

**PRINCE WILLIAM SOUND
REGIONAL CITIZENS' ADVISORY COUNCIL
MINUTES
ANNUAL BOARD MEETING
May 4 and 5, 2023
Valdez, Alaska**

Members Present

Robert Archibald	City of Homer
Amanda Bauer	City of Valdez
Robert Beedle	Cordova District Fishermen United
Mike Bender	City of Whittier
Mike Brittain	City of Seward
Nick Crump	Prince William Sound Aquaculture Corporation
Ben Cutrell	Chugach Alaska Corporation
Wayne Donaldson <i>(via videoconference)</i>	City of Kodiak
Mako Haggerty	Kenai Peninsula Borough
Luke Hasenbank	Alaska State Chamber of Commerce
Jim Herbert	Temporary Recreation Seat
David Janka	City of Cordova
Melvin Malchoff	Port Graham Corporation
Dorothy Moore	City of Valdez
Angela Totemoff	Tatitlek Corporation & Tatitlek Village IRA Council
Michael Vigil	Chenega Corporation & Chenega IRA Council
Aimee Williams <i>(via videoconference)</i>	Kodiak Island Borough
Kirk Zinck	City of Seldovia

Members Absent

Elijah Jackson	Kodiak Village Mayors Association
Bob Shavelson	Oil Spill Regional Environmental Coalition

Committee Members Present

Mikkel Foltmar	TOEM Committee
Harold Blehm	TOEM Committee
Tom Kuckertz	TOEM Committee
Steve Lewis <i>(via videoconference)</i>	POVTS Committee
Max Mitchell	POVTS Committee
Davin Holen <i>(via videoconference)</i>	SA Committee
Savannah Lewis <i>(via videoconference)</i>	IE Committee
Ruthie Knight	IE Committee
Matt Melton	OSPR Committee
John Kennish <i>(via videoconference)</i>	SA Committee

Staff Members Present

Donna Schantz	Executive Director
Joe Lally	Director of Programs
KJ Crawford	Director of Administration
Brooke Taylor	Director of Communications
Ashlee Hamilton	Director of Finance
Danielle Verna	Project Manager
Roy Robertson	Project Manager
Linda Swiss	Project Manager
Austin Love	Project Manager
Jeremy Robida	Project Manager
Alan Sorum	Project Manager
Amanda Johnson	Project Manager
Maia Draper-Reich	Outreach Coordinator
Nelli Vanderburg	Project Manager Assistant
Hans Odegard	IT Coordinator
Jaina Willahan	Administrative Assistant

Ex Officio Members Present

Allison Natcher	Alaska Dept. of Environmental Conservation
Lisa Fox (<i>via videoconference</i>)	U.S. Department of the Interior
Tori Huelskoetter (<i>via videoconference</i>)	U.S. Environmental Protection Agency
Graham Wood	Alaska Department of Natural Resources
CDR Patrick Drayer (<i>via videoconference, Friday only</i>)	USCG MSU Valdez
Paul Degner (<i>via videoconference</i>)	Bureau of Land Management

Others Present

John Kurz (<i>via videoconference</i>)	Alyeska Pipeline Service Company
Andres Morales	Alyeska Pipeline Service Company
Mike Day	Alyeska Pipeline Service Company/SERVS
Klint VanWingerden	Alyeska Pipeline Service Company
Kate Dugan	Alyeska Pipeline Service Company
Diana Bouchard	Alyeska Pipeline Service Company
Capt. Ian Maury (<i>via videoconference</i>)	Southwest Alaska Pilots Association
Eileen Oliver (<i>via videoconference</i>)	Bureau of Land Management
LT Caroline Wilkinson (<i>via videoconference</i>)	NOAA Office of Coast Survey
LCDR Hadley Owen (<i>via videoconference</i>)	NOAA Office of Coast Survey
LCDR Bryson Jacobs	USCG MSU Valdez
Sierra Fletcher	Nuka Research & Planning Group, LLC
Haley Griffin	Nuka Research & Planning Group, LLC
Rob Kinnear	Hilcorp Alaska
Chris Merten	Alaska Tanker Company

Patrick O'Halloran	OSG Management
Andrea West	Polar Tankers
Angelina Fuschetto	Crowley Alaska Tankers
Melissa Woodgate	Alaska Dept. of Environmental Conservation
Anna Carey	Alaska Dept. of Environmental Conservation
Mo Radotich	Alaska Dept. of Environmental Conservation
Sonja Mishmash	Alaska Dept. of Environmental Conservation
Rebecca Spiegel <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Dianne Munson <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Sarah Moore <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Dr. Lizbeth Bowen <i>(via videoconference)</i>	U.S. Geological Survey
Dr. Merv Fingas <i>(via videoconference)</i>	Spill Science
Joe Levesque	Levesque Law Group
Roy Jones <i>(via videoconference)</i>	PWSRCAC legislative monitor (Federal)
Gene Therriault <i>(via videoconference)</i>	PWSRCAC legislative monitor (State)
Governor Bill Walker	Citizen
Rick Steiner <i>(via videoconference)</i>	Oasis Earth
Michael Kelley <i>(via videoconference)</i>	Citizen

Thursday, May 4, 2023

CALL TO ORDER, WELCOME, AND INTRODUCTIONS

The annual meeting of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council was held May 4 and 5, 2023, at the Valdez Civic Center, Valdez, Alaska. President Robert Archibald called the meeting to order at 8:15 a.m. on May 4, 2023.

A roll call was taken. The following 17 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Bender, Crump, Cutrell, Donaldson (via Zoom), Haggerty, Hasenbank, Herbert, Janka, Malchoff, Moore, Totemoff, Vigil, Williams (via Zoom) and Zinck.

President Archibald welcomed everyone to the meeting and made the following statement regarding the recent release of the Council's commissioned report titled "Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal" by Billie Pirner Garde.

As most here are aware, on April 24, 2023, the Council released the report titled "Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal" by Billie Pirner Garde. We recognize this is a fairly complex report, and that Council ex officio members have only had it for a little over a week. We are pleased that Alyeska leadership is taking the report seriously, and we hope to continue to support Alyeska's work to address the issues raised in the report. The Council will be following up with

Alyeska, the Alaska Congressional Delegation, the Governor, members of the Alaska Legislature, and regulatory agencies over the coming weeks and months on the findings and recommendations contained in the report. We certainly encourage Alyeska and our ex officio members to acknowledge receipt of the report during your opening comments, and offer any initial responses you may have, but we do not expect an in-depth discussion on the report at this meeting. I also encourage Board members to provide updates on your efforts to transmit the report to your member entities during the introductions and director reports on activities since the last meeting.

Introductions and Directors' reports followed.

1-0 AGENDA

President Archibald presented the agenda (green-colored sheet) for approval.

Michael Vigil **moved to approve the agenda** (green-colored sheet). Jim Herbert **seconded** and **the agenda was approved as presented.**

4-1 PWSRCAC ANNUAL DIRECTOR APPOINTMENTS

As outlined in the briefing sheet (Item 4-1) in the meeting notebook, the Board took up the annual seating of member representatives for those seats expiring at this meeting. President Archibald read the names of those Directors nominated for appointment to the Board.

Dorothy Moore **moved to confirm the appointment** of the selected representatives for each of the member entities listed for two-year terms expiring May 2025, as follows:

City of Homer	Robert Archibald
City of Kodiak	Wayne Donaldson
City of Seldovia	Kirk Zinck
City of Seward	Mike Brittain
City of Valdez	Amanda Bauer
Kenai Peninsula Borough	Mako Haggerty
Kodiak Village Mayors Association	Elijah Jackson
Prince William Sound Aquaculture Corp.	Nick Crump
Tatitlek Corporation & Tatitlek IRA Council	Angela Totemoff

Kirk Zinck **seconded** and the **motion passed** without objection.

1-1 MINUTES

Jim Herbert **moved to approve the minutes** of the Regular Meeting of the Board of Directors of January 26 & 27, 2023. Ben Cutrell **seconded** and the **minutes were approved** as presented.

1-2 MINUTES

Michael Vigil moved to approve the minutes of the Special Meeting of the Board of Directors of March 14, 2023. Ben Cutrell seconded and the minutes were approved as presented.

PUBLIC COMMENTS

Former Governor Bill Walker thanked the Council for its work and said he was struck by the Council's recently commissioned Garde report on the Valdez Marine Terminal. He commended the Council for doing great work and the work it was created to do. He emphasized the importance of everyone staying vigilant on the operations at the Valdez Marine Terminal and not letting complacency creep into the regulatory oversight of the TAPS operations and the terminal—noting complacency as being the greatest threat to continued safe operations and transportation of oil from Valdez.

INTERNAL OPENING COMMENTS – PWSRCAC TECHNICAL COMMITTEES

SCIENTIFIC ADVISORY COMMITTEE (SAC)

Committee Chair Davin Holen outlined the committee's role and reported on the committee's activities since the Board's last meeting in January.

- **Long-Term Environmental Monitoring Program (LTEMP).** 2023 is an expanded monitoring year, which occurs every five years. Planning is underway to procure vessel and float plane charters to reach the sites. Passive sampling devices will be deployed in May and retrieved in June. Mussel and sediment samples will be collected in June. The Council's contractor, Owl Ridge Natural Resource Consultants, Inc., will continue to interpret and report results, as well as upload LTEMP data to the Alaska Ocean Observing System (AOOS) database. A final report of the mussel transcriptomics work in response to the April 2020 oil spill will be presented to the Board at this meeting. SAC has recommended the Board accept the report.
- **ANS Oil Properties Report.** SAC had recently reviewed the Alaska North Slope (ANS) oil properties report written by Dr. Merv Fingas of Spill Science. In the report, Dr. Fingas reviewed the analysis results from a 2019 sample of ANS crude oil conducted by Environment and Climate Change Canada. The report will be presented to the Board at this meeting by Dr. Fingas. SAC has recommended the Board accept the report.
- **Winter Marine Bird Survey.** The third year of Council-supported winter marine bird surveys in Prince William Sound were conducted by staff from the Prince William Sound Science Center in early March. SAC will discuss the results of the survey this spring.

