

## **MARK G. PEDERSEN**

### *Ciriculum Vitae*

Mark G. Pedersen is a Senior Aquatic/Marine Scientist and President of Margenex International, founded in 1991. Mr. Pedersen has extensive experience in strategic planning and business development related to natural resources management. Technical specialties include: aquatic and marine environmental issues; biology of economically important marine fishes, salmon species, and shellfish; fishery management policy and regulations; seafood business and statistics for commercial, artisanal, and recreational fisheries along the Pacific coast of North America, Peru, and Micronesia, in the Baltic Sea, India, Papua-New Guinea, Australia, and the northwest coast of Africa (Mauritania and Ghana); and calculation of lost fishing vessel revenues and fishermen's potential earnings due to accidents. He has participated as an expert assessor for several Marine Stewardship Council certifications and is familiar with all MSC assessment methodologies, including Risked Based Framework (RBF). His work also involves project compliance with local, state, national, and international environmental regulations including the US Endangered Species Act and World Bank, International Finance Corporation, and Espoo Environmental Standards; and planning and design of natural resource related projects. His responsibilities include project management, research, analysis, preparation and presentation of proposals and reports, and negotiation with government agencies. In addition to technical responsibilities, Mr. Pedersen has presented numerous talks at seminars and scientific symposia, and frequently serves as an expert witness before courts, legislatures, international commissions, and other formal hearing bodies. He has published more than 30 articles in international scientific journals and report series.

#### **Education (college/degree/year):**

University of Washington, M.S. (Fisheries), 1974

University of Washington, B.S. in Fisheries, 1969

#### **Employment (firm/location/title/dates):**

Margenex International, Seattle, WA, USA. President, 1991 to present

AMEC Earth and Environmental, Inc. Kirkland, WA, Senior Fisheries Scientist, June 2005 to November 2007

Shapiro and Associates, Inc. Seattle, WA, 1992 to 2003. Executive Vice President/General Manager; May 2003 to June 2005, Senior Scientist and Principal

Fish USA, Inc., Seattle, WA. Director of Fisheries, 1991-1992

Washington Department of Fisheries, Olympia, Deputy Assistant Director, Marine Fish and Shellfish (last position), 1973-1991

University of Washington Dept. of Pharmacology, Seattle, Research Technologist, 1971-1973

Peace Corps Volunteer, Trust Territories of the Pacific Islands, Fishery Biologist, 1969-1971

#### **Professional Qualifications and Memberships**

Certified Fisheries Professional (American Fisheries Society)

Past President, Washington-British Columbia Chapter, American Fisheries Society

Member, American Water Resources Association

Certificate of Biological Assessment Qualification, Oregon Dept. of Transportation

Trained as Senior Reviewer for Biological Assessment Preparation

Washington State Department of Transportation

Trained Forage Fish Spawning Ground Assessor, Washington Department of Fish and Wildlife

## **Selected Project Experience:**

• **Marine Stewardship Council (MSC) Certification of the US West Coast Limited Entry Groundfish Trawl Fishery.** In 2010, Mr. Pedersen was selected by the MSC to be one (Bycatch and ETP species) of five Scientific Assessors to assess compliance of the US West Coast Limited Entry Groundfish Trawl Fishery to the Marine Stewardship Council's (MSC) Sustainable Fishing standards by employing the MSC's fisheries Assessments Methodology (FAM) version 2.0.

• **Marine Stewardship Council (MSC) Certification of the Oregon Pink Shrimp Fishery.** In 2006, Mr. Pedersen was selected by the MSC to be one (Habitat Protection) of three Scientific Assessors forming a team to assess compliance of the commercial Oregon pink shrimp fishery to the Marine Stewardship Council's Sustainable Fishing standard. The fishery was certified in 2007. The work involved:

- Assessment of background information on candidate fishery including life history, ecology, fishing activities, fishing impact, formal or informal management systems of the fishery and any other information as may be available and required by the certification assessment team scientific experts to allow for a full assessment of the candidate fishery to the MSC Principles and Criteria in accordance with the MSC Fisheries Certification Methodology, Version 5.
- Preparation of the Draft Performance Indicators and Scoring Guidelines, site visits during the fishery certification assessment, conduct interviews with stakeholders, scoring of the fishery against the Draft Performance Indicators, writing of relevant report sections, response to peer review and stakeholder feedback and participation in the client and/ or MSC meetings.
- Completion of the 2008, 2009, and 2010 audit for progress toward satisfying certification conditions.

