

**PRINCE WILLIAM SOUND
REGIONAL CITIZENS' ADVISORY COUNCIL
MINUTES
REGULAR BOARD MEETING
September 19 and 20, 2024
Kodiak, 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 <i>(via videoconference)</i>	Prince William Sound Aquaculture Corporation
Ben Cutrell	Chugach Alaska Corporation
Wayne Donaldson	City of Kodiak
Mako Haggerty	Kenai Peninsula Borough
Luke Hasenbank	Alaska State Chamber of Commerce
Jim Herbert	Oil Spill Region Recreational Coalition
Elijah Jackson <i>(via videoconference)</i>	Kodiak Village Mayors Association
David Janka <i>(via videoconference)</i>	City of Cordova
Melvin Malchoff	Port Graham Corporation
Dorothy Moore	City of Valdez
Bob Shavelson	Oil Spill Region Environmental Coalition
Angela Totemoff <i>(via videoconference)</i>	Tatitlek Corporation & Tatitlek Village IRA Council
Michael Vigil	Chenega Corporation & Chenega IRA Council
Aimee Williams	Kodiak Island Borough
Kirk Zinck	City of Seldovia

Members Absent

(None.)

Committee Members Present

Steve Lewis <i>(via videoconference)</i>	POVTS Committee
Max Mitchell	POVTS Committee
Sarah Allan <i>(via videoconference)</i>	SA Committee
John Kennish <i>(via videoconference)</i>	SA Committee
Savannah Lewis <i>(via videoconference)</i>	IE Committee
Cathy Hart	IE Committee
Ruthie Knight <i>(via videoconference)</i>	IE Committee
Matt Melton <i>(via videoconference)</i>	OSPR Committee
Dave Goldstein <i>(via videoconference)</i>	OSPR Committee
Tom Kuckertz	TOEM Committee

Staff Members Present

Donna Schantz	Executive Director
Joe Lally	Director of Programs
Brooke Taylor	Director of Communications
Hans Odegard	Director of Administration
Ashlee Hamilton	Director of Finance
Jennifer Fleming	Executive Assistant
Danielle Verna	Project Manager
Roy Robertson	Project Manager
Linda Swiss	Project Manager
Jeremy Robida	Project Manager
John Guthrie	Project Manager
Amanda Johnson	Project Manager
Sadie Blancaflor	Project Manager
Maia Draper-Reich	Outreach Coordinator
Nelli Vanderburg	Project Manager Assistant
Jaina Willahan	Project Manager Assistant

Ex Officio Members Present

Ytamar Rodriguez	Alaska Dept. of Environmental Conservation
Lisa Fox <i>(via videoconference)</i>	U.S. Department of the Interior
CDR Sarah Rousseau	USCG MSU Valdez
Torri Huelskoetter <i>(via videoconference)</i>	U.S. Environmental Protection Agency
Reid Olson <i>(via videoconference)</i>	Bureau of Land Management
Anthony Strupulis <i>(via videoconference)</i>	Department of Natural Resources
Jonathan Kirsch <i>(via videoconference)</i>	Alaska Dept. Fish & Game

Others Present

Andres Morales	Alyeska Pipeline Service Company
Alyssa Sweet	Alyeska Pipeline Service Company
Mike Day <i>(via videoconference)</i>	Alyeska Pipeline Service Company / SERVS
Diana Bouchard <i>(via videoconference)</i>	Alyeska Pipeline Service Company
Kate Dugan <i>(via videoconference)</i>	Alyeska Pipeline Service Company
Klint VanWingerden <i>(via videoconference)</i>	Alyeska Pipeline Service Company
Suzanne Cunningham <i>(via videoconference)</i>	Alyeska Pipeline Service Company
Graham Wood	Alaska Dept. of Environmental Conservation
Kara Kusche <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Melissa Woodgate <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Sarah Moore <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Sonja Mishmash <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Kathy Shea <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
Sam Saengsudham <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation

Mollie Dunkin <i>(via videoconference)</i>	Alaska Dept. of Environmental Conservation
MST2 Taylor Ward	USCG MSU Kodiak
MSTC Daniel Jarrett	USCG MSU Kodiak
Eileen Oliver <i>(via videoconference)</i>	Bureau of Land Management
Paul Degner <i>(via videoconference)</i>	Bureau of Land Management
Mark Curtis <i>(via videoconference)</i>	Crowley Alaska Tanker
Andrea West	Polar Tankers
Joe Scalia <i>(via videoconference)</i>	Colorado State University
Peter Laliberte	Santos
Tony Parkin	Santos
Walt Hufford	Repsol
Jim Wade	Repsol
Lydia Miner <i>(via videoconference)</i>	SLR
Bob Klieforth <i>(via videoconference)</i>	SLR
Natalie Kiley-Bergen <i>(via videoconference)</i>	Alaska Public Interest Research Group
Dr. Greg Ruiz <i>(via videoconference)</i>	Smithsonian Environmental Research Center
Dr. Nicole Ziegler <i>(via videoconference)</i>	University of Hawaii
Billie Garde <i>(via videoconference)</i>	Clifford & Garde, LLP
Dr. Mary Anne Bishop <i>(via videoconference)</i>	PWS Science Center
Janet Theis	Representative Louise Stutes Office
Celest Ossowski	Kodiak Area Native Association
Mary Lund	Citizen
Erik Munk	Citizen

Thursday, September 19, 2024

CALL TO ORDER, WELCOME, AND INTRODUCTIONS

A regular meeting of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council was held September 19 and 20, 2024, at the KANA Marketplace, Kodiak, Alaska. President Robert Archibald called the meeting to order at 8:30 a.m. on September 19, 2024, and welcomed everyone to the meeting.

A roll call was taken. The following 19 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Bender, Brittain, Crump *(via videoconference)*, Cutrell, Donaldson, Haggerty, Hasenbank, Herbert, Jackson *(via video conference)*, Janka *(via videoconference)*, Malchoff, Moore, Shavelson, Totemoff *(via teleconference)*, Vigil, and Williams. Kirk Zinck joined the meeting in person at approximately 9:00 a.m.

Ben Cutrell, Chugach Alaska Corporation's representative on the Council, welcomed everyone to Kodiak, with the following statement:

Where we gather today is in the ancient homeland and traditional territory of the Alutiiq/Sugpiaq people. We recognize the complex history and rich culture of Alaska's Native communities, here and throughout our region, and ask you to join us in honoring the families and tribal members still connected to this land, as we conduct our business.

Aimee Williams, the Kodiak Island Borough's Manager and the Borough's representative on the Council, also welcomed everyone to Kodiak and the meeting.

Robert Archibald led a moment of silence in memory of George Skladal, an original and longtime volunteer on the TOEM Committee for over 33 years, who passed away on June 25, 2024, at age 91.

Introductions and Directors' reports followed.

1-0 AGENDA

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

Jim Herbert **moved to approve the agenda** (green-colored sheet). Mako Haggerty **seconded. The motion passed** without objection and **the agenda was approved as presented.**

1-1 MINUTES

Amanda Bauer **moved to approve the minutes of the Annual Meeting of the Board of Directors May 2-3, 2024.** Jim Herbert **seconded,** and the **minutes were approved as presented.**

PUBLIC COMMENTS

(None at this time.)

INTERNAL OPENING COMMENTS – PWSRCAC TECHNICAL COMMITTEES

TERMINAL OPERATIONS & ENVIRONMENTAL MONITORING COMMITTEE (TOEM)

Vice Chair Amanda Bauer reported on the activities of the TOEM Committee since the May Board meeting as follows:

- The committee received a presentation on current and upcoming Valdez Marine Terminal (VMT) maintenance projects from Mike Drew, VMT Maintenance Manager, South, on July 10, 2024. The committee thanked Alyeska for its efforts coordinating this presentation to align with the TOEM Committee's meeting date. The committee found this presentation to be thorough and engaging.
- The committee voted to bring a contractor to the VMT to observe the secondary containment liner pilot testing in the VMT West Tank Farm and calibration of the non-destructive testing method geoelectric leak location (GELL). This pilot test was

intended to evaluate the non-destructive testing methods that will be used to verify the integrity of the secondary containment liner at the VMT. Dr. Joe Scalia, a subcontractor for Dr. Craig Benson, subsequently traveled to Valdez to observe that testing, which occurred July 22 – 30, 2024, with Council staff Sadie Blancaflor, Joe Lally, and Jeremy Robida. Dr. Scalia will present an overview of the VMT West Tank Farm pilot study work later in the agenda.

- The committee held additional discussions with Taku Engineering, LLC, on the revision of the report titled “Review of the Ballast Water Tank 94 and Crude Storage Tank 7 Out-of-Service Inspection Reports.” These meetings addressed feedback and additional documentation provided by Alyeska that had not been included with the initial round of requested information related to this report. The report was then accepted as final by the TOEM Committee and approved by the Executive Committee on July 18, 2024.
- The committee also reviewed, revised, and accepted as final another Taku Engineering report (“Review of Crude Oil Storage Tank 2 Out-of-Service Inspection Report”), which was then approved by the Executive Committee on July 18, 2024.
- The committee reviewed documents from multiple Public Records Requests (submitted from October 2023 – May 2024) to the State Fire Marshal regarding the tank bottom processing fire that took place in the East Tank Farm on August 30, 2023. Additional documents, including the investigation report, were formally requested from Alyeska via a letter transmitted on February 29, 2024. VMT Operations Director Klint VanWingerden provided answers to several questions about the fire via email on June 10, 2024, but the requested documents from Alyeska are still outstanding. The TOEM Committee continues to have outstanding questions regarding the tank bottom processing fire that could be addressed through the receipt of the requested documentation from Alyeska.
- The committee expressed appreciation for Alyeska’s work to improve the response time to the committee’s requests for additional information in support of its projects and work. However, the committee continues to have outstanding requests for information from Alyeska needed for projects funded for FY2025. This includes information related, but not limited to, Storage Tank Maintenance Review of Tank 93, the Crude Oil Piping Maintenance Review, and Maintaining the Secondary Containment Liner.

