

Meeting Summary D R A F T

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

B. DATE/TIME: April 13, 2011

C. LOCATION: Anchorage, Alaska

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

<u>Name</u>	<u>Principal Interest</u>
Torie Baker	Commercial Fishing
Amanda Bauer	Commercial Tourism
Jason Brune	Public-at-Large
Kurt Eilo	Sport Hunting/Fishing
Gary Fandrei	Aquaculture/Mariculture
Patience Andersen Faulkner	Subsistence
John French	Science/Technical
Stacy Studebaker	Recreation Users

E. NOT PRESENT:

<u>Name</u>	<u>Principal Interest</u>
Jennifer Gibbins	Conservation/Environmental
David Totemoff	Native Landowner

F. OTHER PARTICIPANTS:

<u>Name</u>	<u>Organization</u>
Elise Hsieh	Executive Director, Trustee Council
Doug Mutter	Designated Federal Official, Department of the Interior
Cherri Womac	Trustee Council Staff
Catherine Boerner (T)	Trustee Council Contractor
Barat LaPorte (T)	Patton Boggs
Pete Hagen	National Oceanic and Atmospheric Administration (NOAA)
Nancy Bird	Prince William Sound Science Center
Tom Brookover	Alaska Department of Fish and Game
Jen Schorr	Alaska Department of Law
Steve Zemke	U.S. Forest Service
Kari Anderson (T)	City of Seward
Kris Holderied (T)	NOAA

H. SUMMARY:

At 10:05 a.m. Doug Mutter, Designated Federal Official, opened the session with a welcome, introductions by all in attendance, and roll call of PAC members (a quorum was present).

The election of PAC officers for the next two-year term was held. Kurt Eilo was unanimously elected to serve as PAC Chairperson. Patience Andersen Faulkner was unanimously elected to serve as PAC Vice-Chairperson.

The July 22, 2010, PAC meeting summary was approved.

Cherri Womac distributed and reviewed the PAC Operations Handbook for this two-year term. She reviewed travel reimbursement policies. Mutter reminded the PAC members of their responsibilities as members of a committee chartered under the Federal Advisory Committee Act.

Jason Brune asked about the publication of an EVOS 2010 Annual Report. Elise Hsieh said that it was late in getting out.

The floor was open for public comment. Kari Anderson, City of Seward, commented in support of the vessel wash-down facility at Seward. Brune asked if recent litigation and/or wastewater permits would interfere with the project. She noted that all permits were in place to proceed, if the project were funded, and that the litigation was essentially settled. John French asked which side of Resurrection Bay the facility would be on. She said on the Nash Road side because the City owns the property there.

Nancy Bird and Kris Holderied spoke in support of the Herring and Long-Term Monitoring (LTM) proposals. They noted the significant effort at integrating these two projects, especially with regard to data management and synthesis. French suggested the work NOAA is doing to develop the Environmental Response Management Application (ERMA) geographic information system-based program for Arctic Alaska may be a tool for data management. Torie Baker asked about the outreach and education components of these projects. Bird responded that they will work with local fishing organizations and plan to hold public meetings. Hsieh noted that page 16 of the LTM proposal explains their outreach program.

Hsieh provided the Executive Director's report. The Invitation for Proposals for FY 2012 requested proposals covering the following major areas of continued restoration work: 1) herring, 2) lingering oil, 3) long-term monitoring of marine conditions, and 4) harbor protection and marine restoration. The Trustee Council plans to meet in September to finalize the projects and the FY 2012 work plan. Several projects will serve as five-year programs, to be annually reviewed and renewed by the Trustee Council. She noted that the Science Panel was generally pleased with the proposals that were submitted. In year three, a workshop will be held to review overall progress of the various programs.

She said that data management for the LTM and Herring projects was an issue of much discussion by the Science Panel, and was something that needed additional work. Concerns of the failure of the data management firm, Axiom, to timely deliver products in the past, and their lack of experience with a large and complex scientific database, lead the Science Panel to recommend additional assistance from the nationally-recognized National Center for Ecological Analysis and Synthesis (NCEAS) as a subcontractor on the project to assist with establishment of a data management system that includes accessible scientific data as well as public information.