• **Ichthys Gas Field Development Project ESIA Due Diligence Evaluation.** In 2011, Mr. Pedersen acted as the senior fisheries expert on the D'Appolonia S.p.A team to perform due diligence on a proposed major liquid natural gas production and pipeline facilities project off the coast of northeast Australia. INPEX Browse Limited, the proponent, approved D'Appolonia as the Independent Environmental and Social Consultant (ESIA) to the potential Lenders for the review of the Environmental and Social Impact Assessment of the LNG facility construction and operation. Mr. Pedersen was responsible for overseeing evaluation of the adequacy of the natural resources baseline, descriptions of impacts to all marine resources and fisheries on those resources, and adequacy of associated mitigation measures. Using International Finance Corporation (IFC) standards, he reviewed and commented on the work of the team biologist in describing gaps in the project description, areas of inadequate analysis of impacts and suggested additional mitigation for impacts caused by construction and operation of the proposed facilities.

• **Marine Stewardship Council (MSC) Certification of the Pacific Coast Whiting Fishery.** In 2007-09, Mr. Pedersen was selected by the MSC to be one (Effective Management) of three Scientific Assessors to assess compliance of the U.S. and Canadian mid-water trawl fisheries for Pacific Whiting (hake) to the Marine Stewardship Council's Sustainable Fishing standard. The fishery is currently in full certification process. The work involved:

- Assessment of background information on candidate fishery including life history, ecology, fishing activities, fishing impact, formal or informal management systems of the fishery and any other information as may be available and required by the certification assessment team

scientific experts to allow for a full assessment of the candidate fishery to the MSC Principles and Criteria in accordance with the MSC Fisheries Certification Methodology, Version 5.

- Preparation of the Draft Performance Indicators and Scoring Guidelines, conducting interviews with stakeholders, scoring of the fishery against the approved Performance Indicators, writing of relevant report sections, responding to peer review and stakeholder feedback and participation in the client and/ or MSC meetings.
- Successfully defending the validity proposed certification from a challenge by several environmental groups.
- Completion of the 2010 and 2011 audits for progress toward satisfying certification conditions.

• **Tullow Ghana Jubilee Oil Project.** The Jubilee Oil Field is currently under development in the offshore waters of Ghana, West Africa. Phase 1 of the project includes deepwater drilling of 17 wells and the installation of a Floating, Production, Storage and Offloading (FPSO) vessel. Tullow Oil Ghana Ltd. (TGL) is the operator of the field, and obtained financing from the International Finance Corporation (IFC) in early 2009. As part of the financing agreement, the IFC has required that TGL satisfy the conditions of an Environmental and Social Action Plan (ESAP). Mr. Pedersen is the fisheries expert on the Independent Environmental and Social Review team (JTM and Associates), performing audits during 2010 and 2011 on the project's compliance with IFC Standards related to biodiversity and artisanal and commercial fisheries impacts, as well as other project commitments to the IFC. The work involved travel to Ghana and Senegal.

• **Review of the Marine Stewardship Council (MSC) Assessment Reports on US North Pacific Halibut and US North Pacific Sablefish Fisheries.** In 2006, Mr. Pedersen was engaged to complete a written peer review of the above-mentioned MSC Assessment Reports. Mr. Pedersen commented on: the overall clarity of the reports; the adequacy of the background information provided, the MSC assessment process, and the evaluation team's conclusions and recommendations; whether the written text under each MSC Principle adequately described the information reviewed, the assessment team's conclusions, and whether the score assigned to each performance indicator was logically consistent with the written explanation and the scoring guidelines for each performance indicator; provided comments on technical inaccuracies or inadequacies based on his own knowledge of the fishery.