OIL SPILL PREVENTION & RESPONSE COMMITTEE (OSPR)

Chair Jim Herbert reported for the OSPR Committee on its activities since the May Board meeting, as follows:

- The committee was 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.
- Prince William Sound Tanker C-Plan: The major amendment submitted in September 2023 was approved by ADEC in June 2024. This amendment aligns the plan with changes in c-plan regulations and covers replacement of the Mineral Creek response barge with the new OSRB-5.
- Valdez Marine Terminal C-Plan Renewal: ADEC has issued two rounds of Requests for Additional Information (RFAs). The second round was issued in July 2024 and responses were submitted in August. Once ADEC determines the plan is “complete,” there will be a final public comment period on both rounds of responses to the RFAs. The current c-plan is set to expire on November 7, 2024.
- The Regional Stakeholder Committee (RSC) Task Force completed their work on the job aids for members of the RSC and the RSC Liaison Officer. PWSRCAC/OSPR Committee has had significant input into creating and completing these job aids.
- The OSPR Committee’s virtual meeting with contracted response vessel representatives took place via Zoom on March 6, 2024. The committee accepted the draft report generated from that meeting as final and it was then accepted by the Executive Committee earlier this month, before being sent to SERVS for their information.
- The committee reviewed and accepted various drill/exercise reports.
- OSPR has been kept up to date on various weather-related projects, including repair and maintenance on the Port Valdez weather buoys and the Council’s several Prince William Sound weather stations. Dr. Rob Campbell completed his analysis of the 2023 Port Valdez weather buoy data, and the Board will hear a presentation and be asked to act on this item later in this meeting.
- The committee was also updated on the Seal Rocks and Cape Cleare buoys in the Gulf of Alaska, both of which stopped working and then escaped their moorings late last year and early this year, respectively. The buoys were replaced by the National Data Buoy Center (NDBC) in April 2024; however, soon afterwards, the Seal Rocks buoy stopped reporting wave data again. PWSRCAC’s new Maritime Operations Project Manager and our legislative monitors in Washington, D.C., worked with NOAA and the NDBC to ensure the wave sensor would be repaired prior to the fall/winter season. The wave sensor was replaced in early September and both buoys are on-station and operable once more.
- As a representative of the OSPR Committee, Herbert participated in the interviews conducted by the Government Accountability Office (GAO) relating to the TAPS risk

and safety culture assessment report (Billie Garde report), and Max Mitchell and Herbert attended the landslide and submarine-generated tsunami workshop earlier in the season.

(Kirk Zinck arrived at 9:00 a.m. – 20 Directors present.)

PORT OPERATIONS & VESSEL TRAFFIC SYSTEMS COMMITTEE (POVTS)

Chair Steve Lewis reported (via videoconference) on the efforts of the POVTS Committee since the May Board meeting.

He prefaced his report with an explanation of the committee's focus on the maritime operations and tankers that visit the VMT, and composition of maritime and offshore industry professionals. The committee's primary concern is that of safety. That includes the safety of the physical environment in the EVOS region, the safety of the creatures with whom it is shared, the safety of the people who live and work in Prince William Sound, and the safety of the physical infrastructure upon which the safe transportation of oil depends. He said the committee works to ensure this safety by following the operation of the TAPS tankers and the SERVS support fleet, and offering observations and recommendations for improvement. The committee monitors vessel design and construction, the daily operation of the fleet, the oversight of the fleet by the USCG and the ADEC, the compliance of operations with various other regulatory agencies, and the adoption of developing best available technology in marine transportation of oil. The committee believes that these efforts can have a positive effect in achieving the goal of operational safety of the TAPS system.

Lewis reported that PWSRCAC's new Maritime Operations Project Manager, John Guthrie, had joined the staff and started work with the committee. Lewis outlined Guthrie's qualifications and experience in maritime operations and welcomed him to the committee.

Lewis continued with a report of the committee's activities since the May Board meeting:

- The committee continues to stay informed about the weather-based projects led by the OSPR Committee and on matters pertaining to the Port Valdez weather buoys.
- The POVTS Committee collaborated with the Scientific Advisory Committee (SAC) on Council letters to NOAA and the Prince William Sound shippers regarding whale-vessel strike mitigation efforts, per the Board's direction at their May 2024 meeting. The letter to NOAA requested additional data review and outreach in order to assess and mitigate the risk of vessel-whale strikes in Prince William Sound, and the letter to the shippers requested they consider voluntary speed reductions for the same purpose, and also to reduce air emissions and underwater noise. The committee has discussed the responses PWSRCAC received to both letters, neither of which the committee found to be completely satisfactory, and the committee will be re-

examining possible courses of action on the matter of whale strike mitigation in their upcoming annual work plan.

- The committee recently received the Phase 2 report for the Maritime Miscommunication Project and will be reviewing it at their next regular meeting. The report will go to the Board or the Executive Committee for approval after POVTS takes action on the report. There will be a presentation on this project later in this Board meeting (currently scheduled for Friday morning). Beyond that, Lewis pointed out, there are social and interpersonal aspects of communication that are applicable to every conversation that we all have every day, and those lessons could be applied to benefit everyone. Lewis urged everyone to read the report and attend the presentation by Dr. Ziegler the following day. The committee will be considering the next steps of this project at its next meeting.
- This project has been completed. The Tsunami Hazards Guidance Workshop for Vessel Operators took place in early June and the committee recently accepted the final summary. This report will go to the Executive Committee or the Board for approval at a future meeting.

Mako Haggerty questioned whether the committee had accepted the response from NOAA on the whale-vessel strike issue or whether the committee had found it to be an unsatisfactory answer. Lewis responded that while it is not the committee's purview to accept or reject a response from the shippers or an agency to a letter from the Board, the committee did express and continues to sense that the response from NOAA was somewhat positive in that they have committed to pushing their information products a little more aggressively, but they did not commit to putting in any new effort with respect to researching the basic scientific questions of whale-vessel interaction in Prince William Sound. With respect to the shippers, the letter asked that they consider a voluntary speed reduction in the traffic lanes, and their response was basically to thank the Board for its suggestion but they are not going to do it. So, from the POVTS Committee's point of view, which has seen no operational reason for the shippers not to comply with a voluntary speed reduction in the tanker lanes, that was a disappointing but expected reply. Consequently, the committee will see what it can do at a project level, possibly in collaboration with SAC, to develop some of the basic science that people claim is lacking to justify such action.

INFORMATION AND EDUCATION COMMITTEE (IEC)

Vice Chair Cathy Hart thanked staff and the committee members, and reported that IEC had two regular meetings and one project team meeting since the Board's May meeting, and the committee's activities were as follows:

- Plans are underway to host the annual Fishing Vessel tour on Monday, September 30, 2024, in Whittier. The Council has contracted with Stan Stephens Glacier & Wildlife Cruises to charter a vessel for the tour. IEC member and Whittier

Community School teacher Andrea Korbe is assisting to get middle and high school students out on the tour. Outreach Coordinator Maia Draper-Reich is the contact person for further information on this outreach event.

- The committee accepted four final reports from the following contractors as complete and meeting all deliverables for the Youth Involvement project: University of Alaska Anchorage-Prince William Sound College, Center for Alaskan Coastal Studies, and Fireweed Academy Charter School. Contracts are ongoing with Alaska Geographic, Copper River Watershed Project, Kenai Mountains - Turnagain Arm National Heritage Area, and Wrangell Institute for Science and Environment. These five contracts are on track to close at the end of September.

The most recent Youth Involvement RFP cycle received four project proposals. A project team met to review and evaluate the proposals. Based on the project team's recommendations, the committee voted to fund all four proposals at their requested amounts.

- In May, OSPR member Matt Melton, SAC members Davin Holen and Sarah Allan, and four Council staff members attended the International Oil Spill Conference in New Orleans. The Council co-hosted an exhibitor booth with Cook Inlet Regional Citizens Advisory Council at this event. Additionally, Davin Holen and PWSRCAC Project Manager Danielle Verna gave a presentation titled "Building Collaborative Social Science Research Models to Understand the Social, Cultural, and Economic Impacts of Spills."

Council staff have coordinated and participated in additional outreach events, and have presented to groups including regional teachers, college students, and local tour guides. These will all be detailed during the Community Outreach Annual Report at the May 2025 Board meeting.

- Author and illustrator Tom Crestodina provided a rough draft of the text, and progressed the storyboard and illustrations as far as he was able to before the fishing season started. Director of Communications Brooke Taylor distributed this information to the project team and industry contacts for initial review and input. She has compiled and provided all edits received to Crestodina for his review when he returns from fishing in late fall of this year.
- The committee voted to recommend the nomination of Amanda Glazier to the Information and Education Committee. This recommendation was approved by the Executive Committee at their September meeting. Glazier received her Ph.D. in Environmental Biology and is currently an Assistant Professor of Environmental Sciences at the Prince William Sound College in Valdez. The committee is excited to welcome her and her experience and expertise to the team.

SCIENTIFIC ADVISORY COMMITTEE (SAC)

Chair Sarah Allan reported on the activities of the Scientific Advisory Committee since the May Board meeting as follows:

- The annual LTEMP sampling took place successfully over the summer. In May, passive sampling devices were deployed at three sites in Port Valdez. These samples were retrieved in June, along with sediment samples for hydrocarbon and metals analysis, and mussel samples for hydrocarbon analysis. Additional sampling was conducted in June via floatplane in Aialik Bay, Windy Bay, and Shuyak Harbor, which were sampling sites not reached during the quinquennial expanded LTEMP sampling that occurred in 2023. The committee anticipates receiving the draft report and results from this sampling at their next public meeting in early November.
- The committee received the final draft report from the Smithsonian Environmental Research Center on the results of their broad-scale invasive species survey in Prince William Sound, which included updated data and a full genetics analysis. The final report will be presented to the Board during this meeting (Item 4-5), and SAC recommends its acceptance.

