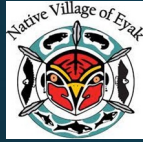


1



2

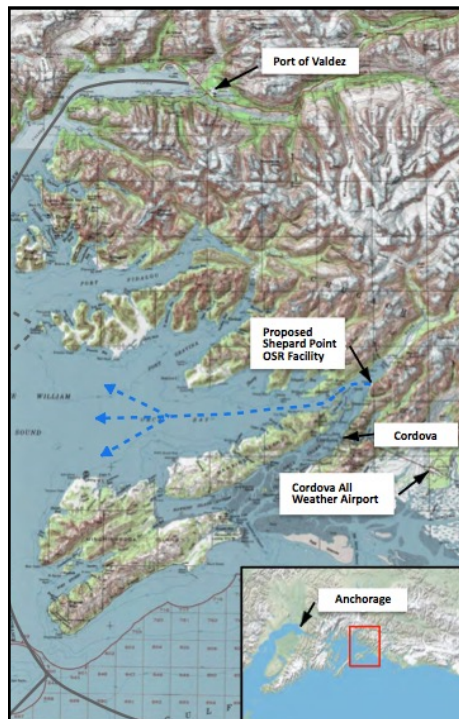


The Native Village of Eyak

NVE is a Federally Recognized, Self-Governing Tribe that provides governmental services within the Tribe's customary and traditional use area Prince William Sound, the Copper River, and the Gulf of Alaska. Our core purpose is to create opportunities for Tribal members while we protect our land and resources.

- We have a Tribal Transportation Program supported by USDOT
- Compacting with other federal agencies is underway

3



How the Shepard Point Facility serves Prince William Sound

— Fulfilling the Alyeska settlement agreement and consent decree resulting from the 1989 Exxon Valdez oil spill, specifying funds "...for the construction of a road from Cordova to Shepard Point and, when appropriate, for work related to the construction of a response storage facility and the option to pre-positioning of oil spill response equipment at that location."

- Accessibility year-round from the all-weather Airport in Cordova.
- Port/Dock capability to serve any draft of ship regardless of tide.
- Laydown area for gear storage and loading.
- Inclusion of marine casualty as vessel traffic (and spill threat) has grown in North Pacific.

Our request to RCAC is to keep an open mind to the advantages the Shepard Point facility adds to the current SERVS model with the unified goal of improving Safety, Coverage, Costs.

We will continue to seek constructive dialogue.

4



41' Landing Craft "Chadux Responder" that Chadux wishes to store at Shepard Point



Edison Chouest M/V Nanuq: This ship is an example of the kind of ocean-capable towing and response vessel Chadux would place in several ports along Alaska's coast for North Pacific response.



Ross Chouest Tug/Supply Vessel set up for Oil Spill Response under SERVS. This vessel is usually anchored at Naked Island to comply with response times under the C-plan. Shepard Point intends to have the capability to dock and load a vessel of this size.

5

Progress made on the project since we last briefed the Prince William Sound Regional Citizens Advisory Council on December 8th 2021:

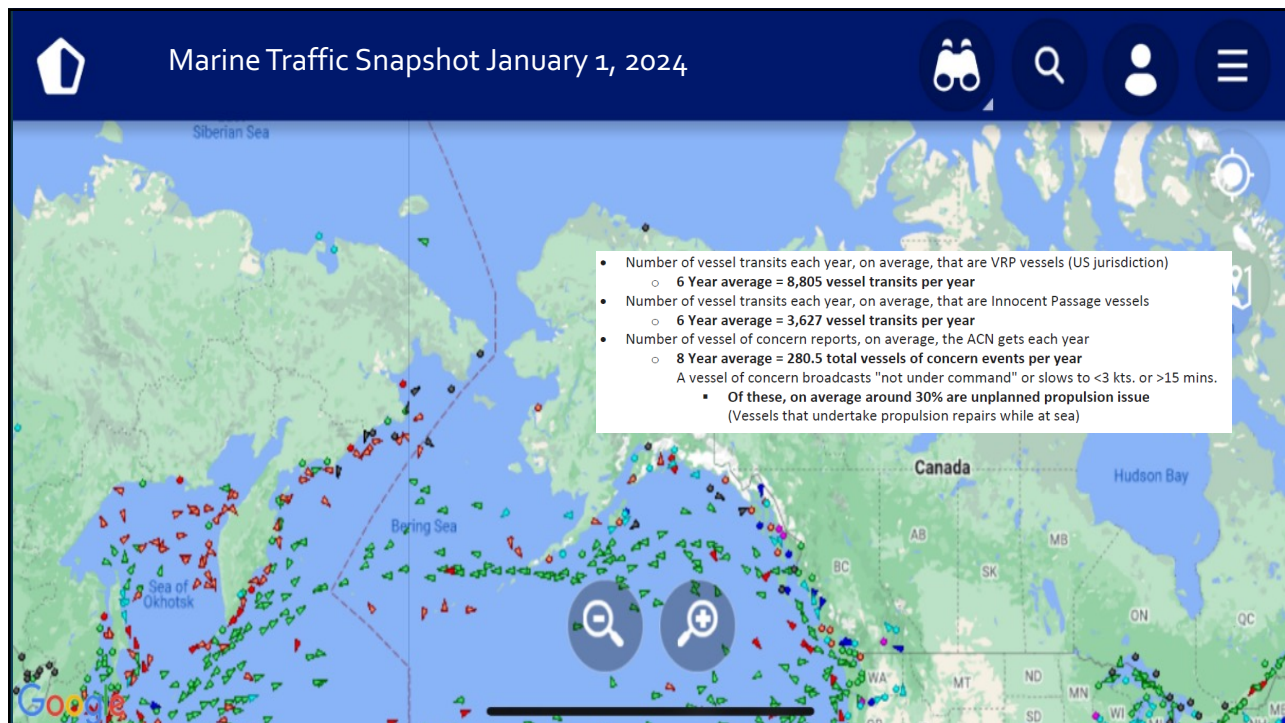
- The Federal Highway Administration (FHWA) Record of Decision for the project was updated in June 2022, and the Army Corps of Engineers (USACE) modified the existing section 404/10 permit in May 2022.
- NVE worked successfully with ADOT&PF and the landowners Eyak Corporation, Chugach Alaska Corporation, the City of Cordova, Cordova Electric Cooperative to gain full ROW easements for the project in August 2023.
- NVE has awarded a contract to Turnagain GMC JV. Both JV companies are Alaska based with tremendous experience with Alaska rural construction on floating docks.
- NVE has also secured the support of several branches of the military through the Innovative Readiness Training Program (IRT), which contributes military personnel and equipment to the Project at no cost to the Tribe, as a way to train military personnel to construct critical infrastructure in challenging environments.
- NVE held a groundbreaking ceremony on July 15th, 2023, and has begun clearing trees in the area for the facility pad, and along the road route.
- NVE has made many trips to Washington DC to meet with Alaska's delegation, US Coast Guard, Department of Homeland Security, and the White House Tribal Summit. On these trips we have worked to improve language to Oil Spill and Marine Casualty response in Prince William Sound, The Gulf of Alaska, and Western Alaska.
- Agreement with Alaska Chadux Network to use space including a warehouse at the facility to store materials and a vessel.

6

What Marine Casualty/Spill Response is needed in the Gulf of Alaska?

- Large ships crossing the Gulf of Alaska, including tank vessels carrying crude oil and refined products, have very little coverage from oil spill response organizations in the case of a spill or marine casualty.
- Congress mandated a new Western Alaska Planning Standard, and the USCG has requested information by early March.
- Here are some examples of why we believe standards need to be raised -- and voluntary participation by shippers to and from Canada needs to be raised:

7



8

Selendang Ayu Oil Spill, 2004



On December 8, 2004, the vessel grounded in rough seas off Unalaska Island, Alaska and broke in half. The rupture resulted in the release of about 350,000 gallons of oil and diesel, as well as 132 million pounds of soybeans. Six crew members died when a USCG rescue helicopter was engulfed by a breaking wave.

The ocean-going tug Sidney Foss arrived after sunset at 18:30 and a line was attached. However, with winds at 45–55 knots (52–63 mph) and waves of 25 feet (7.6 m), the tug was only able to slow the vessel's drift.

A second tug, James Dunlap was hired from Dutch Harbor, with the intention of attaching it to Selendang Ayu's stern so it could be turned to face into the wind, allowing it to be towed away from Unalaska Island. However, soon after James Dunlap arrived, the tow-line from Sidney Foss parted at 07:30 on 8 December and the weather made it impossible to re-establish the tow. At 11:15, the ship passed into water shallow enough for its anchors to be used. One anchor was dropped and this halted the ship for around an hour, until the wind worsened and the ship began to drift towards the shore again. The starboard anchor could not be lowered as the port anchor had wrapped around the bow of the ship. Alex Haley tried to attach a towline to turn the ship and allow the second anchor to be dropped but this also failed

9

Genius Star XI, December 25, 2023



A cargo vessel carrying lithium-ion batteries was ordered to continue to Alaska after a fire was reported in its cargo hold.