- **Oxygenated Hydrocarbons.** Twelve complete sample sets have been collected from the Valdez Marine Terminal Ballast Water Treatment Facility and shipped to the University of New Orleans for analysis. SAC will review draft results this spring. The lead contractor, Dr. David Podgorski, will be presenting this project at the Arctic & Marine Oil Spill Program (AMOP) in June.
- **Marine Invasive Species.** A broadscale survey of marine invasive species in Prince William Sound will take place for the first time in 20 years this summer, led by contractors at the Smithsonian Environmental Research Center. Settlement plates will be deployed in June and retrieved in September for analysis. The contractor is actively working on logistics to access sites throughout Prince William Sound.
- Student internships will begin in May to monitor for invasive European green crab and tunicates in Valdez, Cordova, and Kodiak.
- **Peer Listener Training Program.** Phase 2 of this project will result in updates to the Council's Peer Listener Training Manual, which is an appendix to the Guidebook for Coping with Technological Disasters. A request for proposals was advertised early this year. The project team and SAC chose to award the contract to Agnew::Beck Consulting. SAC will review a draft of the updated manual this summer.
- **Community Social Science Workshop.** To better understand potential social science data needs for Prince William Sound area communities, SAC has begun to explore a workshop to be held in the Spring of 2024 to bring together area communities and Tribes to define what science questions and projects could be potentially funded by SAC. This bottom-up approach would address community-derived science questions while also meeting Goal 6 of SAC to investigate and provide input on the social and economic consequences of oil-related accidents. This includes Objective 1 to monitor and evaluate the long-term social, cultural, and economic impacts of technological disasters on coastal communities, and Objective 2 to provide guidance for mitigating future sociocultural stress to coastal communities.
- **Conferences.** SAC member Roger Green will attend the AMOP conference this June in Edmonton, Alberta.

INFORMATION AND EDUCATION COMMITTEE (IEC)

Aimee Williams reported for the IEC in the absence of Chair Trent Dodson. Williams reported IEC had held two regular meetings and two project team meetings since the Board met in January.

- **Community Outreach.** Since the last Board meeting, Outreach Coordinator Maia Draper-Reich worked with volunteers and staff to coordinate various outreach events throughout the region, including hosting the Council's booth, giving presentations, and facilitating guest lessons for school groups. She will share details of the Council's Outreach efforts over the past year in the Community Outreach report on the following day's agenda. A few highlights since January were:

In addition to staff and volunteers hosting a booth at the Alaska Forum on the Environment in February, Alan Sorum of staff and contractor Peter Soles presented a session titled "Throwing a Lifeline to Oil Tankers: New Technology for Emergency Towing." The presentation included a showing of the summary video for the project, which was also played during the Forum's film festival session.

In early March, Draper-Reich and Board member Jim Herbert went to Seward to serve as competition officials for the Alaska Tsunami Ocean Sciences Bowl. The Tsunami Bowl is an annual competition event where 12 high school teams from around the state participate in quiz game play.

In mid-March, Draper-Reich brought the Council's booth to Kodiak for ComFish. IEC members Jane Eisemann and Trent Dodson, as well as Board member Wayne Donaldson, all helped to staff the booth at this event, engaging the Kodiak community in conversations about the Council's work.

In the past week there have been several outreach events in Valdez, including the Youth Involvement Bligh Reef Expedition with the Copper River Watershed Project, the research symposium poster session with students from the Prince William Sound College on May 2, and the Fishing Vessel Program Community Outreach tour that occurred the day before this Board meeting.

- **Youth Involvement.** Recently, a project team made up of Kate Morse, Cathy Hart, and Maia Draper-Reich met to revise the Youth Involvement Request for Proposals (RFP). The Youth Involvement RFP application is typically posted twice a year. This revision project set out to increase clarity, ease of use, and equity for those submitting funding proposals, while also streamlining the review process. In April, IEC voted to accept the revisions. The updated version was released on April 6, and the committee is accepting proposals through May 19.

There are currently six open Youth Involvement contracts. Two of those contracts are scheduled to end in June, and four projects are scheduled to take place over the summer months and will close in September.

Unfortunately, one of the Youth Involvement projects the committee chose to fund in January could not complete their project as proposed. A project team of Cathy Hart, Trent Dodson, and Maia Draper-Reich met to develop a plan to redistribute those additional funds to projects that were partially funded in January. The committee approved their recommendations.

- **Web Presence Best Available Technology.** Amanda Johnson has been working with the new contractor, Cindy Bouchard of FlipFlop Freelance, on several security and technical upgrades to the Council's WordPress websites and site hosting.
- **Other.** In mid-April, staff member Amanda Johnson and IEC member Cathy Hart attended the Nonprofit Technology Conference in Denver, Colorado. This conference taught essential nonprofit technology best practices while also allowing them to connect with other community members committed to social change.

IEC was still looking for a new committee member and the Board was encouraged to let the committee know of any recommendations.

OIL SPILL PREVENTION & RESPONSE COMMITTEE (OSPR)

Chair Jim Herbert outlined the OSPR Committee's mission and reported on the committee's activities since the January Board meeting:

- The OSPR committee welcomed new member Matt Melton and said goodbye to retiring member John LeClair.
- The committee was kept updated on area and regional planning efforts for the Alaska Regional Contingency Plan, and the Prince William Sound, Arctic and Western Alaska, and Inland Alaska c-plans and area committees. Both the Arctic and Western Alaska and Prince William Sound Area Contingency Plans were signed in January 2023. There will not be a formal public review process for these plans in 2023.
- The committee was kept apprised on staff participation in an ARRT-initiated Regional Stakeholder Committee (RSC) task force. The group is working to construct job aids to inform and assist liaison officers and RSC members with their roles and responsibilities as part of the RSC process.
- The committee was updated on the status of the VMT East Tank Farm secondary containment liner. It was reported that Alyeska is considering using electrical leak location (ELL) to test the integrity of the secondary containment liner. Alyeska is considering conducting a pilot study in the West Tank Farm in 2024.

- The committee was updated on the ADEC Article 4 regulatory update. More information was on the agenda for later in this Board meeting.
- The committee received a presentation from ADEC representative Mike Donnellan on the ongoing conversion of Geographic Response Strategies (GRS) from PDF to Geographic Information System (GIS) format. The status of this ADEC project can be followed at the ArcGIS hub site.
- The committee took action on various drill reports, including the 2022 Annual Drill Monitoring Report which is on the agenda for later in this Board meeting.
- The committee has been kept updated on various weather-related projects, including repair and maintenance on the Port Valdez weather buoys. The committee was also updated on the Port Valdez weather buoy data analysis for 2022.
- A new weather station will be erected on Kokenhenik Island, potentially within the next month, in the Copper River Flats. The idea is that it will be right in the path of the winds that come down the Copper River and will provide active information to the fishing fleet there and the tankers.
- Members of the committee participate in the Alyeska/SERVS fishing vessel response fleet. Alyeska has recently raised their compensation by 10%.
- The committee is asking the Board for approval at this meeting of its c-plan review contractor pool which is on the consent agenda (Item 3-5), and also the seating of its committee members who are up for renewal on the consent agenda (Item 3-4).

TERMINAL OPERATIONS AND ENVIRONMENTAL MONITORING COMMITTEE (TOEM)

Committee Chair Amanda Bauer updated the Board on the TOEM Committee's activities since the last Board meeting:

- The Council received a written response from Andres Morales on the two recommendations from Taku Engineering's ballast water Tank 93 memo, which was distributed to industry and regulators in January 2023. Alyeska will not upgrade Tank 93's cathodic protection system, but Alyeska will install a "drip ring" around the perimeter of the tank as recommended by Taku Engineering.
- The committee accepted a Taku Engineering memo regarding the crude oil Tank 2 maintenance project and site visit. This memo will be distributed to Alyeska and regulators after it has been accepted by the Board as final. It includes one

recommendation for Alyeska to consider adding a “drip ring” around the perimeter of the bottom of Tank 2, to prevent water from migrating underneath the tank floor.

- On February 21, 2023, the Council sent Alyeska and ADEC the final secondary containment report by Dr. Craig Benson and a letter listing four recommendations for consideration by Alyeska. On February 23, Alyeska informed the Council that they would be implementing two of the recommendations: one to use the “electrical leak location” method to inspect the CBA liner; and another to conduct a pilot study in the West Tank Farm to evaluate the effectiveness of “electrical leak location” to find damage in the liner.
- Progress on two of TOEM’s tank maintenance projects continues to be stalled because of Alyeska’s inability to provide requested information. Some of this information was first requested back in October 2021 and should be readily available.
- The committee received an update from Valdez Marine Terminal (VMT) Manager Klint VanWingerden on the updated VMT snow removal plan, which revealed that significant revisions were made to the plan in response to the tank vent damage incident from the previous year.
- The committee received updates on upcoming and ongoing projects at the VMT.
- Mercedes “Sadie” Blancaflor has been hired as the new TOEM project manager (replacing Austin Love). She holds a Master of Science in Earth Systems from Stanford University and currently teaches Environmental Law as an Adjunct Professor at the University of Alaska, Fairbanks. Her first day of work with the Council will be on Monday, May 22, 2023.

PORT OPERATIONS AND VESSEL TRAFFIC SYSTEMS COMMITTEE (POVTS)

Committee Chair Steve Lewis outlined the POVTS Committee’s efforts since the January Board meeting.

- The committee continued to stay informed about the weather-based projects led by the OSPR Committee and on matters pertaining to the Port Valdez weather buoys.
- The Committee heard a presentation by Rick Steiner on his work advocating for vessel speed reduction in Prince William Sound for the purpose of reducing the risk of tanker-whale strikes. The committee later met two more times to discuss the matter further. The Board will hear more about this issue later in this meeting.

- POVTS Project Manager Alan Sorum has started meeting with Dr. Bretwood Higman and Valdez Emergency Manager Aaron Baczuk for the tsunami workshop project.
- Project 8300 - Sustainable Shipping: Sierra Fletcher from Nuka Research and Planning Group will present phase one of this project later in this Board meeting.
- Project 8520 - Miscommunication in Maritime Contexts: Contractor Dr. Nicole Ziegler began work on phase one of this project but then reported she needed to take some time out from working on this project as she is dealing with some family health issues. Work on the project will resume once those issues are resolved, and the committee will be informed when that happens.
- Future work for the committee will include continuing to follow autonomous vessels and artificial intelligence (AI) use in navigation. The committee has recognized that the field is evolving rapidly which has made identifying a project for the committee to define difficult at this point. The committee will continue to watch and follow these issues and will report any newsworthy information in the POVTS news bulletin that issues approximately every six weeks. The committee will also continue to follow greenhouse gas emissions in the industry and report those in the POVTS news bulletins as well.

(This concluded the technical committee reports.)