Student interns have been monitoring monthly for invasive green crab in Valdez, Cordova, and Kodiak this summer. Green crab were first detected in Alaska in 2022, but no green crab have been found in our region to date.

- This year's Marine Bird Hot Spot Analysis report combined data from both Council-supported surveys and EVOS Trustee Council surveys throughout Prince William Sound to identify the highest use marine bird areas. The hotspot maps, data, and metadata have also been submitted to NOAA's Environmental Response Management Application database to make the information available to spill responders and planners. The committee has recommended the Board accept the completed report, which is scheduled to be presented at this Board meeting (Item 4-1).
- Following the action taken by the Board at the May meeting regarding the draft whale strike letters, the SA and POVTS Committees worked together to review and comment on draft letters to NOAA and TAPS shippers addressing concerns related to vessel-whale strikes in Prince William Sound. The letters were sent to NOAA and TAPS shippers, who responded on July 30 and August 21, respectively. The letters were acknowledged and briefly discussed at the recent September SAC meeting. No further action has been taken.
- A project team of staff, SAC, and IEC members is currently drafting a request for proposals to identify a contractor capable of assisting the Council with improving accessibility and distribution of the revised Peer Listener manual throughout our region.

- The purpose of the Social Science workshop is to gather community members from our region to identify science data needs and projects that fit within the PWSRCAC mission and could be supported by SAC. We are actively discussing options for holding the workshop in late winter 2025, in collaboration with the Chugach Regional Resources Commission and Alaska Sea Grant.
- Science Night is scheduled for December 5, 2024, at the Embassy Suites in Anchorage. The theme this year is, "Staying alert and proactive in the Exxon Valdez oil spill region." The committee encouraged everyone to attend this fun and informative event. An email invite and request for RSVP will be issued in advance.
- In mid-May, SAC member Roger Green attended the International Conference on Aquatic Invasive Species in Halifax, Nova Scotia. The conference covered a wide range of topics related to invasive species research, with a focus on both marine and freshwater ecosystems. Green's trip report was shared with SAC members and is available upon request.
- SAC continues to discuss the potential recruitment of a new member with expertise in oceanography. The committee has been evaluating potential candidates, but no recommendations have been made yet.

With regard to the committee's desire to engage with communities about science, Ben Cutrell commented that in January/February each year Chugach Alaska Corporation hosts its regional economic summit where all the communities get together and talk about pressing issues. This summit may offer an opportunity to get the word out to Alaska Native communities about SAC's search for more community-driven science needs on various issues.

Jim Herbert asked how fast and how far north the green crab are moving toward Prince William Sound. PWSRCAC's Danielle Verna reported that they have been found in Bostwick Inlet, near Ketchikan, so they are moving north, and Verna confirmed that from a study done approximately 15 years ago they can survive in Prince William Sound, Kachemak Bay, and the Kodiak region, and as far north as Valdez.

(This concluded the Opening Comments of PWSRCAC's Technical Committees.)

INTERNAL OPENING COMMENTS -- PWSRCAC BOARD SUBCOMMITTEES

LEGISLATIVE AFFAIRS COMMITTEE (LAC)

Dorothy Moore reported on the activities of the Legislative Affairs Committee (LAC) on federal and state issues of interest/concern to the Council since the last Board meeting.

- **Government Accountability Office Review.** During PWSRCAC's annual legislative visit to Washington, D.C., in May, Council staff and LAC members met with the Government Accountability Office (GAO) to discuss the process and scope of their review.

The GAO traveled to Alaska in August to conduct interviews with federal and state agencies with oversight responsibilities over the Valdez Marine Terminal (VMT).

During that visit the GAO interviewed PWSRCAC staff and volunteers regarding their review to determine the adequacy of federal and state regulatory oversight of the VMT.

The GAO plans to release their report on this matter in early 2025.

- **Seal Rocks Weather Buoy.** The Council's Legislative Monitors in Washington, D.C., conducted outreach with Alaska Delegation staff regarding the inoperable and off-station Seal Rocks and Cape Cleare weather buoys in the Gulf of Alaska, previously reported in the OSPR Committee report. The efforts of the Council's federal and state legislative monitors were instrumental in the replacement of those buoys, and the subsequent repairs.
- **Coast Guard's Application of Vessel Inspection Regulations to the SERVS Response Fleet.** The Council has been concerned with the potential serious impacts to the Alyeska/SERVS uninspected response vessel fleet since 2020, when the issue of the Coast Guard's application of Subchapter M towing vessel inspections first arose.

At that time, U.S. Coast Guard District 17 updated the PWSRCAC Board on a Marine Safety Information Bulletin that exempted the SERVS uninspected response vessels. However, in 2023, U.S. Coast Guard Headquarters implemented a Work Instruction that could potentially remove those exemptions and impact the SERVS fleet.

During the legislative visit to Washington, D.C., in May, PWSRCAC met with members of Coast Guard Headquarters where the regulatory issue that potentially impacts the SERVS uninspected response fleet was discussed.

The Council requested clarification from the Coast Guard regarding the applicability of Coast Guard regulations to the SERVS fleet as stated in their Work Instruction.

Due to confusion and clarity issues raised by PWSRCAC with the language in the Work Instruction, the Coast Guard requested the Council to send a letter requesting clarification to their Work Instruction.

The letter was sent in May and the Coast Guard acknowledged receipt and reported they were working on the issue.

In June, the Council was requested to provide input on draft legislative language developed by Sen. Dan Sullivan's staff and the Coast Guard to permanently resolve this regulatory issue. This language is still being refined by a workgroup comprised of members that could be potentially impacted by this issue.

- **State Legislative Issues.** During Alaska's legislative session, LAC was following the progress of several bills in the Alaska Legislature.
 - **PFAS.** This legislation, which requires the eventual disposal of all firefighting foam containing PFAS (the "forever chemical") in the state, was passed during the session.
 - **Refined Fuels Surcharge Increase.** This legislation lost momentum with legislators when the Alaska Department of Environmental Conservation's Spill Prevention and Response (SPAR) Director reported that their budget deficit concerns had been addressed by the continued infusion of State Undesignated General Funds (UGF) and changes in the agency's budgeting process that pushed the budget deficit out to FY2033. PWSRCAC and LAC continue to look for legislative fixes to this ongoing budgetary issue.
 - **ADEC/SPAR Budget:** The Governor signed the State operating budget in June and did not veto any of the SPAR funding.
 - **Alaska Invasive Species Council.** The Governor did not support the establishment of an Alaska Invasive Species Council during the session, which PWSRCAC was led to believe he was considering favorably.

Jim Herbert asked CDR Rousseau (USCG) if she had been asked for input into the applicability of the vessel inspection regulations under Subchapter M to the SERVS contracted fishing vessel response fleet. CDR Rousseau reported that she had met with Sen. Sullivan when he came up to Alaska in the summer and USCG (through CDR Rousseau) was able to advocate for the local area's "boots on the ground" perspective (i.e., if these regulations were to go into effect in Prince William Sound, this is how it would affect the Valdez Captain of the Port (COTP) zone and how it would decimate USCG's response capability in the COTP zone in Valdez). She pointed out that while the upper echelons of the USCG try to make good policies, they do not always know how that policy will affect certain areas. She added that the specific legislation came out of a "good" place but they were thinking of the Gulf of Mexico – and Prince William Sound is not the Gulf of Mexico. CDR Rousseau thanked the Valdez port partners who provided specifics on the numbers of fishing vessels that would be affected if the legislation went into effect in Valdez and that

information has been relayed to USCG Headquarters. CDR Rousseau also added she had met with Capt. Trey Wirth with the Office of Marine Environmental Response and with Capt. Mark Neeland with the Office of the Commercial Vessel Compliance at USCG Headquarters and they have been working in the previous two weeks with Sen. Sullivan on draft legislation. She emphasized that this work happens at Headquarters not at the local level. Headquarters reaches back for input and MSU Valdez then provides that input. MSU Valdez feeds the process but does not lead the process, and that is how it is supposed to work. She thanked everyone who had helped in the process.

Herbert added that what is not clear to him and of concern is the implementation of the process for as many as 350 fishing vessels of opportunity. He emphasized that the devil will be in the details of the implementation process. CDR Rousseau agreed but also emphasized that implementing a process is part of their job and they do similar things every day.

BOARD GOVERNANCE COMMITTEE (BGC)

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

- The Board Governance Committee has not held a meeting since the last Board meeting in May.
- The Director of Finance and Director of Administration have been meeting to discuss potential policy updates they would like to present to the BGC at a meeting following this Board meeting.
- Some of the potential policy updates being discussed include:
 - Increasing the threshold for reimbursement without receipts currently set at \$25 and clarifying receipt requirements.
 - Implementing a new policy and/or modifying the existing policy that deals with check signers to address Automated Clearing House (ACH) payments or electronic payments. Staff will be recommending that Board authorization for electronic payments over \$15,000 be obtained via email, as Board members do not have access to the accounting system.

FINANCE COMMITTEE (FC)

Treasurer and Chair Mako Haggerty reported on the Finance Committee's activities since the May Board meeting.

- The committee has met once since the Board meeting in May.

- The committee received the March 31st financial statements in May via email for their review. Committee members had no additional questions or input upon receiving these statements.
- In August, the committee met in-person for the first time since the COVID-19 pandemic. During this meeting, the committee reviewed the June 30, 2024, financial statements. These statements are the last of FY2024. Based on these year-end financials, it appears that the Council will have approximately \$200,000-400,000 more in net assets than initially budgeted.
- The new auditors from Porter & Allison, Inc. joined the meeting in person to introduce themselves, state their scope and objectives, and answer any questions. The auditors also discussed their plans and timelines for the FY2024 audit. They anticipate the audit to take six weeks to complete.
- The committee reviewed and recommended the Board accept the proposed budget modifications for FY2025. These can be found in section 3-2 on the consent agenda in the Board meeting notebook.
- The committee talked about the possibility of putting some of the emergency fund in a certificate of deposit with hopes of earning more interest. They had some discussion with the auditors, and Director of Finance Ashlee Hamilton reached out to the Council's Treasury Management contact for additional guidance. The committee will continue to conduct further research on this topic before finalizing any recommendations.
- The committee also discussed the renewal of insurance policies, as well as the renewal of the copier lease for Anchorage and Valdez offices. With committee support, staff has decided to move forward with renewing the Konica Minolta copier lease.
- Director of Finance Ashlee Hamilton briefed the committee on Automated Clearing House (ACH) payments and procedures. The committee moved to implement ACH payments over the next few months for charges under \$15,000. This will simplify the check signing process and will make it possible for money to be directly deposited into bank accounts. An email requesting banking information will be forthcoming from staff for Board/committee members who want to opt-in to ACH direct deposits for travel claims.
- The committee received updates on the list of vendors staff is considering for budgeting solutions. No decisions have been made at this time.

