

1 EXXON VALDEZ OIL SPILL
2 TRUSTEE COUNCIL
3 Public Meeting
4 Thursday, June 26, 2008
5 1:09 o'clock p.m.
6 441 West 5th Avenue, Suite 500
7 Anchorage, Alaska
8 TRUSTEE COUNCIL MEMBERS PRESENT:
9 U.S. DEPARTMENT OF COMMERCE, MR. CRAIG O'CONNOR for
10 National Marine Fisheries Svc: MR. JAMES W. BALSIGER
11 (Chairman) Administrator, AK Region
12 STATE OF ALASKA - DEPARTMENT MR. DAN EASTON for LARRY
13 OF ENVIRONMENTAL CONSERVATION: HARTIG, Commissioner
14 U.S. DEPARTMENT OF AGRICULTURE, MR. STEVE ZEMKE for
15 U.S. FOREST SERVICE MR. JOE MEADE, Supervisor
16 STATE OF ALASKA - DEPARTMENT MR. TOM BROOKOVER for
17 OF FISH AND GAME: Commissioner Lloyd
18 U.S. DEPARTMENT OF INTERIOR: MR. HANS NEIDIG
19 U.S. Department of Interior
20 STATE OF ALASKA - MR. CRAIG TILLERY for
21 DEPARTMENT OF LAW: Attorney General Colberg
22 Proceedings electronically recorded, then transcribed by:
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1 TRUSTEE COUNCIL STAFF PRESENT:

2	MICHAEL BAFFERY	Executive Director
3	LYNETTE SCHROEDER-EINWILLER	Administrative Manager
4	CATHERINE BOERNER	Restoration Specialist
5	CHERRI WOMAC	Associate Coordinator
6	MICHAEL SCHLEI	Data Systems Manager
7	BRENDAN MCGEE	Analyst Programmer
8	JOELLEN LOTTSFELDT	Envir. Prg. Specialist
9	LYNETTE ORTOLANO	Administrative Assistant
10	CARRIE HOLBA	ARLIS Librarian
11	REBECCA TALBOTT (by phone)	Communication & Outreach
12	CAROL FRIES	ADNR
13	JENNIFER KOHOUT	U.S. Fish & Wildlife Svc.
14	MAROT CARLSON-VANDORT	ADEC

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P R O C E E D I N G S

(Anchorage, Alaska - 06/26/2008)

(On record - 1:09 p.m.)

CHAIRMAN O'CONNOR: Are we ready? We have a quorum. I'm Craig O'Connor, National Oceanic and Atmospheric Administration. I'll be chairing the meeting today as the federal chair. Go around and introduce ourselves for the record, starting with Dan.

MR. EASTON: Dan Easton, Deputy Commissioner of DEC.

MR. NEIDIG: Hans Neidig, Special Assistant to the Secretary of Interior for Alaska.

MR. TILLERY: Craig Tillery, Department of Law.

CHAIRMAN O'CONNOR: Craig O'Connor.

MR. BROOKOVER: Tom Brookover, Regional Supervisor with the Department of Fish and Game in Anchorage.

MR. ZEMKE: Steve Zemke, Department of Agriculture, Chugach National Forest.

CHAIRMAN O'CONNOR: All right. Thank you. We have folks on the line from the public. We'll get to you guys in just a moment and let you introduce yourselves. Let me be sure that we have an agenda that we're going to be working from. There seems to be a great deal of

1 conversation about that subject swirling around, what's one
2 it and what order we're going to be dealing with matters,
3 so I would ask at this point for a recommendation with
4 regard to the agenda that was put -- that was given to us
5 for this meeting by the Executive Director. Does anybody
6 have any changes they'd like to make to it?

7 MR. TILLERY: Mr. Chairman.

8 CHAIRMAN O'CONNOR: Yes, Mr. Tillery.

9 MR. TILLERY: I have a suggestion about the
10 agenda. Given the fact that we have a relatively small
11 amount of time to deal with what -- with a couple of very
12 important issues and some that could be lengthy and could
13 not be, but I would recommend that we amend the agenda as
14 follows: First we delete Item Number 5, Strategic
15 Planning. Secondly, that we move up to Item Number 5, the
16 Lingering Oil Proposal, the Microcosm Study, and follow
17 that with the Invitation for Proposals. And the reason for
18 that ordering is simply that just logically there would
19 likely be a reference in the invitation to the Microcosm
20 Study if it's been approved and it just makes it simpler.
21 And those I think are the two critical issues we have to
22 deal with. Following that I would recommend that we have
23 the Barrow's Goldeneye Petition.

24 And then finally, Communication and
25 Outreach Planning, which I note indicated as an action item

1 but I think is very unlikely to be an action item today,
2 but if we have time, certainly would be good informational
3 item. So I would move that the agenda be reorganized to
4 delete 5 and have the items follow as Lingering Oil,
5 Microcosm, Invitation, Barrow's Goldeneye, and
6 Communication and Outreach Plan.

7 CHAIRMAN O'CONNOR: Do I hear a second to
8 the recommended changes to the agenda?

9 MR. BROOKOVER: I'll second.

10 CHAIRMAN O'CONNOR: Any discussion?

11 MR. NEIDIG: Craig, why did you ask to
12 delete number 5?

13 MR. TILLERY: Because I don't see, frankly,
14 the need in terms of the timing we have available. This is
15 not a necessary thing at this moment, and because I
16 understand that the federal trustees have some concerns
17 about some of the language that has been used, that this
18 has been based -- at least the Department of Justice does
19 -- that they have been attempting to work with the federal
20 trustees on. So for sort of all those reasons, it seems to
21 me it's a little bit premature and it's the least critical
22 at this time for us to deal with.

23 MR. NEIDIG: Okay.

24 CHAIRMAN O'CONNOR: Anybody else have any
25 comments?

1 (No audible responses)

2 CHAIRMAN O'CONNOR: I have one. We had --
3 and this is the predicate upon which I think Michael put
4 this agenda topic on our agenda. We had our gathering, our
5 retreat in March, 15, 16, I think it was. We had two days
6 of very positive conversations about where we're thinking
7 we should be going, what we think we should be doing, and
8 so on. And I presented an overview of that on the 17th at
9 our Council meeting and cautioned at that point and have
10 cautioned a number of times to various folks to realize
11 that the decisions, the senses that we were developing
12 during our retreat were in essence non-binding in the sense
13 that because it was a retreat, because it was a discussion
14 without appropriate compliance with state law with regard
15 to your open meetings act, your sunshine act. That the
16 state, and in recognition of that, the federal government
17 was not going to be making any final decisions.

18 So we are today in a position where we have
19 articulated, through my mouth and through a number of
20 different documents, and through different discussions
21 we've had at the meeting since then, that we do have a
22 sense of where we're going. And I do believe that there is
23 an obligation on our part to entertain some sort of formal
24 approval, if you will, at some stage in the not too distant
25 future, our determinations with regard to direction.

1 And I was favorably inclined to the idea of
2 a briefing by the Executive Director on his sense as to
3 what we might need in terms of a strategic plan, a path
4 forward, implementing what we indicated to be our sense as
5 to where we wanted to go. I don't mind deleting it from
6 the agenda, but I do think that we owe both to ourselves
7 and to affected public to clearly articulate where it is we
8 think we're going, where we want, what we want to
9 accomplish within the next several years so that we're all
10 understanding the page forward.

11 I just add those words by way of my
12 position on this motion, but I don't object to removing it
13 at this point with a clear understanding that we're going
14 to address the future in a demonstrable way, other than by
15 this is what we did, not this is what we're doing. I think
16 we should strive to say this is what we're doing rather
17 than a retrospective on what we did. With that, if there's
18 no objection to changing the agenda.....

19 (No audible responses)

20 CHAIRMAN O'CONNOR: Hearing none, the
21 agenda will be changed as requested by Mr. Tillery.

22 The second item, is the approval of the
23 minutes from our last meeting. Do I hear a motion with
24 regard to those minutes?

25 MR. NEIDIG: I'd move to approve the

1 minutes for May 20 -- May 27, 2008.

2 CHAIRMAN O'CONNOR: Is there an objection?

3 Oh, excuse me, is there a second?

4 MR. TILLERY: Second.

5 CHAIRMAN O'CONNOR: Thank you. Is there an
6 objection to approving them?

7 (No audible responses)

8 CHAIRMAN O'CONNOR: Hearing none, consider
9 them to be approved.

10 The next item on our agenda.....

11 MR. TILLERY: Yours?

12 MR. BAFFREY: I don't know. Oh, it's
13 another recording of the meeting.

14 He's asking what the bit of technology in
15 front of him and I see the fear in his eye. It's a digital
16 recorder, audio recorder.

17 MR. TILLERY: From who?

18 MR. BAFFREY: Ours.

19 MR. TILLERY: Oh.

20 MR. BAFFREY: In this office.

21 (Laughter)

22 CHAIRMAN O'CONNOR: Is this in
23 supplementation to the official recording that we're.....

24 MR. BAFFREY: Right.

25 CHAIRMAN O'CONNOR:making? Is there

1 a reason why we're doing this?

2 MR. BAFFREY: No, not that I know of,
3 except we have been for the -- ever since we've had them
4 for -- for over the last year, so that there's a back-up
5 record.

6 MR. SCHLEI: We record the meetings to post
7 the recording immediately on the website. That's the.....

8 CHAIRMAN O'CONNOR: I mean, I've seen it
9 around before, I just thought it was yours, Craig, trying
10 to catch me in some nefarious deed.

11 MR. TILLERY: Okay. Thanks.

12 CHAIRMAN O'CONNOR: Is there any objection
13 to having a second recording device in the room, keeping
14 track of what we're saying? Council members?

15 MR. TILLERY: Well, I guess my question
16 would, and how -- what are you doing with the tapes or
17 whatever -- what does it do? There's not a tape, right?

18 MR. BAFFREY: Michael.

19 MR. SCHLEI: This is a digital file.

20 MR. TILLERY: And that is?

21 MR. SCHLEI: That's stored on our servers
22 and portions of the meetings -- the portions before the
23 official start of the meeting is deleted, anything that is
24 not a part of the official meeting is deleted. Kept as an
25 audio recording.

1 MR. TILLERY: Okay.

2 MS. BIRD: Sorry. Those of us on the phone
3 are having difficulty hearing Michael Baffrey, I think.

4 MR. TILLERY: So, I guess I'm just trying
5 to figure out about the document retention laws and public
6 records and stuff like as to whether this actually creates
7 more -- since we have actually a recording and a
8 transcription, I don't see actually any purpose having
9 something redundant that takes up space and -- you know, if
10 your answer was we put this on our website or something
11 like that as an audio recording, I guess I could understand
12 that as having a function, but.....

13 MR. SCHLEI: We do that.

14 MR. BAFFREY: That's exactly.....

15 MR. TILLERY: Oh, okay.

16 MR. BAFFREY: Yeah.

17 MR. TILLERY: All right. So that.....

18 MR. SCHLEI: It's a digital file.

19 MR. TILLERY: All right. I thought you
20 were just saying you just kept it on your server for.....

21 MR. BAFFREY: And in the case of the
22 Cordova meeting, in terms of developing a resolution and
23 trying to capture what you articulated with regards to
24 future direction, it takes a couple of weeks to get the
25 transcription and that is immediate.

1 MR. TILLERY: Oh. Okay. Well, that makes
2 sense then.

3 MR. BAFFREY: Would you like to move it in
4 front of somebody else?

5 MR. TILLERY: Yes.

6 (Laughter)

7 MR. SCHLEI: It needs to stay fairly close
8 to the phone.

9 CHAIRMAN O'CONNOR: Ladies and gentlemen.
10 All right. Do we have any other loose matters to deal with
11 here? Or can we move on with the Public Advisory Committee
12 comments? Do we have folks on the line from the Public
13 Advisory Committee? Stacy, are you with us?

14 MR. LAVIN: Hello everybody. This is Pat
15 Lavin, I'm the Vice Chair of the Public Advisory Committee.
16 Stacy is unavailable for today's meeting and she asked me
17 to provide a brief comment. So I do have a comment.

18 CHAIRMAN O'CONNOR: All right. If you
19 would, Pat. We're turning up the speaker here so please
20 proceed.

21 MR. LAVIN: I'll do the same and maybe
22 between the two of us I'll be audible. I wanted to talk
23 mostly today about the -- make a couple of points about the
24 indication that -- on the agenda for today, but first I did
25 want to thank Mr. O'Connor for his work since he has become

1 a Trustee Council member and I know has been working to
2 kind of articulate the vision and the direction and I
3 appreciate the write-up kind from the March meeting and
4 then just the comments just now as you're adjusting the
5 agenda and not wanting to lose sight of that at some point,
6 through confirming sort of that direction that the Council
7 wants to take and some kind of document, that strategic
8 plan or something like that. But I feel that that's
9 something the PAC likewise really wants to see, so I
10 appreciate that.

11 About the indication, I have had a letter,
12 I believe, from our chair and perhaps communications from
13 some of the other PAC members that think the situation from
14 our perspective of the invitation is that earlier on in the
15 March time frame a lot of good effort on all sides and time
16 spent on -- by PAC members working to put together an
17 invitation that worked for everyone. And I think what's
18 happened between there and now is at some point in the
19 process, at least the PAC and maybe the Council staff to
20 some extent felt more out of touch with that process and
21 were sort of left out of some of the changes that have
22 happened toward the end.

23 So I think, you know, changing draft
24 documents is fine and your job to do that and take the best
25 direction you feel the invitation needs to be, but in doing

1 that to the extent to which we keep the PAC involved and
2 keep building on that sense that PAC is (indiscernible) I'd
3 just encourage you to take every opportunity to do that.

4 On the substance of the invitation itself,
5 you know, one of the themes that the PAC always has a real
6 eye toward, is the community involvement piece of the whole
7 Council program and effort. And that's been a topic that's
8 seen some -- has a few spotlights shown on it by NOAA and
9 others over time, how can we do this more effectively and
10 make the communities real partners in achieving the things
11 that the Council wants to see happen.

12 And one thing that changed in the
13 invitation it looks like is the withdrawing of what had
14 been a call for community involvement specific proposals to
15 the situation where all proposals need to have a -- need to
16 speak to community involvement through some kind of plan,
17 which is sort of where it has been. Well, that's not an
18 unreasonable way to go about it. I think in practice it's
19 been difficult to have that thrive or work well.

20 So if that's the way that the Council wants
21 to go with community involvement, I think it's defensible.
22 I think it has struggled to work in the past, and this is
23 speaking for myself, although I feel that we've discussed
24 this at the PAC, is some higher level of commitment to
25 ensuring that that works somehow, whether it's somebody on

1 staff at the Council who can make it their job to work with
2 the PI's and work with the communities and kind of make
3 that link and make it easier for both sides to be involved
4 and have it work out, something like that would be good.
5 Or maybe entertaining, as the earlier invitation had,
6 perhaps entertaining some community involvement proposal.

7 One other thing about that is the
8 invitation before you discusses citizen based or community
9 based research projects. And yeah, so it looks like those
10 are within the bounds of something that would be responsive
11 to the current invitation. But when you read on and see
12 the categories really of -- for the focus areas anyway, the
13 invitation, it's hard to see where the citizen based
14 monitoring and research is going to fit. And that's
15 because the monitoring part mostly went away as well.

16 The current invitation contains still --
17 talks about the contingent to monitoring but apparently
18 it's not part of the current FY-09 suite of proposals that
19 are suggested. So if you're not going to look at
20 monitoring, most of those community based research and
21 monitoring, that's what they are. So some clarity on that
22 would be good to make it clear whether those kind of
23 community based research and monitoring do fit within the
24 call for proposals this time or not, and I'd encourage you
25 to work it in a way that let's those come forward.