INTERNAL OPENING COMMENTS -- PWSRCAC BOARD SUBCOMMITTEES

LEGISLATIVE AFFAIRS COMMITTEE (LAC)

Chair Dorothy Moore outlined the committee's role and reported on its activities since the January Board meeting:

Activities Since the Last Board Meeting:

- The Legislative Affairs Committee (LAC) has had six project team meetings and one regular meeting since the January Board meeting. At these meetings, the committee received updates from the Council's state and federal legislative monitors on legislation (and potential legislation) of interest to the Council.

State:

- **Alaska Department of Environmental Conservation (ADEC) Spill Prevention and Response (SPAR) budget deficit**

The Council has been concerned with the long-term sustainability of the SPAR Division budget, which will go into deficit in FY2029, based on the latest

Prevention Account projection. Recently, Senator Giessel introduced SB 137, which would increase the refined fuels surcharge to 1.5 cents per gallon. If this legislation passes, it will provide stable funding for SPAR well into the future.

- **PFAS Use, Regulation, and Testing (SB 67)**

This bill would allow the state fire marshal to determine an alternative safe and effective firefighting substance and adopt regulations requiring use of the alternative substance. The legislation also allows for the disposal of up to 40 gallons of PFAS-containing firefighting substance per household, per year.

- **Invasive Species Council**

The Governor's office intends to create an Alaska Invasive Species Council through issuance of an administrative order. The wording for this order is under review by various executive branch agencies.

Federal:

- A major item of discussion has been the Billie Garde report and methods of transmittal. This report was accepted by the Board and transmitted to the Alaska Congressional Delegation, Alyeska, regulators, legislators, and the public in late April. The Council's federal legislative monitor is focused on encouraging Alaska's Delegation to make a request to the Government Accountability Office to initiate an audit to determine adequacy of the current regulatory oversight of operations at the VMT.
- LAC was kept updated on the Council's recertification, which was finalized in February.
- Two staff members and two LAC members will be traveling to Washington, D.C., later this month to meet with members of the Alaska Delegation to thank them for their support of PWSRCAC's recertification and continued support of the Council's mission and work, and to discuss and answer questions related to Billie Garde's report.

LAC Priorities Going Forward:

- LAC's top state legislative priority continues to be the sustainability of the SPAR budget. The Council, through LAC and our state legislative monitor, will support SB 137 to increase the refined fuels surcharge that will provide a stable funding source for SPAR in the future.
- LAC will also support PFAS legislation (SB 67) and the Governor establishing an Alaska Invasive Species Council.

BOARD GOVERNANCE COMMITTEE (BGC)

Committee Chair Luke Hasenbank reported for the Board Governance Committee (BGC) on its activities since the January Board meeting.

- The committee met twice since the January Board meeting.
- In late February, the Council was successfully recertified by the U.S. Coast Guard. In response to questions which arose during the recertification process, the BGC has posted a Request for Qualifications (RFQ) to identify potential entities to fill a Recreation seat on the PWSRCAC Board of Directors.
 - The Temporary Recreation Seat currently held by Jim Herbert will sunset at the January 2024 Board meeting, or when the permanent Recreation seat is filled through the RFQ process, whichever comes first.
- In drafting the RFQ, and in response to a question posed at the January Board meeting, the BGC project team considered many aspects of recreation, and agreed on the following definitions for the purpose of this RFQ:
 - Recreation means an experience, activity, or the opportunity to enjoy the natural environment, cultural, and historic resources for the use, enjoyment, and welfare of citizens.
 - Recreational organizations are entities promoting recreation within the EVOS area.
- The BGC Project Team considered more than 20 possible recreation entities. Based on the established definitions of recreation, the BGC identified four priority organizations to solicit as part of the RFQ process: Alaska Geographic Association, Friends of Kachemak Bay State Park, Prince William Sound Stewardship Foundation, and Valdez Adventure Alliance.
 - PWSRCAC staff has sent a solicitation email to each of these organizations, detailing the RFQ and encouraging their participation.
- The RFQ is currently live on the PWSRCAC website. Any interested recreational organization may submit materials until the deadline of July 15, 2023.
 - All materials submitted by proposers will be distributed to the BGC Project Team for review. The BGC intends to provide a recommendation to the Board, ahead of the September 2023 Board meeting.
 - Any Board members who would like to join the project team were asked to contact Director of Administration KJ Crawford.

FINANCE COMMITTEE

Treasurer Wayne Donaldson reported for the Finance Committee as follows:

The Finance Committee met twice since the January Board meeting. During the February meeting the committee reviewed the December 31, 2022, financial statements.

- The committee reviewed the agreed-upon procedures from BDO, PWSRCAC's auditor, for travel and lobbying expenses, as well as non-contract revenue expenditures in FY2022. This expanded look at travel, lobbying, and non-Alyeska fund expenditures is conducted to highlight expenditures in areas previously audited by Alyeska and is separate from the annual financial audit conducted by BDO. There were no exceptions noted from BDO in the report.
- The committee reviewed the Council's IRS Form 990 nonprofit tax form for 2021 and the Board approved the Form 990 at a Special Board Meeting in March. The IRS accepted the Form 990 on March 24, 2023.

During the April meeting the committee reviewed the March 31, 2023, financial statements.

- Director of Finance Ashlee Hamilton gave an in-depth review of historical income and expense components back to FY2010. The current budget, as well as the upcoming budget, were compared to historical trends. Data was presented on historical annual CPI, Alyeska funding, year-end net assets, expenses for the Board, committees, administration and projects, personnel, rents, external professionals, office expenses, travel, depreciation, insurance, and miscellaneous expenses.
- The committee reviewed the contract compliance report that is compiled by the Executive Director and Director of Finance. This report is written for the Board, referencing the agreed-upon procedures that BDO reviews with our annual audit. This is on the consent agenda, under Item 3-6, at this Board meeting. The Finance Committee has recommended the Board accept the contract compliance report.

Finally, staff presented the FY2024 budget to the Finance Committee and the Finance Committee has recommended the Board accept the FY2024 budget. Approval of the budget is on this Board meeting agenda.

(This concluded the Opening Comments of PWSRCAC's Board Subcommittees.)

For the Good of the Order

Going back to ADEC's assurances of follow-up answers to Council questions at the January Board meeting that were reported in the minutes of that meeting, Michael Vigil

pointed out that the Council had not received a sufficient answer from ADEC/Tiffany Larson as to the justification for reducing drills and exercise requirements under the new Article 4 regulations (18 AAC 75) that ADEC had just approved. He stated that he did not want to risk there being another spill because of reductions/relaxation of c-plan requirements and that the system had worked well for over 30 years since the EVOS, and he saw no reason to change it.

Break: 9:25 a.m. – 9:42 a.m.

ALYESKA/SERVS ACTIVITY REPORT

Andres Morales, Alyeska’s Emergency Preparedness and Response Director gave the Alyeska/SERVS Activity Report for the first quarter 2023.

VMT Operations:

- Operations: *(As of 3/31/2023)*

	<u>2023</u>
○ Tankers Loaded	57
○ Tankers Escorted	57
○ Barrels Loaded	43,641,221
	<u>Since start up</u>
○ Tankers Loaded	23,343
○ Tankers Escorted	14,662
○ Barrels Loaded	17,831,394,070

- Safety: *(As of 3/31/2023)*

○ Days away from work cases	0
○ TAPS Combined Recordable Rate %	0.20%

- Environment (Valdez): *(As of 3/31/2023)*

○ Spill Volume (Gallons)	2.07
○ Number of Spills	5

Fishing Vessel Availability by Port (end of 1Q 2023):

<u>Port</u>	<u>Tier 1</u>	<u>Tier 2</u>
Valdez	19	12
Cordova	21 (+8 Rapid Resp.)	106
Whittier	6	15
Seward		18

Homer		39
Kodiak		<u>35</u>
Totals	54	225

2023 Contingency Plan Activities:

- Reviewing scope of revisions – 18 AAC 75, Article 4.
- Three Contingency Plans need to be rewritten.
- VMT Contingency Plan expires in Nov. 2024.

1st Quarter 2023 – VMT/PWS Training & Exercises:

- 2/8 Cordova Rapid Response Vessel Exercise.
- 3/6 VALDEZ STAR Open Water Deployment.
- 3/11 Otter Rehabilitation Responder Training.
- 3/16 VMT IMT Exercise.
- 3/31 – 4/2 Kodiak Fishing Vessel Training.

Upcoming 2023 VMT/PWS 2Q Training & Exercises:

- Spring 2023 Fishing Vessel Training:
 - Kodiak 3/31 - 4/2.
 - Homer 4/3 - 4/8.
 - Seward 4/9/ - 4/12.
 - Whittier 4/13 -4/17 with non-Mechanical ORE on 4/17.
 - Cordova 4/17 – 4/26 with Near Shore ORE on 4/19 & 4/20.
 - Valdez 4/27 – 5/3 with Near Short ORE on 5/3.
- 4/22 International Bird Rescue Training with Bird Rehabilitation Demonstration Exercise.
- 5/4 – 5/8, 5/11 – 5/14, and 5/19 – 5/22 Initial Response Training.
- 5/16 – 5/18 Hilcorp Prince William Sound Tanker Exercise.

2023 Valdez Projects:

- Replace sulfuric acid tank with HDPE tank.
- Tank 93 Internal API653 Inspection.
- Tank 93 – Annular Ring Replacement.
- DAF Cell 5 and 6 – Repair and Coat.
- Tank 8 – Isolate and Clean.
- Berth 4 Header and TK-93 Branch Leg Ballast System Inspection.
- VMT 48” Crude A and B Header ILI Inspection.
- OSRB 5 -Arrived in Prince William Sound.
- Allison Creek replacement – Construction.
- 500-2 Reconditioning.

Following the status report, Morales took questions:

Several Board members thanked Alyeska for the boat ride and terminal tour the previous day.

Jim Herbert asked about otter training in Anchorage in the winter and whether there had been a good turnout. Morales stated that it had been trending up and down but did not have figures on hand. He will get that information from his team and send it on after the meeting.

Herbert also commented on his recent experience with the fishing vessel training in that there seemed to him to be a lot of new faces since the pandemic interruptions and that presentations and exercises seemed a "little rough." Morales concurred that there had been people new to the program on the SERVS side and on the fishing vessels. To that end, Alyeska was focusing on getting more of the new personnel involved in that training and was going back to some of the basics in order to do that.

Herbert asked whether Morales had received any feedback on the new Weavix radio that was used during the fishing vessel training. Morales reported that the Weavix radios were better than other new technologies they had tried and more popular than the CB radios with some individuals, but there were still coverage gaps and that would be a problem in a response. Morales said that SERVS likes the Weavix and will keep testing it but would need to see its capabilities expanded appropriately to integrate with other technologies, such as cell phones, etc. In his opinion, it is not yet ready.