The U.S. Coast Guard reported the fire is contained but ongoing. The 410-foot cargo ship was directed to continue to the port at Dutch Harbor. Chris Culpepper, Captain of the Port said. "This protected anchorage has been pre-identified in the Area Contingency Plan and will allow the vessel to remain stable, minimizing risk of any re-flash of the fire as we continue our response."

A Coast Guard airplane and the Coast Guard ship Alex Haley were sent to assist.

After 5 days of burning the vessel has not moved from its mooring outside of Broad Bay in Dutch Harbor. A team of marine firefighters from T&T Salvage and Resolve Marine remain aboard the vessel. The fire within a cargo hold filled with lithium-ion batteries has been contained, and the responders are monitoring the temperature inside the hold to determine if the fire is still burning.

10

In this Century, on average, the Trans-Mountain pipeline has carried between 200,000 and 300,000 barrels per day of crude and refined oil from Edmonton, Alberta to trans-shipment points in British Columbia. Very little of that crude has been carried across the Pacific Ocean.

On August 31, 2018, Kinder Morgan Canada Limited (KML) closed the sale of the Trans Mountain Pipeline to the Government of Canada for CAN \$4.5 billion. Assets also include tank storage of 2.9 mm barrels, the connecting Puget Sound Pipeline, Kamloops/Sumas/Burnaby Terminals and the Westridge Marine Terminal.

After U.S. cancellation/reinstatement/recancellation of the Keystone Pipeline, Canada's long-planned expansion of the TMP took greater priority. Sometime in 2024, the \$30 billion (CAN) expansion will increase capacity to 890,000 barrels – the project is now 98% complete. Much of that crude can or will be shipped across the Pacific Ocean.



11

"We will have the opportunity of saying to the world, 'See, we can do this.' We can build capacity to tidewater, and we can feed the insatiable thirst of Asia and other areas of the globe with our products, our natural resources." –
Brian Jean, Alberta Energy
Minister 1/22/24



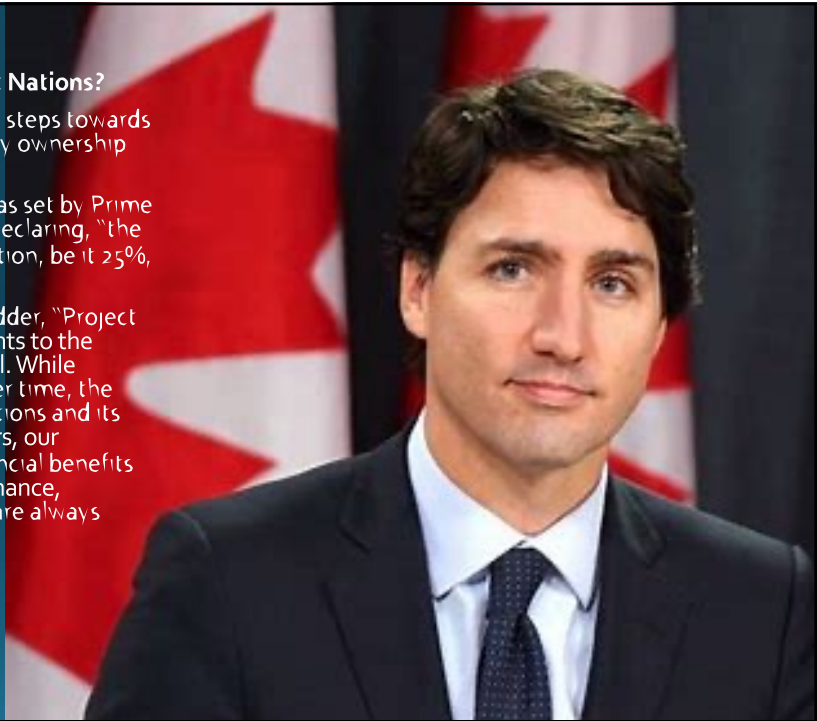
12

Reconciliation sale upcoming to First Nations?

The Government of Canada has begun steps towards initiating Indigenous community equity ownership discussions.

The landscape for these discussions was set by Prime Minister Trudeau on June 18th, 2019, declaring, "the sky's the limit for Indigenous participation, be it 25%, 50% or even 100% equity ownership."