The need for additional herring spawn dive surveys was suggested by the Science Panel for the herring project, so additional funds were proposed. Hsieh provided a summary, along with Science Panel comments, of the new project proposals submitted for FY 2012:

- Community based marine debris: Principal Investigator (PI) Amman
- Marine debris removal: PI Pallister
- Marine debris program: PI Whissel
- Vessel wash-down and wastewater recycling facility: PI Anderson
- PWS harbor cleanup project: PI Jennings
- PWS herring research and monitoring program: PI Pegau
- Lessons learned and implications to future spill response: PI Pegau
- Long-term monitoring of marine conditions and injured resources and services: PI McCammon
- Lingering oil distribution modeling: PI Nixon
- Evaluating injury to harlequin ducks: PI Hollmen (a project amendment)

Brune raised a question about funding marine debris cleanup when much of the debris can be attributed to international trade and not as a result of the oil spill. Hsieh stated that it adversely impacted injured species, therefore, addressing it could help with their restoration. French noted that a one-time cleanup of marine debris would not help much, since debris arrives every year—stopping it at the source would be more effective. Stacy Studebaker made a point that education and outreach should be a component of the marine debris project, and that many in Kodiak, participated in beach cleanup efforts. French agreed, and further stated that many other groups were involved in marine debris cleanup throughout Alaska, and perhaps better integration of their efforts would be of value. Mutter noted that there was an annual Marine Debris Workshop held at the Alaska Forum on the Environment, which included many marine debris cleanup organizations.

Baker asked if there were any closeout proposals included in the work plan. Hsieh said there was one amendment in the list (above) and 16 continuing projects, but most of these were related to herring and were not due for completion until FY 2014.

The group discussed the herring proposal and the added value of the NCEAS data management addition. Catherine Boerner stated that the data was the “gold mine” of many of these projects, and needed to be made available over the long term—and the NCEAS team will assist in making this happen. Baker raised a question about the use of “outside” consultants versus Alaskans, and how the two would work together. Hsieh said that NCEAS is experienced in working with diverse groups and it was her impression, thus far, that Axiom would also be amenable to working with NCEAS. Brune questioned past due delivery of a product by Axiom, noting the Trustee Council policy to not fund organizations which were behind in deliverables—he believes Axiom should not be awarded additional work when there are outstanding deliverables, and that this sets a dangerous precedent. Fandrei agreed that this was an issue. Hsieh said she expected the outstanding deliverable to come in May. French said it was important that data not be proprietary so it would be publicly available. Amanda Bauer asked if there were other organizations that Axiom did work for. Hsieh mentioned several State and Federal agencies that are Axiom clients.

Gary Fandrei asked if the PAC would have a voice in annual recommendations on whether to continue with a multi-year program contract. Hsieh said yes. Baker asked about the value of only two years of herring spawn deposition surveys, noting models for the Sitka area would not necessarily work in Prince William Sound. Boerner said the added information should help improve the accuracy of models.

Fandrei moved, second by Andersen Faulkner, that **the PAC supports funding the herring project proposal, noting that the PAC agrees with the Science Coordinator in that there are serious concerns regarding the data program and would encourage the Council to assist the project team by providing funding for a comprehensive review of the data program, and** (amendment moved by Baker, second by Andersen Faulkner) **further, the PAC supports additional discussions with the Alaska Department of Fish and Game on the use of the recommended dive surveys.** The motion passed, with dissent by Brune and Bauer, based on Axiom's current past due deliverables.

The group discussed the LTM project, noting it had the same data management issue as the herring project. French asked if this was funding "normal agency work." Hsieh said no, that this was work EVOS had funded in the past.

Fandrei moved, second by Andersen Faulkner, that **the PAC supports funding the LTM project proposal, noting that the PAC agrees with the Science Coordinator in that there are serious concerns regarding the data program and would encourage the Council to assist the project team by providing funding for a comprehensive review of the data program.** The motion passed, with dissent by Brune and Bauer, based on Axiom's current past due deliverables.

The group discussed the two harbor protection projects. Baker questioned why other communities were not covered, like the past region-wide project to reduce marine pollution. Hsieh responded that the Trustee Council was not pursuing upgrade and maintenance of waste management equipment previously funded by the Council. She said the Trustee Council wanted to include a couple of short term projects in the work plan along with the longer term programs. Brune noted that the Seward project is sustainable without further funds for the Trustee Council.

Brune moved, second by Fandrei, that **the PAC supports funding the City of Seward vessel wash-down facility project.** Passed unanimously.