In response to a question from Herbert about the c-plan renewal schedules, Morales noted that the tanker plan and the pipeline plan will expire in 2027. If possible, Alyeska would like to stagger their renewals by pulling one forward in time and then find a schedule to get all of them done by 2027.

David Janka questioned why there was talk about a fourth generation of tankers when there seemed to be no plans to update the Tank Farm storage tanks and the outdated secondary containment and CBA liners, which were outdated only a few years after they were originally installed. Morales stated that the CBA liner is an amazing product in its thickness and ability to self-repair, and after working with some of the newer products he is still impressed with the CBA product.

Dorothy Moore raised the issue of the risk of tree roots combined with the freeze-thaw weather cycles of Valdez winters making the rock faces at the terminal unstable. Morales stated that Alyeska inspects the rock faces routinely to check their stability and they have done different things over the decades to mitigate the dangers as they have learned more about rock face stabilization. Moore thanked Morales for the tour the previous day and the expertise of Alyeska/SERVS staff to explain the terminal systems to the Council's volunteers.

Beedle applauded Alyeska's ingenuity in trying new and different radios and technologies for better communications capabilities in Prince William Sound and he encouraged Alyeska to continue experimenting with technologies. But he also asked Alyeska to help the fishing fleet get better communication options with CB radios. He pointed out that the fishing fleet simply needs to be able to talk in close proximity to each other in real time. Morales pointed out that some like CBs and others do not, and Alyeska has tried several different technologies to improve communications and will continue to do so.

Beedle also asked Alyeska to look at GRSs for the Copper River Delta which, despite SERVS' claims that it is not in its area, it is, but the GRS information is outdated and the area is ignored in the c-plans.

Amanda Bauer asked about the status of Alyeska-PWSRCAC's contract funding addendum for FY2023-26. Morales stated that he did not anticipate any problems with it. The contract simply has to work its way through the Alyeska's internal contract review process.

Bauer thanked Morales for Alyeska's attention to the recommendations in the Taku Engineering report and the secondary containment issues, and she said she was pleased with Alyeska's intention to use the West Tank Farm to do electrical leak location (ELL) testing of the CBA liners.

In following up with her comments at the January meeting, Bauer again reminded Morales that PWSRCAC had made information requests to Alyeska that had been outstanding for a long time. That information should be available at this point and PWSRCAC would like to get the information requested as soon as possible.

Bauer asked if Alyeska/SERVS anticipated any changes in the number of exercises it conducts as a result of the changes under Article 4 of the contingency plan regulations. Morales reported that Alyeska/SERVS is not at that point yet. They are still in the process of understanding what the changes are and how they will affect their three contingency plans because each plan has different components.

Bauer thanked Alyeska, and in particular Mike Day, for the terminal tour the previous day, and for his interactions with the students who were part of PWSRCAC's Youth Involvement project.

President Archibald asked about the number of TCC personnel still hired. Morales stated that the base number of response personnel had not changed, but turnover is a concern to him as many have retired since 2020 and continue to retire, and therefore there are new hires. In addition, SERVS hired many of those TCC personnel. He pointed

out that there are a lot of people looking for work, but there is so much work available it has been more difficult to recruit throughout the entire industry.

Archibald commented that practice with the equipment and finding out what works and what does not work makes operations better and he was an advocate of practice. Morales pointed out that Alyeska/SERVS personnel practice and train daily on many things that are “invisible” to the observer. They are trying to bring up the new hires’ base knowledge and skills on Alyeska’s priorities and then how they interact with other exercises.

Dave Janka commended Alyeska for taking the opportunity of the West Tank Farm as a testing and experimental site, not only for secondary containment, but also for addressing other alternatives for tank farm issues, where it is safe and away from active tanks.

EXTERNAL OPENING COMMENTS - EX OFFICIOS

ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION (ADEC)

ADEC’s Allison Natcher made the following statement:

With regard to the assessment of risks and the safety culture at Alyeska’s Valdez Marine Terminal (VMT), ADEC has received the assessment of risk and safety culture [Garde report], which is currently under review, and ADEC appreciates PWSRCAC’s efforts to promote safe operations at the VMT. The SPAR Division of ADEC is remains dedicated to protecting public safety, public health, and the environment by providing consistent training opportunities for its staff and stationing responders in strategic locations, like Valdez, and continuing to hold companies like Alyeska accountable. Direct questions to be submitted to Kelly Rawalt in the Commissioner’s Office.

Natcher went on to review the status of bills going through the Alaska Legislature at that time:

- Senate Bill 137 – proposal to increase the refined fuels surcharge. This bill was currently in the Senate Resources Committee and scheduled for its first hearing and public comment on May 5.
- SJR 11 -Western Alaska Arctic Oil Spill Response – recognizing the Don Young Coast Guard Authorization Act of 2022 and the importance of certain provisions intended to enhance oil spill response capabilities in Western Alaska and the U.S. Arctic; urging USCG to consider the unique challenges of the state when developing spill response requirements for those areas; and urging the deployment of individual spill response resources for the state that use modern technologies to track the operation of large vessels in the region and local service providers with knowledge of the region and local wildlife. This Resolution was heard at the May 2 hearing of the House Transportation Committee which is

currently working on a committee substitute and that should be made public for the hearing on May 5. The committee substitute will address the last outstanding concerns of industry regarding alternative planning criteria. The committee plans to take action on it on May 5 and it will likely pass from committee and move to the House floor for a final vote.

- House Bill 128 – Oil Terminal Facility – proposal relating to the operation of a tank vessel or oil barge as an oil terminal facility; the definition of ‘oil terminal facility; and providing for an effect date. This was heard and then held on May 2 at the meeting of Senate Transportation Committee. They will likely hear it at the committee’s meeting on May 4, and pass it out of committee and move to the Senate for a final vote.

As feedback to ADEC on its newly adopted Article 4 c-plan regulations, which removed the RCACs as named reviewers and put all c-plans and their amendments on ADEC’s website, Jim Herbert commented that it is an unwieldy, unsearchable, and difficult process to use. He said it would be better to have a way to quickly locate things that affect the VMT and the tankers instead of having to search through entities all over the state.

Herbert asked for a status update on the Clean Air Permit or potentially the Clean Water Permit that the VMT needs to operate. Natcher reported that the air permit was in process and was ready to go out for public comment. She did not have updates on the water permit at that time but when received she will provide to PWSRCAC.

Mako Haggerty asked Natcher to pass on to Commissioner Brune PWSRCAC’s appreciation for the Commissioner’s comments on the state budget where he advocated for the SPAR Division’s budget. Echoing former Governor Walker’s comments earlier in the meeting that complacency in the operation of TAPS/VMT was Prince William Sound’s greatest threat, Haggerty emphasized to Natcher that lack of regulatory oversight is part of the equation of that complacency, and ADEC plays a huge part in that. He commented that it would be good if ADEC/Natcher could assist in conveying that message to the legislators in Juneau because it is not only ADEC that has regulatory oversight of the TAPS/VMT operations, but also other agencies. Haggerty emphasized that his greatest concern is that nobody is paying attention.

Amanda Bauer asked for someone from ADEC to explain sufficiently to this Council how reducing the number of exercises under the revised Article 4 c-plan regulations was going to protect the environment and ensure that personnel are properly trained and resources are readily available when needed. She pointed out that she brought this up at the January meeting but the Council has not yet received a clear explanation. She asked for an explanation of how those reductions were going to be better than what was in the previous regulations. Natcher stated she would bring this up to the department.

Herbert commented that staff reductions within SPAR appear to have reduced the ability of the division to do unannounced drills. He said the OSPR Committee believes that the ability to do unannounced drills is a true test of the readiness and ability to mount a response. The committee is concerned that this is a burden to SPAR because it has such a small staff.

Natcher said SPAR was planning to do exercises this summer but she did not know if they would be unannounced drills. Morales stated that Alyeska gets both federal and state unannounced drills as well as internal unannounced drills.

Haggerty asked ADEC/Natcher to provide information to PWSRCAC on how much SPAR had collected in fines for oil spills and the number of fines issued in the past two years. Natcher will report back.

Archibald asked Natcher about ADEC's staffing in the Prince William Sound area and whether SPAR would need to pull personnel from other areas of the state for response because Valdez is short staffed. Natcher said she believed that for any large spill, SPAR would pull people from other areas, and that would be the same for the federal response agencies as well. She commented that while her current position is the Interagency Coordination Unit Manager, in the event of a large spill she could be folded into the Incident Management Team in the Unified Command. Personnel could be pulled in from other areas that are not currently in spill prevention and response to fill positions in the event of a large spill. In response to a question from Archibald about comparison of staffing levels compared to 10 years ago, Natcher said that staffing levels have changed since she first came into the division in 2015 but ADEC/SPAR has been hiring as needed.

Executive Director Donna Schantz pointed out that PWSRCAC had recently done an analysis and also heard from SPAR Director Tiffany Larson on staffing issues. Since 2015, 23 staff positions had been eliminated from SPAR in addition to a really high turnover the division experienced over the past few years.

Archibald emphasized that PWSRCAC always has concerns ADEC/SPAR does not have enough staff to adequately do its job for the state.

Break: 10:46 a.m. – 10:58 a.m.

ALASKA DEPT. OF FISH AND GAME (ADF&G)

(No report.)

ALASKA DEPT. OF NATURAL RESOURCES (ADNR)

Graham Wood announced that he had recently moved over to ADNR/Division of Oil & Gas from ADEC/SPAR Division about a month prior to this meeting and he was filling in

for State Pipeline Coordinator Tony Strupulis at this meeting. He acknowledged that the State Pipeline Coordinator's Office (SPCO) in the Joint Pipeline Office (JPO) was in receipt of the Billie Garde report but had not yet had the opportunity to read it in depth. If the SPCO has questions about the report, they will come back to the Council.

Wood briefly explained the role of the SPCO which is to oversee all the oil pipelines across Alaska which are under Alaska Statute 38.35 rights-of-way and enforce their leases, TAPS being the biggest 38.35 pipeline in the state.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

Tori Huelskoetter acknowledged that the U.S. EPA had received the Billie Garde report. She briefly outlined the EPA's permitting and oversight roles at the VMT which include the Clean Air Act, the Clean Water Act, the NPDES permit, etc., as well as its prevention oversight role in Region 10. The last FRP inspection conducted by the EPA at the VMT was in 2017 and was done by Matt Carr. The EPA remains part of the JPO and works with the other JPO agencies as appropriate.