1 CHAIRMAN O'CONNOR: Pat, can I ask you a
2 question? This is Craig O'Connor.

3 MR. LAVIN: Sure.

4 CHAIRMAN O'CONNOR: What do you see to be a
5 community based monitoring activity?

6 MR. LAVIN: Well, I guess the examples,
7 we've got one, at least one pretty vibrant example in the
8 spill affected area, the citizen based monitoring work
9 that's done in a number of Cook Inlet streams, Cook Inlet
10 Keeper and there are some partners, other partners involved
11 in that. I don't work directly with that but that's an
12 example for me of citizen based, community based research
13 and monitoring project. They actually put those
14 temperature data loggers and I -- they -- I believe they
15 measure some other parameters as well and have citizens
16 engaged in the actual work of doing that. I work with a
17 different keeper, the Prince William Sound Keeper
18 organization there designing something similar.

19 So just efforts like that that engage
20 community members and to get people out into the field a
21 little bit, trained in how to use the equipment, which
22 isn't necessarily super high tech or sophisticated these
23 days. And being able to use the results, for example, on
24 the Cook Inlet Keeper work has brought out the increasing
25 stream temperatures that are posing some challenges for

1 salmon and other cold water fish. So that would be one
2 example.

3 CHAIRMAN O'CONNOR: Okay. I was curious.
4 I had thought of something. Okay. I just wanted to know
5 what you guys were thinking about. Go ahead, please.

6 MR. LAVIN: Sure. One other point to touch
7 is on the human services piece, which came out of the
8 discussion of sort of vision and direction in that
9 restoring those human services as well as some of the -- as
10 well as many of the individual injured species as we can.
11 Beyond there, that's another thing that you can infer it
12 all doesn't appear to be there and I just wanted on that
13 one mostly just to clarify. It looks like the way the
14 invitation reads now that if a PI were trying to think
15 about human services, the only way that comes up in the
16 invitation is to the extent marine pollution might be a
17 factor for one or more of those services.

18 And if you can make that tie, then I guess
19 you could have a responsive proposal. But otherwise, it
20 would be difficult to go to work on a sort of human
21 services proposal. And the one that we've talked a little
22 bit about on the PAC is recreation tourism and wilderness
23 quality. A couple of things like that. Some of those
24 other services on the list that -- there might be some
25 project that you can do with the marine pollution but there

1 might be others that might do more for those injured
2 services, but they appear to be out of the scope right now.
3 So unless -- you know, and there may be good reasons to
4 restrict it to marine pollution related things but if not,
5 I'd encourage also a little bit of a broader allowance on
6 the service restoration piece. And that's all I have.

7 CHAIRMAN O'CONNOR: All right. Thank you.
8 Does anybody have any questions for Pat? Craig.

9 MR. TILLERY: I do. Mr. Lavin, it has been
10 suggested that the Trustee Council should basically take
11 out herring from the invitation, awaiting some
12 recommendations back from the herring work group that's
13 going to be set up. And the herring is kind of the heart
14 and soul of the invitation as it's contemplated. What
15 would -- what is the PAC's reaction to that idea.

16 MR. LAVIN: I should have included in the
17 preface the fact because of always needed to schedule out
18 in advance, we haven't met as a full group on any of these
19 moving pieces that the PAC participated in March, but
20 things have happened since then and of course whether or
21 not to wait for a plan before soliciting individual
22 proposals is something that in March there may have been
23 more of a thought that the plan would be further along than
24 it is now.

25 But setting -- so I should flag that I

1 can't really answer for the whole PAC, but I know in PAC
2 discussions on the topic, certainly there's a preference
3 for completion of a plan and hopefully the proposals can
4 then flow from the plan. That's the -- you know, and in
5 talking with the staff, I think that that's kind of the
6 direction that they're thinking and I believe that's
7 consistent with at least some or some of the herring
8 planners themselves. And there are probably people waiting
9 to talk in the public comment section that know more about
10 it, are way more involved in it than I am. But sort of as
11 a kind of general philosophical matter, I think the PAC is
12 comfortable waiting on the herring proposal, taking it out
13 for now until the plan is finished.

14 And I think that's the staff's direction
15 and at the sort of philosophical level, there's a lot of
16 comfort with that. And again, not -- I'm not working
17 directly with it. Others may argue that there's reason to
18 go ahead and that some of these projects are going to be
19 needed anyway in any kind of plan. And we've had this
20 discussion before and I imagine that's going to be the -- a
21 stone for deciding that today too.

22 CHAIRMAN O'CONNOR: Anybody else have any
23 questions?

24 MR. TILLERY: Yeah. Pat, the current June
25 2nd invitation does have a statement that we're looking at

1 potentially doing a supplemental invitation to discuss
2 injured services, and it's kind of a one-liner later one.
3 In that vein, do you think there's any projects that you
4 have in mind that would not be able to go forward, are so
5 time critical that if some time later on, you know, if it
6 takes several months to be able to do that, wouldn't be
7 able to get accomplished if they didn't come in in that
8 time frame?

9 MR. LAVIN: No, I don't think so. I think
10 at this point, you know, we'd be talking about probably a
11 lot of the field stuff being next time through anyway. So
12 once the supplemental kind of caught up or if the whole
13 process catches up to the point where the proposals are
14 solicited and decided on, more the -- you know, the field
15 season, which was more the norm before the last couple go-
16 arounds -- I think that would work.

17 MR. TILLERY: Okay.

18 CHAIRMAN O'CONNOR: Anybody else?

19 (No audible responses)

20 CHAIRMAN O'CONNOR: Pat, I'd like to
21 comment on an email the -- an email that the trustees
22 received from Stacy and I believe from another
23 representative from the PAC in response to the Council's
24 deliberations and reactions and efforts following the last
25 meeting as we addressed the '09 invitation. Would you

1 carry back a message, please. We were doing nothing behind
2 closed doors. We were doing nothing to defer to our own
3 staff in this process. The Trustee Council, as -- if --
4 you guys that listened in at the meeting raised a number of
5 issues with the '09 solicitation.

6 And we discussed them extensively and we
7 collectively were uncomfortable proceeding with the
8 document at that point. What we did do was engage very
9 rapidly a follow-on discussion where we had tasked those
10 folks who worked directly for us, the liaisons, with a
11 review and contribution to the '09 because we didn't feel
12 that their contribution to us or the process was adequate
13 and we ourselves engaged in the meeting that followed on to
14 develop the next version of the '09 solicitation. And we
15 did that, I believe, in what for the Council would be
16 record time, less than 10 days, I believe.

17 MR. BAFFREY: Same week.

18 CHAIRMAN O'CONNOR: And Michael, as the
19 Executive Director, was cracking a very painful whip to get
20 us all together to get this moving. So we were not trying
21 to do anything of a nefarious or manipulative nature. We
22 were trying to fully engage and create a document and a
23 solicitation that made sense, given what we were trying to
24 accomplish. And I think that our initial overture was
25 certainly more broad and more all-consuming than we were

1 capable of dealing with.

2 And even today, when we're going to be
3 asked to further trim our solicitation by either
4 eliminating or modifying the herring I think speaks well to
5 the fact that we are in a very dynamic state and the
6 Trustee Council is striving with the greatest of vigor to
7 make sense out of what we're doing as we move forward to
8 make sense for the affected public and to do the job in an
9 effective and meaningful way.

10 So please, if you would carry that message
11 to the PAC, I would appreciate it. And thank you very much
12 for your contribution today. Are there any other comments?
13 Any other questions for the PAC?

14 (No audible responses)

15 CHAIRMAN O'CONNOR: With that, the next
16 item on the agenda is public comment. Do we have folks
17 from the public who would like to provide comments?

18 MR. KOPCHAK: Excuse me, if I might. Am I
19 coming through? This is RJ Kopchak in Cordova.

20 CHAIRMAN O'CONNOR: Yes, RJ. Please.

21 MR. KOPCHAK: Yes. Number one, thanks for
22 the communication between the PAC providing some
23 perspective. I was one of the individuals that said -- and
24 this is more reflective of my frustration, I guess, than
25 perhaps the actualities of the situation. So if I misread

1 what was going on from my remote position, accept my
2 apologies, but the message did indicate my frustration with
3 the slow pace, in my mind, of our ability to better
4 structure some of our science approached around herring.
5 So.....

6 CHAIRMAN O'CONNOR: And I appreciate your
7 concern, RJ.

8 MR. KOPCHAK: Anyway, I will move on with
9 just a quick comment or two. So number one, I am
10 frustrated with the herring planning process. I do think
11 that the community work that's being done and the
12 organizational structure that's in -- it's in evolution,
13 but it's beginning to gel -- is a worthwhile -- but process
14 is moving so very slowly and it's very, very frustrating
15 and it's also been impossible to be contemporary with the
16 need for calls for proposals that are better integrated.

17 So I don't know how you're going to wrestle
18 with the current request to either delay or implement
19 portions of the herring plan. Again, it's in evolution,
20 but I'd like to make just a couple of quick comments.
21 Number one is that I'm not in favor of all of the projects
22 that are currently underway and don't think they mesh
23 right, and yet there's no way right now we can really hold
24 those up or do some litmus testing against accountability
25 and how appropriate they might be.

1 And this is a real challenge because I want
2 to see an integrated plan but I also want accountability.
3 But I also want those programs to have some stability and
4 longevity to themselves and I know this is a real challenge
5 for all of us. I want to say that I appreciate the efforts
6 to try to begin to understand who intricate that challenge
7 is and how we might be able to better meet it.

8 On the -- so on the plan now as it stands,
9 I'm a little disappointed in part of the human services
10 call simply because I think we need to focus heavily on
11 better understanding the dynamics of this change and the
12 natural system and what that's meant to effected
13 communities. I'm not quite sure how to phrase that call,
14 but I'm pleased to know that there's going to be another
15 call coming up and perhaps we can talk more about that off
16 the record. But I think it's important to better
17 understand what the loss of these citizen services have
18 really meant to members of communities within the oiled
19 area.

20 And then just another comment on the
21 citizen science component. I'm pleased to work with some
22 folks on a -- with a group that we call Fish Watch through
23 the Copper River Watershed Project. We're collecting long,
24 long, long duration time line samples on water quality and
25 bug count construction in the upper Copper River. And it's

1 because it's affordable, because it's a citizen science
2 initiative. So taking a look at those opportunities for
3 long term data sets in the spill affected area might be a
4 great thing and can involve each and every one of the
5 little coastal communities along the way.

6 So anyway, those are my observations and
7 thanks for your time.

8 CHAIRMAN O'CONNOR: Thank you, RJ. Does
9 anybody have any questions? Craig.

10 MR. TILLERY: Mr. Kopchak, sort of
11 specifically with respect to the idea of not putting
12 herring in the invitation and waiting until the fall, until
13 there has been more of a plan developed by the herring
14 working group, what is your view on that?

15 MR. KOPCHAK: Well, again, I think number
16 one, I think that if we're going to delay the plan, we need
17 to figure out how we can provide stability to projects that
18 would fairly likely be funded or should be considered for
19 continuation once the plan is fully approved. So there
20 would have to be some commitment made to -- for transition
21 of the current projects if we were going to delay the call.
22 I think that's an important piece. So again, we're still
23 wrestling though, doggone it, with this accountability
24 part. Even if we delay projects and having a herring plan
25 in part, it's going to be a year before we can even begin

1 to maybe weigh, you know, some of the processes against one
2 another.

3 This is a big challenge for you. I'm glad
4 it's not me in one sense, but in another I think that we
5 could have avoided some of these conflicts by investing a
6 little bit more money on the planning process over the last
7 18 months. Again, I'm pleased that we're making a bigger
8 commitment now. So I don't -- I can't tell you what to
9 say. I would like to see some additional robust projects
10 to take a look at some of the -- you know, some of the
11 questions. And at the same time, I'd like every project to
12 mesh better. You folks are challenged with trying to
13 figure out how to do that while the herring plan team is
14 going to -- still months in being (indiscernible - phone
15 breaking up) I think something that's going to provided you
16 better insight.

17 MR. TILLERY: Okay. And I guess I'm --
18 what I'm understanding you saying is that you can see
19 arguments on both sides of delaying it and you don't have a
20 strong opinion either way? Is that about right?

21 MR. KOPCHAK: Yes, sir. That really is the
22 case. I'm conflicted because I see reason to do both.

23 MR. TILLERY: Okay. Thank you. I
24 appreciate that.

25 CHAIRMAN O'CONNOR: Any other Council

1 members have any questions for RJ?

2 (No audible responses)

3 CHAIRMAN O'CONNOR: All right. Thank you.
4 Anyone else online who would like to comment?

5 MS. BIRD: This is Nancy Bird.

6 CHAIRMAN O'CONNOR: Hi, Nancy.

7 MS. BIRD: Hi. I am the president of the
8 Prince William Sound Science Center and I will try to be
9 very brief and get right to the heart I think of what
10 you're interested in public comments on. I just learned
11 yesterday of the potential for the herring portion of this
12 RFP to be delayed and I too was very conflicted when I had
13 first heard. I had seen the arguments on both sides that
14 we want and we certainly support the efforts that have been
15 going forward for a fully integrated prioritized effort for
16 Prince William Sound herring that focuses on restoration
17 efforts. I believe that most, if not all, of a the 14
18 projects currently going are good projects that do have --
19 will be accountable and will be good continued.

20 So I think that we just need to continue
21 them and perhaps change some of the scope of work within
22 some of those projects, add to them. I want to see this
23 planning effort go forward and so I guess I would like to
24 urge you to do two things today. Further encourage Michael
25 and his staff who have been I think working hard to try to

1 get the new planning management team together and get some
2 meetings scheduled July, August, here in Cordova to further
3 move the plan forward. I think people have been identified
4 to be on that planning team who can focus on the science
5 and be working on that, but that by September we would have
6 more of a plan and we would know the answers to whether
7 there are changes, dramatic changes that are going to be
8 made to what we already have down on paper from the four
9 day meeting that just happened and previous meetings.

10 I think secondly you need to -- and you
11 need to make sure you don't -- you give Michael full
12 authority to get that moving and get whatever monies that
13 have been appropriated, make sure that they're available so
14 that the planning team members can meet and this work go
15 forward.

16 Secondly, I'd urge you to perhaps change
17 the current RFP that I don't have before you. I've got a
18 copy of the one that you had last month. But go to a pre-
19 proposal for the herring efforts so that you have your PI's
20 working this summer on some kind of proposal, have those
21 submitted by September. Hopefully those PI's will be in
22 touch with the management planning effort and you'll get
23 some pre-proposals in September already in hand that will
24 give you a good idea of what you want to go forward with.
25 You'll have met the legal process that you need to go

1 through to have these and be competitive and such, but you
2 won't be slowing down the time line. I do fear that if we
3 wait until after the plan in September is done it's going
4 to take -- it will either have some problems in that effort
5 or it's just too late in the game for some of PI's to get
6 their projects sent out.

7 CHAIRMAN O'CONNOR: All right. Is that it,
8 Nancy?

9 MS. BIRD: That is.

10 CHAIRMAN O'CONNOR: Okay.

11 MS. BIRD: It wasn't as succinct as I was
12 aiming to be but I hope you understood what I was trying to
13 say.

14 CHAIRMAN O'CONNOR: We got it. Thank you.
15 Do any of the Council members have any questions or
16 comments that they'd like to bring forward based on
17 Nancy's.....

18 MR. BAFFREY: May I?

19 CHAIRMAN O'CONNOR: Yeah, Michael.

20 MR. BAFFREY: Nancy, when you say pre-
21 proposals, are you -- is that -- are those pre-proposals
22 being prepared by the current suite of herring PI's?

23 MS. BIRD: Yes. The nine of the 14 as I
24 understand it -- I'm not sure I got the numbers right --
25 who had submitted three-year proposals that were only

1 funded through FY-08 money.

2 MR. BAFFREY: Now your -- the concern, it
3 sounds like, is to make sure that there is a bridge, a
4 transition funding between FY-08 and FY-09 while the
5 herring restoration program is being developed. If we
6 could do that through amendments to the current projects or
7 time extensions to the current projects, would that serve
8 to the same end?

9 MS. BIRD: It possibly could. I just have
10 not seen that happen before with the Trustee Council at
11 this level of a program being funded, so I have some
12 concerns whether that's really legally possible.