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

Break: 9:40 a.m. - 9:55 a.m.

EXTERNAL OPENING COMMENTS - EX OFFICIOS

ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION (ADEC)

Ytamar Rodriguez, the Interagency Coordination Manager for the Spill Prevention & Response (SPAR), Prevention, Preparedness & Response (PPR) Division of the Alaska Department of Environmental Conservation, reported on ADEC/SPAR activities since the May Board meeting.

- **Staffing.** The Central Region of the SPAR Division is now fully staffed with five of those staff members located in the Valdez office. The two previous vacant engineering positions in PPR are now fully staffed and personnel retention numbers have significantly improved. Calendar year to date, 92% of SPAR's 133 employees have been retained; and in the 2nd QTR 2024 the retention rate was 97%.
- **Spill responses.** There were no notable spill responses for the central region YTD 2024.
- **Prince William Sound Area Plan Updates.**
 - The process has been started to move the Prince William Sound Area Contingency Plan (ACP) into the new ACP architecture during a workshop conducted at USCG's Sector Anchorage during the first week of September. This was a collaborative effort among ADEC, USCG, and the EPA. The process was not completed at that time but it is hoped that it will be finished by the end of this year.
 - The next Prince William Sound Area Committee meeting will be held on October 8, in Cordova, both virtually and in person. Geographic Response Strategies (GRS) and the creation of a GRS Subcommittee is on the agenda for discussion at the October 8 meeting. ADEC appreciates the collaboration it is having with PWSRCAC staff, and notably with Jeremy Robida.
- **Prince William Sound Tanker and VMT oversight activities.**
 - Staff have continued to complete tank vessel inspections on tankers that call at the VMT.
 - Staff are involved in planning for the upcoming Marathon/Andeavor Prince William Sound shipper exercise in October 2024 and planning has also begun for the Polar Tankers' Prince William Sound shipper exercise that will occur in May 2025. Both exercises will involve field deployments with drone support.

- For the VMT C-Plan, staff observed the pilot study in the West Tank Farm for evaluating the testing methods used to test the integrity of the secondary containment liner in the East Tank Farm to ensure that it meets ADEC's requirements. This work was part of the process to meet ADEC's condition of approval from the 2019 VMT C-Plan approval to confirm the secondary containment system at the East Tank Farm meets the department's requirements. ADEC looks forward to receiving the report on this pilot study to better understand the technology's capabilities.
- The VMT C-Plan is still under review for the plan renewal process. There is no additional information to be shared at this time. The comment period for additional information will be determined soon and that will be a 20-day comment period.
- ADEC received the Council's comments and recommendations on Tanks 94 and Tank 7 and the associated American Petroleum Institute (API) standards and is working on a response.
- **Wildlife Stabilization Deployment.** Staff attended the wildlife stabilization unit deployment during the summer that showcased new equipment Alyeska/SERVS has developed to enhance the wildlife response capability.
- **Regulation Updates.** This past spring, PPR initiated two regulation projects: one to update technical standards adopted by reference for flowlines and facility oil piping at regulated facilities under 18 AAC 75, Art. 1, and one to update oil discharge prevention and contingency planning regulations under 18 AAC 75, Art. 4.
 - Article 1. The proposed update to technical standards adopted by reference for flow lines and facility oil piping has been submitted internally. Once the internal review is complete, the package will be submitted to the Regulations Attorney to conduct a preliminary review. Flow lines are located at production facilities, and facility oil piping is located at most facilities, including terminals, tank farms, production facilities, refineries, and any facility with regulated aboveground oil storage tanks. The proposed updates will ensure the most current technical standards are adopted by reference into ADEC's regulations and will also ensure that the current high level of prevention is maintained.
 - Article 4. As noted at the May meeting, the purpose of updating the oil discharge prevention and contingency plan regulations (Article 4) is to incorporate non-controversial, clarifying, and corrective revisions based on some of the out-of-scope public comments submitted for our previous 2023 update project, lessons learned from the implementation of those regulations, and input from staff, plan holders, and other stakeholders. At

this time, the package has been submitted to the Regulations Attorney to conduct a preliminary review. Once the preliminary review is complete, the next steps will be focused on moving to the public comment stage. It was anticipated both packages will be ready for public review and comment in 2024.

Following his formal report, Rodriguez answered questions from the Board.

Jim Herbert asked Rodriguez about the “permit shield” on Alyeska’s Title V air quality permit which was issued in 2012, and expired in 2017, but has not been reviewed/updated and continues to exist under the context of a “permit shield.” Herbert questioned whether ADEC has determined there were no changes that need to be scrutinized and therefore it could stay in place. Similarly, could a permit shield be applied to the water pollution and discharge elimination permit that is coming due at the end of November 2024. Rodriguez responded that he would need to get more information and that this was the first time he had heard the term “permit shield,” but as far as he was aware there was no change to Alyeska’s Title V air quality permit. The hold-up on the air quality permit was pending resolution of litigation between the EPA and Alyeska, and ADEC has to wait for the litigation to be resolved.

Bob Shavelson commented that when Congress passed the Clean Water Act and the Clean Air Act, the goal was to have five-year permit terms. When things drag out, the permittees are at an advantage because they do not have to upgrade technology to meet higher standards to reduce pollution, etc.

Shavelson went on to question ADEC’s rationale for giving an entity a credit (such as meeting the Response Planning Standard) for something that is already required by law. He said it just did not make sense. Shavelson asked Rodriguez to get an answer to the Board after the meeting if he was not prepared to answer the question at that time. Rodriguez stated he would get an answer and report back.

Amanda Bauer pointed out that those who live in Valdez were getting tired of the permit shield excuse, and perhaps it was time to push a little harder. The renewed permit was taking far too long for those who live in Valdez.

Executive Director Donna Schantz added that it was PWSRCAC’s understanding that ADEC does not have to wait for the resolution of litigation. Rather, it is a management decision on the part of ADEC to wait for a resolution of the litigation, and that could take years. She reported she had also heard that Alyeska may be getting ready to undertake some major changes/replacement to the incinerators and power vapor at the VMT and that would seem to require changes to the permit.

Robert Archibald commented that while the air quality over at the VMT appears to have improved from the early days of the VMT operation, the citizens of Valdez deserve better, and it is incumbent upon PWSRCAC as an organization and ADEC as the regulator to do what they can to move the issuance of an updated permit forward.

UNITED STATES COAST GUARD (USCG)

CDR Sarah Rousseau reported that MSU Valdez was coming to the end of its annual personnel rotation season. Incoming personnel included the Executive Officer for MSU Valdez, LCDR Kaaua. He is familiar with the region from his time as the Supervisor for the Marine Safety Detachment in Homer.

She thanked all the USCG port partners who assisted with notifications about an entangled whale in Prince William Sound during the summer. Several port partners were involved, including Stan Stephens Cruises, whose boats and personnel were standing a watch so that the whale was not harassed by other boats. NOAA was able to call in a whale expert from Juneau to disentangle the whale. There was excellent cooperation by all entities involved.

CDR Rousseau thanked Alyeska/SERVS for access to some of the remote sites as a primary escort by Tatitlek Federal Services for the USCG's Electronics Materials Officer (EMO) with the Vessel Traffic Service (VTS). Dennis Baron is a new hire into the previously unfilled EMO position in the VTS. Rousseau reported seeing many improvements already since Baron's hiring and allowing him access to some of the remote sites without the necessity of an Alyeska/SERVS escort has improved response times for addressing repairs and upgrades, etc.

CDR Rousseau spoke of the increased awareness of cyber security threats and the dangers they pose because it is not something physical, like a foreign aircraft in Alaska airspace, or a ship in Prince William Sound where one can see where the threat is coming from and deploy assets to negate the threat. A cyber security threat could be in a foreign country, and it is unseen and could lay in wait for months. She reported this is discussed often among the captains of the port and it is becoming more and more important because most people do not know the meaning of cyber security or what it is, and people are often talking in terms that people do not understand. She urged everyone as port partners and as advocates for the safety and security of Prince William Sound to take a harder look at cyber security in their operations and their response plans in Valdez.

Dave Janka questioned the dangers and cyber security risk of foreign flagged tankers coming into Port Valdez to load Alaska North Slope crude oil, who then deliver it to China, a non-allied country to the U.S. Rousseau said it is a difficult question to answer, as the U.S.'s political allies are different from its economic allies. She briefly explained the agreements and regulations of the International Maritime Organization that govern port visits of foreign flagged vessels known as the International Ship and Port Facility Security (ISPS) Code. She emphasized that the USCG does not allow a foreign vessel into a U.S. port if they are not in

compliance with U.S. regulations for entry to the U.S. or to where they are going. She said she does not have qualms with vessels coming in or going out to China, unless it is a vessel that is coming from a port that has not been found in compliance with ISPS security measures.

Steve Lewis reported that the POVTS Committee has looked at this and there is a question of what can realistically be shared. He invited CDR Rousseau to come to a POVTS meeting and provide a briefing on cyber security.

CDR Rousseau pointed out that even she, as the Captain of the Port, is not allowed to see the whole security plan for a vessel that comes into port because the information is protected. However, portions of a plan may be requested if there is a need to have that specific information without having to delve into classified information.

