

Draft Summary
North Pacific Research Board
Hotel Captain Cook
Anchorage, Alaska
May 20-21, 2003

1. Call to Order/Approve Agenda

The Board convened at 1:00 p.m. on Tuesday, May 20, 2003. Present were David Benton (chairman), Lawson Brigham (for Garry Brass), Pete Hagen (for Jim Balsiger), Earl Krygier (for Kevin Duffy), John Gauvin, Howard Horton, Trevor McCabe, Phil Mundy, Walter Parker, Pamela Pope, John Roos, Tylan Schrock, Bill Seitz, Jev Shelton, and John White. Rich Preston, Robin Samuelsen, Steve Ramberg, Jack Tagart, and Stetson Tinkham were absent. The meeting was staffed by Clarence Pautzke and Paula Banks.

The agenda was approved, as was the meeting summary for March 18-20, 2003.

2. Policy and Procedures

Policy on Use of Designees and Alternates. The Board reviewed a proposed policy on the use of designees and alternates. Some *ex-officio* members representing agencies and organizations use designees, but would like to be able to send an alternate to Board meetings if a scheduling conflict arises. The Board passed a motion to allow designees of *ex-officio* members to have an alternate, so long as the Board is notified before a meeting that the alternate will be attending in place of the designee.

The Board considered a second issue: the use of designees by members that are nominated by a governor and appointed by the Secretary of Commerce in accordance with Section 401(e)(3)(K-N) of the enabling legislation. While the legislation appears to allow such use of designees, this has been discouraged because of their unique qualifications. The Board discussed the extent to which such designees could participate at Board meetings, i.e., whether they could be seated at the Board table, debate issues, and vote on issues. The Board took no definitive action to resolve this issue, other than to request a legal opinion from NOAA or DOC legal counsel on whether appointed members (K-N) may have a designee. Then this issue will be brought back for consideration at a future meeting of the Board. Until then, and until further action is taken by the Executive Committee, voting privileges already extended to appointed members by the Executive Committee, do not extend to any designees of appointed members.

Decision Matrix. The Board had postponed action on the proposed decision matrix from earlier meetings. The matrix identifies decisions that must be made by the full Board or just by the Executive Committee. The Board adopted the decision matrix, after deleting reference to "Annual NPRB Grant Request" under fiscal matters. This deletion was made because submitting the grant request is simply a formality that can only occur after the Board approves the budget which requires full Board consideration.

Memorandum of Agreement with Other Research Entities. The MOA has been under development for over a year, and was signed late last year by the other two parties, Exxon Valdez Oil Spill Trustee Council and the University of Alaska. Revisions suggested at the October 30-31, 2002, meeting of the Board have been incorporated into the MOA. The Board took action at this meeting to authorize the Chairman to sign the memorandum on behalf of the Board. The Board stated its intention that any joint meetings would be piggybacked on meetings of the Board to reduce travel time and costs.

3. Proposals for 2003

Revised Salmon BASIS Proposal. The Board reviewed three BASIS-related salmon proposals in March 2003. Following Science Panel recommendations, the Board approved \$500,000 total for three years, and requested the principal investigators to submit a revised proposal within the scope of the original proposals, that then would be reviewed by the Science Panel and brought back in May for final approval. The revised proposal and comments of the Science Panel were presented to the Board at this meeting. The Board unanimously approved the revised proposal for funding for three years for \$500,000 total.

Confidentiality of Video and Photographic Information. In March the Board approved two proposals that would involve taking photos or video footage of operations on commercial fishing vessels. Fishing companies have raised concerns that these images may be obtained through Freedom of Information Act requests or court subpoenas and used for unintended purposes, such as evidence in injury cases. Fishing companies are leery of cooperating in such research unless release of such information is prohibited.

In discussing this issue, Board members noted that protecting fishermen privacy must be balanced against providing access to raw data sufficient to allow for peer review and validation of research results. Apparently, NOAA has successfully protected observer data from FOIA requests in the Pacific Northwest. The Board believes the industry should be involved in research and approved a course of action to work cooperatively with the North Pacific Fishery Management Council to obtain legal advice on how to prohibit access to photographic and video footage for unintended purposes. The Board also may seek advice from private attorneys familiar with the fishing industry. The Board will set aside funds for the two projects under question, while the opinion is sought.

4. Status of Environmental Restoration and Improvement Fund

The Board reviewed financial information developed on the status of the Environmental Improvement and Restoration Fund, based on contacting the fiscal manager at the U.S. Minerals Management Service. The main concern is that the fund is invested in very low yield, short-term Treasury Notes. The Board established an ad-hoc workgroup of Phil Mundy, Trevor McCabe, and Tylan Shrock to consider alternative strategies for investing the fund to yield a higher return. The workgroup has permission to seek outside financial advice if necessary.

5. Draft Research Priorities for 2004 RFP

The Board reviewed its current research priorities and issues identified at site visits of the National Research Council committee that is helping the Board develop a science plan. The Board also was apprised of research priorities developed by the North Pacific Fishery Management Council through its Scientific and Statistical Committee and plan teams. The Board also received recommendations from its new Advisory Panel, which held its first meeting on May 19, 2003.