• **Papua New Guinea LNG ESIA Due Diligence Evaluation and Performance Audits.** In 2009, Mr. Pedersen was confirmed as the senior fisheries expert on the D'Appolonia S.p.A team to perform due diligence on a proposed major liquid natural gas pipeline in Papua New Guinea (PNG). Exxon Highland Limited, the proponent, approved D'Appolonia as the Independent Environmental and Social Consultant (ESIA) to the potential Lenders for the review of the Environmental and Social Impact Assessment of the LNG construction and operation in Papua New Guinea. Mr. Pedersen was responsible for evaluating the adequacy of the natural resources baseline, descriptions of impacts to all marine and estuarine resources and fisheries on those resources. Using International Finance Corporation (IFC) standards, he prepared comments describing gaps in the project description, areas of inadequate analysis of impacts and suggested additional mitigation for impacts caused by construction and operation of the proposed facilities. Work involved travel to PNG, Australia, and Italy. During 2010-11, Mr. Pedersen executed duties as the fisheries expert of the Independent Environmental and Social Consultant team, performing audits on the project's compliance with IFC Standards and other project commitments to the Lenders.

• **Salaya- Bhogat Crude Oil Pipeline Extension Project.** Mr. Pedersen participated in the Independent External Compliance & Monitoring Audit of the proposed Salaya- Bhogat Crude Oil Pipeline Extension undertaken by Cairn Energy India Pty.Ltd. (CEIL) in the state of Rajasthan, India, with marine infrastructure facilities in the Arabian Sea. Mr. Pedersen reviewed and commented on the marine resources sections of the Environmental and Social Impact Assessment, and those sections of the Environmental Management Plans to mitigate project impacts to natural resources, especially sea turtles.

• **NordStream LNG Pipeline ESIA Due Diligence Evaluation.** In 2008, 2009, and 2010, Mr. Pedersen was the senior fisheries expert on the D'Appolonia S.p.A team to perform due diligence on the largest proposed Baltic Sea liquid natural gas pipeline from Russian to Germany. D'Appolonia was appointed by the project proponent, NordStream, as the Independent Environmental Consultant to the potential project Lenders for the review of the Environmental and Social Impact Assessment and Environmental Management Plans of the pipeline construction and operation in the Baltic Sea. Mr. Pedersen was responsible for evaluating the described baseline, and impacts to all marine and estuarine resources and fisheries on those resources. Using International Finance Corporation (IFC) standards, he prepared comments describing gaps in the project description, areas of inadequate analysis of impacts and suggested additional mitigation for impacts caused by construction and operation of the proposed facilities. He negotiated with scientists from the project proponent team to develop acceptable mitigation measures needed to assure compliance with Lender standards. The scope of work involved compliance with laws of Russian, Sweden, Finland, Denmark, and Germany, as well as Espoo Convention protocols and Equator Principles, and travel to the UK, Switzerland, Germany, and Denmark.

• **Strategic Environmental and Social Assessment (SESA) for the Hydrocarbon Sector in Mauritania for the World Bank.** From 2008-2010, Mr. Pedersen is part of an international team of experts to prepare a Strategic Environmental and Social Assessment (SESA) to describe baseline conditions, potential impacts, and proposed strategic mitigation measures related to proposed development of petroleum resources off the coast of the Islamic Republic of Mauritania. Work included in-county meetings with government officials and scientists, fishing industry representatives, and NGOs. Mr. Pedersen was responsible for the biological resources and fisheries sections of the SESA. The work involved travel to Mauritania and France.

• **Peru LNG Due Diligence Evaluation for the U.S. Import Export Bank.** In 2005 through 2007, Mr. Pedersen was approved by the U.S. Import Export Bank and was part of an international team of experts to evaluate the Environmental Impact Assessment (EIA) and other studies prepared to describe potential impacts of a proposed liquid natural gas (LNG) terminal facility in Pampa Melchorita, Peru. Mr. Pedersen was responsible for evaluating the described impacts to all marine resources and fisheries on those resources. Using World Bank standards, he prepared comments describing gaps in the project description, areas of inadequate analysis of impacts and suggested additional mitigation for impacts caused by construction and operation of the proposed facility.

• **GSX Pipeline Project SEPA Gap Analysis.** On behalf of the Washington State Energy Facility Siting Council, Mr. Pedersen had the lead role for evaluation of selected segments of environmental impact assessment (EIA) documents prepared by consultants for the proponent of the Williams Cross-Sound Pipeline (GSX) Project. He provided senior expert review of the adequacy of: identification of marine fish and invertebrate species; accuracy of characterizing marine fish

species; characterization of fishing; impact on bottom trawling operations; and conclusion and mitigation regarding commercial fishing impacts. He provided recommendations to fill gaps in the EIAs in order for them to comply with environmental review standards of care.