Mike Bender asked if there is a routine check of the buoys. CDR Rousseau explained that routine checks and maintenance of buoys is the responsibility of the organization that owns the buoy (e.g., USCG, NOAA.) The weather buoys belong to NOAA and the National Data Buoy Center (NDBC) has jurisdiction of those. USCG does have partnerships with the NDBC and conveys information all the time but does not maintain them at the field level. However, while not maintaining the weather buoys, MSU Valdez can act as a conduit to report a malfunctioning buoy to Juneau so they are aware.

Robert Beedle expressed concerns about the ongoing Rescue 21 communications problems in Prince William Sound. CDR Rousseau pointed out that Rescue 21 communications and deployment is not within the purview of the MSU Valdez COTP, but rather is run by Sector Anchorage and Western Alaska which is under Captain Culpepper.

Jim Herbert asked about conflicts with fishing vessels in the Valdez Narrows during the summer fishing season. CDR Rousseau reported it was a problem in 2023, when she first took over command. It was discussed internally and they explored various ways to fix the problem, including asking for additional USCG presence from units outside of MSU Valdez operational control, such as the U.S. Coast Guard Cutter LIBERTY, the Maritime Safety and Security Team (MSST), and the Small Boat Station. She reported it was not as much a problem during this 2024 summer season, and that an increased USCG presence on the water alone is sometimes an indicator of increased compliance by the fishing vessel fleet. She noticed an improvement in fishing crews manning their radios and other actions when USCG is out on the water. She also pointed out she does not control the deployment of the USCG cutter or the MSST assets. Sometimes she will get that additional assistance when she requests it and other times not.

Bob Shavelson commented on the unknown dangers and risks that artificial intelligence (AI) technology poses to the maritime industry and asked CDR Rousseau if there are any federal rules setting a minimum floor for cyber security protections in c-plans. CDR

Rousseau said she believes that USCG Headquarters is working on an official rulemaking but there is no specific regulation that she was aware of at the present time. There is a USCG cyber protection team already established that can be called in to specific instances of suspected cyber breaches, but currently, most cyber security protections put in place by industry are voluntary.

General discussion of cyber security issues followed.

Beedle said he would like to meet with CDR Rousseau to talk about solutions for better communications among all the users and port partners (fishermen, processors, fish managers, etc.) for non-enforcement issues because presently everyone is on a different radio channel. CDR Rousseau agreed and said, for example, she would like to see a greater presence from the fishermen on the Harbor Safety Committee and Area Committees and she looked forward to that discussion with Beedle.

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA)

(No report.)

BUREAU OF LAND MANAGEMENT (BLM)

Reid Olson reported that since the May meeting BLM personnel have attended the VMT Coordination & Exercise Planning Group meetings, the May 7 VEOC IMT training event, the May 8 VMT equipment deployment exercise, the secondary containment liner testing pilot study, and the July 31 VMT wildlife stabilization equipment exercise.

Herbert asked what information BLM representatives could impart to the Council at this time related to a newspaper article that ran during the summer about BLM being in conversations with Sen. Dan Sullivan's office that the permitting and property under the TAPS pipeline might be transferred to the State of Alaska. Herbert asked for a general overview of the viability of the proposal and if the conditions that were originally associated with the right-of-way (ROW) permit would be mandated to the State of Alaska or would the State have to come up with its own standards.

BLM's Paul Degner (via videoconference) responded that as part of the 1959 Statehood Act, the State of Alaska was entitled to approximately 105 million acres of federal lands in Alaska, much of which has already been transferred, except approximately five million acres of entitlement that is outstanding at this point in time. The State, in its selections of the additional five million acres, has included lands that are in the Dalton utility corridor which fall under PLO 5150, so those lands are currently withdrawn from the public domain. The selections the State made are called "top filed" and are not valid unless there is a decision made by the U.S. Secretary of the Interior to partially revoke PLO 5150. To date, no decision has been made on that.

Degner went on to explain, hypothetically, that if PLO 5150 were to be partially revoked, there would still be approximately 130 miles of federal lands that BLM administers south of the Yukon River, so in the event that that land transfer were to happen there would still be BLM involvement in TAPS at that point, including lands on the military reservations which are already withdrawn and remain under federal ownership. In terms of the State administering the ROW, that would probably continue in the way it is today, since there would still be federal lands in the ROW. This all being hypothetical.

Degner continued, in response to a follow-up question from Herbert as to whether the JPO would still have jurisdiction over the pipeline itself, even though it was running over State land, and said the current ROW has stipulations for oversight according to the stipulations within ROW grant, but BLM's statutory authority only applies to federal lands. The regulatory authority over state lands would be under State of Alaska ownership at that point. As long as the stipulations of the grant agreement remain in effect, that part would not change.

Amanda Bauer commented that when the LAC met with Sen. Sullivan he was upset there would be no more public process on this issue and into the decision. Degner stated that before any decision is made on PLO 5150, there would need to be additional National Environmental Policy Act (NEPA) analysis, but further than that he could not speculate. Reid Olson surmised that it would follow the normal process after the NEPA assessment (i.e., public notice and comment, environmental reviews, consultation, coordination, and then implementation).

ALASKA DEPT. OF NATURAL RESOURCES (ADNR)

State Pipeline Coordinator Tony Strupulis reported via videoconference that there had been some staff turnover in the office. The TAPS Lease Compliance position is now filled by Lexi Ehresmann who started two weeks prior to this meeting and has already been out in the field doing surveillance from Glennallen to Valdez and will be going back to do surveillance of the northern end of the pipeline corridor, weather permitting.

Addressing the previous questions about PLO 5150 land transfer, Strupulis stated it was his understanding that if the transfer did happen, the BLM land that is transferred would be amended under the State lease and those lands would be administered thenceforward by the State of Alaska.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

Torri Huelskoetter reported briefly (via videoconference) on the sites the agency has been working on.

She announced that the office would be getting a third Federal On-Scene Coordinator (FOSC) in the next few months.

As to TAPS activities, EPA personnel were involved in the Yukon River exercise in August and would participate in the Tiekel River exercise in Glennallen on October 3. They met with the GAO when they came to Alaska in August for the JPO safety audit. She was also hosted by USCG on Subpart J issues.

There were no significant spills related to TAPS.

U.S. DEPT. OF THE INTERIOR (DOI)

Lisa Fox reported via videoconference that the Regional Response Team (RRT) met the previous week and the DOI continues to be involved in spill response. She thanked PWSRCAC staff members Linda Swiss and Jeremy Robida for volunteering their time on the RRT's Cultural Resources Committee. That committee is working to revise and improve the guidelines for spill responders to protect cultural resources. The expected delivery date for those revised guidelines is 2026.

Fox reported that DOI is also participating in the RRT's Tribal Task Force to revise the tribal consultation guidelines in the hope it is more helpful to FOSCs.

Fox reported that the wildlife protection agencies have met to work on the Wildlife Protection Guidelines. It was determined those guidelines are good as they stand and there will not be a revision in the short term. That committee will participate in the task force that will be addressing the sensitive areas compendium update.

Ben Cutrell asked if the committee engages with the Alaska Native Regional and Village corporations when updating these cultural resources. Fox reported that the committee will reach out to the Native groups when they have something of substance for the guidelines to share. Presently, there are several tribal representatives on the Cultural Resource Committee. There is also a Tribal Outreach Committee formed, of which she is a member. Once they have laid the groundwork, they will reach out to the Alaska Native groups.

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

(No report.)

OIL SPILL RECOVERY INSTITUTE (OSRI)

(No report.)

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

(No report.)

U.S. FOREST SERVICE (USFS)

(No report.)

(This concluded the External Opening Comments of PWSRCAC's Ex Officio Members)

EXTERNAL COMMENTS – TAPS SHIPPERS, OWNER COMPANIES, AND PILOTS

POLAR TANKERS

Andrea West reported, as follows:

- YTD 2024, Polar Tankers successfully completed 74 loads and transported 55.4 million bbls. of TAPS crude without incident.
- Polar Tankers' bridge resource management course was in progress at that time in the San Jacinto Maritime Academy in Houston, TX. There are 15 mariners, one unlicensed and four Puget Sound pilots attending the trainings this year.
- Two ships went to Singapore for their regulatory required drydocks. The Polar Enterprise was returned to service on the West Coast on September 1, and the Polar Adventure left for Singapore on August 1 and is expected back in service in December.

David Janka thanked Polar Tankers for its letter on whale strikes and speed reductions, and asked whether Polar's tankers have infrared or low light technologies for whale detection. West reported that Polar Tankers relies on its lookouts and does not have infrared or other technology for whale detection, although sometimes whales can be picked up on radar, but that is not a reliable method. She added that tankers are required to have lookouts 24/7. There is one on the bow approaching the Narrows, and then at Hinchinbrook Entrance there is the master, the deck watch officer, and then the lookout up on the bridge. She pointed out that mariners going through the maritime academy learn about whales, how to identify them, and the 24-hour lookout requirements, and other best practices to detect and avoid whales. West explained in more detail the requirements of work/rest hours for a master to be on the bridge, etc. Herbert said it will be important for the Council to really look at what impacts reducing speeds in Prince William Sound could have on work/rest hours for watch standards in Prince William Sound.

CROWLEY ALASKA TANKERS

Mark Curtis reported the following for Crowley Alaska Tankers (CAT):

- The Washington has returned from a successful shipyard period in Singapore. It was their second special survey and the ship has already called at the VMT. He reported zero injuries or incidents on board.
- The California is in the shipyard now in Singapore for its Critical Area Inspection Program (CAIP) inspection.
- The Oregon is in the Gulf of Mexico and is being transferred to Fairwater Tanker Management Company. Fairwater Tanker Management is part of the Fairwater

Holdings Company, LLC, which is a holding company for the joint venture between SEACOR and Crowley Alaska Tanker Company. More vessels will be added over the next few months to this new fleet. Operations will remain the same with the same crews and shoreside personnel, and they will remain CAT employees until the last month prior to the launch of the joint venture which will be known as Fairwater.