She announced the following:

- The fall Alaska Regional Response Team meeting will be held on September 12 - 14, 2023.
- The U.S. EPA and the Department of the Army has issued an educational webinar video "Waters of the United States Final Overview" which explains the final ruling in *Sackett v. EPA* which had been contested in several states.

UNITED STATES COAST GUARD (USCG)

LCDR Bryson Jacobs, filling in for CDR Drayer (who would join the meeting the following day), reported on USCG and Marine Safety Unit Valdez activities since the January Board meeting.

LCDR Jacobs reported that the Valdez Vessel Traffic System (VTS) was fully functional and mission capable and all communication systems were working in Prince William Sound. He had no updated information on the national VTS needs assessment, other than it was still in progress. There had been no significant pollution events or casualties to report since the Board's January meeting.

Robert Beedle emphasized the need for USCG to get the Rescue 21 system working in Alaska and any information on the progress of that would be helpful.

Dave Janka commented that the old VHF high sites radio coverage goes down in Prince William Sound regularly. When they went down about a week before this meeting, USCG had no VHF coverage anywhere in Prince William Sound. Jacobs stated that the needs assessment was ongoing, but that was the extent of the information he had on

updates or replacement of the system, other than that the USCG was satisfied with the contract with Tatitlek for repair response.

Robert Beedle asked if MSU Valdez could coordinate better with USF&G in Cordova to avoid bringing tankers in through the Narrows during a fishing opener. Amanda Bauer added that mariners on the water have a responsibility to listen to their radios because USCG does announce when tankers are in transit and in the Narrows.

BUREAU OF LAND MANAGEMENT (BLM)

Paul Degner reported that he is back in his normal position with Pipeline Monitoring and Environmental Compliance. He reported that the BLM office focused on various permitting issues this spring and attended a couple of exercises. It will continue to observe exercises in the Prince William Sound region, will continue to coordinate with ADEC and other agencies to review any changes to the c-plans, and will continue to coordinate with BLM's JPO partners to coordinate oversight at the VMT. He confirmed his office's receipt of the Billie Garde report and stated that staff had gone through the report and prepared comments for BLM management on the findings.

Eileen Oliver reported on the Alyeska's compliance under the Alaska Native Hire Utilization Agreement, as follows: Combined work force 23.5%; Alyeska 26.3%; Contractors 20.6%

In response to a question from Jim Herbert about which agencies within the JPO take the lead, Degner stated that under the TAPS operating agreement, the JPO has two executive members: BLM and the State Pipeline Coordinator Section (SPCS). Their regular meeting schedule is a "hot topics" meeting with Alyeska to discuss current events; a monthly JPO Coordination Meeting where the agencies coordinate with one another; and a monthly BLM and SPCS managers' meeting with Alyeska. Degner said the monthly coordination meetings have been helpful in terms of bringing all the agencies together.

Mako Haggerty pointed out to Degner the Council's concern about complacency within the JPO and reduced oversight by the regulators, and he asked about staffing levels within BLM. Degner reported that BLM's side of the JPO has nine full-time employees and seven part-time employees that are dedicated to permitting the TAPS right-of-way, as well as others who can be called upon as needed. That level has been fairly consistent since 2019 and BLM has not hired any more employees since 2019.

U.S. FOREST SERVICE (USFS)

(No report.)

ALASKA DEPT. OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT (ADHSEM)

(No report.)

OIL SPILL RECOVERY INSTITUTE (OSRI)

(No report.)

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA)

(No report.)

EXTERNAL OPENING COMMENTS: TAPS SHIPPERS & OWNER COMPANIES, & PILOTS**CROWLEY ALASKA TANKERS (CAT)**

Angelina Fuschetto thanked PWSRCAC for the cruise the previous day and to ATC and Hilcorp for the reception the previous evening. She noted that 2023 is CAT's fifth anniversary of operations and it now has a new logo and branding.

She reported the following operations and fleet updates for 2023 YTD:

- CAT moved 9.6 million barrels of oil out of Valdez YTD 2023 without incident and had completed its first season of operating in Cook Inlet with no issues.
- The California and the Washington were still operating on the West Coast. The Oregon is being operated in the Gulf of Alaska in the gasoline trade.
- In June, the Washington will do its out-of-service period in Port Angeles, WA, and then the California will do its out-of-service in August. During that time, they will focus on big maintenance and repair issues, as well as annual inspections and surveys. Both vessels will have their regulatory dry-dock inspections in 2024, with one vessel going out of service at a time.

POLAR TANKERS/CONOCOPHILLIPS

Andrea West thanked PWSRCAC for the boat ride the previous day and gave a fleet update for Polar Tankers, as follows:

- 32 loads completed YTD 2023 with 23.8 million barrels delivered without incident.
- In March, Polar hosted an officers and stewards conference.
- In September, Polar is planning two bridge resource management courses in Seward.
- There will be two out-of-service periods this summer. The Resolution will go to Singapore for its regulatory dry-docking at the end of this month, and then the Discovery will go to Singapore later this summer and will have its Ballast Water Treatment system installed.

ALASKA TANKER COMPANY (ATC)

Chris Merten thanked everyone who attended the reception the previous evening. He went on to give an operations and fleet update for ATC for 2023:

- ATC is still operating three vessels in the TAPS trade.
- 20 loads completed with 19.7 million barrels delivered without incident.
- Zero spills to sea and no incidents or near misses.

- There will be two shipyards in 2023. The Alaska Navigator will start its overseas drydocking in July in either Korea or Singapore, followed by the Alaska Legend in October in either Korea or Singapore.
- Currently preparing for the upcoming ATC-Hilcorp spill response drill in two weeks' time in Anchorage and Valdez.
- Preparing for new regulations coming in that affect emissions, including installing new software on the ships to collect data and report.
- Looking at energy savings through voyage optimization, etc.
- Working with partners OSG Shipping on sharing resources.

HILCORP

Rob Kinnear also thanked everyone for attending the reception. He went on to give a brief update on Hilcorp operations YTD 2023.

- In addition to the cargos that ATC carried for Hilcorp YTD, there had been no foreign flagged loadings for Hilcorp in YTD 2023 and there were no plans for any for the remainder of the year.
- In June it will be three years since Hilcorp took over BP TAPS operations. During the first 18 months, Hilcorp chartered 10 foreign flagged tankers out of Valdez, there was a lot of disruption in the market from COVID at the time, and circumstances were a lot different from what they are at the present time. In the last 18 months, Hilcorp had only one foreign flagged charter. He opined that the last 18 months was more indicative of what Hilcorp expects going forward with the frequency of foreign flagged charters that they would use.
- Hilcorp is working hard and closely with ATC on the joint spill exercise that is scheduled at the end of May.
- The Navigator will be the first of ATC-Hilcorp's ships going into shipyard in 2023 and it will be taking a load with her. The Legend will follow later, but it was not yet determined if it will carry cargo or be in ballast.
- Operation of the BWTS is going well now but it was a learning curve at the beginning. There are no longer exchanges of ballast at sea unless it is mitigation for a failed BWTS.

MARATHON (formerly Tesoro/Andeavor)

(No report.)

SOUTHWEST ALASKA PILOTS ASSOCIATION (SWAPA)

Capt. Ian Maury reported that SWAPA had one retirement in January, added two additional VLCC (third year) pilots, and now have four deputy pilots becoming Valdez qualified. They have four trainees and are about to bring in one more. They can bring in more pilots for the cruise season in addition to the TAPS trade. He noted that SWAPA gets emails from ADF&G in Cordova regarding the fishing openers.

Lunch Break: 12:00 p.m. – 1:00 p.m.

PWSRCAC VOLUNTEER RECOGNITION

President Archibald recognized the following volunteers who had reached a milestone in their service to PWSRCAC and the award they would receive in recognition of that service:

5 Years (Verbal recognition):

- Matt Cullin – TOEM
- Gordon Terpening – POVTS

10 Years (Gift -engraved clock):

- Robert Beedle
 - Board member Cordova District Fishermen United (2023-present)
 - Board member City of Cordova (2013-2023)
 - OSPR, XCOM, BGC, LAC
- Jim Herbert
 - Temporary Board member Recreation (2023-present)
 - OSPR, LRP
 - Board member City of Seward (2013-2015)
- Andrea Korbe
 - IEC
 - Board member City of Whittier (2013-2015)

15 Years (Gift – photo print):

- Cathy Hart
 - IEC, LRP
 - Board member Alaska Wilderness Recreation & Tourism Association (2008-2015)

20 Years (Gift – PWSRCAC blanket):

- Roger Green – SAC

Departing Volunteer (Verbal Recognition):

- John LeClair – departing OSPR after 18 years of active service.

APPROVAL OF FY2024 BUDGET

Director of Finance Ashlee Hamilton presented the FY2024 budget for adoption. The Board was previously given an opportunity to review and work on this budget at a workshop on April 29, 2023.

Wayne Donaldson moved to adopt the FY2024 budget as presented during the budget workshop on April 29, 2023, and as described in the Draft FY2024 Budget dated April 25.

2023. Total income is assumed to be \$4,264,106, total expenses are \$4,745,278, contingency of \$75,000, capital budget of \$15,000 for a total of \$571,172 net assets used. Dorothy Moore **seconded** and the **motion passed** without objection.

CONSENT AGENDA

The consent agenda consisted of six items (3-1, 3-2, 3-3, 3-4, 3-5, and 3-6).

President Archibald read the requested action for each of the items on the consent agenda.

Robert Beedle **moved to approve the consent agenda** as read:

- **3-1 APPROVAL OF RESOLUTION DESIGNATING PWSRCAC CHECK SIGNERS**
Adoption of the resolutions provided by First National Bank Alaska to update the list of authorized individuals to sign checks and conduct financial transactions on PWSRCAC's account.
- **3-2 APPROVAL OF FY2024 LTEMP CONTRACT AUTHORIZATION**
 - a) Authorization of individual contracts with Alpha Analytical and Owl Ridge Natural Resource Consultants, Inc. with the aggregate total not to exceed the amount approved in the final FY2024 LTEMP budget (Project #9510) for contract expenses.
 - b) Authorization of contract work to commence prior to the start of the 2024 fiscal year to accommodate timing considerations and purchasing needs. It is estimated that up to \$15,000 of the above contract work may be performed before June 30, 2023.
- **3-3 FY2024 MARINE INVASIVE SPECIES SURVEY ANALYSIS CONTRACT INCREASE**
Authorization of a contract increase of \$156,629 to contract #9520.23.01 - Marine Invasive Species Broadscale Survey in Prince William Sound - with the Smithsonian Environmental Research Center for a new cumulative contract total of \$216,883. (Note: \$60,254 of the proposed contract was approved in FY2023. This action is contingent upon approval of the FY2024 budget adding new funding of \$156,629 for a cumulative contract total of \$216,883.)
- **3-4 ANNUAL TECHNICAL COMMITTEE MEMBER APPOINTMENTS**
Appointment of committee members to two-year terms on their respective committees.

