doing a retreat in May to discuss pre- and post-2013 proposals, administration, and staffing. She will be sending out an update of the written materials to be discussed. Capital projects are not planned for consideration, although she expects one from Kodiak to be submitted.

Hsieh said there were no changes in the proposed PAC Charter and membership make-up from the last meeting. Mutter said that a decision on this will be made at the May 14 Trustee Council meeting.

Studebaker asked for closing comments from PAC members. She said she would attend the May 14 Trustee Council meeting. Brune stated that the PAC make-up was of interest. He believes members have often not represented the “interest groups” for which they are appointed to serve. He also asked about the Science Panel that is scheduled to convene in early May. Hsieh said that they will be advising on long-term monitoring needs, and will help define the parameters for that topic in the IFP. Their meeting will be open to the public for listening in. Boerner listed the

members of the Science Panel as follows: Tom Dean, Gary Cherr, Doug Hay, Kim Trust, Pete Peterson, Bob Spies, Ron O’Dor, Norman Meade, Marilyn Sigman, and Steve Braund. Fandrei suggested they consider species status when determining long-term monitoring needs.

Totemoff said he was glad that the Trustee Council was working on herring and lingering oil. French said he supported the need for broad representation on the PAC, and that the Trustee Council should integrate its long-term monitoring program with other similar programs going on. His final thought was that there may be useful information on monitoring in the GEM documents. Studebaker said she appreciated the way the restoration program wrap-up was proceeding.

Hsieh noted that Trustee Council office remodeling would take place next week, and with all the documents everyone would be working on, she would like to skip an email status report for May.

The meeting was adjourned about 11:30 a.m.

H. FOLLOW-UP:

1. The Trustee Council will decide on PAC Charter revisions at their May 14, 2010, meeting
2. Womac will resend the SEIS schedule to PAC members.
3. Studebaker will attend the May 14 Trustee Council meeting.
4. Hsieh will keep sending draft documents to the PAC for their review.

I. NEXT MEETINGS:

--PAC conference call in July, date to be determined

J. ATTACHMENTS (handed out at the meeting):

1. None

K. CERTIFICATION:

PAC Chairperson

Date