- Crowley Tanker Company was very busy in 2024, in that it took ownership of two new ships (an electric tug as well as an LNG bunker barge); two of Crowley's government service vessels were both in the Middle East and they were able to help with the humanitarian mission there as a result of the ongoing war and have now been welcomed back to the U.S. Crowley also broke ground in Massachusetts for the new offshore wind terminal.
- Curtis announced that this was his last meeting. Ingo Rose will replace Curtis for the ongoing CAT Anchorage operations. He is based in Anchorage.

Returning to the whale strike avoidance discussion, Amanda Bauer asked West/Polar Tankers and Curtis/CAT if a lookout is posted on the bow of their tankers when transiting the Valdez Narrows. West stated that Polar does it as a best practice. Curtis/CAT did not have that information and will follow up and report back. As a follow-up, Dave Janka said he would like to get information from CAT (after the meeting) as to whether they had the same whale protocols as Polar Tankers.

HILCORP

(No report.)

ALASKA TANKER COMPANY (ATC)

(No report.)

MARATHON PETROLEUM

(No report.)

SOUTHWEST ALASKA PILOTS ASSOCIATION (SWAPA)

(No report.)

(This concluded the External Opening Comments of TAPS Shippers, Owner Companies, and Pilots.)

Break: 11:35 a.m. – 12:30 p.m.

ALYESKA/SERVS ACTIVITY REPORT

Andres Morales, Alyeska's Emergency Preparedness and Response Director and Klint VanWingerden, Director of Operations for Alyeska, gave the Alyeska/SERVS' activity report

for 2024 YTD and an update on Alyeska’s efforts to address concerns raised in the VMT Risks & Safety Culture report.

VMT Operations:

- Operations:

	<u>2024 (as of 8/31/24)</u>
○ Tankers Loaded	143
○ Tankers Escorted	145
○ Barrels Loaded	106,058,326
	<u>Since start up (as of 8/31/24)</u>
○ Tankers Loaded	23,645
○ Tankers Escorted	14,975
○ Barrels Loaded	18,058,180,689

- Safety (TAPS): 2024 (2Q)

○ Days away from work cases	1
○ TAPS Combined Recordable Rate %	0.51

- Environment (Valdez): 2024 (2Q)

○ Spill Volume (Gallons)	2.036
○ Number of Spills	4

Fishing Vessel Availability by Port (2Q 2024):

<u>Port</u>	<u>Tier 1</u>	<u>Tier 2</u>
Valdez	30	11
Cordova	26 (+8 Rapid Resp.)	124
Whittier	7	17
Seward	0	29
Homer	0	49
Kodiak	<u>0</u>	<u>35</u>
Totals	63 +8RR	265

2024 (1Q) Quarter Contingency Plan Activities:

- Support PWS C-Plan Minor Amendment.
 - Allison Creek Changes.

- VMT C-Plan Renewal
 - Round 1: RFAs received from ADEC March 14, 2024.
 - Round 1: RFAI responses submitted to ADEC April 10, 2024.
 - Round 2: RFAs received from ADEC July 16, 2024.
 - Round 2: RFAI responses submitted to ADEC August 13, 2024.

2024 (2Q) Training & Exercises

- 4/2 – 4/24 F/V Training (Kodiak, Homer, Seward, Valdez).
- 4/22 & 4/24 Current Buster 8/Crucial Skimmer TF Training.
- 4/27 Operational Readiness Exercise – Valdez.
- 4/25 – 5/2 F/V Training (Cordova).
- 5/7 VMT Training Exercise.
- 5/8 VMT Exercise.
- 5/14 Allison Creek Demo Exercise – Open Water & Nearshore.
- 5/28 – 6/2 Remote Site Maintenance – Lake Bay/Main Bay.
- 6/11 – 6/12 Valdez Duck Flats Boom Deployment.
- 6/15 Valdez Star Open Water Training Exercise.
- 6/16 Solomon Gulch Hatchery Boom Deployment Exercise.
- 6/18 – 6/24 Remote Site Maintenance – Cannery Creek/Chenega.
- 6/19 Emergency Towing and Tether Exercise – Polar Endeavor.
- 6/23 Solomon Gulch Hatchery Boom Deployment Exercise.
- 6/26 – 6/27 Valdez Duck Flats Boom Deployment Exercise.
- 6/29 – 6/30 Nearshore Operational Readiness Exercise.

2024 Valdez Major Maintenance:

- BWT Triennial Inspection & Repair A Header & Berth 5.
- VMT Marine Structures Coating Repairs Berth 5.
- External Coating of Tank 54-TK-3 and 54-TK-4 (VMT-Crude).
- BWT DAF Cell 6 Inspection and Repair.
- 500-2 Refurbishment.

Morales noted that the safety statistics were not where Alyeska/SERVS would like them to be and, as a company, they are working to improve that. He pointed out that the spills and spill volume totals were small hydraulic leaks/spills (no ANS crude to water). The number of fishing vessels under contract in the Fishing Vessel Response Fleet has increased. Round 3 of RFAs on the Prince William Sound C-Plan were issued by ADEC and received by Alyeska the previous day and he hoped to turn those around and respond promptly. He also pointed out that 2024 was lining up to be a big year for completed trainings and exercises.

Alyeska's Director of Operations, Klint VanWingerden, via videoconference, gave an update of the maintenance activities at the VMT YTD and an update on the Management Action Plan for the VMT which came out of the VMT risks & safety culture issues report (Billie Garde Report). Executive Director Schantz had asked VanWingerden to speak to four topic areas of particular interest to PWSRCAC: an update on the Management Action Plan addressing the issues in the VMT risks & safety culture issues report (Billie Garde Report); the A&B Crude Header Inspection that was completed earlier this summer; the fire foam transition status; and the status of Alyeska's incinerator replacement project.

- Topic of Interest - VMT Risks & Safety Culture Issues Report:
 - Updated Management Action Plan (MAP):
 - Alyeska's Safety Management System.
 - Identification and implementation of opportunities for simplification and alignment with API 1173.
 - Process Safety Management (PSM).
 - Established audit identified need for adjustment of some PSM coverage areas. Developing a PSM compliance manual to centralize documentation in one location for clarity.
 - Maintenance Backlog and Engineering Query.
 - Reviewed and prioritized all of the maintenance and engineering backlog. There were no items deferred that would pose an imminent or serious incident at the VMT. Maintenance backlog targets were evaluated and established and are actively being worked at the present time.
 - Open Work Environment(OWE)/Employee Concerns Programs (ECP).
 - Reviewed both OWE and ECP and confirmed that Alyeska continues its commitments to Congress that align with the improvement plans that were previously established.
 - Actively addressing workforce morale and direction of the company, adding clarity around its mission, vision, and goals.
 - Addressing culture through leadership work sessions as well as open forum discussions with the workforce. A review of the open work environment shows a high compliance rate (99.9%) with the training requirement.
 - No issues were identified with the ECP program.
 - Audits.
 - Completed four audits that were incorporated into the actions in the MAP.
 - Training.
 - Current trainings have deficiencies that justified the pursuit of better solutions. A better platform has been identified and will be implemented next year.
 - Stakeholder Engagement.
 - Alyeska has committed to a "no surprises" approach to its stakeholders with both internal and external stakeholders.

VanWingerden added that while the details of the MAP have been addressed, opportunities for improvement will continue. He continued by addressing the other topics of interests:

- Topic of Interest – A&B Crude Header Inspections:
 - Inspections were conducted and coating repairs completed.
 - 12 individual pig runs were completed.
 - Tank 3 external coating completed.

- Topic of Interest – Fire Foam Transition Update:
 - Work in Progress:
 - VMT Berth 5 fire foam system being transitioned to Fluorine Free.

 - Future Efforts:
 - Long-range planning for remaining system on terminal, including Berth 4, Metering Facilities, mobile equipment, and escort fleet.
 - Continue evaluation of Fluorine Free products for use in existing tank farm subsurface application.

- Topic of Interest – VMT Vapor Management Strategy:
 - Boilers:
 - Increase maximum gas capacity.
 - No change to steam generating capacity.
 - Export excess power to CVEA grid.

 - Waste Gas Combustors:
 - Install two new ‘right sized’ units.
 - Transition from running two continuously to one only when needed.

Herbert pointed out the extensive and expensive work that is going into the 500-2 barge as evidence of its importance to the response effort.

Shavelson asked about the PHA audit and whether PWSRCAC could get a copy of the findings. Morales stated their internal audits are not normally shared and they are not shared with regulators, although Alyeska will sometimes share executive summaries. That is what they have done in the past, and if there is something in the summary that PWSRCAC has questions about, Alyeska would speak to those questions specifically.

Steve Lewis brought up the issue of new science research that is looking at the possible loss of cognitive ability in the workforce as a result of COVID-19 infections and whether Alyeska has recognized these issues and is looking into its safety procedures and/or employee training to compensate for this. Morales responded that he could not really answer that specifically, but the after-effects of COVID-19 infection on brain function is a concern.

A general discussion followed with the Board on topics covered during the presentation and particularly the new fire suppressant foam that Alyeska has selected as the

replacement for the existing suppressant chemicals containing PFAS and other forever chemicals. The changeover is to be phased in over a few years. Alyeska is working on a process for disposing of the PFAS fire suppressant foam when the new chemical is in place.

CONSENT AGENDA

3-1, 3-2

There were two items on the consent agenda (3-1, 3-2) with respective briefing sheets in the meeting notebook:

- **3-1 FY2025 LTEMP BUDGET MODIFICATION & CONTRACT CHANGE ORDER APPROVAL**
Authorization of a budget modification in the amount of \$6,006 from the contingency fund to Project 9510 in the FY2025 budget and authorization for the Executive Director to carry out a corresponding change order to increase Contract 9510.25.06 with Fjord & Fish Sciences in an amount not to exceed \$61,731.
- **3-2 APPROVAL OF FY2025 BUDGET MODIFICATIONS**
Approval of the FY2025 budget modifications as listed above, with a total revised contingency in the amount of \$36,147.50.