Scientific Advisory Committee (SAC)

Wei Cheng	Renewal
John Kennish	Renewal
Dorothy Moore	Renewal

Roger Green Renewal

Wayne Donaldson Renewal

Note: The committee consists of nine members including renewals.

Directors on SAC: Dorothy Moore, Wayne Donaldson.

Terminal Operations and Environmental Monitoring Committee (TOEM)

Harold Blehm Renewal

Mikkel Foltmar Renewal

Steve Goudreau Renewal

Tom Kuckertz Renewal

Note: The committee consists of seven members including renewals.

Directors on TOEM: Amanda Bauer.

Oil Spill Prevention and Response Committee (OSPR)

Gordon Scott Renewal

Skye Steritz Renewal

Matt Melton New

Note: The committee consists of seven members including renewals and new members.

Directors on OSPR: Robert Beedle, Mike Bender, Jim Herbert.

Port Operations and Vessel Traffic Systems (POVTS)

Gordon Terpening Renewal

Max Mitchell Renewal

Steve Lewis Renewal

Note: The committee consists of five members including renewals.

Directors on POVTS: Amanda Bauer, Robert Archibald.

Information and Education Committee (IEC)

Trent Dodson Renewal

Jane Eisemann Renewal

Cathy Hart Renewal

Andrea Korbe Renewal

Savannah Lewis Renewal

Note: The committee consists of eight members including renewals.

Directors on IEC: Aimee Williams.

• **3-5 APPROVAL OF FY2023 CONTINGENCY PLAN CONTRACTOR POOL**

Authorization of individual contracts with Nuka Research and Planning, LLC, and Attorney Breck Tostevin for professional services with the aggregate total not to exceed the amount approved for Project 651 Contingency Plan Review in the final FY2024 budget, and delegation of authority to the Executive Director to enter into individual contracts with selected consultants.

- **3-6 APPROVAL OF PWSRCAC/ALYESKA CONTRACT COMPLIANCE VERIFICATION REPORT**

Acceptance of the PWSRCAC/Alyeska Annual Contract Compliance Verification Report.

Jim Herbert seconded and the motion passed without objection.

4-2 REVIEW OF ADEC'S CHANGES TO ARTICLE 4 REGULATORY UPDATE

Project Manager Linda Swiss provided an update on ADEC's changes to Article 4 of 18 AAC 75 (the oil discharge prevention and contingency plan regulations). A 60-day public review of the proposed changes ran from November 2021 to January 2022 and the changes became effective February 5, 2023.

Swiss reviewed with the Board the actions PWSRCAC took following the release of the proposed changes and the opening of the public review process, including outreach to its member entities, and submitting comments. PWSRCAC's comments included recommendations to ADEC: to increase the number of annual exercises (which were reduced in the new regulations); to retain the Best Available Technology Conference and retain the language on the regional citizens advisory councils (RCACs) both of which were eliminated in the new regulations; and to require emergency towing arrangements that meet international standards. Swiss pointed out that the effect of removing the RCACs as named reviewers of c-plans means that the RCACs are no longer recognized in state regulations, which also resulted in changes to ADEC's notification methods to the RCACs.

The full updated regulations are available at <https://dec.alaska.gov/spar/regulation-projects/oil-discharge-prevention-contingency-plan-update/>

Following Swiss' presentation, ADEC's Rebecca Spiegel and Allison Natcher answered some questions from the Board:

- There is not a regulatory requirement for planholders to incorporate exercise planning into their c-plans. ADEC could decide either way whether it will require exercise planning for a certain planholder. There is not a specific mandate attached to the regulation and therefore a decision will be made for the tanker plan and the terminal plan by ADEC's Valdez team on how they wish to go.
- No information on whether the Governor and/or Commissioner intends to now look at a regulatory scoping review of the corresponding statutes governing c-plans.

- There is a “paper trail” on ADEC’s website that documents each regulatory change, the comments received, how it was reviewed, and how ADEC came to its decisions.
- Spiegel has not personally heard back from planholders across the state if they are happy or unhappy with the changes and the work that ADEC has done. ADEC has received a number of questions on how the new regulations will be implemented from planholders, stakeholders, and others.

Swiss added that the process of finding information on a planholder’s c-plan submittal is not easy to find through ADEC’s online information. While PWSRCAC was a named reviewer it would receive notifications of plan submittals, and staff is familiar with the various steps needed to locate the information because they had been doing it now for many years. Locating the information may not come readily or easily to some of PWSRCAC’s member entities who are not familiar with the process and have relied on PWSRCAC to get the information in the past.

By way of feedback to ADEC, Executive Director Schantz stated that at the January Board meeting SPAR Director Larson had made it seem very easy for a user to filter out the plans one is not interested in, but PWSRCAC staff have not found a way to do that, partly because there is no consistency in the way the notifications are sent out by ADEC so that a filtering rule that staff can have confidence in can be created. Even staff’s IT consultants could not figure out an accurate filter rule. Schantz added that, at a minimum, if there was a way to narrow down to the region of the state, it would be an improvement.

Swiss pointed out that the new regulations definitely have increased the administrative burden on PWSRCAC staff. Whereas previously ADEC would direct the planholder to send the plan submittal to PWSRCAC either in hard copy or electronically with redline edits and highlighted changes, now PWSRCAC staff has to go to the website, find and then download all that information.

In response to the issue of inconsistency of input within the list serve, Spiegel reported that ADEC is aware of the issue and has been working with its IT staff to improve consistency and those concerns seem to have worked themselves out. They have been working with staff to make sure they follow the subject line protocols that ADEC has established and that should allow anyone to do sorting. She noted that one bracketed part of the email subject line that should be consistent is the geographic zone, such as Prince William Sound or Cook Inlet, that will allow accurate sorting. She acknowledged that the consistency issues have been a challenge but hoped it would be settled during this transition period to the new regulations. She also expressed appreciation for PWSRCAC’s comments about the challenge of having to go from one site to another to find information and she would have ADEC’s staff look into that.

ADEC's Diane Munson and Rebecca Spiegel both clarified that if a company has multiple plans throughout the state the exercise requirements apply per plan.

4-3 REPORT ACCEPTANCE: LTEMP TRANSCRIPTOMICS

Project Manager Austin Love with Dr. Lizbeth Bowen of United States Geological Survey (USGS) presented two related reports for Board acceptance:

- "Executive Summary: Effects of the April 2020 oil spill detected in study of mussel genes." The executive summary was written for the Board as the intended audience.
- The second report was titled "Transcriptomic responses to an Alaskan oil spill over time reveal a dynamic multisystem involvement in exposed mussels (*Mytilus trossulus*)." This full-length report was written for the scientific audience and the authors plan to submit this report to a peer reviewed journal for publication.

The two reports summarize and detail additional research conducted to understand the environmental impacts of the April 12, 2020 oil spill from the VMT, as well as future potential spills.

A briefing sheet and copies of both reports were included in the meeting notebook as Item 4-3.

Dr. Bowen, the lead author on the reports, provided a presentation of the key results of the research and recommendations for further related work and answered questions related to the reports' conclusions.

Jim Herbert **moved to accept** the reports titled "Executive Summary: Transcriptomic responses to an Alaskan oil spill over time reveal a dynamic multisystem involvement in exposed mussels" and "Transcriptomic responses to an Alaskan oil spill over time reveal a dynamic multisystem involvement in exposed mussels (*Mytilus trossulus*)" by Lizbeth Bowen, William B. Driskell, Brenda Ballachey, James R. Payne, Shannon Waters, Eric Litman, and Austin Love as meeting the terms and conditions of research contribution number 951.22.07, and for distribution to the public. Robert Beedle **seconded** and the **motion passed** without objection.

Break: 2:29 p.m. - 2:50 p.m.

NOMINATIONS FOR OFFICERS AND EXECUTIVE COMMITTEE MEMBERS-AT-LARGE

President Archibald opened the floor for nominations for the 2023-2024 Officers and three Member-at-Large seats on the Executive Committee:

Mako Haggerty **moved** that the current Officers and Members-at-Large be elected/seated to serve another term in their current positions as follows:

Office of President:	Robert Archibald.
Office of Vice President:	Amanda Bauer.
Office of Secretary:	Bob Shavelson.
Office of Treasurer:	Wayne Donaldson.
Members-at-Large:	Robert Beedle, Ben Cutrell, Angela Totemoff.

There were no objections from the nominees, and President Archibald stated that Bob Shavelson (who was absent from this meeting) had previously indicated that he would be willing to serve another term in his present position of Secretary. Michael Vigil **seconded** the motion. There being no further nominations, nominations were closed by consensus. Hearing no objection, President Archibald declared the **present Officers and Members-at-Large elected and seated** for another term.

4-4 REPORT ACCEPTANCE: 2019 ALASKA NORTH SLOPE CRUDE OIL PROPERTIES

The Board was asked to accept a report by Dr. Merv Fingas titled "Review of the 2019 Alaska North Slope Oil Properties Relevant to Environmental Assessment and Prediction." This report is based on analytical laboratory testing results provided by Environment and Climate Change Canada on a November 2019 sample of Alaska North Slope (ANS) crude. A briefing sheet and a copy of the report were included as Item 4-4 in the meeting notebook.

Dr. Fingas presented his report and then answered technical questions from the Board.

David Janka stated that it was his hope this report would be added to the Council's dispersants literature files.

Jim Herbert **moved to accept** the report titled "Review of the 2019 Alaska North Slope Oil Properties Relevant to Environmental Assessment and Prediction" by Dr. Merv Fingas as meeting the terms and conditions of Contract #5640.23.01, and for distribution to the public. Robert Beedle **seconded** and the **motion passed** without objection.

4-5 SUSTAINABLE SHIPPING PHASE I – REGULATORY MANDATE REVIEW

PWSRCAC Project Manager Alan Sorum and Sierra Fletcher from Nuka Research and Planning Group, LLC, presented an informational briefing on Phase I: Regulatory Mandate Review (Project 8300).

This project, Phase I: Regulatory Mandate Review, will review and report on the evolution of regulatory requirements affecting the transition of ocean shipping, and tankers in particular, to a sustainable model.

Sierra Fletcher briefed the Board on the current findings of the study. Based on feedback from the Board and the POVTS Committee, the final report will be finished before the end of FY2023.