- **Gateway Pacific Terminal SEPA/NEPA EIS.** This project involves development of a major bulk loading port facility. Mr. Pedersen researched and prepared Environment Impact Statement sections for marine fish species, birds; amphibians and reptiles; macroalgae; risk of pollution spills due to vessel traffic and unloading accidents; and potential shading affects for a proposed 1,100 acre marine terminal near Ferndale, Washington. Mr. Pedersen coordinated preparation and completed the preparation of the project's 404 Permit application for submission to the U.S. Army Corps of Engineers.

- **Cross Cascades Olympic Pipeline Application Review.** Mr. Pedersen served as Project Manager, working for Kittitas, Adams, and Grant counties, to conduct a complete review of environmental studies prepared by other consultants for a proposed plan to place a 220-mile pipeline that would be constructed from Woodinville to Pasco, carrying gasoline, diesel fuel, and jet fuel, among other petrochemicals. The lead SEPA agency for the project is the State of Washington Energy Facility Site Evaluation Council (EFSEC). Mr. Pedersen with help from his staff provided: a review of the EFSEC Application for Site Certification and Technical Reports; review of descriptions in the Draft EIS of project impacts to the natural and built environments within these jurisdictions; a list of issues and topics for negotiation, prepared a report recommending additional mitigation; and assisted the preparation of the Counties' assessment of project impact. The Counties were able to use the information and analysis lead by Mr. Pedersen to assess consistency between the Counties' land use regulations and the proposed actions and analysis in the EIS.

- **Expert Value Engineering Panel to Evaluate SR 520 Pontoon Construction Sites.** In 2006, Mr. Pedersen was appointed by Washington State Department of Transportation (WSDOT) to serve as the Natural Resources and Permitting Expert on a panel to participate in a week-long value engineering session to review and rate 28 sites that could potentially be used to construct pontoons for the new SR 520 Floating Bridge across Lake Washington. The goal of the panel was to save tens of millions of dollars in cost and time for this high priority regional project. The panel developed a rating criteria based on logistics, constructability, environmental impacts, and permitting costs. The panel then evaluated each site against the criteria and presented the top two sites to a group of WSDOT executives for final action.

- **Goff Bridge Biological Assessment and Corps 404 Permit, Riggins, ID.** Mr. Pedersen was principal-in-charge for this project. AMEC prepared a Biological Assessment (BA) for the Goff Bridge Replacement and Detour Bridges on the Salmon River near Riggins, Idaho, on behalf of the Idaho Transportation Department (ITD). The Salmon River contains sockeye salmon, as well as fall and spring/summer Chinook salmon that are protected by the Endangered Species Act. Mr. Pedersen compiled information on the fish species, hydrology, and the general setting; worked with project engineers to prepare a description of the project; and determined project impacts. A BA was prepared and submitted to the National Marine Fisheries Service for their consideration. Mr. Pedersen also prepared an application for a U.S. Army Corps of Engineers 404 permit and he represented ITD for the Section 7 consultation for salmon. Mr. Pedersen also developed a plan to minimize impact to river users as part of the 404 permit conditions.

- **North Pacific Fisheries Management Council.** From 1985 through 1991, Mr. Pedersen served as the designated voting member of Washington Department of Fisheries on the North Pacific Fisheries Management Council. Work entailed complex analysis of biological and fishery performance data, integration of political policy and socio-economics, and negotiation of fishery management recommendation to be sent to the Secretary of Commerce. Bycatch and allocation issues dealing with Alaska's salmon, herring, and crab resources, as well as halibut and weak stocks of bottomfish of the Exclusive Economic Zone off Alaska, were the most contentious to be addressed. He continues to follow NPFMC issues by contact with the fishing industry, government staff, NPFMC newsletters, and trade publications.

- **Clark County ESA Section 4(d) Compliance Effects Analysis, Clark County, WA.** Mr. Pedersen was senior technical advisor regarding Clark County's Section 4(d) of the Endangered Species Act compliance. The County has initiated a project to evaluate the effects of application of its development regulations salmon habitat indicators in three river systems in the County. Once the baseline habitat conditions for the indicators are characterized, the effects of the County's suite of environmental regulations will be analyzed against the evaluation considerations listed by NOAA Fisheries in its 4(d) rule. The County intends to address any noted gaps in existing habitat protection (e.g., allowing activities that degrade identified habitat indicators) by proposing ordinance modifications. Mr. Pedersen then re-evaluated the effectiveness of the County's modified development ordinances to assure they would meet Section 4(d) standards.