13 MR. BAFFREY: And yes it is, we have done
14 that.

15 CHAIRMAN O'CONNOR: Anybody else? Hans,
16 did you have a question?

17 MR. NEIDIG: Well, I did, but I think that
18 answered it. Hi, Nancy. I guess I was just wondering the
19 same thing Michael was, is -- because I was kind of getting
20 this mixed signals that you wanted the development to
21 happen and you wanted the group to get together but you
22 just didn't want to lose the work that was being done at
23 this time. And I just wanted to ensure that we weren't
24 somehow undermining the work that would be done, that is,
25 the current projects and their time line. And I guess

1 Michael answered the question I had at the end, so.....

2 CHAIRMAN O'CONNOR: Craig.

3 MR. TILLERY: Yeah, the last answer
4 actually raised a question for me rather than answered it.
5 Because I had originally thought what you had suggested was
6 that we keep the herring in there but rather than calling
7 for a fully detailed proposal that we simply ask anybody
8 for any herring proposals along those kind of lines that we
9 had laid out in the invitation. To submit a pre-proposal
10 with the idea being that that would be of some benefit to
11 the herring work group and that we could sort of hit the
12 ground more running in the fall. But then I guess when I
13 heard your answer, you sounded like you were saying, no,
14 you weren't asking generally for pre-proposals, but simply
15 that anybody that had a -- that was in the middle of a
16 project would -- could submit a sort of pre-proposal or
17 something to keep that project going. Am I understanding
18 it correctly?

19 MS. BIRD: Craig, yes, this is -- your -- I
20 was trying originally to say that we should ask for pre-
21 proposals on a very open basis from anybody. The idea --
22 and I had -- would be that those PI's whose funding is
23 coming to an end later this fall, winter, would submit pre-
24 proposals as well, but you could get other proposals from
25 other entities.

1 MR. TILLERY: Okay.

2 MS. BIRD: This will give you -- put you in
3 a better position to hit the ground running, as you put it,
4 in the fall.

5 CHAIRMAN O'CONNOR: Hans.

6 MR. NEIDIG: Nancy, that seems to make
7 sense. I don't know if you're the better one to answer the
8 question or if Michael was. But then does that put us at
9 risk if those pre-proposals somehow are contradictory to
10 what it is the herring group would develop?

11 MS. BIRD: I guess I don't think it should
12 if you -- you know, it would put -- the way I would see it
13 is that you would be able to pick and choose from the pre-
14 proposals what -- which ones fit best into the plan that
15 the planning management team develops this summer and you
16 could then request full proposals only from those among the
17 pre-proposals that fit within the plan the best.

18 MR. NEIDIG: Can I have a follow-up, Mr.
19 Chair?

20 CHAIRMAN O'CONNOR: Yeah, Hans.

21 MR. NEIDIG: Michael, do you think that
22 that would support the herring planning group as they
23 develop to get those pre-proposals? Would that somehow
24 assist them in the process that you had envisioned or they
25 had envisioned as developed in Cordova?

1 MR. BAFFREY: There's -- the only potential
2 downside is that it's extra work for them and.....

3 MR. NEIDIG: To wade through them?

4 MR. BAFFREY: To wade through them. Well,
5 to develop them and then to -- and they're going to have to
6 wait -- well, theoretically they would wait for the herring
7 program.

8 MR. NEIDIG: Oh, we're talking about the
9 PI's now.

10 MR. BAFFREY: We are.

11 MR. NEIDIG: All right.

12 MR. BAFFREY: Yes.

13 MR. TILLERY: I got a.....

14 CHAIRMAN O'CONNOR: Craig.

15 MR. TILLERY: Mr. Chairman, I got a second
16 down -- potential downside that's a little naughty, and
17 that is the fact that you would be putting an idea out
18 there and it would leave -- because it would likely be a
19 public idea, it would leave the possibility open that
20 someone could steal your idea, which I certainly don't
21 imply scientists would do that, but I've been told by
22 scientists that they do. And therefore they're reluctant
23 to actually even put forth detailed project proposals
24 without some assurance of confidentiality. And a pre-
25 proposal would actually be even worse. I think for our

1 perspective this actually would be kind of a -- you know,
2 it would be a benefit but I think that there would be some
3 concern among the PI's or potential PI's.

4 CHAIRMAN O'CONNOR: Okay.

5 MR. NEIDIG: That's a good point.

6 CHAIRMAN O'CONNOR: Well, we can.....

7 MR. ZEMKE: I had another question too
8 about.....

9 CHAIRMAN O'CONNOR: Okay. Steve.

10 MR. ZEMKE: On the continuation projects,
11 essentially we know what those projects are and why would
12 we need a pre-proposal on those when we have kind of a
13 detailed methodology and I would assume either ourselves or
14 the herring working group could relatively easily go
15 through those and give a up or down about whether or not
16 those are going to meet the herring restoration plan that
17 we currently have and potentially the new one that's coming
18 in place.

19 CHAIRMAN O'CONNOR: Okay. I will exercise
20 the prerogative of the chair on this. Are there any
21 specific questions for Nancy? Otherwise I think the
22 discussion that we're having is better suited for item
23 number 6, which is the invitation and how we go about
24 managing that. Is that a fair -- okay?

25 MS. BIRD: Mr. O'Connor?

1 CHAIRMAN O'CONNOR: Yes, ma'am.

2 MS. BIRD: May I ask Hans, the pre-
3 proposals and the confidentiality, would not pre-proposals
4 be treated similar to full proposals? When they're
5 submitted now, they remain confidential and, what, until
6 they're funded.

7 CHAIRMAN O'CONNOR: I don't see why not but
8 Mr. Tillery may have some sense in this regard under state
9 law.

10 MR. TILLERY: There is an issue, Nancy,
11 with the Public Records Act. And this probably isn't a
12 good time to get into it, but I can -- I'd be happy to talk
13 to you about it because, I mean, we've done a fairly
14 lengthy analysis of it and we've actually been revisiting
15 it the last couple of weeks because there's some things
16 that make good common sense that don't necessarily comply
17 with the law. So why don't you just give me a call and
18 I'll talk to you about it.

19 CHAIRMAN O'CONNOR: Okay.

20 MS. BIRD: Okay. Thank you.

21 CHAIRMAN O'CONNOR: Do we have any other
22 members of the public who would like to comment?

23 MR. MULLINS: This is Ross Mullins in
24 Cordova.

25 CHAIRMAN O'CONNOR: Ross. Please, go

1 ahead.

2 MR. MULLINS: Can you hear me?

3 CHAIRMAN O'CONNOR: Yes.

4 MR. MULLINS: Yes, I'd like to make a brief
5 comment on FY-09 invitation, I think, all you folks are
6 having to wrestle with here. I do believe that the current
7 structure that has been ongoing since 1994 has been a --
8 not a good model for success. It might be that, because of
9 the herring, we have an opportunity to do an integrated
10 plan that gets people working together rather than
11 individually and at odds and at different yearly time
12 frames. I recognize that you're contractually obligated
13 for some periods of time, up to three years, from the FY-08
14 invitation, however I think if that can ultimately get
15 resolved as time passes then this new plan to develop an
16 integrated working group program where the PI's, the
17 community, and others are all going in the same direction.
18 I think that would be the ideal.

19 I know from the SEA experience, in a
20 project that myself and a couple of other folks were funded
21 as PI's to look at the SEA reservoir of information and see
22 how it could be applied to the commercial fisheries and
23 evolve into some kind of practical application, it became
24 clear that most of the work done under the SEA program had
25 been compartmentalized and pretty much the PI's felt no

1 responsibility to the greater good of the ecosystem,
2 understanding it. You know, you end up with publications
3 on the shelf gathering dust, many of which never see the
4 light of day again. And whereas it could have been an
5 integrated program and had some efforts in that direction
6 but funding disputes, curtailment of the projects, et
7 cetera, it never did get to the point where the full scope
8 of what being evolved under SEA ever came to real fruition
9 in my opinion. But I think under this herring plan we have
10 a new opportunity to work in an integrated fashion and I
11 truly hope that this will be what the Council decides.

12 As far as the details on pre-proposals,
13 things of that nature, just a member of the public, I
14 frankly don't see why a pre-proposal would be necessary to
15 be proprietary. I mean, a person doesn't have to submit
16 one if they don't want, but my understanding would be it's
17 more like a memo of work that they would like to do and
18 some ideas to be discussed. So I think it would be very
19 helpful to the working group if they could be party to the
20 pre-proposals and get a sense of what is out there. There
21 may well be other specialists in the realm that we haven't
22 heard from.

23 And a pre-proposal may be something that
24 would motivate them to come forward with some thinking that
25 doesn't currently exist. So I just -- I know I will never

1 be involved again with the Trustee Council process because
2 of my age and infirmities, but I do move that you give the
3 community an opportunity to bring younger thinking into
4 this process. I viewed this business from the beginning as
5 truly what it says, a restoration of herring. And I would
6 hate to see it end up as another set of studies on the
7 shelf gathering dust. The restoration of herring is where
8 it's at. We need to ultimately bend some metal and get out
9 there and do some work in the field to see which ideas are
10 likely to bear fruit and then expand them in an aggressive
11 manner, as you would any type of industrial ramp up.

12 So I hope we can approach it from that
13 standpoint, rather than just gathering new information from
14 a science point of view. Frankly, how many herring eggs a
15 sea gull eats, I don't think it should be at the forefront
16 of our concern. So thank you for listening.

17 CHAIRMAN O'CONNOR: Thank you. Does any
18 Council member have any questions for Mr. Mullins?

19 (No audible responses)

20 CHAIRMAN O'CONNOR: I always wondered about
21 that sea gull thing, but what the hell, you know. Anybody
22 else out there that would like to comment from the public?

23 MS. BROWN: Evelyn Brown. Can you hear me?

24 CHAIRMAN O'CONNOR: Yes, ma'am. We sure
25 can.

1 MS. BROWN: Yeah, this is Evelyn Brown.
2 I'm with Flying Fish Limited. I'm in the state of
3 Washington but I was an EVOS PI for many years on the
4 injury of herring, the original damage assessment, and then
5 with the SEA project, and now I'm co-PI on the herring
6 model project. I -- as a general comment, I agree with RJ,
7 Nancy, some of the other locals that are supporting
8 completing a plan so that we can have for one a truly
9 integrated group of proposals.

10 But I echo the concern that we're going to
11 lose the thread of some of what may be considered critical
12 data, predation projects, disease projects, others that are
13 currently in place. But a pre-proposal idea is one. Maybe
14 a partial review of field seasons to keep projects in place
15 that have been pending field seasons with some type of
16 interim structure that would look like an extension of
17 those projects.

18 So that's a general comment. I highly
19 support holding off on the full RFP development so that we
20 don't end up with the stand alone projects, but the concern
21 that we lose the thread on some of the others. So there --
22 you're all bright folks, you'll come up with a way to not
23 lose those efforts and those PI's and those people that are
24 involved.

25 From my point of view in the model project,

1 we have been tasked with modeling the situation. And part
2 of -- a big part of that is synthesizing data. So we have
3 already incorporated and have huge databases of just
4 everything from historic Fish and Game data, otoliths data,
5 SEA data, predation information, and we have come a long
6 way in model development so that we have some very specific
7 gaps in that model in order to piece all that information
8 together. So you can kind of look at our model effort as a
9 synthesis effort.

10 And we have specific holes now that need to
11 be filled so that just -- for instance, I'll use predation,
12 of which we think is a key process going on out there,
13 preventing recovery of herring. Numbers of whales. Just
14 counting whales is not going to do it for us. We need more
15 detailed information. So if we as a group and through the
16 planned development can help identify, okay, you're going
17 to go out there and count whales. We also need you to look
18 at this particular aspect or that. If we are given an
19 opportunity to help guide those projects, even in the
20 interim in terms of those data gaps, then the data
21 integration down the road will be facilitated.

22 So at the same time that the plan is being
23 developed, there are groups of us that have been involved
24 through the whole process that could help with the group in
25 advisory manner identify those gaps so that even the

1 existing projects could be better honed, that would be part
2 of that integration plan in the end.

3 So I support your efforts in thinking in a
4 new way about integrating. The local involvement is key in
5 two aspects. Number one, it's going to be very cost
6 effective. There is boats in place down there. There's
7 people with the expertise. There's people with a lot of
8 concern for the ecosystem and the herring as part of that
9 ecosystem. Those things can be captured. And then the
10 expertise that -- and I think Ross Mullins said it right.
11 Not all the expertise is captured in a publication.
12 There's a lot of herring local knowledge that could go
13 directly into the plan and with this kind of integrated
14 local involvement, you're going to capture that. So I
15 honor you for pushing forward with that effort. That's it.

16 CHAIRMAN O'CONNOR: All right. Thank you.
17 Anybody have any questions for Evelyn? Craig.

18 MR. TILLERY: Thank you. Just to make sure
19 I understand, your view is that we should defer the general
20 herring invitation but figure out a way to be sure that
21 existing projects that need to continue don't lose out as a
22 result? Is that right?

23 MS. BROWN: Yeah, I'm for holding off on
24 the full invitation until a herring plan can be developed,
25 but providing some vehicle for continuation -- some type of

1 maybe interim funding for existing projects that could be
2 critical. Now, not all the projects may end up being
3 critical, but until we go through this whole planned
4 development process, I don't think we can say what those
5 are. However, what I am saying is that at this point in
6 time, those of us in the model project have already some
7 very specific data needs that if we are allowed to voice in
8 the existing projects we could begin the process of having
9 those projects be more integrate-able in the future. Does
10 that make sense?

11 MR. TILLERY: It does. Thank you.

12 MS. BROWN: Okay.

13 CHAIRMAN O'CONNOR: Anybody else?

14 (No audible responses)

15 CHAIRMAN O'CONNOR: All right. Thank you
16 very much.

17 MS. BROWN: You're welcome.

18 CHAIRMAN O'CONNOR: Any other members that
19 would like to comment?

20 MR. PATRICK: Yes, this is Vince Patrick in
21 Cordova.

22 CHAIRMAN O'CONNOR: Hey, Vince. How you
23 doing?

24 MR. PATRICK: Okay. I'd like to -- a lot
25 of agreement with what has gone before. I tried to

1 summarize what I just heard. RJ talked about reviews and
2 accountability. We've also heard about -- the question
3 about how to go forward. You have a corporate knowledge
4 that you build with them, with this funding over the past
5 two years the projects you have. And those need to be
6 continued. The issue about review at the stage -- at the
7 point in time, is so -- because the process we have makes
8 it difficult to review them underway. We don't have a good
9 interim, ongoing review of how things are going because
10 it's -- they're a stand-alone contractor.

11 So this -- there's not too much we can do
12 in the short term of that. But we have -- it's just not
13 prudent to pick and choose right now which projects you'd
14 need. You'd have the project, they were reviewed, they've
15 been seen. I'd urge you to do -- to facilitate -- to
16 getting those projects, staying those projects in the next
17 year. Whether it's a half a year or whatever. Find a way
18 to do that so that -- because you have a fraction of
19 projects going for three years, going another year. And
20 they all need to be working together. They do work
21 together. We've seen that in the workshops.

22 The larger plan, the hope, the picture of
23 how to go forward is a whole different problem. The larger
24 plan of how to restore herring is not -- is much bigger
25 than the projects that we have. It involves questions

1 about how do we bring the projects together for
2 intervention. It involves -- we did change things so that
3 things are collaborative. Now there's more interchange
4 between the projects. How that review that RJ talked about
5 does happen. That's why I would urge taking the full scope
6 of the herring projects out of the solicitation and
7 announce or facilitate the extension of the projects you
8 have.

9 The working group that comes together to
10 wrestle with these issues, recommending what to put in for
11 the rest of it or all of FY-09 is right, they need the
12 projects that you have right now. Having those people
13 writing detailed, complex proposals or worried about their
14 funding is not what we need. We need those folks working.
15 We need everybody working and we need them available to the
16 working group. Make -- facilitate their continuation in
17 the way that Nancy said, the way someone mentioned
18 amendments and keep the hello going at full click. Don't
19 lose any momentum. These folks have earned that much from
20 you.