Mako Haggerty moved to approve the consent agenda as presented. Dave Janka seconded and the motion was approved without objection.

PRESENTATION BY REPSOL ON THE PIKKA PROJECT

Walt Hufford and Jim Wade of Repsol presented an overview of Repsol and its partnership with Santos which is its operator on the Pikka Project in Alaska, and they outlined the expected timeline of ADEC's regulatory process for approval of the project.

Following the presentation, Hufford and Wade answered general questions from the Board on how and where Repsol/Santos will move the oil from Alaska, whether using spot charters or bringing in its own tankers, its plans to reduce pollution and greenhouse gas emissions, and the new technologies they will be using.

4-1 REPORT ACCEPTANCE: MARINE BIRD HOTSPOTS IN PRINCE WILLIAM SOUND

The Board was asked to accept the report titled "Marine Bird Hotspots in Prince William Sound" dated July 2024, by Mary Anne Bishop, Ph.D., and Anne Schaefer of the Prince William Sound Science Center. The report describes a hotspot analysis performed with 14 years of at-sea marine bird survey data collected during March 2007-2014 and 2018-2023. Twelve marine bird species groups are identified within the analysis. The result is a series of maps that identify high-use areas in Prince William Sound during late winter, often observed in bays, passages, and semi-protected waters.

PWSRCAC Project Manager Danielle Verna introduced the report for acceptance and contractor Dr. Mary Anne Bishop shared a brief presentation summarizing the report's results and recommendations. Following the presentation, Dr. Bishop answered questions from the Board.

A briefing sheet and copy of the report were included in the meeting notebook as Item 4-1.

Amanda Bauer **moved to accept** the report "Marine Bird Hotspots in Prince William Sound" by Mary Anne Bishop, Ph.D., and Anne Schaefer of the Prince William Sound Science Center, dated July 2024, as meeting the terms and conditions of contract number 9110.24.01, and for distribution to the public. Dorothy Moore **seconded** and **the motion passed** without objection.

Break: 2:40 p.m. - 2:50 p.m.

4-2 REPORT ACCEPTANCE: PORT VALDEZ WEATHER BUOY DATA ANALYSIS

Project Manager Roy Robertson introduced Rob Campbell, Ph.D., with the Prince William Sound Science Center, who briefed the Board on his analysis and findings of weather buoy data in Port Valdez from 2019-2023.

As outlined by Robertson, PWSRCAC installed two weather buoys in Port Valdez in 2019, one in the vicinity of the Valdez Marine Terminal and the other near the Valdez Duck Flats. Dr. Campbell was contracted to analyze the data collected from the two weather buoys from 2019-2023 and provide a report of his findings. The report is the fourth in a series of projects that analyze the data collected to help determine weather trends throughout the year and seasonally at the location of the buoys. The analysis includes ocean current and wind direction and speed information, wave direction and heights, and other pertinent information that can be obtained from the weather data.

A briefing sheet and Dr. Campbell's report were included in Item 4-2 in the meeting notebook.

Dr. Campbell presented an overview of his findings and the Board was asked to accept the report as meeting the terms of the contract.

Jim Herbert **moved to accept** the report titled "Port Valdez Weather Buoy Data Analysis 2019-2023" by Robert W. Campbell, Ph.D., of the Prince William Sound Science Center as meeting the terms and conditions of Contract number 6536.24.01, and for distribution to the public. Mako Haggerty **seconded** and **the motion passed** without objection.

4-3 UPDATE ON REVIEW OF SECONDARY CONTAINMENT LINER TESTING

This agenda item was introduced by Project Manager Sadie Blancaflor who provided the Board with an update on the West Tank Farm secondary containment liner pilot test using

electrical leak location (ELL). Dr. Joe Scalia, Associate Professor of Civil and Environmental Engineering at Colorado State University who works with PWSRCAC's contractor Dr. Craig Benson, observed the pilot tests and provided the Board with an update on the ELL and Electrical Resistivity Tomography (ERT) pilot tests that Alyeska conducted in the decommissioned West Tank Farm on July 22-29, 2024.

A briefing sheet was included in the meeting notebook as Item 4-3. Following the presentation, Dr. Scalia answered questions from the Board. It was noted that neither the photos of the testing, nor the final report were available from Alyeska yet. Alyssa Sweet noted that the photos were approved and ready to transmit to PWSRCAC.

Jim Herbert asked whether there are any other tests that could be used if neither of these non-destructive testing methods work. Dr. Scalia stated that there really is not a better technology to do this type of non-destructive testing, and ELL is the industry standard.

Ytamar Rodriguez reported that ADEC's Valdez staff observed the testing; BLM personnel did also.

Sadie Blancaflor reminded the Board that Alyeska receives a 60% prevention credit on the basis that the liner is intact and meets the ADEC's "sufficiently impermeable" standard.

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

4-4 UPDATE ON TANKER C-PLAN 2023 AMENDMENT

Project Manager Linda Swiss gave a brief review and update on a major amendment submitted in September 2023 to the Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (Tanker C-Plan) and associated vessel response plans for Alaska Tanker Company, Andeavor LLC, Crowley Alaska Tankers, Hilcorp North Slope, and Polar Tankers. The amendment was submitted on September 11, 2023, and approved on June 21, 2024, and addressed changes to 18 AAC 75, Art. 4, that became effective in February 2023.

Beedle expressed his frustration with having to search for amendment information online rather than being able to locate a hard copy easily, such as at a library, as was available in the past. Linda Swiss responded that c-plans in the state are available on ADEC's website. ADEC does not issue printed copies anymore. ADEC's Ytamar Rodriguez responded that ADEC personnel can assist the public with hard copies when requested, but Alaska's government offices and ADEC in particular are increasingly moving towards online methods for public information retrieval.

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

RECESS: The meeting recessed at 4:45 p.m., to reconvene the following day.

Friday, September 20, 2024.

CALL BACK TO ORDER

President Archibald called the meeting back to order at 8:35 a.m. on September 20, 2024. A roll call was taken. There were 19 Directors present at the time of the call back to order: Archibald, Bauer, Beedle, Bender, Brittain, Crump (via Videoconference), Cutrell, Donaldson, Haggerty, Hasenbank, Herbert, Jackson (via videoconference), Janka (via videoconference), Malchoff, Moore, Shavelson, Vigil, Williams, and Zinck.

4-5 REPORT ACCEPTANCE: NON-INDIGENOUS MARINE SPECIES IN PRINCE WILLIAM SOUND

Project Manager Danielle Verna and PWSRCAC contractor Greg Ruiz, Ph.D., of the Smithsonian Environmental Research Center, presented a report for Board acceptance on non-indigenous species in Prince William Sound.

The report titled “Regional Evaluation of Non-Indigenous Marine Species in Prince William Sound” by the Smithsonian Environmental Research Center dated August 5, 2024, describes a broadscale survey for non-indigenous (NIS) marine species across Prince William Sound conducted in the summer of 2023 using polyvinyl chloride (PVC) settlement panels. The panels collected organisms throughout the summer season and were then analyzed with morphological and genetic methods to identify native and non-native species. Three NIS of benthic marine invertebrates were detected in this study, two of which appear to be new records in Prince William Sound, increasing the total number of documented NIS of benthic marine invertebrates in Prince William Sound to seven.

A briefing sheet and copy of the report were included in the meeting notebook as Item 4-5.

Dr. Ruiz presented a summary of the report’s results and recommendations and answered questions from the Board. He pointed out that the survey makes a good baseline for future studies.

The report recommends the following future studies:

- A decadal survey of Prince William Sound and Cook Inlet to evaluate:
 - Biosecurity management and policy
 - Long-term changes in the marine community
- An expanded PlateWatch Program:
 - Genetic detection
 - Training workshop and pilot test
- More frequent measures at transportation hubs:
 - Valdez Marine Terminal
 - Tatitlek Ferry Dock

Following the presentation Dr. Ruiz answered questions from the Board.

In response to a question from Jim Herbert as to why the high activity ports of Whittier and Valdez were not chosen for the project's methodology and decadal survey, and if he felt they were adequately covered by the PlateWatch program., Dr. Ruiz stated that all of the decadal surveys they have done focused on higher salinity waters because it is something that is comparable across the different bays and latitudes. Both Whittier and Valdez have a significant freshwater lens. But he recommended deploying the PlateWatch panels in deeper water to get below that freshwater lens and allow researchers to understand what non-native marine species are occurring in those areas. He felt the PlateWatch program could be effectively employed there.

Herbert asked if it was inevitable in 50-100 years non-native species will have marched northward, unchecked and unfettered, in spite of preventative measures such as ballast exchange and other techniques. Dr. Ruiz opined that most of the species that are established south of Alaska would not move across bays and estuaries without human assistance. One exception would be the European green crab which can disperse long distances because its larvae are long-lived and they can cross greater areas to move among bays, but most others could not.

Dr. Ruiz clarified that northward movement projections of NIS in the analysis are based on current climate data. The effect of climate change would likely increase the range of movement for those species, primarily because of warming. In response to a question from Steve Lewis about the effect on NIS of increased shipping into Arctic waters, such as around Prudhoe Bay and Utqiagvik, Dr. Ruiz commented that Canadian researchers are looking at NIS and shipping in the higher Arctic waters and also doing surveys there. He said he knew less about what is happening with NIS in Prudhoe Bay or Utqiagvik but he was interested in what may happen in Nome if that area is further developed and continues to warm.

Michael Vigil **moved to accept** the report titled, "Regional Evaluation of Non-Indigenous Marine Species in Prince William Sound" by Greg Ruiz, Ph.D. et al, of the Smithsonian Environmental Research Center, dated August 5, 2024, as meeting the terms and conditions of Contract number 9520.23.01, and for distribution to the public. Jim Herbert **seconded** and **the motion passed** without objection.

4-6 MISCOMMUNICATION IN MARITIME CONTEXTS

PWSRCAC's Project Manager John Guthrie and Nicole Ziegler, Ph.D., with Sky Island Language Learning Research, updated the Board on the first two phases of Project 8520 – Miscommunication in Maritime Contexts.