- **B.C. Hydro Peace River Fish and Aquatic Study, Fort St. John, British Columbia, Canada.** As part of a team that conducted detailed habitat and fish surveys in the main stem and in the tributaries that would be affected by the proposed Site C dam on the Peace River, Mr. Pedersen had the lead role from 2005 through 2006 in analyzing data collected from fish surveys, historic flow data, and writing the results. Data were sorted by fish species, sampling site, and water body. Species composition and length frequencies were graphed, and species assemblages of key reaches of the main stem and tributaries were characterized. Results were compared to those previous studies and discussed in the report.

- **SR 16/Tacoma Narrows MIS and NEPA/SEPA EIS and Section 7 Biological Assessment, Tacoma, WA.** Mr. Pedersen served as lead on all fisheries elements of this Major Investment Study and NEPA/SEPA EIS for proposed improvement alternatives in the SR 16 corridor between Cedar Street and SR 302 in Purdy. Studies included assessment of potential impacts on: all watershed streams, salmonids (some under ESA jurisdiction), marine fish, invertebrates, and marine plants possibly affected in saltwater habitats. Both construction and operational impacts were identified, assessed, and potential mitigation measures were developed. Essential Fish Habitat assessments were also prepared.

- **Bonneville Power Administration Programmatic Biological Assessment for the Fish and Wildlife Program, Portland OR.** From 2002 through 2004, Mr. Pedersen was project manager for the preparation of a programmatic biological assessment (BA) of the potential effects of BPA's fish and wildlife habitat restoration activities on endangered species and/or critical habitat. The study area covered BPA's entire hydroelectric power system in the Columbia and Snake River basins. The actions evaluated under Section 7 of the Endangered Species Act (ESA) included habitat restoration activities as proposed within BPA's Fish and Wildlife Program EIS. The programmatic BA is intended to prescribe the measures to be taken by BPA to uphold ESA

requirements, and will be approved by the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS).

- **Western Bypass Biological Technical Report, Portland OR.** Mr. Pedersen was the technical lead for the phase 1 analysis of rare, threatened and endangered species, wetlands, wildlife, and fisheries for the Western Bypass Project. This project was a National Environmental Policy Act (NEPA), corridor-level study for the Oregon Department of Transportation (ODOT). This project is part of a major transportation study covering most of the Tualatin River drainage in northwest Oregon and involved analysis of over 120 stream crossings. Fish species of importance included Chinook salmon, Coho salmon, steelhead, and spiny-ray species. Fisheries work included field and literature research necessary to prepare a detailed description of the existing fish resources and critical habitats, development of a new system for rating the degree of impact of stream crossings potentially affected in the corridor options, discussion of construction and operational impacts, techniques to mitigate impacts, cumulative effects, and unavoidable adverse impacts. Work included comprehensive agency and stakeholder coordination; assembly of all existing data related to five project alternatives.

- **Emerald Downs Racetrack Natural Resources Studies and Wetland Mitigation Plan, Auburn, WA.** Mr. Pedersen served as project manager for large scale, multi-year NEPA baseline studies for the 165-acre racetrack site and 57-acre mitigation site, and development of the Final Wetland Mitigation Plan for the Auburn Thoroughbred Racetrack. Studies included: wetlands delineations, wetlands functions and values analysis, a comprehensive vegetation survey; characterization of the surface water hydrology of the mitigation site; wildlife surveys for winter birds, breeding birds, small mammals, amphibians and reptiles; and a stream special study. This complex project involved all mitigation design stages from conceptual through final construction documents for 56.5 acres of wetland creation, enhancement, and restoration near Auburn, Washington. Fish habitat, water quality improvement, and waterfowl enhancement were major goals of the plan. Mr. Pedersen played a key role in working with the City of Auburn, county, state, tribal, and federal agencies for development of a final plan and securing a Section 404 Permit for the proponent. He provided technical oversight during the required 15-year monitoring effort to evaluate performance of the mitigation measures.