21 Then leave out the open-ended solicitation.
22 Don't announce it that you're going to hear everything,
23 because that's going to -- that's premature. You don't
24 want to have people send you stuff in, taking time for the
25 proposal that is not going to be on target. All the issues

1 that have come up are good ones. There's the ones about
2 proprietaries, there's the ones about giving away ideas,
3 there's the ones about who's seeing the ideas. It's a
4 waste of time writing proposal development. For the sake
5 of a couple of months, that seems to be not a good
6 investment, good sacrifice to make. A second announcement
7 later with a -- it can address expansion of the program and
8 the coordination that needed to move into real bending
9 metal and doing something and testing intervention. Making
10 decisions about intervention. That can come a bit later.

11 In this process, you're integrate -- you're
12 doing community engagement. The planning group that
13 Michael put together has requested community engagement.
14 They're going to be at the table, they're going to be
15 working on these, making these decisions. Anything that
16 comes out of that has to have community engagement because
17 they have the involvement in decision making about what's
18 intervention going to look like. How do you do it? What's
19 the local knowledge about this?

20 I think it's -- there's two things to do.
21 One is to keep what you have and keep that momentum going.
22 You made an investment, it was a good investment. You have
23 good projects. Keep them going. And then you have another
24 problem, and that is how to go forward. Two very separate
25 problems. A single solicitation, you can't do things so

1 different with one size fits all.

2 CHAIRMAN O'CONNOR: All right.

3 MR. PATRICK: And that's my comment.

4 CHAIRMAN O'CONNOR: All right. Thank you,
5 Vince. Any questions for Pat?

6 (No audible responses)

7 CHAIRMAN O'CONNOR: Do we have any other
8 members of the public that would like to provide testimony?

9 (No audible responses)

10 CHAIRMAN O'CONNOR: Hearing none.....

11 MR. PEGAU: Yeah, this is Scott Pegau with
12 the Oil Spill Recovery Institute in Cordova.

13 CHAIRMAN O'CONNOR: Okay. Fire away.

14 MR. PEGAU: You know, I've heard a lot of
15 nice comments dealing with the herring restoration plan.
16 I've got to agree that you would probably be better off
17 waiting to do a request for proposals until you have a
18 better plan. But if that's the case, you're going to need
19 to look at a way to bridge the existing work until you have
20 that plan in place. So it's one of those things that
21 action without a plan is a nightmare. Planning without
22 actions is just daydreaming. So I think you need to finish
23 a plan, know where you want to go before you ask for
24 request for proposals, otherwise you won't get coordinated
25 work. That's my comment. Thank you.

1 CHAIRMAN O'CONNOR: All right. Thank you.

2 Any other folks want to contribute?

3 (No audible responses)

4 CHAIRMAN O'CONNOR: Going once. Going
5 three times. I will close the public comment period at
6 this point. Thank you all very much for your
7 contributions. How are we doing, Trustee Council? Do we
8 need a break or can we continue on?

9 MR. TILLERY: On behalf of the state, we
10 should keep going.

11 CHAIRMAN O'CONNOR: Keep going. That's
12 great. Anybody object to that?

13 MR. TILLERY: The Attorney General asked me
14 to make sure we did that.

15 CHAIRMAN O'CONNOR: Pass that on. Okay. I
16 guess the next item on the agenda is the lingering oil
17 proposal. Is that -- am I right? Did I write down the
18 right numbers?

19 MR. BAFFREY: Yes, you did.

20 CHAIRMAN O'CONNOR: Okay. Catherine, would
21 you like to begin your day in the sunshine with us?

22 MR. BAFFREY: Can I -- before you do that,
23 can I ask, is Bob Spies on the line?

24 (No audible response)

25 MR. BAFFREY: Howard Ferrens, are you on

1 the line?

2 MR. FERRENS: Yes, I am, Michael.

3 MR. BAFFREY: Could you go page Bob and so
4 he can give the science panel comments on this, please?

5 MR. FERRENS: Yes, he's being paged right
6 now.

7 MR. BAFFREY: All right. Thank you.

8 CHAIRMAN O'CONNOR: I didn't think -- is
9 there anybody in the audience that wanted to say anything?
10 I didn't -- okay.

11 MR. TILLERY: I believe there was a
12 gentleman, but he left.

13 CHAIRMAN O'CONNOR: Okay. All right.
14 Catherine.

15 MS. BOERNER: Okay. So this proposal, the
16 microcosm study as a biodegradability of lingering oil in
17 Prince William Sound 19 years after the Exxon Valdez oil
18 spill has been submitted by Dr. Venosa of US EPA. He's
19 currently a co-PI on the Boufadel project, which is factors
20 limiting the biodegradation of oil on Prince William Sound
21 beaches. He's hoping to expan.....

22 MS. BIRD: Could Catherine get closer to
23 the mic?

24 MS. BOERNER: There's no mic here.

25 CHAIRMAN O'CONNOR: Oh, yes. Huh.

1 MR. TILLERY: Sorry. We -- there's a
2 different set of mics and we always forget that. No,
3 that's fine. We sit next to it over there.

4 CHAIRMAN O'CONNOR: Oh, we have another
5 'nother?

6 MR. TILLERY: Yeah. Yeah.

7 MS. BOERNER: I don't want that little one.

8 CHAIRMAN O'CONNOR: Oh, okay. You know, I
9 could sing into that during the breaks if you wanted.

10 MS. BOERNER: Is that better, Nancy?

11 MS. BIRD: Yeah, that's better.

12 MS. BOERNER: Okay. Okay. So Dr. Venosa
13 is hoping to build on that work of the Boufadel project,
14 which will -- that work will extend into fiscal year '10.
15 But they actually want to begin taking lingering oil out of
16 some of the beaches in Prince William Sound and build
17 microcosms in a laboratory to determine the
18 biodegradability rate of oil in those microcosms to
19 hopefully then work in future years as a pilot project.

20 I know that the project has been peer
21 reviewed before it was -- before it came to us. And our
22 science panel has also peer reviewed this project. Bob,
23 are you on the line?

24 DR. SPIES: Yes, I am.

25 MS. BOERNER: Hi Bob. Bob Spies has

1 generously offered to summarize the comments of the science
2 panel, who did discuss this last week.

3 DR. SPIES: Yes. This is an interesting
4 project. I don't know what -- I just had to work out of an
5 RV to get here, but I'm not sure what's been discussed so
6 far. But the project basically is taking oil sediment from
7 beaches that are heavily to light to moderately oiled and
8 putting it in some chambers with enough nutrients and
9 oxygen, which are crucial for the breakdown of petroleum,
10 and see if in fact, try answering the question of whether
11 this oil can be further degraded from the sit -- from
12 chemical composition it has now.

13 And I think one of the motivating factors
14 here is the fact that there are a couple of scientists,
15 Venosa is one of them, who have done some papers and
16 looking at some chemical ratios are claiming that perhaps
17 the oil that's remaining is not as biodegradable and maybe
18 not worth the effort of injecting nutrients and oxygen
19 subsurface to try to remediate the remaining oil.

20 I've talked to a number of scientists and
21 I've worked in some of these areas myself previously and we
22 think that the oil that's left, just based on the chemical
23 signature, does -- is biodegradable and I think it's quite
24 likely that the oil that is remaining there is remaining
25 there because of the geomorphology of the beach. It's

1 probably trapped behind boulders where the circulation of
2 oxygen rich and nutrient containing sea water is somehow
3 diverted from it or is in thick lenses where the sea water
4 with the nutrient and the oxygen is only touching the outer
5 skin of it, so it's only degrading slowly. It's not -- if
6 it was broken up into little tiny droplets, it would be a
7 lot more biodegradable because you'd have a much bigger
8 surface area for the bottom of the oil.

9 So we think it's probably biodegradable but
10 there's a significant question as to whether it is. And I
11 think if you want a robust answer to the question of
12 whether the remaining oil is biodegradable, I think it's
13 probably a good idea to fund this project and, along with
14 the work that's the Trustee Council supported with
15 Boufadel, who is out there looking at the geomorphology to
16 beaches and the water circulation and the nutrients that
17 are in the water.

18 So I think we -- you know, I think it --
19 the bottom line is you want a robust answer to whether the
20 remaining oil can be biodegraded, then we would recommend
21 funding the project, although we think we know what the
22 answer is probably going to be.

23 CHAIRMAN O'CONNOR: All right. Thank --
24 oh, go ahead. Thank you, Bob. This is Craig O'Connor.

25 MS. BOERNER: Any questions on the project?

1 Or if you need any more clarity or definition.

2 CHAIRMAN O'CONNOR: All right. Let me
3 refresh the trustee's recollection on the limiting -- or,
4 excuse me, on the lingering oil. We were tasked -- we,
5 meaning Larry Hartig and I -- were tasked a number of
6 meetings ago with developing a suite of projects for the
7 Council's consideration with regard to an assessment of the
8 presence and impact of lingering oil. And this is the
9 final project that we developed in furtherance of that
10 mandate.

11 The other projects we have already funded
12 and they are in the field and underway. This is recognized
13 as a -- if you will, a first step in this process on
14 biodegradability. And I can never say that word either.
15 We recognized and discussed extensively one of the comments
16 that I think was raised by Bob and his folks, that we
17 really should be looking to get into the field as well and
18 test some of this biodegradability in the field. And we
19 have evaluated that and whereas this project, even in the
20 laboratory, is extremely expensive because of the field
21 costs associated with the collection of the materials and
22 so on.

23 Moving forward at this stage with a pilot
24 project that would be adequate in terms of scientific
25 integrity, broad enough in scope, number of sites and so

1 on, to provide us with the information would be even more
2 costly. And we want to take this in a step-wise basis and
3 during the course of the next several months we're going to
4 have the answers, hopefully, coming from some of the
5 projects that we already have. The Boufadel project,
6 Jacqui Michel's and others, so that we get a sense of what
7 we're dealing with.

8 This was the one piece that took us the
9 greatest amount of time to put together, and appreciate,
10 Catherine, your work on it in kind of vetting it through.
11 And I will apologize on certainly my behalf, Larry and --
12 Larry will never apologize, of course -- but we just -- it
13 took us awhile to get this put together. So to the extent
14 that we end up having to truncate the process, the science
15 panel review, in essence we have, I guess, undercut the PAC
16 review part of this process. I apologize for that. No
17 nefarious motivations there. Just trying to get everybody
18 together in the same room to work through these issues.

19 So with that, unless there's any questions
20 by the Trustee Council either of me as the sponsor or
21 Catherine as the one who actually understands it, I will
22 call for a motion on this project.

23 MS. BOERNER: I will state this is a two-
24 year project. This will be funded in fiscal year '08 and
25 fiscal year '09. And the total amount requested was

1 \$535,973.

2 MR. TILLERY: Mr. Chairman.

3 CHAIRMAN O'CONNOR: Mr. Tillery.

4 MR. TILLERY: I would move that we approve
5 funding for the proposal titled Microcosm Study on the
6 Biodegradability of Lingering Oil in Prince William Sound
7 19 years after the Exxon Valdez Oil Spill, as it was
8 presented here today, in the amount of \$535,973, which I
9 understand includes the nine percent G&A, and also that we
10 approve management fees for NOAA as the managing agency in
11 the amount of \$9,000 in association with this project.

12 CHAIRMAN O'CONNOR: Catherine, does that
13 cover everything that we -- we tend to forget bits and
14 pieces when do these things. Does that cover everything we
15 need to do?

16 MS. BOERNER: I believe that's everything.

17 CHAIRMAN O'CONNOR: Okay.

18 MR. NEIDIG: I would second, Mr. Chair.

19 CHAIRMAN O'CONNOR: Motion has been made
20 and seconded. Any discussion?

21 MR. ZEMKE: Probably the only discussion I
22 would have is that where Bob Spies had talked about this
23 pilot scale field work and you had referred to it that that
24 might be the potential next step. Would that at all be
25 impacted by maybe the FY-09 invitation if indeed we were to

1 postpone or delete the whole invitation that -- which would
2 include the lingering oil portion of that?

3 CHAIRMAN O'CONNOR: I don't know.

4 MR. TILLERY: Mr. Chairman. I believe that
5 the -- if we were to actually put forward the invitation it
6 really essentially leaves a placeholder for lingering oil
7 and it really doesn't have any -- I think the answer is I
8 don't think it would be affected.

9 CHAIRMAN O'CONNOR: Okay. Are there any
10 other discussions or questions?

11 (No audible responses)

12 CHAIRMAN O'CONNOR: Hearing none, does
13 anybody want to call for the question?

14 MR. ZEMKE: Question.

15 CHAIRMAN O'CONNOR: Any objection to
16 calling the question? Any -- yeah, I'm going to do a roll
17 call vote. Dan, on behalf of ADEC?

18 MR. EASTON: Yes.

19 CHAIRMAN O'CONNOR: Hans?

20 MR. NEIDIG: Yes.

21 CHAIRMAN O'CONNOR: Mr. Tillery?

22 MR. TILLERY: Yes.

23 CHAIRMAN O'CONNOR: Tom?

24 MR. BROOKOVER: Yes.

25 CHAIRMAN O'CONNOR: Steve?

1 MR. ZEMKE: Yes.

2 CHAIRMAN O'CONNOR: Oh, okay. I vote in --
3 the Chair votes against this project. Just kidding. Just
4 kidding. Thank you, Catherine. Hearing no opposition, the
5 motion's been approved.

6 The next is the '09 invitation for
7 proposals. Now there is a moving target if I have ever
8 seen one.

9 MR. BAFFREY: Well, I'm not going to let
10 you just shoot at Catherine.

11 MS. BOERNER: I can take it. I'm a big
12 girl.

13 MR. BAFFREY: I'd like to say, before we
14 start deliberation on the invitation that I've been giving
15 a lot of thought to this and I see -- you know my
16 recommendation about deferring at least the herring
17 component until after we have the integrated herring
18 restoration program. I'm going to recommend that we
19 actually defer the entire FY-09 invitation and issue that
20 after we have the herring program in place. That would
21 give us more time to look at other components that we may
22 want to add and possibly even get to the point to where we
23 could add the interim lost human services component, and as
24 opposed to -- we've already stated that we wanted to issue
25 a supplemental dealing with that component.

1 At this point, we're not going to get
2 proposals until September at the best, and that's assuming
3 the schedule of the June 2nd draft. If we actually add
4 that month, then we're looking at a December decision in
5 terms of your funding considerations.

6 So with that, I would recommend that we
7 actually defer the FY-09 invitation, fall back to what we
8 did last year, where we did not issue an invitation but we
9 went back to the PI's with a letter requesting if they felt
10 that they had justification to extend into the next fiscal
11 year, give us that justification and what kind of scope and
12 budget additions that would require. That would be my
13 recommendation before the Council.

14 CHAIRMAN O'CONNOR: Okay.

15 MS. BOERNER: More to think about.

16 CHAIRMAN O'CONNOR: Let me probe that
17 little bit.

18 MR. BAFFREY: Please.

19 CHAIRMAN O'CONNOR: Okay. We heard during
20 the herring discussion that there are a number of dynamics
21 going on with herring and the consensus position seems to
22 be that it makes sense to have a plan before we ventured
23 forth. I don't disagree with that fundamental concept.
24 There also seems to be significant concern with regard to
25 perpetuation of those projects that are underway and the

1 integration, if you will, of those projects and what's
2 going on into the ultimate plan.

3 We also had raised concerns about whether
4 the projects themselves may need some modification, or
5 perhaps some of those projects -- and I'm reflecting on the
6 modeling project -- may need more information, that if
7 we're going to realize the gains from that project, we need
8 to get that information put together and plugged into the
9 process.

10 I'm concerned that we not lose momentum.
11 That we not lose focus, and that we not lose the trust of
12 our constituents that we have a clue about what the hell
13 we're doing. Now, we raised a number of issues at the last
14 meeting with regard to the '09 proposal and I think that
15 over the course of the last several weeks, and is finally
16 reflected, I think, very clearly in this suggestion, is
17 that we really need to engage ourselves more, figuring out
18 what the hell we're going to do.