(This was an information item. No action was requested from the Board.)

Recess:

The meeting recessed at approximately 4:15 p.m. to reconvene the following day.

Friday, May 5, 2023

CALL BACK TO ORDER

President Archibald called the meeting back to order at 9:05 a.m. on May 5, 2023. A roll call was taken. There were 17 Directors present at the time of the call back to order (Archibald, Bauer, Beedle, Bender, Brittain, Crump, Cutrell, Donaldson (via Zoom), Haggerty, Hasenbank, Herbert, Janka, Malchoff, Moore, Totemoff, Vigil, and Zinck). Aimee Williams joined the meeting shortly thereafter at 9:07 a.m. via Zoom.

FEDERAL & STATE GOVERNMENT AFFAIRS UPDATE

PWSRCAC's Director of Programs, Joe Lally, along with the Council's legislative monitors Roy Jones in Washington, D.C. (federal issues), and Gene Therriault in Juneau (state issues), reported on developments and prospects related to PWSRCAC's legislative priorities.

Lally thanked the Legislative Affairs Committee (Chair Dorothy Moore, Vice Chair Robert Beedle, and members Robert Archibald, Mako Haggerty, Elijah Jackson, and Kirk Zinck) for all their time and support working towards PWSRCAC's legislative concerns. Lally also thanked Roy Jones and Gene Therriault for their support and guidance on Council legislative priorities and concerns. He then turned the floor over to Gene Therriault and Roy Jones for their respective reports.

State legislative issues

- ADEC/SPAR budget. Gene Therriault reported that the Governor submitted basically a status quo budget for ADEC/SPAR for the upcoming fiscal year and there was indication that it would be adopted. If this is the case then there would be no erosion of the ADEC/SPAR budget. The legislature simply needs to make sure that the funds are deposited into the correct account at the appropriate times. Therriault was confident that would occur this year.
- Refined Fuels Surcharge. A proposed increase in the refined fuels surcharge which PWSRCAC had advocated for in the past (that it be increased to 1.5 cents/gal.) had failed last session. Sen. Cathy Giessel was interested in supporting that legislation and had introduced it. It was pending in the Senate

Resources Committee at that time. PWSRCAC submitted a letter of support and background information, and PWSRCAC's Executive Director Schantz was scheduled to testify before the Senate Resources Committee later that afternoon. Sen Giessel is interested in finding a House member in the majority to co-sponsor.

- Invasive species. Legislation to create an invasive species council did not pass last session, but a working group has continued to work with the Administration, and the Governor has indicated a willingness to administratively create an invasive species council. Therriault reported there is every indication that the Governor intends to follow through with that administrative action.
- Senate Joint Resolution 11. This deals with a statement of support for the implementation of the resolution in the Don Young sponsored Coast Guard Re-Authorization Act. There was concern that some wording might disadvantage some competition among those interested players that provide spill response capability in different areas of the state. There are likely to be further amendments to that resolution which will deal with that lingering concern. Therriault reported that Joe Lally had had conversations with the staff of the sponsor of SJR 11 (Sen. Kiehl) and that the senator appreciated the input.
- House Bill 128 – dealing with the definition “oil terminal facility” which dealt with the state law that covers oil barges that deliver product primarily in Western Alaska, and whether those barges would have the same spill contingency specifications in place that oil terminals do. PWSRCAC had input into that with the prime sponsor to ensure that the language was modified so as to have no impact to the contingency plan requirements for the Valdez Marine Terminal.

Federal legislative issues

- Billie Garde Report. Roy Jones reported that he had helped with drafting a cover letter to Alaska's Congressional Delegation on the Garde report. The delegation is in receipt of it. As a result of that, the staffs of the Alaska Delegation are working with each other to schedule Ms. Garde to brief them by phone or in person in the next couple of weeks. There are meetings set up with the delegation for May 17 and 18 and Jones' staff is waiting for one office to answer back. After that Joe Lally will set up the USCG meeting.
- Jones stated that he cannot think of another body set up by Congress that does as much work as PWSRCAC. He commended the Council for the incredible amount of work that it does, and he felt sure that the Alaska Delegation also appreciates all that the Council does.

- The Alaska Delegation is aware of the request in the Garde report for a Government Accountability Office (GAO) audit. They want to hear the briefing from Billie Garde before making a GAO request. He said it was an excellent report.
- The Billie Garde report has not been shared beyond the Alaska Delegation in Congress as far as he was aware, but it may be shared with the committees of jurisdiction over the Valdez Marine Terminal (VMT) after they hear from Ms. Garde, because it is not only the Alaska Delegation that is concerned with the VMT.

Therriault followed up that, on the state side, the report was sent to both the President of the Senate and the Speaker of the House, with a request that it be made available to the different bodies by the Senate Secretary's Office or the Chief Clerk's Office. An announcement is made during a floor session by the Secretary or the Clerk that copies are available upon request from their respective office. It was also sent to the Chairman and the Joint Chairmen of the Joint Budget and Audit Committee for the Alaska Legislature. That is the entity that can authorize an audit of the state entities that oversee the VMT. Therriault stated he would follow up with those heads as well as other committee members so that when they discuss the report, PWSRCAC will be available to provide input. He hoped the committee would request an audit of the state entities at that time that oversee the VMT.

(This was an information item. No action was requested of the Board.)

4-7 REPORT ACCEPTANCE: 2022 DRILL MONITORING ANNUAL REPORT

Project Manager Roy Robertson presented an overview of staff's 2022 Drill Monitoring Annual Report for Board acceptance. The report summarizes the drills and exercises that were attended and evaluated by PWSRCAC staff in 2022. A copy of the report and a briefing sheet were included in the meeting notebook as Item 4-7.

Robertson noted that Polar Tankers does more arrest and towing exercises than the other shippers. Staff would like to see each of the four shippers do an exercise, as one per quarter is required and it seems logical for all to participate. Robertson also discussed future exercise activities the Council suggests would be prudent to practice; more open water deployments, nearshore response and sensitive area protection, exercises in fog and darkness, and unannounced exercises.

Planned exercises and trainings for 2023 are:

- Valdez Marine Terminal Field Exercise – April 20.
- ATC/Hilcorp Prince William Sound Shipper Exercise – May 16-18.
- Valdez Marine Terminal IMT Exercise – October.

Michael Vigil **moved to accept** the 2022 Annual Drill Monitoring Report for distribution. Angela Totemoff **seconded** and the **motion passed** without objection.

4-8 COMMUNITY OUTREACH ANNUAL REPORT

Outreach Coordinator Maia Draper-Reich reported on the community outreach events that Council volunteers and staff undertook in 2022, as well as work accomplished by the Fishing Vessel Program Community Outreach (3410) and Youth Involvement (3530) projects during FY2023. A briefing sheet was included in the meeting notebook as Item 4-8.

(This was an information-only item. No action was requested of the Board.)

Break: 10:35 a.m. – 10:50 a.m.

4-9 ANNUAL BOARD COMMITTEE APPOINTMENTS

The annual appointment to Board subcommittees was led by Executive Director Schantz and President Archibald. A briefing sheet was included in the meeting notebook as Item 4-9 which outlined each of the committee's functions.

The following Directors volunteered to serve on each Board committee and were **confirmed by a motion made** by Ben Cutrell, **seconded** by Mako Haggerty, and **passed without objection**. (It was agreed that Directors who wanted to serve on a subcommittee but were not present at this meeting could be added later.)

- FINANCE:
Treasurer Wayne Donaldson (chair), Robert Archibald, Mako Haggerty, Angela Totemoff, Jim Herbert.
- LONG RANGE PLANNING COMMITTEE:
The chairs of all the technical committees, Robert Archibald, Jim Herbert, Angela Totemoff, and Cathy Hart from the IE Committee.
- BOARD GOVERNANCE COMMITTEE:
Luke Hasenbank, Dorothy Moore, Robert Beedle, Mike Bender.
- LEGISLATIVE AFFAIRS COMMITTEE:
Robert Beedle, Robert Archibald, Mako Haggerty, Kirk Zinck, Dorothy Moore, Elijah Jackson.

4-10 ANNUAL BOARD REQUIRED DOCUMENTS COMPLETION

Director of Finance Ashlee Hamilton reminded Board members to acknowledge PWSRCAC's Code of Conduct, complete a Statement of Residency, and complete the Conflict of Interest and Transactions with Interested Parties form. A copy of the documents was included in the meeting notebook under Item 4-10 along with a briefing

sheet explaining their purpose and the requirement. They were sent to all Board members electronically. Board members had the option to complete the documents electronically through the DocuSign software or sign them in person. Those who had not completed them were asked to complete them as soon as possible.

For the Good of the Order – USCG Opening Comments (Revisit)

CDR Drayer followed up with information that was discussed the previous day during the USCG Opening Comments portion of the meeting and some questions posed by Board members.

- The VHF communications outages in Prince William Sound that some Board members raised the previous day with LCDR Jacobs were caused by construction in the Cordova area. The outages have been repaired.
- Aviation assets – Air Facility Cordova will be doing operations all summer long. MSU Valdez is not always aware of what other USCG Sectors are doing around the state of Alaska or if operations are going on in the airspace. CDR Drayer offered to arrange a presentation on the structure of USCG and the lines of communication and the authorities within the organization if the Board wants that information.
- The Rescue 21 system is up and operating, but it is not a system that is under MSU Valdez control. The Valdez VTS system does not use Rescue 21. The USCG Sectors Juneau and Anchorage are the Rescue 21 users.
- MSU Valdez does not have an individual Facebook page. Their social media information goes to USCG District 17 and is posted to the District 17 page.

CDR Drayer announced his rotation out of MSU Valdez in June. He thanked the Council for all the work it does and has done in the past. He also thanked the Council and its member for their patience in allowing the USCG into their communities to learn things that they do not necessarily need to know elsewhere in the country. His replacement will be new to Alaska. The change of command ceremony will occur on June 20.

Executive Director Schantz thanked CDR Drayer for his dedication and service to the safe transportation of oil through Valdez and Prince William Sound, noting that he came into the Valdez command at a difficult and challenging time of the COVID pandemic. On behalf of the Council, Schantz presented CDR Drayer with a framed print of Prince William Sound in appreciation of his service and stewardship of Prince William Sound.