- **Puget Sound/Lake Washington Residential Bulkhead and Dock ESA Biological Assessments, Washington State.** Mr. Pedersen has been project manager or principal for more than 100 Section 7 Biological Assessments required under the Endangered Species Act for a proposed residential marine bulkhead repair and new dock construction in several areas of Puget Sound and the Lake Washington watershed. Species addressed included Chinook and Coho salmon, bull trout, and bald eagles. Essential Fish Habitat (EFH) assessments were also prepared. For each project, he worked with local, state, and federal agencies to develop and implement creative impact avoidance and mitigation measures for potential project impacts.

- **Chuuk Lagoon Toxic Fish Kill Assessment.** Mr. Pedersen led investigations of a fish kill in Chuuk Lagoon on Moen Island in Chuuk State of the Federated States of Micronesia (formerly Truk District of the U.S. Trust Territory of the Pacific Islands). The event was a result of a toxic chemical being dumped in the water. Working with local and U.S. authorities, he estimated the amount of fish killed by species, the value of the fish, and economic impact on the local community, and prepared an official report of the findings.

- **Washington Department of Fisheries.** As a marine biologist/ecologist and Deputy Assistant Director, Marine Fish and Shellfish, Mr. Pedersen was responsible for leading research and management of all key non-salmon resources, their habitats, and fisheries. These included commercial fisheries for groundfish, halibut pink shrimp, crab, and other invertebrates, and recreational fisheries for halibut, groundfish and shellfish. He participated in numerous projects that involved marine fishes, forage species, and shellfish collection. This included a 10-day research trawl cruise off the coast of Oregon.
- **Saltonstall-Kennedy Grants.** Mr. Pedersen was appointed by the Director of the National Marine Fisheries Service to represent Washington State fishing industries on the review panel for the 1996 Saltonstall-Kennedy grants for national fisheries research. More than 120 grant application proposals were analyzed, and recommendations for funding priorities submitted. Prior to this time, Mr. Pedersen had prepared applications for Saltonstall-Kennedy grants during his tenure with Washington Department of Fisheries.
- **Pacific Marine Fisheries Commission Albacore Technical Team.** As the representative from Washington Department of Fisheries, Mr. Pedersen provided technical advice regarding status and management of those segments of the Pacific albacore tuna stocks fished by the U.S. albacore fleet.

*Selected Expert Advice/Expert Witness*

- **United States v. Keith E. Milner and Shirley A. Milner, Seattle, WA.** The United States Attorneys Office engaged the services of Mr. Pedersen to perform expert witness services related to a violation of federal law by a private homeowner for construction of a shore defense structure waterward of their property on the shore of Sandy Point in Whatcom County, Washington. The scope of Mr. Pedersen's testimony included how federal and other permitting procedures would have been implemented for marine shoreline work in the late 1990's, and how the project work related to the dynamics of the horizontal movement of the Mean Higher High Tidal elevation.
- **United States of America, et al. vs. State of Washington, et al.** This case involved a preliminary injunction initiated by the Makah, Quinault, and Hoh Tribes against the continued fishing for sablefish by the Quileute Tribe in their Usual and Accustomed fishing grounds off Washington. On behalf of the Quileute Tribe, Mr. Pedersen provided expert advice in determination of the best formula for tribal allocation of their sablefish quota; discussed quotas and limited entry by gear type; interpreted the definition of harvestable surplus of sablefish established by National Marine fisheries Service in the Washington area, and developed an approach to tribal negotiations.
- **U.S. vs. Admiral Arciszewski.** On behalf of the defendant, Mr. Pedersen performed research and prepared a letter report characterizing the population of walleye pollock in the northern Bering Sea and produced a report expressing an opinion regarding the likelihood of the aggregation of fish being caught on either side of the Fishery Conservation Zone Convention Line.
- **Norgaard Appeal Before the Washington State Shoreline Hearings Board.** At issue was whether a parcel of beach property on Alki Avenue, Seattle, Washington, was significant fish habitat above the MHHW tidal elevation and where the Ordinary High Water Mark should be defined. Mr. Pedersen provided expert witness testimony that this particular portion of supra-

intertidal beach was not significant fish habitat, even though inundated a few times per year. The Board agreed with Mr. Pedersen's conclusion.

- **Quileute Tribe Halibut Allocation EA/EW.** Mr. Pedersen provided analysis and expert advice for the tribe regarding halibut distribution and by catch allocation.