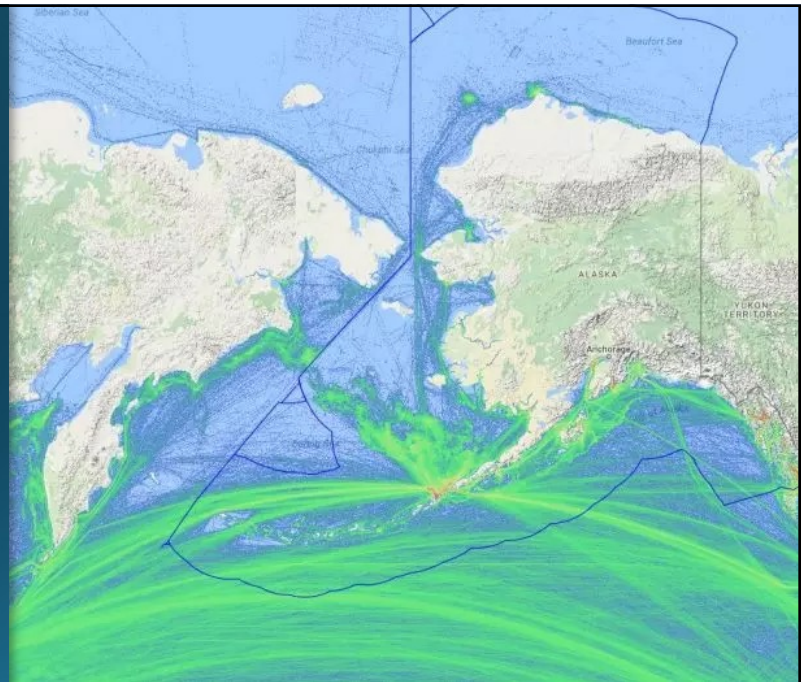
Robert Morin, Chair of one pending bidder, "Project Reconciliation," emphasized, "The rights to the Trans Mountain pipeline remain crucial. While energy requirements might evolve over time, the pipeline's potential for diverse applications and its inherent value is undeniable. As owners, our communities would not only reap financial benefits but also play a pivotal role in its governance, ensuring the environment and safety are always prioritized."



13

Marine Casualty Use at Shepard Point

- Response for non SERVs vessels in the Sound.
- Response for ships in the Gulf.
- Lessons from Selendang Ayu (2004) have given us more information on how you must tow a vessel in distress in a timely manner.
- Genius Star XI (December 2023) Lithium battery fire is a recent example of how increased maritime traffic poses a constant threat to Alaska waters
- Currently 250-300 million gallons of fuel per month is being carried on vessels across the Gulf of Alaska (excluding the oil tankers from Valdez) with plans to increase.
- NVE has an agreement with Chadux to use of the port as possible berthing and storage of small and large ships.
- With completion of Shepard Point, the State would be able to push the USCG for better oil spill standards in Alaska.



Alaska Vessel Traffic monitored by Chadux, through the Gulf & PWS

14

The Native Village of Eyak is inviting all coastal communities to:

Understand and work together on the risks to Alaska's waters.

- The Selendang Ayu (2004), Genius Star XI (2023 Lithium Battery fire) represent risks on our doorstep with the North Pacific shipping "super-highway." The recommendations of the Aleutian Islands Risk Assessment report have not been implemented.
- Federal Legislation that calls for changes in Western AK is an invitation for tribes and communities to work together.
- All previous assessments determine that more capitalization is needed.
- Canada is working to expand the Trans-Mountain Pipeline which will bring an additional 600,000 barrels of fuel per day across the Great Circle route. Tribal communities can work with Canadian First Nations to advocate for a response system plan.

What the Native Village of Eyak is doing to accomplish this:

- Working to extend new Tribal Self Governance compacting programs through Department of Homeland Security.
- Biden Executive Order and the TTP Compact with USDOT increases potential for tribal funding for marine transportation facilities.
- Tribal Consultation with the United States Coast Guard for the new Western Alaska response plan.
- Coalition with other communities to work on funding a fleet (similar to Aleutian Islands Risk Assessment Plan)

15

Thank You

The Native Village of Eyak

(907) 424-7738 Office
info@eyak-nsn.gov

PO Box 1388
110 Nicholoff Way
Cordova, Alaska 99574

<https://www.shepardpointoilspillresponse.com/>

16