A better understanding of maritime English between ships' crews and native English speakers is an area of interest to the Council in terms of better addressing the human factors that contribute to accidents.

A briefing sheet that outlined the project's scope was provided under Item 4-6 in the meeting notebook. The final report for phase 2 will be brought to the Board when it is available at a later date after review by the POVTS Committee.

Lewis explained the timing of the release of phase 2 of the report and the possible need for some peer review before it is released. He hoped that at least a summary could be released by the POVTS Committee as soon as possible. He reported that he had read the report and was struck by the linguistic, pragmatic, and social causes of these miscommunications, and that one could take the problems caused by linguistic miscommunications out of the maritime context and apply them to every conversation one has with anyone every day. The speed of diction of some individuals, for example, as well as cultural diction, and miscommunication with those hard of hearing. Moving forward, POVTS will meet in a few weeks and will look at continuing with phase 3 of the project and he hoped it would be included in the upcoming budget cycle. He thanked everyone on the Board for recognizing the importance of the issue in maritime operations and for their support of this project.

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

Break: 10:00 a.m. - 10:15 a.m.

4-7 PWSRCAC LONG RANGE PLANNING

Director of Administration Hans Odegard and Executive Director Donna Schantz presented a list of protected projects as part of the Council's Long Range Planning (LRP) process. The definition of a "protected project" was included in the briefing sheet 4-7 in the meeting notebook, and the list of the protected projects was included as Attachment A to the briefing sheet 4-7.

Odegard reviewed the list with the Board. In addition, Odegard also reviewed the deadlines for this year's LRP process, outlined on page 1 of the LRP Guidance Memo included in the Attachment to the briefing sheet. Odegard emphasized and encouraged each Board member to participate in the LRP process to help develop the FY2026-2030 work plan for adoption.

Odegard reported on PWSRCAC's recent LRP project with Professional Growth Systems (PGS) and what to expect in the coming months.

In July, PWSRCAC issued an RFP for a project to assess and improve PWSRCAC's five-year Long Range Planning and project development process. The LRP Committee reviewed a proposal from PGS, the contract was approved and is in process. The project involves reviewing best practices, reviewing background documentation, conducting surveys, and providing recommendations to enhance the planning, prioritization, and budgeting process. PGS will be sending out an online survey and everyone was encouraged to participate if they could. In addition, PGS will do follow-up telephone calls and interviews of

Board members and staff. In-person interviews will likely take place at the same time as the December workshop. Odegard encouraged as much Board member participation as possible. PGS will issue its findings and recommendations after the December workshop.

Executive Director Schantz pointed out that this LRP project was requested by the Board and therefore it was vitally important that staff and PGS get the Board's involvement and participation in the process. She pointed out that PGS was involved in assisting PWSRCAC with the development of the original LRP in 2001, and it is interesting to see them come back and assist to improve that process.

Amanda Bauer **moved to approve** the protected project list for the upcoming Long Range Planning process as presented in Attachment A to briefing sheet 4-7. Dave Janka **seconded** and **the motion passed** without objection.

DIRECTOR OF FINANCE'S REPORT TO THE BOARD

Ashlee Hamilton reported on her activities as the Director of Finance since the May Board meeting, which included closing out FY2024 and preparing financials for the upcoming audit.

- **FY2024 Closeout & Audit.** A significant portion of her time was dedicated to preparing documents for the new auditors, Porter & Allison, who estimate the audit will take approximately six weeks. She emphasized the importance of receiving full cooperation from the previous auditors, BDO, in obtaining their work papers as this is the only potential bottleneck of the audit. She plans to schedule a special Board meeting upon completion because it appears PWSRCAC will have more net assets than originally budgeted.
- **New Budgeting Software.** After reviewing several different budgeting software programs, she finally made the decision with the Finance Committee's support to utilize Velixo, as the Council's new budgeting software. Velixo is priced at just under \$5,000 and offers a discount to nonprofit organizations. She plans to implement it the first week of November, allowing her time to familiarize herself with the software before the new budget cycle begins. Velixo's Excel-based format allows direct import into the Council's accounting software (Sage Intacct).
- **ACH Payments.** ACH Payment/deposits were successfully set up and this method will be used going forward for payments under \$15,000. This will be an opt-in method of paying Board and volunteer reimbursements. All payments over \$15,000 will continue to be processed by check.

EXECUTIVE DIRECTOR'S REPORT TO THE BOARD

A detailed written report from the Executive Director was circulated earlier to the Board via email. Executive Director Schantz briefly updated that earlier report.

- **Assessment of Risks & Safety Culture at the VMT Report.** Schantz opined that this assessment and the resulting Garde report was one of the most important and complex efforts that she and the Council had been involved in since she had been with the Council. Most notable was the visit to Alaska by personnel from the Government Accountability Office (GAO) to interview some staff and volunteers of PWSRCAC and Alyeska/SERVS and tour the VMT. There had been a lot of work by staff to support the GAO requests to provide documentation to assist their assessment, and PWSRCAC's goal is to support the GAO in their review to highlight any federal and/or state deficiencies and gaps in regulatory oversight of the VMT, such that measures may be taken to address gaps that may exist. She emphasized PWSRCAC's view that there are gaps in meaningful oversight, which is one of the most powerful measures to prevent another oil spill or incident. Oversight is the critical role of regulators.

She outlined what she hoped PWSRCAC can convey to the GAO (i.e., that interest in regulatory oversight dropped off after the initial strong interest at the startup of TAPS in 1977). When EVOS happened in 1989, oversight ramped up again including the strengthening of the Joint Pipeline Office (JPO). In 2010, the JPO disbanded. Then, around 2015, PWSRCAC started to see regulatory oversight dropping away again, with ADEC experiencing significant budget cuts and reduced staffing. PWSRCAC will highlight to the GAO the negative effects of regulatory budget cuts and reduced staffing, the loss of institutional knowledge, the abandonment of the JPO, high attrition rates and difficulty filling positions, all of which has taken a toll on the effectiveness of regulatory oversight. There is no oversight of Alyeska's work through its Process Safety Management as those actions and reports are not even provided to the regulatory agencies. JPO/BLM used to review changes to the original design status of TAPS – but that is no longer happening as far as PWSRCAC can discern. The JPO's comprehensive monitoring program no longer exists.

- **Federal inspection requirements for Alyeska/SERVS Fishing Vessel (FV) Response fleet.** PWSRCAC is part of a working group striving to exempt the SERVS Fishing Vessel Fleet from those inspection requirements while participating in drills and exercises or an actual response. Sen. Dan Sullivan has been very supportive of exemption legislative language. The tragic consequence if these requirements carry forward would be the dismantling of the SERVS Fishing Vessel Response Fleet program.
- **Amicus curiae brief** to make Hilcorp's financial information public. This was approved by the Board in 2021, but it has not been filed as other pieces of the process that must take place before filing have been held up in the courts since that time. One of the lower court's orders as been remanded back to the Superior Court, so the opportunity is once again there for PWSRCAC to file its brief.

- **The National Academies of Science, Engineering, and Medicine** are presenting a three-part workshop, the first part of which will be on October 8 and 9, 2024. These workshops are designed to bring together representatives from Alaska who were impacted by EVOS and representatives from the Gulf of Mexico who were impacted by the Deepwater Horizon spill to share their experiences to help prepare and recover from future oil spills. Schantz has been asked to present opening remarks. She noted there was no money in PWSRCAC's budget for volunteers to travel, but any Board member who is interested should contact Danielle Verna. The link to more information was included in the previous week's weekly memo.
- Schantz thanked the Board and staff for their work and support.

PRESIDENT'S REPORT TO THE BOARD

President Archibald led with a quote often attributed to Winston Churchill: *"I no longer believe what people say, I just watch what they do. Behavior never lies."*

He said he always listens and he watches, and this is also the role of PWSRCAC as an organization: it watches and listens, it advises, and it watches the behavior. He said he was recently reviewing the history and timeline of the how PWSRCAC came to be, from Rick Steiner's original concept of a regional citizens advisory committee in 1986, to the organization's initial contract with Alyeska on February 8, 1990, which guaranteed PWSRCAC's independence from industry, access to Alyeska facilities, and annual funding, to the passage of OPA 90 on August 18, 1990, which included language mandating both the Prince William Sound and Cook Inlet Regional Citizens Advisory Councils.

Archibald remarked on the big battles that the founding members of PWSRCAC fought in the early years and how much work they put in, but the Council's language and interactions with Alyeska is always professional, and the information and advice it provides to Alyeska is professional. PWSRCAC tries to get the best technical and scientific contractors available and it provides the results and advice to Alyeska in a very professional way and to the best of its ability. Sometimes the Council and Alyeska do not agree on an issue, but PWSRCAC's goal for its projects and advice is always the safe transportation of oil through Prince William Sound with no oil spilled to the water, and when that last drop of oil has gone through the line, PWSRCAC wants to see the DR&R (Dismantling, Removal & Restoration) of the pipeline accomplished in an environmentally responsible way.

CONSIDERATION OF CONSENT AGENDA ITEMS

(None.)

CLOSING COMMENTS

Directors were given the opportunity to make closing comments.

Bob Shavelson said he was disappointed that Hilcorp was not present during this meeting. He had just read that morning that Hilcorp had received its fifth fine of the year from the Alaska Oil & Gas Conservation Commission and Donna Schantz had noted Hilcorp's ongoing reluctance to share their financial information with Alaskans. He said if there is going to be a partnership where Alaska allows development of its public resources for private profit, those partners need to come to the table with transparency, trust, and openness. He wants to see Hilcorp more engaged with the Council.

Mako Haggerty emphasized the importance of the maritime miscommunications study. He was of the opinion that it may be one of the best studies the Council has commissioned in many years, and the Council should get credit for having commissioned and funded it.

ADJOURNMENT

There being no further business to come before the Board and hearing no objections, the meeting was adjourned at approximately 11:25 a.m., on a **motion made** by Ben Cutrell and **passed** by general consent.

Secretary