- **B & N Fisheries Co. vs. Cummins Northwest LLC**

Mr. Pedersen served as a professional fisheries consultant to provide expert advice and expert witness services to assist with a claim from B & N Fisheries Co. related to lost fishing revenues allegedly resulting from work Cummins Northwest LLC performed on the F/V Peggy Jo, a 99-foot steel trawler, owned by B&N. On behalf of Cummins, Mr. Pedersen performed a comprehensive review of fishing logs and national regulatory actions to provide a professional opinion on the alleged lost revenues. The case was settled out of court in favor of Cummins.

- **Biro v American Seafoods Company, LLC** On behalf of the Plaintiff, Mr. Pedersen prepared a report quantifying future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of commercial fishery crew. The information was used to estimate the loss to future earnings of Mr. Sandor Biro as a result of an accident while working on the *F/V Northern Eagle*, a surimi factory” trawl vessel that fished in the Bering Sea. (Plaintiff Attorney: Mr. Robert Kraft of Kraft Palmer & Davies PLLC; Deposition: None; Trial: Settled out of court. March 2008 to June 2008).

- **Brent Peterson v KDS Inc.** On behalf of the Plaintiff, Mr. Pedersen prepared a report quantifying future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of commercial fishery crew. The information was used to estimate the loss to future earnings of Mr. Peterson as a result of an accident while working on the *F/V Patricia Lee*, a commercial crab pot vessel that fished off Alaska. (Plaintiff Attorney: Mr. Robert Kraft of Kraft Palmer & Davies PLLC; Deposition: None; Trial: Settled out of court. September 2006 to November 2007).

- **Mendez v F/V Golden Alaska** On behalf of the Plaintiff, Mr. Pedersen prepared a letter report summarizing the future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of commercial fishery crew. The information was being used to estimate the loss to future earnings of Mr. Mendez as a result of his death from an accident on the *F/V Golden Alaska*, a factory trawl vessel that fished the Bering Sea. (Plaintiff Attorney: Ms. Corrie Yackulic of Schroeter, Goldmark & Bender; Deposition: None; Trial: Settled out of court. September 2006 to May 2007).

- **Kittleston vs. F/V Ocean Prowler** On behalf of the Plaintiff, Mr. Pedersen prepared a report characterizing the future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of deck hands and wheel house crew. Mr. Kittleston was involved in an assault/altercation related to the commercial longline vessel, *F/V Ocean Prowler*. The injury resulted in a permanent aggravation of a pre-existent condition. This disability appeared to prevent Mr. Kittleston from performing required duties as a deck hand or deck boss aboard commercial longline vessels that fish off Alaska. (Plaintiff Attorney: Mr. Robert P. Owens; Defendant Attorney: Mike Williamson of Holmes Weddle & Barcott; Deposition: October 12, 2004; Trial: Settled out of court. March 2004 to May 2005).