19 I don't know, Michael, what your ultimate
20 goal is with regard to the herring plan, the IHPC or
21 whatever it's being called. But one thing that I sense and
22 have heard loud and clear in my conversations with various
23 folks is that we need a very strong and dynamic leader for
24 the herring undertaking. And individual who will have that
25 as their responsibility. The word czar has been mentioned.

1 I find that to be a weird name, but anyways, let's use a
2 herring czar. Somebody who can make sure that all that
3 needs to go on and that's been agreed to by the committee
4 is in fact going on. And this is one of the areas that I
5 think we have, we as a Council has been deficient because
6 we have not over the course of the last several years had
7 somebody or bodies who have made sure that integration is
8 occurring and that the information that is being collected
9 through the various studies in fact makes sense and works
10 together and is blended. And I don't want to make that
11 mistake in herring. And I think that the initiative that
12 you have started, that Catherine's working on, you guys
13 have underway, I feel comfortable with. That we are going
14 to be making sense out of this.

15 But I -- if we're not going to take the
16 next steps right now, I want it to be understood, at least
17 from my point of view, two things. One, if we're going to
18 stop right now and wait, that we're not going to wait very
19 long. And I expect, at least if I'm going to endorse your
20 recommendation, that we have a date certain by which that
21 process is completed and a recommendation package is
22 brought to us for consideration, because herring is too
23 damned important and the impact on the fishermen and the
24 folks that are dependent or have been dependent upon
25 herring is too significant for us to engage in bureaucratic

1 babbling. We got to get to it.

2 And then when you come out of the other end
3 of this, you do have somebody that I can look in the eye,
4 as I'm looking at you right now, and say Mr. herring person
5 or Ms. herring person, where the hell are we, where are we
6 going, what's the progress, and what are the solutions.
7 And I expect that to be part of this exercise.

8 With that in mind, I don't have any
9 objections, but we'll turn it over to the Council to react
10 to your proposal to delay the '09 invitation.

11 MR. BAFFREY: Can I follow-up on that, just
12 one quick question?

13 CHAIRMAN O'CONNOR: Please.

14 MR. BAFFREY: I'm not at all opposed, and I
15 agree with you that herring czar is not the correct
16 terminology, but a herring coordinator, a herring leader,
17 whatever the title that you give this individual, I would
18 like to see that develop as a part of this process, and I
19 think you do too.

20 CHAIRMAN O'CONNOR: Yeah.

21 MR. BAFFREY: Okay.

22 CHAIRMAN O'CONNOR: Yeah. Steve.

23 MR. ZEMKE: I guess, Michael, the -- in the
24 last meeting we approved the \$106,000.

25 MR. BAFFREY: 109.

1 MR. ZEMKE: \$106,000 -- \$109,000, yeah, to
2 -- for that process. I would assume that we're going to
3 see a -- kind of a schematic written plan about how that
4 money is going to be spent, and within that would be
5 possibly.....

6 MR. BAFFREY: A schedule.

7 MR. ZEMKE: would identify that.....

8 MR. BAFFREY: Right.

9 MR. ZEMKE: that position. So with
10 the herring side there, I think also probably also fits
11 better with this idea about the supplemental invitation for
12 -- to discuss resource services and the losses that have
13 been incurred and what potential it has on human services
14 within Prince William Sound and the rest of the oil spill
15 affected areas. So I think it would give us a better time
16 to be able to integrate those two together also. So rather
17 than kind of piecemeal it out. And the other one, I don't
18 think on that side, those types of proposals would probably
19 be as dependent on summertime field work, and so having and
20 invitation that comes out a little later on for that type
21 of project seems like it would fit and it wouldn't -- you
22 know, I don't think that there's enough urgency now to try
23 to scramble and put something out, rather than take the
24 time, wait, and better integrate it with the overall
25 program.

1 MR. BROOKOVER: Mr. Chair. Michael.

2 CHAIRMAN O'CONNOR: Tom.

3 MR. BROOKOVER: Just for clarity, Michael,
4 on your recommendation, my understanding then would be that
5 FY-09 herring projects per se, as would be attracted by
6 this call, would not then go forward in FY-09, however, we
7 would provide a mechanism for continuing or modifying
8 existing projects for FY-09? Is that -- my understanding,
9 that right?

10 MR. BAFFREY: The second part is correct.
11 The first part, Catherine can help me with this. My -- if
12 we issue an invitation December, January, January of 2009,
13 that would still be FY-09 monies for those proposals. So
14 there wouldn't be projects funded in FY-09 that would not
15 be -- that would be in addition to the extensions or the
16 amendments to the current FY-08 projects that we would be
17 extending into FY-09.

18 MR. BROOKOVER: Okay. So your proposal is
19 a delay of the call, not.....

20 MR. BAFFREY: Right.

21 MR. BROOKOVER:not issuing it.

22 MR. BAFFREY: Right.

23 MR. BROOKOVER: Okay. Thanks.

24 MR. TILLERY: Mr. Chair.

25 MR. BAFFREY: Thanks for that clar.....

1 CHAIRMAN O'CONNOR: Craig.

2 MR. TILLERY: It's -- in looking at the --
3 at sort of what's at risk here, what is in the invitation,
4 one of the items is lingering oil and lingering oil was
5 essentially deferred anyway. We were waiting to see the
6 results of some of this field season and asking people to
7 submit later on projects that would dovetail with those.
8 So I think that is not -- deferring the invitation would
9 not harm that and in fact would actually make it simple.

10 The services, we were planning on deferring
11 anyway and coming up with a plan later, so I think that one
12 works fine. Herring, the -- clearly there is a -- and I
13 was actually very appreciative of everybody's comments and
14 I think the points that they made in support of waiting
15 until we had a plan were good ones.

16 I'm still a little bit confused about the
17 pre-proposals, but I think what I -- my own view on that is
18 that we do have to provide for the continuation of existing
19 proposals to existing studies that are time sensitive and
20 we should deal with those now, but not necessarily through
21 a pre-proposal process, but perhaps simply calling on those
22 to come in and give us their pitch for continuation.

23 And I think that herring would benefit from
24 a delay. The only one that we have out there that then
25 would concern me, that -- well, not concern me, but that I

1 think we need more information on, is reduction of marine
2 pollution. And I would just request that perhaps the DEC,
3 which would probably the lead on those kinds of projects,
4 might provide their views on whether that would cause a
5 problem if we delayed.

6 MR. EASTON: Craig, I don't think it would.
7 I mean, you know, it's not that we have projects pending,
8 you know, that were nothing specific, sort of in the
9 pipeline. A delay there, I don't know would cause any sort
10 of problems whatsoever, that I can think of. You know,
11 it's a bit of a test anyway and we don't have a real clear
12 expectation as to the sorts of projects we might see, so I
13 don't see any sort of profound impact from a delay, or any
14 impact whatsoever for that matter.

15 MR. TILLERY: Mr. Chairman, with that
16 explanation, my inclination would be to adopt the
17 recommendation of Mr. Baffrey.

18 CHAIRMAN O'CONNOR: Anybody have any
19 objections to that?

20 (No audible responses)

21 CHAIRMAN O'CONNOR: I will commend you, Mr.
22 Baffrey, for your recommendation. It takes a lot to say we
23 were moving at break-neck speed into a wall and I
24 appreciate that. And this Council on a number of occasions
25 has moved out smartly but not intelligently. And I think

1 this reflects an intelligence that's being brought to bear.
2 So thank you very much and thank you folks that raised
3 these issues with us. We're trying to do the best job we
4 can and obviously we need some work at that. But we're
5 going to come out with the best we can come out with.
6 Thank you. So moving right along -- see, that wasn't too
7 painful, was it?

8 MR. TILLERY: Mr. O'Connor?

9 CHAIRMAN O'CONNOR: Yes.

10 MR. TILLERY: I guess -- I don't know if
11 Hans or anybody else.....

12 MR. NEIDIG: You can go ahead.

13 MR. TILLERY: But I was -- my suggestion --
14 a thought was to me, what do we need to do to deal with
15 existing.....

16 MR. NEIDIG: Right.

17 MR. TILLERY:projects.

18 MR. NEIDIG: We might need a motion for
19 that.

20 MR. TILLERY: But should we request the
21 Executive Director to have those PI's bring them somehow
22 before the Council or come -- I don't know how we should do
23 that, I guess, as far as.....

24 CHAIRMAN O'CONNOR: All right. I will add
25 my two cents worth on that then because I actually wrote

1 down a sense of where we ought to go if we end up where we
2 are right now. We do need to make sure that the existing
3 projects continue, and to the extent that they need
4 modification, amendment, augmentation, we should defer to
5 our staff to evaluate that in the context of the
6 development of the herring plan. That's where the
7 knowledge will be.

8 To the extent that there is a an
9 opportunity to report to us on where we are and what we're
10 learning from those projects that are in field right now, I
11 as a Council member would welcome that presentation. I
12 would like to know where we are. I am concerned that we
13 closed the door on good, spontaneous thoughts, and I put
14 that in a parenthesis after pre-proposals. There are a lot
15 of folks out there who have a lot to contribute that may or
16 may not be participating in the development of the plan
17 directly or indirectly for that matter, and I want to be
18 sure that there is an opportunity for folks to be
19 communicating into the herring world which you guys are
20 running.

21 And call it a pre-proposal, call it a
22 suggestion, call it a thought. And if there are things
23 that you hear or you feel or that your team feels we should
24 be getting mobilized sooner rather than later, let us know
25 and we can engage in a process to approve, to evaluate

1 those projects. Does that sound like a fair -- asking to
2 address these concerns?

3 MR. ZEMKE: I guess the only question I
4 would add is what is the time frame that we're looking on
5 that -- would we need to have a recommendation to go
6 forward by September to not lose that capability or, you
7 know, right now we're having a scheduled November meeting,
8 and that would have taken care of those concerns at that
9 time. So is that sufficient to make that decision at the
10 November meeting?

11 MR. BAFFREY: I would recommend that you
12 defer to us to follow through on the direction we were
13 given and we'll develop a solicitation process and
14 evaluation process and also schedule your funding
15 consideration for amendments as they go forward. And we
16 would do that definitely by the end of the fiscal year, the
17 federal fiscal year. So by the end of September we would
18 have that.

19 MR. ZEMKE: From what I hear though, I'm a
20 little concerned that you're opening up the door again for
21 pre-proposals or various proposals or are you just talking
22 about the currently funded projects?

23 MR. BAFFREY: Currently funded projects.

24 CHAIRMAN O'CONNOR: All right. So I heard
25 a end of the federal fiscal year.

1 MR. BAFFREY: Right.

2 CHAIRMAN O'CONNOR: Is the.....

3 MS. BOERNER: Yes.

4 CHAIRMAN O'CONNOR:do or die date for
5 this exercise.

6 MR. BAFFREY: For the extension of the
7 existing.....

8 MS. BOERNER: Extensions.

9 MR. BAFFREY:projects. I'm
10 anticipating -- that's our goal also for the development
11 and bringing the, hopefully at the same time, the
12 integrated herring restoration program, IHRP.

13 CHAIRMAN O'CONNOR: IHRP. Good. September
14 30th it is.

15 MR. BAFFREY: And that may end up drifting
16 into October, but right now we're shooting for the end of
17 the fiscal year for that also.

18 CHAIRMAN O'CONNOR: Okay.

19 MR. BAFFREY: And your suggestion about
20 coming up with a firm schedule to be circulated, we will do
21 that. We are preparing that. Do you need a motion to
22 defer the FY-09 invitation until a later date?

23 MR. TILLERY: No, we simply need a motion
24 to put one out.

25 MR. BAFFREY: Good.

1 CHAIRMAN O'CONNOR: All right. Moving
2 right along. Let's see, who are we, where are we?

3 MR. BAFFREY: Barrow's goldeneye petition.

4 CHAIRMAN O'CONNOR: Barrow's goldeneye.
5 Thank you, Michael. Thank you, Catherine.

6 MS. BOERNER: Okay. Barrow's goldeneye.
7 Here we go. As we discussed at the last meeting, US Fish
8 and Wildlife Service has put forward a petition to add
9 Barrow's goldeneye to our injured resources and services
10 list. At your direction at the last meeting, they did
11 provide more information, including a recovery goal and
12 recovery objectives. And Jennifer Kohout is here from the
13 US Fish and Wildlife Service and hopefully she can answer
14 any questions we have or if you have any comments you'd
15 like to make.

16 MS. KOHOUT: Actually, I'm just here to
17 introduce Dan Esler, who's the expert. So if you do have
18 questions about the goldeneye, he's the one to direct them.
19 But as Catherine said, this is because at the last meeting
20 we were asked to provide the recovery goal and objectives,
21 so those are listed here. They are comparable to what we
22 have for the harlequin ducks in that we'd be looking at
23 both, similar population dynamics between oiled and unoiled
24 areas, and then also similar P450 levels, which we don't
25 have at this point.

1 There will be -- the Council has funded
2 work to go out next year to look at the P450 levels in the
3 ducks to see if we're -- excuse me, seeing convergence
4 between oiled and unoiled areas, so we'll hopefully have
5 some information next year. But basically the question is,
6 do you want to add this to the injured resource list or, in
7 the alternative, if you're not comfortable going that far,
8 are you willing to make a commitment to continue the
9 monitoring of the duck in terms of the oil exposure and the
10 population levels.

11 CHAIRMAN O'CONNOR: I think we ought to add
12 it to the recovered list and declare victory. No?

13 MS. KOHOUT: Add it to the recovered list?
14 Yeah.

15 CHAIRMAN O'CONNOR: Yeah, the list of
16 recovered critters. Did we know where they were before we
17 began?

18 MS. KOHOUT: In terms of population, we
19 knew they weren't being exposed to oil in 1988.

20 CHAIRMAN O'CONNOR: Okay.

21 MR. BAFFREY: It's another one of the
22 injured resources that there wasn't good baseline data at
23 the time of the spill.

24 MS. KOHOUT: We know that it's a very
25 popular wintering area for the birds. The population about

1 20 to 50,000 birds winter there. And that 25 percent of
2 the carcasses that were collected were sea ducks, so we've
3 got a pretty good sense that they took a big hit. And
4 their -- and also their life history is such that these are
5 the kinds of birds that would continue to suffer over a
6 long period of time and not a quick recovery.

7 MR. ZEMKE: So, Jennifer, you said that
8 they're planning to go out next year to take a look at
9 the.....

10 MS. KOHOUT: Uh-huh. (Affirmative)

11 MR. ZEMKE:birds. Next year means
12 next March or.....

13 MS. KOHOUT: I believe in, yeah, '09.

14 MR. ZEMKE: Oh. So.....

15 MS. KOHOUT: Dan, do you know?

16 MR. ESLER: Yeah, March of next year.

17 MS. KOHOUT: Okay.

18 MR. ZEMKE: Okay. So there's funding
19 through fiscal year '09.....

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

21 MR. ZEMKE:to look at that. So we
22 basically made the commitment to continue monitoring those.
23 I think there's some uncertainty about the convergence
24 levels and that, and until we actually look at where
25 they're at in '09, it seems like that would be a good time

1 to actually make an informed decision on this. I think
2 we're a little maybe premature or particularly premature
3 putting them on the recovery list at this time. You know,
4 I guess we've made commitment to monitor them and when we
5 see what data, where they're at in '09, maybe then that's
6 the time to take a -- you know, if indeed there's still a
7 need to monitor further or petition to put them on a
8 recovery list, that would probably be the time to do it
9 then.

10 MS. KOHOUT: Well, you know, at any given
11 point we're going to have information about population and
12 oiling. I think the last assessment of the P450 was 2005.
13 Is that correct, Dan?

14 MR. ESLER: Yeah, that's right.

15 MS. KOHOUT: And there was a difference
16 between the oiled and unoiled, so yeah, I mean I could come
17 back to you next year after the results come in and we
18 could have this conversation again if you want to do it
19 that way.