In summary, the Advisory Panel made the following remarks:

1. Panel members requested to be involved in review of proposals. The intent is not to supercede the Science Panel's review, but rather to advise the Board on the extent to which specific proposals, judged meritorious by the Science Panel, address the mission and goals of the Board.
2. Up to two Native scientists should be added to the Science Panel.
3. A definition of "ecosystem" should be developed.
4. The Board should consider different approaches to revising its RFP process to reduce the number of applications received to be more in line with anticipated reduced funding amounts. These could include alternating years for gathering proposals on particular subjects or regions, or a pre-

proposal process to screen out research ideas that do not address the research priorities or mission and goals of the Board.

5. The Board should consider sending to public review just a description of alternative approaches for reshaping the priorities in light of reduced availability of funds, rather than attempting to revise and/or reduce the priorities at this May 2003 meeting.

After hearing from the Advisory Panel and taking public testimony, the Board approved a motion to limit the RFP for 2004 to about \$3 million and restrict projects to a period of up to two years. This action responds to the anticipated lower availability of funds and the desire to maintain annual funding at about \$3 million over the next three years. The Board agreed to release current research priorities for public comment over the summer with a general explanation that the Board will have less funds available than anticipated due to lower interest rates. The notice will describe the Board's enabling legislation and state it will consider ways to focus its research priorities to meet its mandates under this reduced funding environment, and is seeking public comments on how best to do so. The Executive Director was directed to draft the notice and seek Board comments before its release. The Board approved the schedule proposed in the meeting notebooks: the Board will meet on October 1-2, 2003, and the RFP will be released on October 7, 2003.

On three other recommendations of the Advisory Panel, the Board took the following actions:

Advisory Panel Review of Proposals. The Executive Director was requested to develop options for enabling Advisory Panel involvement in Board activities. The Board will consider how other research enterprises (e.g. Saltonstall-Kennedy funding) incorporate constituent panel advice in the proposal review process. The Board also will review its past record of discussion in establishing its current Advisory Panel policy. The Board will discuss this entire issue with Advisory Panel representatives at the October 2003 meeting before taking further action.

Pre-proposal Process. The Board briefly discussed a pre-proposal process, but concerns were raised over the time that would be necessary to conduct the preliminary review, and the expectation that an applicant might have if requested to submit a full proposal, then subsequently denied funding. Requesting pre-proposals might also encourage many applicants to submit a one or two-page proposal which would require an inordinate amount of time to screen, leading to larger expenditures of staff time than is currently required to review full proposals. The Board took no further action on this issue.

Native Scientists on the Science Panel. The Board requested the Executive Director to seek potential candidates over the summer for up to two Native scientists that are recognized in both the Native and western science communities. The Board will discuss how to improve Native scientist involvement in Board activities at the October meeting and confer with Advisory Panel members then, before determining whether to add Native scientists to the Science Panel.

Concerning Advisory Panel meetings, the Board believes that the panel should meet just ahead of Board meetings as now stated in its policy, to reduce expenses and improve communication. Therefore, it moved to cancel a meeting tentatively scheduled by the Advisory Panel for June 25.

6. National Research Council Update

The Board received a status report on activities of the NRC committee that is helping to develop a science plan. Their interim report is due in early December 2003, and the Board will need to establish a work group to develop the contents of the science plan. The Board made the following points in discussing the composition of a drafting team:

- The team should have independent scientists in addition to agency personnel.
- Two types of teams may be needed: an advisory committee or several subgroups to advise on the components of the plan, and a drafting team to actually draft the specific sections.
- It may be well worthwhile to provide funds to obtain highly skilled scientists to help develop the science plan.
- Policy needs to be developed on how to engage the Board, the Science and Advisory Panels, and the NRC committee in the development of the draft plan. The Board does not want the team to get too far afield of the Board's direction. There must be continued communication between the Board and the drafting team.
- Other science plans need to be consulted for form and content as possible examples.

7. SJR44 and Alaska Ocean Observing System

SJR44. The Board received a status report on the research and development plan drafted in response to SJR44. It was noted that the report has been submitted to the Alaska State Legislature, and no further action was necessary by the Board.

Alaska Ocean Observing System. The Board was briefed on a new initiative for planning and development of an Alaska Ocean Observing System (AOOS). Several agencies and organizations are being requested to provide support for an interim directorate to move the initiative along over the next two years. The Board was requested to approve \$50,000 for each of the next two years and to provide space for the directorate in the Board office in Anchorage. The Board approved \$62,500 for 1.25 years as its contribution to the AOOS project (this is a pro rata amount based on \$50,000 per annum or \$4,167 per month). The Board will consider additional funding for the second year based on performance and products from the first funding period. The Board was quite pleased that the directorate would be collocating with the Board office in Anchorage.

Adjournment

Before adjourning, the Board commended Chairman David Benton, who will be leaving the Board in mid-August, for his leadership role in getting the Board up and running smoothly, and for chairing the Board very effectively over the past two and a half years. The Board wished him well in his future endeavors.

The Board adjourned at 12:40 p.m. on Wednesday, May 21, 2003.