4-11 POVTS TANKER SPEED REDUCTION OPERATIONAL REVIEW

Project Manager Alan Sorum and POVTS Committee Chair Steve Lewis presented an overview of the POVTS Committee's initial look at potential vessel-whale strike mitigation

recommendations in Prince William Sound. This agenda item and review came to the Council through a public comment request at a prior Board meeting from Mr. Rick Steiner of Oasis Earth for the Council to look at vessel-whale strike mitigation efforts. He had requested the Council's support of the establishment of a Vessel Speed Reduction (VSR) for the TAPS tanker fleet and SERVS tug fleet operating within Prince William Sound and the Gulf of Alaska.

A POVTS project team was formed at the request of President Archibald and Executive Director Schantz to look at the maritime operational impact of proposed speed reductions on the TAPS fleet, and to subsequently produce recommendations pertaining to Mr. Steiner's requested actions of the Board.

A briefing sheet and a draft internal memo were included in the meeting notebook as Item 4-7, which included the POVTS Committee's recommendations that came out of the POVTS Committee's project team investigation into possible mitigation measures to avoid vessel-whale strikes including a reduction in transit speeds.

Lewis briefly reviewed with the Board the project team's investigative efforts and how it approached the work and recommendations made in its report. The committee agreed that it needed to follow the issues but was not sure if POVTS could come up with a project. With that said, their recommendations at this point were:

- The POVTS Committee recommends that PWSRCAC *should not* at this time send a letter to NOAA requesting the issuance of a rulemaking for a tanker vessel speed reduction (VSR) in Prince William Sound and the Gulf of Alaska.
- The POVTS Committee recommends that the PWSRCAC *should not* at this time send a letter to all Prince William Sound tanker owners/charterers requesting that, as NOAA considers the proposed rulemaking, they voluntarily adopt an interim VSR as proposed.
- The POVTS Committee recommends that the PWSRCAC should continue to monitor statements made, or actions taken by NOAA, Prince William Sound tanker owners/operators/charterers, and other interested parties concerning vessel-whale interaction in Prince William Sound and VSR rulemaking.
- The POVTS Committee recommends that the PWSRCAC should be prepared to comment, as is appropriate and timely, on statements made, or actions taken by NOAA, Prince William Sound tanker owners/operators/charterers, and other interested parties concerning vessel-whale interaction in Prince William Sound and VSR rulemaking.

A general discussion followed.

Executive Director Schantz pointed out that the POVTS project team's investigative efforts were done without input from the TAPS tanker owners, and she also pointed out that some of the VSR could be an issue in the ability of bridge crews to maintain a heading at 8 knots to control a tanker in advanced sea states, such as around Hinchinbrook Entrance.

Mako Haggerty pointed out that it is not only speed that impacts whales but also noise from the vessels.

(This was an information-only item. No action was requested of the Board at this time.)

PRESIDENTS REPORT TO THE BOARD

President Archibald thanked the Board for electing him to the office of President for another year.

He talked about defining moments in Alaska. Creation of the Council was born out of a defining moment in Alaska's history and was also born out of lack of responsibility on the community's part, industry's part, the government's part, and the public's part. He emphasized that the Council's common goal, with partners, is to maintain safe VMT operations, maintain the world's best TAPS tanker fleet, and to make sure all personnel involved in those operations go home safe -- and everyone has that responsibility.

Lunch Break: 12:00 p.m. – 1:00 p.m.

DISCUSSION WITH JOHN KURZ, Alyeska President

John Kurz, incoming Alyeska President, introduced himself to the Council and gave a brief history of his background.

He acknowledged receipt of the Billie Garde report and expressed appreciation for PWSRCAC's making some adjustments in the draft that Alyeska had asked for. He announced that internally Alyeska has formed a team to look into the specific areas that need to be adjusted that were identified in the Garde report. The team will be led by Scott Hicks. Alyeska has also created a management action plan looking at six different themes that were identified in the report. That action plan has specific actions, accountable persons, and due dates assigned to those actions. Additionally, he is meeting with the team every morning to understand what is happening internally and externally, and how Alyeska is progressing on the action plan. The executive team is paying close attention to that action plan, meeting internally with employees, and taking seriously the issues and how to address them. He emphasized that Alyeska is taking the report seriously and using it as an opportunity to learn and grow to achieve the standards it has set for itself.

He emphasized that his first priority is safety, a safe environment for the workforce, personal safety, and process safety.

A brief discussion followed Mr. Kurz' remarks.

Angela Totemoff pointed out to Mr. Kurz that she was nine years old in Tatitlek when the EVOS happened. She knew even then the implications of the spill and she grew up with the repercussions of the aftermath. She emphasized that the Council and its communities are dedicated to protecting Prince William Sound from another spill and appreciated that Alyeska is taking the report seriously. She wished Kurz well as he takes the helm at Alyeska and said she prayed he and his team had the vision and leadership skills it takes to make Alyeska the safest company in the world -- and PWSRCAC exists to help with that. She invited Kurz to visit the Council's communities to see the beauty of the land and the waters the Council and its communities are protecting.

Mako Haggerty pointed out that the report would probably never have been commissioned if Alyeska's employees had not come to PWSRCAC with their concerns. He did not want Alyeska employees to have to come to the Council in the future to get their concerns addressed.

EXECUTIVE DIRECTOR'S REPORT TO THE BOARD

Executive Director Schantz noted that she had provided a written report a few days before the meeting via email and asked the Board to refer to that for a more comprehensive overview of activities since the January meeting.

She stated that she was pleased to hear Alyeska was taking the Garde report seriously and that Scott Hicks would be coming back to the lead the team looking into the issues.

She pointed out that the Council recognizes there are great employees at Alyeska and the regulatory agencies who are doing good work, but the report indicates there are not enough of them, and they do not have the resources they need to do their job. She also pointed out that every incident highlighted in the Garde assessment confirms that the tension between cost on the one hand, and compliance and safety on the other, contributed to that event. She emphasized the importance of making sure that employees have the resources they need to do their jobs.

She reminded the Board that a Council delegation would be going to Washington, D.C., in mid-May to discuss the Garde assessment. She emphasized that this would be only the first step and that there would be follow-up visits and discussions with the goal of promoting positive change to prevent accidents. She said that the Council is pleased that Alyeska has been open to the report and is taking it as seriously as they are.

She also pointed out two internal recommendations in the report that the Council needed to follow up on: (1) for PWSRCAC to develop a protocol for dealing with safety concerns that it might receive in the future, and (2) for PWSRCAC to create a human factors committee or a project to assess the status of risks.

She reminded everyone that there were still some outstanding PWSRCAC information requests in at Alyeska. While PWSRCAC has received some information, the items that remain are not moving quickly off the list and some have been outstanding for two years, and it has become more of a challenge in the last few years to follow up on issues. She stated that in order for PWSRCAC to follow up on some of Billie Garde's recommendations to PWSRCAC, such as the formation of a human factors committee, PWSRCAC needed to have access to information that had been extremely challenging for PWSRCAC to obtain. Under the current situation, Schantz opined that the recommendation from Billie Garde was an impossible task. Schantz pointed out that under its contract obligations to the Council, Alyeska is to provide access to documents and records *"with reasonable promptness"* and they *"shall provide a complete response of all written advice and recommendations within 10 business days or notify PWSRCAC when it will make a complete response."*

Schantz said PWSRCAC had been very patient, but it appeared Alyeska did not have the resources to meet those obligations and PWSRCAC would need to elevate those issues in terms of how PWSRCAC would move forward.

Schantz reported that the Council received a clean recertification from USCG in February and it is advertising for candidate organizations to apply to fill a Recreation Seat. The deadline to apply is July 15, 2023. She pointed out that at a recent meeting with USCG, certain District 17 staff still seemed to believe that PWSRCAC is out of compliance with OPA 90 by not having a designated recreation seat, but that it is PWSRCAC's long-standing belief, based on its legal counsel's opinion that there is no legal requirement for PWSRCAC to have a dedicated recreation member. There is only a legal requirement that it be broadly representative of the interests in the area. Going back into the Council's history and minutes of Board meetings, she reported that a recreation seat was not added until 1992. The opinion of legal counsel at the time was that it was not required, but Board members at the time thought that it was a good thing to strive to meet. Schantz also pointed out that the original certification of the organization in 1991, signed by President George H.W. Bush, did not include a recreation seat. She emphasized that PWSRCAC is currently striving to find a recreation organization to serve on the Board, even though it is not required by OPA 90 to do so.

She announced that the Strategic Planning Workshop will be held the day before the September Board meeting on Wednesday, September 20, 2023, in Homer, and PWSRCAC's contractor Agnew::Beck will be reaching out over the summer to solicit ideas from Board members and committee volunteers.

Schantz welcomed new Board member Michael Brittain and committee member Matt Melton, and new staff Project Manager for the TOEM Committee, Mercedes "Sadie" Blancaflor. She said farewell to outgoing TOEM Project Manager Austin Love and Financial Manager Gregory Dixon. She thanked all the Board and committee member volunteers for their dedication to the organization and expressed her appreciation to staff for their hard work.

For the Good of the Order

President Archibald recognized Joe Levesque for his steady legal advice to the organization over several years. Levesque responded that he is constantly impressed with not only the dedication of all the volunteers, but the passion with which they serve the Council.

FINANCIAL MANAGER'S REPORT

Director of Finance Ashlee Hamilton thanked the Finance Committee for all their work over the past year and appreciated those who volunteered to serve on the committee for another year, as well as to Jim Herbert for joining the committee. She also thanked the Anchorage-based Board check signers this past year (Luke Hasenbank, Angela Totemoff, and Ben Cutrell) for their time.

She reported that she had been working on the FY2024 budget since the January Board meeting. That budget was approved at this meeting.

Over the next few months, she will close out the FY2023 books and start preparing for the annual audit. She plans to schedule an in-person Finance Committee meeting sometime in July or August for the committee to meet with the auditors to review the audit report.

She reported she was getting closer to offering Automated Clearing House (ACH) payments and was working with IT contractor Sockeye Consulting on setting this up. It has a 30-90 day implementation period so it is unlikely it will be ready until around September. Hamilton said she was also looking into new budgeting software through Sage Intacct for the FY2024-25 budget.

She reported that she and Executive Assistant Jennifer Fleming would be working on an electronic reporting form for volunteer expense reimbursements that could be completed online and submitted electronically.

CONSIDERATION OF CONSENT AGENDA ITEMS

(None.)

CLOSING COMMENTS

Directors were given the opportunity to make closing comments.

Robert Beedle quoted a communication he had received from the Executive Director of Cordova District Fishermen United reporting on the feedback coming in over and over from the fleet to the Billie Garde report, and the response was "Thank you, RCAC."

ADJOURNMENT

There being no further business to come before the Board and there being no objection, **the meeting was adjourned** at 2:21 p.m.

Secretary

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