20 MR. ZEMKE: But the other one is since we
21 don't know where they were before and the idea about kind
22 of projecting where they would be after the oil spill,
23 since we don't know where they were before, that somewhat
24 speculative and I guess you have to look at all the other
25 factors. And so again, this -- I guess a question about

1 adding them on to the recovery list. Are we adding another
2 species that we don't really have a capability of going up
3 or down on. So monitoring may be a better way of dealing
4 with that, rather than adding them on a formal list that
5 we're never going to be able to -- or we'd have a very
6 difficult of making that decis -- or final recommendation
7 of putting them down into a recovered list as Craig so
8 aptly wants to be called right now.

9 MR. TILLERY: Mr. Chairman.

10 CHAIRMAN O'CONNOR: Craig.

11 MR. TILLERY: Well, I actually would -- I
12 was some -- raising I think some of the questions last
13 time. I thought Jennifer and Dan did a terrific job of
14 putting this together. I don't think there's any question
15 that the Barrow's goldeneye was an injured species, but
16 there's probably a lot of species out there that aren't on
17 our list that were injured species. I do however think
18 that the goldeneye is an important, particularly important
19 and visible species and it's quite important to what we're
20 doing now.

21 I think there's clear evidence of acute
22 mortality back at the time in literally the thousands. I
23 thought that the objectives -- I don't see a problem with
24 the objectives because they're comparing oiled and non-
25 oiled areas. It doesn't go back to baseline, so I don't

1 see that we would have a problem. I mean, this is not to
2 me like the cutthroat trout or rockfish or something where
3 I think there is a real problem with every moving it off
4 the list.

5 So my general inclination would be to
6 support adding it to the injured species list. If we fail
7 to do that, I certainly believe we should continue to -- I
8 think certainly it is injured. I think it continues to be
9 injured. And I think that we should continue to fund it.

10 The one question I did have was your papers
11 say you suggested they have not recovered, which I think is
12 probably correct under the definition of recovery as to
13 before, but is -- would they be classified as not
14 recovering or as recovering?

15 MS. KOHOUT: Yeah, in looking at that
16 again, I think it might be recovering given what we're
17 seeing in the population trends. The last population
18 survey showed that the -- during the nineties, from 1990
19 through '98, we had a flat trend in the oiled areas but a
20 significant increase in unoiled. At this point we don't
21 see a signifi -- there's not increase in unoiled, so the
22 two trends are the same. So I guess if you think that's
23 good news, which I don't that it is actually is, but at
24 least the two trends are similar, then you could probably
25 say recovering.

1 I don't know. Dan, do you have any more to
2 add on that point?

3 MR. ESLER: No, I'd second exactly what you
4 said there, that, you know, you can make some -- any prior
5 predictions about how a population trend would change as
6 the population growth would be injured through the process
7 of recovery until recovered. And in this case and during
8 the phase that I think we describe as the injury phase.
9 You know, there was decline -- or the slope in the oiled
10 area was less than that in the unoiled area. And then in a
11 phase that we're in now, which you could probably call the
12 recovering phase where the population trends are
13 comparable. As you get to full recovery, the expectation
14 would be that you'd actually see a more positive trend in
15 oiled areas and the numbers are getting back to what they
16 would have been pre-spill. So even in the absence of pre-
17 spill data, you need to make those predictions about what
18 you might expect to see.

19 And so given that, and given that we are in
20 a phase that looks like it is recovering, I think, you
21 know, a classification of recovering would make sense. But
22 I don't think it fully recovery based not only on those
23 population data but also on the fact that you're still out
24 there being exposed to something that certainly can't be
25 good for them.

1 MR. BAFFREY: If I may ask a question. I'm
2 a little confused. Is the -- of your proposed recovery
3 objective, is the only leg of that that has not recovered
4 then -- because if the demographics in the oiled and
5 unoiled are comparable, which is one of your recovery
6 objectives, is the only one that's in play right now the
7 exposure to lingering oil?

8 MS. KOHOUT: Yeah. They're waiting for
9 you, Dan.

10 MR. BAFFREY: Okay.

11 MR. ESLER: Well, Jennifer, I didn't really
12 hear that, so if it's something I should be addressing, I
13 need to get that repeated.

14 MS. KOHOUT: The -- Michael is asking, you
15 know, there are two legs of the recovery objective, and one
16 is the population demographics being the same. So we would
17 say that yes, that has been satisfied but the second leg
18 has not.

19 MR. BAFFREY: So until.....

20 MR. ESLER: Yeah, I mean the population
21 demographics thing too is something that ideally would go
22 beyond these population trends as well and I'll, you know,
23 trot out the examples of the sea otter and the harlequin
24 duck. And I guess the harlequin duck is a perfect one to
25 illustrate this because, you know, not only did we have the

1 population trend data but also survival data, which is
2 another form of demographic data that in that case are
3 really useful, right? Since we had the -- kind of during
4 the injury phase there we had very clear differences in
5 survival between oiled and unoiled, and then later into the
6 2000's, those survival rates had equilibrated, and to me
7 that's a really strong piece of evidence that, you know,
8 there's recovery in progress. And unfortunately we don't
9 have those same kinds of data for Barrow's goldeneye, but
10 that would be another form of demographic data that you'd
11 love to see equilibrating. That would be a good measure of
12 where you stand in terms of recovery status.

13 MS. BOERNER: Dan, can I ask a question?

14 MR. ESLER: Sure.

15 MS. BOERNER: Why would we add or I guess
16 what would be the benefit of adding Barrow's goldeneye when
17 we have harlequin ducks on the list that are ecologically
18 similar? Not the same. I don't think they're the same, but
19 they are ecologically similar.

20 MR. ESLER: Yeah, well, I mean, it's
21 obviously more kind of a process thing than anything. And
22 as was mentioned before, there are probably a lot of
23 injured species that have never made it onto the injured
24 species list. Yeah, I mean, in terms of advantages, I
25 think it would just be getting some attention focused on,

1 you know, Barrow's goldeneyes and what would be help in the
2 restoration process.

3 MS. KOHOUT: I think we -- you know, Dan,
4 we've also discussed.....

5 MR. ESLER: And they are.....

6 MS. KOHOUT: Sorry. Can you hear me?

7 MR. ESLER: Yeah, go ahead.

8 MS. KOHOUT: We had also discussed the fact
9 that their prey base is slightly different that it allows
10 you to fine tune a little bit in terms of the lingering oil
11 and where that might be and what your issues might be. I
12 mean, the Barrow's feed exclusively on mussels whereas the
13 harlequin duck is more of a more general intertidal feeder.
14 So, you know, to the extent you're heading into a lingering
15 oil effort of trying to restore and address it, then those
16 two birds might actually give you a little bit different
17 information in terms of what's going on potentially.

18 MR. ZEMKE: Question to Dan. Do we have --
19 you said that there's a decrease in abundance of Barrow's
20 goldeneye in unoiled areas. Do you have any idea why
21 that's happening? And my question is from that would be,
22 would that obfuscate some of the findings that, you know,
23 you don't -- if you don't know why they're declining in
24 abundance in unoiled areas, trying to compare them to oiled
25 areas, you may have confounding factors and coming to a

1 conclusion might be difficult.

2 MR. ESLER: Yeah. No, you're right. Yeah,
3 using those kind of broad population levels between oiled
4 and unoiled areas, it's a pretty gross method for really
5 knowing what's going on. I think, you know, over the long
6 term, it gives you a reasonable sense, but you know, the
7 year-to-year fluctuations and the more recent decline in
8 the unoiled area, it's pretty tough to explain.

9 MS. KOHOUT: I think the reason though that
10 we highlight that is just because that's the other big
11 suite of bird information that we have is the, you know,
12 the Irons marine bird surveys, so you're able to track some
13 of these trends over time. So -- but it's.....

14 MR. ZEMKE: Well, I guess.....

15 MS. KOHOUT: I mean, as Dan said, it's
16 not.....

17 MR. ZEMKE: That may be a point, looking at
18 it, trying to looking at -- trying to look at all the
19 various suites of -- or the suite of birds to try to look
20 at them all in conjunction with one another so that you can
21 kind of compare harlequins and Barrow's goldeneyes, what
22 they're doing.

23 MS. KOHOUT: Well, and we did. I mean,
24 that's the -- the marine bird survey does do that.

25 MR. ZEMKE: Okay.

1 MS. KOHOUT: And then in cases where you
2 want more specific information, like the example of the
3 harlequin duck, then you have Dan Rosenberg who goes out,
4 specifically is looking for harlequin ducks. And so this
5 transcript -- transects are different and the focus is more
6 on that bird and where that bird is likely to be found. So
7 then you're sort of narrowing your focus down to this
8 particular species to figure out exactly what may or may
9 not be going on with it.

10 CHAIRMAN O'CONNOR: Do we have any specific
11 critters that we are studying, such as the Barrow's
12 goldeneye, that we don't have on a list -- on our list?
13 Are we pursuing any other?

14 MS. KOHOUT: I'm going to look at Catherine
15 for that one, I'm not.....

16 MS. BOERNER: We do.

17 MR. ESLER: Yeah, I mean.....

18 MR. BAFFREY: Yeah, we do.

19 MS. BOERNER: We do.

20 MR. ESLER:I can weigh in a little
21 bit on that. I mean, I know.....

22 MR. BAFFREY: Several.

23 MR. ESLER:there has been P450 data
24 collected on things like black oystercatchers crescent
25 gunnels and things like that don't occur on a list. And

1 that may be -- I mean, they may be covered under things
2 like intertidal and subtidal communities, but they're not
3 specifically listed necessarily.

4 MS. KOHOUT: Yeah. Just a.....

5 MR. BAFFREY: For example, the current
6 study that the Barrow's goldeneye is being studied on,
7 there's two fish species that are being looked at also in
8 the intertidal that are not on the injured resources or
9 services list.

10 MS. BOERNER: And Barrow's goldeneye has
11 been studied in the past under -- you know, under work
12 we're doing. So.....

13 MR. BROOKOVER: Mr. Chair. Jennifer.
14 Maybe I'll refine that question a little bit. And I
15 thought the write-up was good as well. I'm torn on this
16 one because I can see that when -- it seems to me when the
17 Council originally developed that injured resources list,
18 they recognized that those species were a representation of
19 what may actually be injured and didn't intend that that be
20 all-inclusive. And so that would lead me to lean towards
21 what was originally developed.

22 But I also understand that the Council has
23 since added species to the injured resources list, and so
24 I'm trying to figure out in my mind what trips that
25 inclusion. And to me, one of the pieces of new information

1 that we have now that we didn't have in '94 was the
2 presence of the hydrocarbon that's been detected. So as
3 far as it concerns other species that have been studied but
4 are not on the list, are there other species that have been
5 studied or -- and found to contain hydrocarbons that aren't
6 on the list?

7 MS. KOHOUT: You know, I don't know what
8 the status of the results on the fish are. Dan, do
9 you.....

10 MR. ESLER: I think those would -- those
11 are the examples that I would think of, yeah. Crescent
12 gunnels and masked greenling, I guess, were both known to
13 be in these oiled areas and I'm quite certain they don't
14 appear on an injured species list.

15 MS. KOHOUT: Do you know if they're
16 currently showing exposure, Dan?

17 MR. ESLER: I want to say as recently as
18 2005 they were showing exposure, but I'd have to go back to
19 the -- Brenda Ballachey's report to confirm that.

20 MR. BAFFREY: Right. Okay.

21 MS. KOHOUT: Yeah.

22 CHAIRMAN O'CONNOR: Any other questions?

23 (No audible responses)

24 CHAIRMAN O'CONNOR: Do I hear a motion?

25 MR. TILLERY: Mr. Chairman, I would move

1 that we add Barrow's goldeneyes to the injured species
2 list. That we adopt the proposed entry submitted by Fish
3 and Wildlife Service, with the exception that at the end
4 where it says that -- suggests that the Barrow's goldeneye
5 have not recovered, we substitute in are recovering or at
6 least that we make the notation that there -- that they be
7 -- maybe that's not the right place, but that we make the
8 notation that they are in fact a recovering species.

9 So I would -- that would be my motion.

10 Having said that, you know, certainly if the Council is not
11 comfortable with that, that would also be fine. But I do
12 believe it's very important that we continue to fund
13 studies directed towards the Barrow's goldeneye.

14 CHAIRMAN O'CONNOR: Okay. Is there a
15 second.

16 MR. NEIDIG: I'll second the motion.

17 CHAIRMAN O'CONNOR: Is there any further
18 discussion?

19 (No audible responses)

20 CHAIRMAN O'CONNOR: Hearing no discussion,
21 I will call for the question. Is there any opposition to
22 the motion to add the Barrow's goldeneye to the list of
23 injured species with the caveat with regard to the recovery
24 status as articulated by Mr. Tillery. And I'm excising
25 from this consideration the but if you don't agree with me,

1 then how about if we do this part of the motion.

2 MR. TILLERY: Yeah, that's not part of the
3 motion. That was not intended to be part of the motion.

4 CHAIRMAN O'CONNOR: Okay. Is there any
5 opposition to the motion?

6 (No audible responses)

7 CHAIRMAN O'CONNOR: Hearing none, the
8 motion carries. You're now on the list.

9 MS. KOHOUT: Thank you. Thanks, Dan.

10 Thank you, Dan.

11 CHAIRMAN O'CONNOR: Thank you, Dan.

12 MR. ESLER: Am I good to go?

13 MS. KOHOUT: Are you free to go?

14 CHAIRMAN O'CONNOR: You're good to go.

15 MS. KOHOUT: You're free to go, Dan.

16 CHAIRMAN O'CONNOR: Now you've got to get
17 yourself.....

18 MR. ESLER: Okay. Thanks.

19 CHAIRMAN O'CONNOR:off the list, Dan.

20 MR. ESLER: Yeah, okay. Great. Thanks.

21 Bye.

22 CHAIRMAN O'CONNOR: Thank you. Bye-bye.

23 UNIDENTIFIED SPEAKER: Do good things.

24 CHAIRMAN O'CONNOR: Yeah. Communications.

25 Is that the next item? Am I right?

1 MR. BAFFREY: Do you guys need to take a
2 break?

3 CHAIRMAN O'CONNOR: Yes. Thank you,
4 Michael. That kind of leadership is always needed at our
5 age. Yes, we'll take five minutes, or 10 if it's required.

6 MR. BAFFREY: Rebecca, are you online?

7 (Off record - 3:02 p.m.)

8 (On record - 3:12 p.m.)

9 CHAIRMAN O'CONNOR: All right. Back in
10 order or whatever it's called. The next item on the agenda
11 is the communications and outreach planning report.
12 Rebecca, are you with us?

13 MR. BAFFREY: Rebecca, are you there?

14 (No audible response)

15 UNIDENTIFIED SPEAKER: Are you guys on
16 mute?

17 MR. BAFFREY: Are you guys still on mute?

18 CHAIRMAN O'CONNOR: She's outreaching and
19 planning.

20 MR. TILLERY: Can anybody out there hear us
21 on the line?

22 UNIDENTIFIED SPEAKER: Yes, I can.

23 UNIDENTIFIED SPEAKER: I can hear you.

24 MR. BAFFREY: Okay.

25 CHAIRMAN O'CONNOR: Is Rebecca there?

1 MR. BAFFREY: Great. Well, let me kick
2 this off and hopefully -- and if she's not on by the time
3 that I get done with this very short introduction, then
4 we're on with the rest of our day.

5 MR. TILLERY: She was on when we left,
6 right?

7 MR. BAFFREY: Right.

8 MR. TILLERY: Yeah. So hope she didn't get
9 cut off.

10 MS. TALBOTT: Oh, hey. Sorry.

11 MR. BAFFREY: Oh, Rebecca. It's nice to
12 have you back.

13 MR. TILLERY: Somebody else having trouble
14 with mute.

15 MS. TALBOTT: Yeah, I guess I had it turned
16 way down.

17 MR. BAFFREY: Rebecca, I'm going to.....

18 MS. TALBOTT: And I thought, that's a long
19 break.

20 MR. BAFFREY: Rebecca, can you hear me?

21 MS. TALBOTT: Yes.

22 MR. BAFFREY: I'm going to just give a
23 brief history. At the March 15th and 16th retreat, the --
24 we had talked about getting a message out for the 20 year
25 after the spill event, whatever you want to call that.