The group discussed the three marine debris cleanup project proposals. Fandrei wondered if the Gulf of Alaska Keeper project was funding existing efforts—he would rather they use the funds to purchase equipment that could be used into the future and not just do a one year project. Baker asked if this was an expansion of the ongoing effort. French said he thought their need was mostly for fuel, food, and logistics. French asked if others, such as the U.S. Forest Service, had educational programs that could be linked into this effort. Andersen Faulkner noted that other organizations had good outreach programs that could be tied in. Brune said teaching children about environmental ethics was commendable and had long-term benefits, but he could not support a one-year cleanup effort.

Baker moved, second by Studebaker, that **the PAC supports funding the Gulf of Alaska Keeper marine debris project, and encourages the project team and EVOS staff to work with Eyak and other groups to strengthen the public outreach and education component of the project.** Passed, with dissent by Brune, who questions the value of a one-time cleanup effort; and with Andersen Faulkner abstaining due to her association with Eyak.

Fandrei asked that **the Trustee Council be made aware of the PAC's concern with funding short-term projects for marine debris cleanup because they do not address the long-term problem—the source of the debris.**

The group addressed the restoration lessons learned proposal. Baker said she heard Fran Ulmer give a presentation on the recent Gulf of Mexico spill and how lessons learned could apply to the Arctic—something like that based on EVOS experiences would be useful. Hsieh stated that the U.S. Department of Justice had placed legal sideboards of this topic for the Trustee Council. French suggested perhaps the Trustee Council could sponsor a seminar at the next Alaska Marine Science Symposium on the lessons-learned topic. He also noted that there have been many Gulf of Mexico spill lessons-learned meetings going on. The group did not take action to support funding this project.

The group discussed the lingering oil proposal. It was moved by Baker, second by Brune, that **the PAC supports funding the Nixon lingering oil project.** Passed unanimously.

The group discussed the amendment for the Harlequin duck project. French moved, second by Baker, that **the PAC supports funding the Harlequin duck project amendment.** Passed, with Brune abstaining due to his association with the Alaska SeaLife Center.

It was moved by French, second by Studebaker, that **the PAC supports the Science Panel recommendation for additional funding for the LTM project to consider the affects of lingering oil.** Passed unanimously.

Eilo asked if there were other comments by PAC members:

- Eilo acknowledged the work of Stacy, Cherrie, and Elise in keeping things operating smoothly.
- Baker commented on the data management issue, saying it was important to include the views of the project PIs in the discussion and that local management agencies needed to be able to use the results of much of this work.
- Brune thanked Kurt and Patience for taking on the leadership positions for the PAC. He thought good points were made on making data available to the public.
- Fandrei said it was a good meeting.
- French said it was a good meeting, he wished more Trustee Council members could have attended. He re-emphasized that the value and preferred format of scientific data may change over time.
- Andersen Faulkner appreciated the good discussion and hearing the different viewpoints.
- Studebaker said it has been an honor to serve as the PAC Chairperson for the past several years. She likes the leaner PAC membership.

Hsieh pointed out that Carrie Holba would be working half-time on archiving records at EVOS starting next Fiscal Year. Also, the EVOS office lease is up in 2013 and they will be looking at further downsizing of space.

The meeting was adjourned at 3:05 p.m.

NOTE: during the course of the meeting, the following disclosures of potential conflict of interest were made:

- Jason Brune, on the board of the Alaska SeaLife Center (the Hollman project)
- Patience Andersen Faulkner, a member of the Eyak Native Tribal Council (Eyak project)

- John French, represents Seward on several organizations (vessel wash-down project)
- Amanda Bauer, Ship Captain for Stan Stephens Charters (vessel wash-down project)

I. FOLLOW-UP:

1. Eilo will provide an oral PAC report to the Trustee Council at their next meeting.

J. NEXT MEETINGS:

- Trustee Council (Anchorage on April 19, 2011)
- PAC (probably late August/early September 2011)

K. ATTACHMENTS (handed out at the meeting):

1. Pegau email on the Herring Research Proposal Comments
2. Whissel email on the Marine Debris – Eyak Project Review
3. National Center for Ecological Analysis and Synthesis Overview
4. Axiom Consulting & Design Overview
5. Justification for AOOS Serving as LTM and Herring Data Manager

L. CERTIFICATION:

PAC Chairperson

Date