- **Jonathan Leite vs. Alaska Frontier** On behalf of the Plaintiff, Mr. Pedersen prepared a report characterizing the future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of deck hands and wheel house crew. The information was being used to estimate the loss to future earnings of Mr. Leite from an injury that resulted from an accident on the *F/V Frontier Explorer*, a freezer longline vessel that fished the Bering Sea. (Plaintiff Attorney: Mr. Robert Kraft of Levinson Friedman; Deposition: None; Trial: Settled out of court. September 2004 to February 2005).
- **Leite vs. F/V Chelsea K.** On behalf of the Plaintiff, Mr. Pedersen prepared a report characterizing the future opportunities for participation in offshore Alaskan fisheries and discussing the work life expectancy of deck hands and wheel house crew. The information was being used to estimate the loss to future earnings of Mr. Leite from an injury that resulted in his death on the *F/V Chelsea K*, a trawl catcher/processor that fished the Bering Sea. (Plaintiff Attorney: Mr. George Knowles of Injury at Sea; Defendant Attorney: W.L. Black III of Cozen O’Conner; Deposition: None; Trial: Settled out of court. February 2003 to April 2004).
- **Clipper Seafoods vs. W.E. Stone & Company et al. EA/EW.** Mr. Pedersen provided expert fisheries consultant advice to support litigation related to the breakdown of a refrigeration system of the *F/V Clipper Express*. At issue was the extent of loss of longline catch and loss of net fishing revenues of the *F/V Clipper Express* as a result of the equipment failure. Mr. Pedersen assisted the defendant with estimating and evaluating this loss. (Defendant Attorney: Gus Cifelli of Lee Smart Cook Martin & Patterson. Plaintiff Attorney: James Moynihan of Bauer, Moynihan & Johnson. Deposition: none; Trial: none. Settled at arbitration. May 2003 to February 2004).
- **F/V Ballyhoo vs M/V Arctic Transport EA/EW.** Mr. Pedersen provided expert fisheries consultant advice to support litigation related to the collision of the *M/V Arctic Transport* and the *F/V Ballyhoo*. At issue was the extent of loss of king crab catch and loss of net fishing revenues of the *F/V Ballyhoo* as a result of the collision. Mr. Pedersen assisted the defendant with estimating and evaluating this loss. (Defendant Attorney: James Moynihan of Bauer, Moynihan & Johnson. Deposition: none; Trial: none. June 2001 to November 2001).
- **Queen Fisheries, Inc. Claim on TransCoastal Fisheries Partnership.** On behalf of Queen Fisheries, Inc. (claimant), Mr. Pedersen critically reviewed the Debtor’s (TransCoastal Fisheries Partnership) fishing business reorganization plan. Mr. Pedersen provided research and consultation regarding the status of stocks and fisheries for 10 species of commercial crab resources off Alaska. (No. 96-04660); United States Bankruptcy Court Western District of Washington at Seattle; Debtor’s Attorneys: Bush, Strout, & Kornfeld; Claimant’s Attorney: John Rizzardi of Betts, Paterson, & Mines, P.S. December 1997 to December 1998).
- **Challenge to Adequacy of Emerald Downs Racetrack SEPA EIS.** Representing the proponent, Mr. Pedersen prepared and presented testimony before the City of Auburn Hearing Examiner regarding his comprehensive analysis of potential impacts to the fish and aquatic resources in Mill Creek, an important salmonid stream adjacent to proposed construction of a major racetrack in Auburn, Washington. The work described potential impacts of nearby development on those resources; ramifications to sport, commercial, and tribal fisheries; and suggested mitigation actions for potential impacts.

- **Clipper Seafoods, Ltd. vs. Seattle Cold Storage** At issue was the degree of lost longline fishing income of Clipper Seafoods, Ltd. (CSL) in the Bering Sea from using alleged inferior bait mistakenly shipped by Seattle Cold Storage (SCS). On behalf of SCS, Mr. Pedersen critically analyzed a report which was the basis of CSL's claim, and performed his own analysis of vessel logbook and production records and natural history of Pacific cod. Mr. Pedersen concluded the report was flawed and the evidence could not support the magnitude of CSL's claim.
- **Preserve Our Islands et al. v. King County and Northwest Aggregates Co., SHB No. 04009 and Northwest Aggregates v. King County, SHB No. 04-010 EA/EW.** Mr. Pedersen provided expert fisheries consultant advice to support litigation related to proposed Maury Island dock repairs by Northwest Aggregates, Inc. on Maury Island, Washington. At issue was the significance of potential impacts the proposed project would have on Pacific herring spawning activities in the project action area. Mr. Pedersen researched the issue and advised his client that the proposed activities would have little risk of significant adverse impact of herring spawning behavior.
- **U.S. vs. Admiral Arciszewski.** On behalf of the defendant, Mr. Pedersen performed research and prepared a letter report characterizing the population of walleye pollock in the northern Bering Sea and produced a report expressing an opinion regarding the likelihood of the aggregation of fish being caught on either side of the Fishery Conservation Zone Convention Line.
- **Trans Mountain Pipeline.** As a technical expert for Washington Department of Fisheries, Mr. Pedersen provided comprehensive review of this project in regard to assessment of risk of spills and potential impacts on groundfish resources in northern Puget Sound and the fisheries for those resources.
- **Northern Tier Pipeline.** As a technical expert for Washington Department of Fisheries, Mr. Pedersen provided comprehensive testimony in regard to assessment of risk of spills and potential impacts on groundfish resources in northern Puget Sound and the fisheries for those resources. He also provided expert witness testimony before the Shorelines Hearing Board regarding this project.

**List of Publications  
by Mark G. Pedersen  
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