1 Some people are opposed to the word anniversary. Whatever,
2 you know, it's called, but, you know, next year it's going
3 to be 20 years since the spill. And the Council wanted to
4 do a couple of things and both of them were based upon
5 getting a balanced message out there and to be proactive
6 about doing that. So two items were mentioned. One doing
7 a documentary film; the other was doing some type of
8 interactive display which would be a virtual way of walking
9 through from day one of the spill to where we are today,
10 what we've learned along the way.

11 And I had initially proposed that as part
12 of the FY-09 invitation, to let you know we've actually
13 working on the invitation for a good long time. And it was
14 felt that if we did that then by the time we awarded any
15 type of funding towards that effort it would be too late to
16 get anything in place by the spill anniversary. So we
17 decided to pull it out and get somebody in here that can
18 actually develop a communication plan and Rebecca got
19 tasked with that. Rebecca is on an IPA and that's an
20 Intergovernmental Personnel Act agreement from the Forest
21 Service to this office for the year. She has developed the
22 draft plan she gave those of you who were sitting at the
23 table May 27th. She gave a summary of where she was going
24 and promised by this meeting to have a draft plan in front
25 of you with some budget considerations. That's where we're

1 at today. That's what you're looking at. And I'll turn it
2 over to Rebecca.

3 MS. TALBOTT: And the only thing I'd add to
4 that, just for my background, just for people's references,
5 worked in the area of kind of communication and
6 partnerships around public lands for most of my career with
7 emphasis the last 10 to 15 years. And then had an
8 opportunity to go back to school and focus on social
9 marketing and how do you reach messages on -- related to
10 environmental science.

11 So I have thought about this for awhile,
12 about how you connect with folks and certainly think the
13 effort that you want to undertake in connecting with people
14 after 20 years and reporting back out to the public and to
15 the nation what the results of that restoration have been
16 are really emeritus.

17 I think my experience yesterday totally
18 just confirmed that. We had calls from all over the
19 country and including calls from around the world. These
20 people who weren't just looking for a comment on the
21 Supreme Court's opinion, but wanted follow-up on, well,
22 what is the state of the Sound today. And with some of
23 those folks I actually talked about the fact that next year
24 did mark the 20th year and we were in development of some
25 materials to help pay that (indiscernible) out. And there

1 was quite a bit of response to that. People interested in
2 hearing what that would be. So I think that just confirms
3 the decision that the Trustee Council made to put some
4 additional emphasis on that next year.

5 So at the last Trustee Council meeting I
6 said that at this, the next meeting, I would have a draft
7 plan and that's what's in front of you. It is draft. I
8 think if you had the chance to look through it, it's not
9 necessarily recommendations but we do each of these items,
10 but more of a discussion of an approach and some elements
11 that -- to consider. I also went back and with the help of
12 staff like Cherri and Carrie, who I think are the
13 historical memory for the office, we went back and looked
14 at what was done at the 10 year and the 15 year. And just
15 a couple of things from the 10 year. Obviously the years
16 that are the decades are the bigger years in terms of
17 gathering people's attention and looking back. That
18 decadal kind of view.

19 So at the 10 year, we spent close to 270,
20 \$280,000. You hosted a five-day symposium, which I think
21 was actually the precursor to what is the Alaska Marine
22 Science Symposium today. But at the time the principal
23 burden for that was the Trustee Council and the office.
24 But in part (indiscernible) grant program and Prince
25 William Sound RCAC. And of course the 10 year status

1 report, the special edition that kind of provided that 10
2 year look back. You produced a video at that time and sent
3 it out to distribution to high school teachers and school
4 libraries statewide. You also produced an exhibit. You
5 had a traveling exhibit that went out to 10 or more spill
6 affected communities.

7 And then there were smaller exhibits that
8 were out there in smaller villages like Tatitlek. You had
9 an art and culture piece, it was a print that was done by
10 Debbie Duback that was available for public purchase.
11 You had an art and essay contest for school kids. A school
12 kids newsletters. And you even got a digital photography
13 with (indiscernible) in trying to -- capturing photography
14 and kind of conveying that art of frustration.

15 But at 15 years it was significantly a much
16 more reduced effort. Instead of hosting a stand-alone
17 session you were participating in the Marine Science
18 Symposium and RCAC hosted that here in Anchorage that the
19 Trustee Council participated in. You also produced an
20 exhibit that was available and traveled around. We did an
21 EDD. And again, a 15-year status report that was that more
22 expanded kind of view.

23 And spent considerably less that year.
24 It's been a little harder to track down all of those costs,
25 but it must be somewhere around 50,000 or so, just for

1 reference. It was useful for me as somebody who wasn't
2 involved at that time to kind of having a sense of what we
3 had done. And it kind of confirmed some of the things we
4 heard from folks.

5 And just so you know, the communication
6 plan, some of these elements, the elements that are in here
7 reflect a really broad, collaborative effort. I've spoken
8 with folks from the different agencies as well as from the
9 communities about their suggestions and recommendations,
10 how we might do -- how we might go forward and how we can
11 best add value, maintain the message. And so that's what
12 you see in those specific items.

13 And as I said, this brief or would you like
14 to kind of go through some of those?

15 CHAIRMAN O'CONNOR: Do we have any
16 questions or comments at this point for Rebecca?

17 MR. TILLERY: This is really thorough.

18 CHAIRMAN O'CONNOR: All right. Would you
19 like.....

20 MS. TALBOTT: And I think my intent at this
21 time -- when we met, when I spoke with you before at the
22 last meeting, I said that my intent was to hopefully meet
23 with different Trustee Council members and talk through
24 some of their interests. I had some involvement with PAC
25 members and some liaisons but I think now having a draft

1 plan in front of you might be a great time to do that kind
2 of individual follow-up as well as any discussion we'd have
3 now.

4 MR. TILLERY: Mr. Chairman, am I just
5 correct in understanding -- I mean, this is an incredibly
6 thorough, I think, document, that we should treat this like
7 -- sort of like a buffet line and we should go through it
8 and pick the things that we think are important and things
9 that we think aren't or -- it seems more like it's a very
10 thorough compilation of possibilities rather than what's
11 kind of an integrated plan at this point. Am I
12 misunderstanding or is that correct?

13 CHAIRMAN O'CONNOR: Rebecca, do you
14 understand the question? Michael?

15 MS. TALBOTT: I think I do. I'm not sure
16 how it applies to some of the other efforts that you're
17 involved in. But it doesn't.....

18 MR. BAFFREY: It was integrated, to answer
19 the question.

20 MS. TALBOTT: Yeah.

21 MR. BAFFREY: It was meant to be an
22 integrated approach. So it was going to be a package deal.

23

24 MR. TILLERY: Okay. So it's.....

25 MR. BAFFREY: But the components are there

1 to pick and choose from if that's what you choose to do.

2 MR. TILLERY: That's what I'm asking. Are
3 you asking us to say yes we approve, or yes, we don't
4 approve, or are you asking us to come back and say I like
5 this, this, this, this and this?

6 MR. BAFFREY: I would rather you say yes
7 you approve and fund that amount of money, is what I would
8 prefer you to do, you know, but that's -- I know you're not
9 ready for that. Rebecca, are.....

10 MS. TALBOTT: Well, one thing is --
11 Michael, my -- go ahead.

12

13 MR. BAFFREY: Are there -- deferring the
14 funding consideration for this packet, are there any
15 components that need immediate attention today to get
16 funding in place so you can actually get started on some of
17 these tasks?

18 MS. TALBOTT: Yeah, one thing I would say
19 with the budget that Michael and I may have talked about,
20 some of these items are really -- aren't fully talked
21 about. And we felt the need to throw out some initial
22 numbers just to get the conversation started. But there's
23 quite a few opportunities to reduce costs, particularly by
24 partnering and leveraging with other folks. But some of
25 those numbers were really just a way to get you thinking

1 about how far you might want to go with it and there's a
2 lot of opportunities for leveraging as well.

3 I do think one of the -- kind of the key
4 strategies that I put in there right on the first page,
5 what I was recommending that we even make some
6 communication strategies that reach different audiences
7 effectively. Of course when you're putting a communication
8 plan together, you've got to remember to always be thinking
9 about what your goal is and who the audience is you're
10 trying to reach and then come up with a tactic. I have
11 lots of experience working with folks where we put together
12 really great brochures that no one ever reads. And I know
13 that it's certainly not the intent here.

14 So just thinking about some of those
15 different audiences you're trying to reach, that's where it
16 targets in on the merits of pursuing some of these
17 different needs maybe to different levels. I would
18 recommend that we have an approach where we partner with
19 RCAC and some of the other partners in delivering some
20 outreach to teachers and providing some expanded
21 enhancement there. And there's great opportunities to
22 partner with folks that are already doing that. Which is
23 really -- the number two -- the second strategy there is to
24 partner and leverage, not to recreate our own curriculum,
25 for example, but to partner with folks that are also doing

1 that, who share that same interest. And by doing that, we
2 can really leverage our resources.

3 There is one part of that when you look at
4 it, and that's under the exhibitry. There's definitely
5 great opportunities through literally hundreds of people,
6 past participants, contact centers around the affected
7 communities in Kodiak and Homer, at Artie (ph) Johns Senior
8 Center down the road as well as in Southeast Alaska, at the
9 visitor centers here in Anchorage, we have a few. They're
10 all interested in having a display and they'd all prefer to
11 actually have it beginning in March and staying through the
12 rest of the summer, as well as having additional material.
13 That's great for reaching a whole lot of people and
14 communicating that message in a really -- a more detailed
15 way. In addition, there's opportunities we know at the
16 Alaska Marine Ferry System and some of the other service
17 providers to provide kind of a reduced subset of that.
18 Actually adds to their business.

19 But the key piece of that is the difference
20 in bringing Darkened Waters up here and using that as kind
21 of a core, a base. And that's owned by the Cordova
22 Historical Society. They purchased it from the Pratt
23 Museum. But it's currently sitting in Kansas where it was
24 the last stop on a nationwide tour. But we think there's a
25 lot of value in bringing it up here and leaving that as

1 kind of a base exhibit. But there's complete agreement
2 that it needs to be updated and that's what they would like
3 to do. Our suggestion is to partner with them on that and
4 then hopefully be able to be really efficient in
5 reproducing kind of condensed versions that could be used
6 in other (indiscernible - tone on phone). But for that, we
7 would need to identify at least 10, \$15,000 to get moving
8 on that.

9 MR. BAFFREY: Is that the only funding
10 request then that is immediate?

11 MS. TALBOTT: Well, that would be the key
12 one at this point. A lot of the work behind -- whether
13 it's an exhibit or a film or any of the other communication
14 products we're going to develop, is really putting together
15 the message and writing on that story board. And that's
16 kind of the focus that I plan on putting on to you next
17 month with the involvement of really key people, like the
18 staff here, Catherine Boerner experience. And Trustee
19 Council members and liaisons and PAC members who have
20 historical knowledge of what it is we need to communicate.
21 I've observed a lot in two months but I would stress that
22 having those key people involved is pretty critical. If
23 that makes sense, I hope.

24 CHAIRMAN O'CONNOR: So at this point, what
25 I understand is that you have put before us what you

1 consider to be the package that is going to be -- or that
2 you're recommending to be our communications plan for our
3 20th year remembrance. And it's going to cost us, give or
4 take, 300 and some thousand dollars to do all that you have
5 suggested in here that we could do. Is that correct?

6 MS. TALBOTT: I think that would be correct
7 (indiscernible) development of a really significant
8 (indiscernible). And that's something that I've spent a
9 lot of time talking with folks besides myself who have
10 previous (indiscernible) film efforts and documentaries and
11 getting their assessment of what the options are to
12 consider there. I think we could -- if we want to produce
13 something on a smaller version, a simpler version, and have
14 it done in time for March, I think there is opportunity, we
15 would drop that top dollar figure back.

16 CHAIRMAN O'CONNOR: How soon do we need to
17 tell you that this is a go? And the reason I ask that
18 question is because I think we would like to spend some
19 time looking at this, talking about it with you, and
20 thinking about it, and making sure that we are all in
21 agreement with what the message is going to be. What is it
22 we're going to try to communicate. I mean, I know that
23 you've articulated here messages and goals. I want to be
24 sure that the Trustee Council as a group are in concert
25 with what it is we're going to try to communicate and to be

1 sure that we're all comfortable with the various tools that
2 you're recommending we utilize in the communication of that
3 message.

4 And I don't get a sense, particularly given
5 Craig's question when he said is this a smorgasbord or is
6 this, you know, is this it, that we're all comfortable at
7 this point with understanding the bits and pieces. I mean
8 it all looks good and it all looks effective. I certainly
9 could not imagine anything more to do other than of course
10 starring in it myself. But, you know, we'll talk that out
11 later.

12 (Laughter)

13 CHAIRMAN O'CONNOR: Am I reflecting the
14 sense of the Council at this point or are you guys good to
15 go and let's vote this up or down and move out?

16 MR. TILLERY: The other consideration I
17 would like to add is that when you start talking about
18 funding things that really are -- describe what the Council
19 has done, whether it was people here or not, you may have
20 -- there is -- I think it's even noted in here that there
21 is some suspicion of government produced materials like
22 this. And it seems to me that it would be appropriate to
23 give the public at least some opportunity to now come back
24 and say you think this is a good use of restoration dollars
25 rather than putting it towards some other function. So for

1 that reason, I don't think that we're good to go on it
2 today. I think there should be -- at least be some
3 opportunity where we have a public comment period and the
4 public is allowed to -- has a chance weigh in it on it if
5 they wish.

6 CHAIRMAN O'CONNOR: The PAC.

7 MS. TALBOTT: And actually what you've
8 described.....

9 MR. TILLERY: Well, the public generally
10 but.....

11 MS. TALBOTT:is exactly what I was
12 hoping for.

13 MR. NEIDIG: She said she concurs with
14 Tillery.

15 CHAIRMAN O'CONNOR: Okay.

16 MR. NEIDIG: It's what she was hoping for.

17 MR. ZEMKE: Yeah. And also look at this is
18 not only telling our story in 20 years and we're done,
19 we're going to wait till 25 to do something else again.
20 There's many of these elements are something that are
21 integrated into the normal program, kind of getting the
22 outreach into the educational forum. You know, that's a
23 story that's actually got restorative benefits of teaching
24 our youth about what's out in the Sound, how it happened,
25 and where it's going. And so that's a continual benefit

1 rather than just something that happens at 20 years and
2 we're done with it.

3 And the other ones, some of the other
4 things maybe, like the movie and that, may be a little bit
5 different but at the same time there's a lot of other --
6 the exhibitry, hopefully it will be something that doesn't
7 get lost in Kansas. It could work in the SeaLife Center or
8 the Cordova or Valdez or wherever we would want to be able
9 to present that as kind of a long term item that has value
10 for more than just the 20th anniversary.

11 MR. BAFFREY: So the question is -- and it
12 sounded like Rebecca said there was something that's needed
13 immediately, 10 or \$15,000 for the exhibit component. It's
14 down for \$50,000 here, however, do you want to consider,
15 you know, the 15,000 funding now so they can get started on
16 the exhibit? Or, Rebecca, is that something that can wait
17 also?

18 MS. TALBOTT: Well, that's the only key
19 thing. You know, producing an exhibit like a film, you
20 know, it just takes a little time to put it together. And
21 we just need to get it up here and really do a good
22 assessment of what parts are useable, how we can best use
23 it, how it can serve us at these, and then be able to
24 really (indiscernible). And I think the folks in Cordova,
25 both at the Science Center and with the Historical Society

1 are really willing to take that approach and work with us
2 on that.

3 MR. TILLERY: And you're talking about
4 Darkened Waters, right?

5 MR. BAFFREY: Yeah. And that raises
6 another question. Are -- Rebecca, are you talking about
7 the \$11,000 request that Cordova Historic Society has
8 requested that we fund the shipping of Darkened Waters up
9 here to Cordova?

10 MS. TALBOTT: They initially asked for that
11 as sole funding but what I've been working with Cathy
12 about, or working on more recently, is kind of broadening
13 that out into the broader partnership support. That they
14 are -- they've got another funding in place to help cover
15 some of those costs. Apparently it really is a significant
16 cost to have that shipped, insured, and sent up here. It's
17 that big. And OSRI is going to come in and help with that.
18 We can provide some help with that. But it would be part
19 of a broader partnership. MR. BAFFREY: So.....

20 MS. TALBOTT: Because they're interested in
21 helping provide these kind of exhibits in other places. So
22 it's not purely \$10,000 just to get it moved here, no.

23 MR. BAFFREY: Okay. If we said.....

24 MS. TALBOTT: We've gotten past that.

25 MR. BAFFREY: If we said -- if you were

1 requesting \$15,000, what would that go towards?

2 MS. TALBOTT: I would guess that we would
3 put a portion of that to bringing it in, bringing it in
4 cases.

5 MR. BAFFREY: Okay.

6 MS. TALBOTT: And then that would get us
7 started on getting some design work probably together or at
8 least the Trustee Council portion of that. As I understand
9 it, that exhibit does not deal too much with maybe the
10 habitat acquisition or any of the restoration of injured
11 services or species in any kind of detail. I think those
12 are two pieces that of course are important to what we want
13 to convey. So part of that would actually be identifying
14 -- going towards that redesign and actual component
15 construction.

16 MR. TILLERY: Would the exhibit be
17 moved.....

18 MS. TALBOTT: It's just hard without having
19 looked at it. And by the way, there seems also to be kind
20 of universal interest in taking the main to reflect more of
21 the current times coming from the Historical Society
22 themselves. But until we get it up here it's just hard to
23 assess it. I've never seen it. I hear great things about
24 it from people and I talk to folks at the visitor center
25 who said that was a great exhibit, we'd love to do

1 something like that. The key is just to get it up here so
2 we can start looking at what potential it has. And it is
3 -- and I think it's worth that risk.

4 MR. TILLERY: Is the idea to move it to
5 Anchorage or to move it to Cordova?

6 MR. BAFFREY: That's a good question.
7 Cordova wants it moved to Cordova.

8 MS. TALBOTT: Yeah, we haven't worked -- it
9 needs to end up in Cordova. They're the owners of it and I
10 think they're really open to -- we haven't figured out
11 exactly where the best facility is to get it set up and to
12 where actually the designers might be and fabricators,
13 which are probably actually going to be in Anchorage. But
14 I would be speaking out of turn in that I haven't -- we
15 haven't talked about detail.

16 MR. TILLERY: I mean, because it seems to
17 me like maybe what you're suggest.....

18 MS. BIRD: This is Nancy Bird. If I could
19 offer some comments.

20 CHAIRMAN O'CONNOR: Please. Go ahead,
21 Nancy.

22 MS. BIRD: I just want to let you all know
23 that the Oil Spill Recovery Institute had a board -- or a
24 work plan committee meeting last week and are including
25 15,000 in their FY-09 budget for this project. The need

1 immediately this summer is for that estimated 11,000 in
2 shipping costs to get the exhibit back up to Alaska so that
3 the design work and so on can start. So I think the
4 combination of resources we're trying to pull together can
5 achieve what Rebecca has been talking about. So it would
6 be great if the trustees would be able to, within the
7 coming month, if not today, meet again and approve making
8 funds available immediately for those shipping costs.

9 MR. TILLERY: And so the -- and the idea
10 would be, Nancy, that the exhibit would come to Anchorage
11 where it would be evaluated, altered, modified, repaired,
12 whatever. Eventually it would end up in Cordova, either
13 before or after the 20th year thing. Is that kind of the
14 idea?

15 MS. BIRD: Yes, as far as I understand it,
16 that is the idea.

17 MR. TILLERY: And \$11,000.....

18 MS. TALBOTT: Nancy, I -- Nancy, I thought
19 from Cathy that right now in Cordova you don't have a
20 permanent facility, a location to have a display, so that
21 -- am I right? I mean, in talking to her, she indicated
22 your interest in having it shared around the state during
23 the 20th year. Am I not correct on that?

24 MS. BIRD: Yes.

25 MS. TALBOTT: But it wouldn't actually be

1 in Cordova all through.....

2 MS. BIRD: Did I misstate earlier? Okay.
3 You are correct and if I said anything different earlier, I
4 am not thinking straight.

5 MS. TALBOTT: We just -- we hadn't talked
6 about -- I mean, it's their call, it's their exhibit. We
7 hadn't talked about where, you know, would be the most
8 efficient place to set it up. I would just -- I'm
9 anticipating that that's what -- Nancy, your interest and
10 Cathy's interest is going to be, is in -- what we all
11 really want is just to make sure it happens. That it's
12 updated and ready to go before February of next year.

13 MR. TILLERY: But \$11,000.....

14 MS. TALBOTT: And wherever that does happen
15 is great.

16 MR. TILLERY:is what we need?

17 MR. BAFFREY: That's to ship it up here,
18 but if we want to put displays on it to cover some of our
19 things, that's what Rebecca is talking about, is to.....

20 MR. TILLERY: Well, okay, but I understand
21 that OSRI is talking about putting in 15,000, that they
22 could handle that, if we can put 11,000 in now to get it up
23 here and start the process. Is that correct, Rebecca? Is
24 that right?

25 MS. TALBOTT: Yeah. Yeah. I thought we

1 were looking to share those costs, but if we need to split
2 them out in those categories -- to me it's the same effort,
3 but we're partnering to get it up here and get it updated
4 and available.

5 (Off record comments -- re: airplane noise)

6 MR. BAFFREY: It's on its way now.

7 UNIDENTIFIED SPEAKER: Don't even have to
8 pick it up.

9 MR. BAFFREY: I think it's sinking now.

10 CHAIRMAN O'CONNOR: I second that motion.

11 (Laughter)

12 MR. TILLERY: Do we just move -- do we do a
13 motion? Is that.....

14 CHAIRMAN O'CONNOR: Yeah, well, what did we
15 -- what have we committed so far in terms of funding,
16 Michael, for this effort?

17 MR. BAFFREY: For this communication
18 effort?

19 CHAIRMAN O'CONNOR: Yeah. Yeah.

20 MR. BAFFREY: \$50,000 we kicked off to add
21 to the IPA agreement with the Forest Service which
22 eventually cover Rebecca's salary. So that is -- would
23 probably be another 60 or \$70,000 for the IPA. But so far,
24 \$50,000 just to get the -- Rebecca over here and get this
25 plan in front of you.

1 CHAIRMAN O'CONNOR: Okay.

2 MR. BAFFREY: So in reality, it's an
3 implication, I mean, to applying this, we haven't committed
4 anything yet.

5 CHAIRMAN O'CONNOR: Yeah, a motion would be
6 in order to do something at this point, which I think is --
7 I would entertain a motion that looks to continue to
8 underwrite this effort in an incremental way. And if it's
9 the recommendation that we engage the Darkened Waters as
10 part of that, that would be appropriate I guess. But as
11 far as the full package is concerned, I think that's
12 premature.

13 MR. TILLERY: And, Mr. Chairman, I would
14 move that the Council approve funding in the amount of
15 \$11,000 to be used in conjunction with other partners or
16 groups to pay for the transportation, and to the extent
17 money is available, the evaluation and repair and upgrading
18 of the Darkened Waters exhibit.

19 MR. ZEMKE: I'll second.

20 CHAIRMAN O'CONNOR: Second the motion. Are
21 there any discussion with regard to that?

22 MR. ZEMKE: And I agree with your
23 statement, Craig, that we're looking probably at
24 incremental funding of the communication plan and this
25 appears to be the essential item that we need to take care

1 of today. So with that, I'd be -- why I'd support the
2 motion.

3 CHAIRMAN O'CONNOR: Any other comments?

4 (No audible responses)

5 CHAIRMAN O'CONNOR: Mine would be that we
6 raise the amount to \$20,000 and that we have sufficient
7 monies available for whatever contingencies might be
8 appropriate at this stage so that we don't have to -- that
9 Rebecca does not have to keep coming back to us for a
10 nickel or a dime. And -- because I would suspect that some
11 of these costs are anticipated but not firmly articulated
12 at this stage. So I would -- can the Chairman move an
13 amendment to the motion?

14 MR. BAFFREY: No.

15 CHAIRMAN O'CONNOR: No. Okay.

16 MR. TILLERY: But you can ask -- I guess --
17 I thought about that and I was actually thinking, well,
18 geez, 11, we ought to make it 12 to give them some wiggle
19 room. But then when they indicated that OSRI was
20 partnering with us to the amount of 15,000, it occurred to
21 me we had that necessary additional money we might need.

22 MR. ZEMKE: I think Nancy Bird.....

23 MR. BAFFREY: OSRI.....

24 MR. ZEMKE:said that was FY-09
25 funding.....

1 MR. BAFFREY: Exactly.

2 MR. ZEMKE:so there may not be that
3 wiggle room for FY-08.

4 CHAIRMAN O'CONNOR: Yeah, it's a coming up
5 thing, not necessarily a committed thing at this point.

6 MR. ZEMKE: Or the RCAC.

7 MR. TILLERY: But isn't -- well, actually,
8 I'm not sure what fiscal year -- what fiscal year are they
9 on? Because if it's state then.....

10 MS. BIRD: OSRI is on a federal fiscal
11 year.....

12 MR. BAFFREY: Right.

13 MS. BIRD:so those funds should
14 become available October 1.

15 MR. TILLERY: Okay.

16 MS. TALBOTT: The only other piece that
17 they might not have been considering at this time and they
18 have to get -- this might just be my ignorance on it, but
19 well it's the idea that instead of just having any single
20 display that travels around and is only in a given location
21 for two to three weeks, that with the inference in some of
22 those primary contact points of having something year
23 round, it obviously can't be something as extensive as that
24 exhibit but the idea that we could do some kind of
25 condensed version, reproduction that could be used, you

1 know, for a longer term and had longer value. If you're
2 comfortable with that concept, then having some additional
3 funds to start kind of moving on that would be useful.

4 MR. PEGAU: We may -- this is Scott Pegau
5 with the Oil Spill Recovery Institute. When we approved
6 that funding, one of the concepts was that once the
7 transportation was completed we would like to see a
8 component kind of broken off that would be appropriate for
9 a Smithsonian's Ocean Hall or any other place that has the
10 video exhibit type stuff. So I think that it falls in line
11 with what you're proposing.

12 CHAIRMAN O'CONNOR: Rebecca, has anybody
13 seen this, sitting at this table? Or Rebecca, you haven't
14 seen it.

15 MR. TILLERY: I have.

16 CHAIRMAN O'CONNOR: You have.

17 MR. TILLERY: Darkened Waters. Yeah.

18 CHAIRMAN O'CONNOR: Yeah.

19 MR. TILLERY: In Washington one time.

20 CHAIRMAN O'CONNOR: Do you think it
21 lends.....

22 MR. TILLERY: I think it's big.

23 CHAIRMAN O'CONNOR: It sounds like it's
24 big. Would it make any sense, Rebecca, for you to go look
25 at this in Kansas before we take the next steps?

1 MS. TALBOTT: Yeah, I thought about that,
2 but my understanding is that it's actually already boxed
3 and sitting in storage.

4 MR. BAFFREY: Yeah, it's in crates.

5 MS. TALBOTT: So you'd incur the cost of
6 actually having to uncrate it, have it set up. Nancy, I
7 don't know, do you guys actually have photos of it set up?
8 I wasn't able to track any down.

9 MS. BIRD: There are some photos. I don't
10 know that I could put my hands on them right away. I bet
11 the Pratt Museum probably has some, but you're correct that
12 it would not be worthwhile a trip to Kansas. I think just
13 getting it to Anchorage and working with it from there
14 would be the most efficient way to go.

15 MR. ZEMKE: Craig, did you say you saw it?

16 MS. TALBOTT: And I think if you're looking
17 at.....

18 MR. ZEMKE: So what's your evaluation in
19 its utility?

20 MR. TILLERY: You understand this was 25 --
21 no, 20 years ago?

22 MR. ZEMKE: Yeah.

23 MR. TILLERY: Yeah. I thought -- just my
24 rec -- I don't remember the details but my recollection was
25 it was very, very well done.

1 CHAIRMAN O'CONNOR: And would serve as a
2 good foundation upon which we could build.

3 MR. TILLERY: It should be in Alaska. It
4 should not be in a warehouse in Kansas in my view.

5 MR. ZEMKE: Certainly it wouldn't lend
6 itself to a traveling exhibit if it's costing \$11,000.....

7 MR. TILLERY: No, it's not.

8 MR. ZEMKE:to ship to every
9 community.

10 MR. TILLERY: Mr. Chairman, I would --
11 thinking perhaps accepting a friendly amendment to up the
12 11,000 to 15,000 to cover unex -- the additional costs that
13 may show up with this and any other sort of smaller,
14 unexpected costs that Rebecca might need to incur before we
15 have our next meeting, if that's a.....

16 CHAIRMAN O'CONNOR: Does the seconder of
17 the motion.....

18 MR. ZEMKE: I.....

19 CHAIRMAN O'CONNOR:accept that?

20 MR. ZEMKE:accept that.

21 CHAIRMAN O'CONNOR: Are there any other
22 discussions?

23 (No audible responses)

24 CHAIRMAN O'CONNOR: Hearing none, is there
25 any objection to the motion as amended by Mr. Tillery?

1 (No audible responses)

2 CHAIRMAN O'CONNOR: Hearing none, you've
3 got 15 grand, lady. Let's go see this thing.

4 MR. BAFFREY: I am -- you don't know how
5 grateful I am.....

6 MS. TALBOTT: Great.

7 MR. BAFFREY:that we're not going
8 through every item on the communication plan.

9 CHAIRMAN O'CONNOR: Yes.

10 MR. ZEMKE: Now one thing you had talked
11 about, Rebecca, was the story board. You know, that would
12 be kind of this first item or you're talking about the
13 agendas when you said that there was further ones that are
14 being discussed. And I think that's why the Trustee
15 Council probably needs to be heavily involved.

16 CHAIRMAN O'CONNOR: Yes.

17 MS. TALBOTT: Yes.

18 CHAIRMAN O'CONNOR: We need to be sure that
19 we have a collegial -- we collegially agree to the message
20 that we're going to put out and I'm not sure logistically
21 how you're going to go about doing that, but certainly
22 beginning the process of talking to some of the Council
23 members would be good.

24 MR. BAFFREY: My suggestion would be to do
25 a teleconference at a later date to get you collectively on

1 the line and not do this individually. So we'll set that
2 up.

3 CHAIRMAN O'CONNOR: Okay. I believe.....

4 MR. NEIDIG: Would you accept a motion to
5 adjourn?

6 CHAIRMAN O'CONNOR:that a motion to
7 adjourn is in order. Absolutely. Are we done?

8 MR. NEIDIG: I would so move, Mr. Chair.

9 CHAIRMAN O'CONNOR: Do I have a second?

10 MR. BROOKOVER: Second.

11 CHAIRMAN O'CONNOR: That's non-debatable.

12 We're history. Thank you all very much. Thank you,
13 Rebecca.

14 UNIDENTIFIED SPEAKER: Thank you everyone.

15 (Off record - 3:49 p.m.)

16 (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 114 contain a full, true and correct transcript of the Exxon Valdez Oil Spill Trustee Council's Meeting recorded electronically by Meredith Downing on the 26th day of June 2008, commencing at the hour of 1:09 p.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, 441 W. 5th Avenue, Suite 500, Anchorage, Alaska 99501;

DATED at Anchorage, Alaska this 8th day of July 2008.

SIGNED AND CERTIFIED TO BY:

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