

YEAR



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Cover: Knowles Head in Prince William Sound, one of the Council's environmental monitoring sites. More about this program on page 14.

Right: Two of the powerful tugs that escort oil-laden tankers through Prince William Sound cruise by the Valdez Marine Terminal.



### Letter from the President and Executive Director

### BUILDING TRUST TAKES TIME AND TRANSPARENCY

#### President Robert Archibald, City of Homer Executive Director Donna Schantz

In this report, you will find highlights from a productive year for the Council. As we look back on our recent work, we reflect on lessons learned and acknowledge the progress made in oil spill prevention and response. We also see concerning trends in budget and staffing cuts in industry and the associated regulatory agencies. These trends highlight why we must recommit to our mission of promoting the environmentally safe operation of the Valdez Marine Terminal and associated oil tankers.

Our volunteers and staff put in countless hours fulfilling our mandates outlined in the Oil Pollution Act of 1990 and our contract with Alyeska Pipeline Service Company. This report is an overview of major work from the past year, including:

- An assessment of risks and safety culture at the Valdez Marine Terminal (page 6)
- Ensuring the adequacy of secondary containment liners for the terminal's crude oil storage tanks (page 7)
- Supporting solutions for sustainable funding for state spill prevention and response (page 8)
- Improvements to how the Council monitors weather and sea currents in our region (page 4)

- Monitoring oil spill drills and exercises (page 13)
- Reexamining the Council's position on use of dispersants in our region (page 15)
- And much more

As we prepare for the 35th anniversary commemorating the Exxon Valdez oil spill, the Council recently rereleased the publication "<u>Stories from a citizens' council</u>," a collection of interviews/oral histories from key participants in the formation of the Council. Many of these interviews highlighted the value of relationships founded on trust. Trust is built on transparency, listening, and engaging stakeholders. Excerpts from that publication are featured on page 21.

This emphasis on relationships and trust is timely. The prevention and response system for the Valdez Marine Terminal and associated tankers is widely regarded as one of the best in the world. However, in recent years, the Council has seen a steady erosion in some of the safety systems put in place as a direct result of the lessons learned from that disaster.

After the Exxon Valdez spill, the Alaska Oil Spill Commission found that starting in 1981 there had been a dramatic decline in regulatory oversight that had contributed to the spill.

Congress determined that only when local citizens are involved in oil transport will the trust develop that is necessary to change the system from confrontation to consensus, and so called for creation of citizen councils.

The Council is a unique partner for industry and regulators, providing a platform to cultivate the long-term relationships that are necessary to establish public trust.

While the Council has had disagreements with industry and regulators over the years, there have been numerous examples of us working cooperatively and collaboratively to find solutions. The success of those collaborations was founded on the transparent sharing and use of technical and scientific information; stakeholders felt informed, heard, and included in the process, resulting in trust.

As those who experienced firsthand the devastation of the 1989 spill are retiring or are no longer with us, the Council has increasingly become a knowledge-bearer. Our historical knowledge about how and why systems were implemented is important to uphold an effective system of protections.

The Council was created, in part, in anticipation of the time when the memory of the Exxon Valdez oil spill has faded and some begin to believe that protections look stale, overbearing, and burdensome.

It is critical that industry, government, and citizen leaders remain cognizant of the history that underlies the present system of preparedness. The Council continues to raise awareness and provide reasonable and justified resistance to changes that could weaken existing protections. We will continue doing what we can to resist sliding back into complacency.

# WHO WE ARE

### The Council is a voice for citizens affected by decisions made by the oil industry and regulators in Prince William Sound.

Formed after the Exxon Valdez oil spill, the Council's member organizations are communities affected by the spill, as well as Alaska Native, aquaculture, commercial fishing, environmental, recreation, and tourism groups.



### THE COUNCIL'S STRUCTURE

The Council's structure and responsibilities stem from two documents:

**1. The contract with Alyeska Pipeline Service Company.** Alyeska operates the Trans Alaska Pipeline System, including the Valdez Marine Terminal. This contract guarantees the Council's independence from industry while also providing the operating funds for the organization.

**2. The Oil Pollution Act of 1990.** The Act requires citizen oversight councils for Prince William Sound and Cook Inlet. The councils promote partnership and cooperation among local citizens, industry, and government; build trust; and provide citizen oversight of the oil industry in their regions.



### **OUR RESPONSIBILITIES**

The Council works to prevent pollution and other harm from the transportation of crude oil through Prince William Sound and the Gulf of Alaska by monitoring, reviewing, and providing advice on:

- Oil spill prevention and response plans prepared by Alyeska and shipping companies moving oil through the region
- The environmental protection capabilities of Alyeska and the tanker operators
- The environmental, social, and economic impacts of Alyeska and tanker operations
- Government policies, permits, and regulations relating to the oil terminal and tankers

The Council regularly retains experts to conduct independent research and technical analysis on issues related to oil transportation safety.

The contract with Alyeska also calls for the Council to increase public awareness of the company's oil spill response, spill prevention, and environmental protection capabilities, as well as the actual and potential environmental impacts of terminal and tanker operations.

### March 24, 2024, is the 35th anniversary of the Exxon Valdez oil spill.



### **OUR FUNDING**

The Council was initially funded at \$2 million a year. The funding is renegotiated every three years; current Alyeska funding is approximately \$4.21 million a year.

Although the Council works closely with and is funded chiefly by Alyeska, the Council is an independent advisory group. The contract is explicit: "Alyeska shall have no right...to have any degree of control over the formation or operation of the corporation."

# **PREVENTING AN OIL SPILL**

Preventing an oil spill is the most effective way to protect human health and the environment. The spill prevention system in Prince William Sound is among the best in the world. The Council works to keep it that way by reviewing all aspects of the system.



Tankers carrying millions of gallons of crude oil travel through Prince William Sound. The Council helps ensure this oil stays safely in the cargo tanks and out of our waters.

### **MONITORING WEATHER**

The harsh environment in Alaska impacts safe crude oil transportation. The Council studies wind, waves, currents, and other environmental factors that can affect the ability to prevent, respond to, contain, and clean up an oil spill.

### **Understanding Weather and Sea Currents in Our Region**

The Council supports three weather stations in Prince William Sound and the Gulf of Alaska. Information is collected via the Prince William Sound Weather Station Network, developed and maintained by the Prince William Sound Science Center, and co-funded by the Council. Data is available through the Alaska Ocean Observing System (AOOS).

The most recent addition to the weather station network was installed at Kokinhenik Bar on the Copper River Delta in June 2023. The Copper River Valley can funnel extremely high offshore winds when there is a high-pressure system over interior Alaska and a low-pressure system over the Gulf of Alaska. This weather station provides real time observations of wind and other weather parameters, available to traffic transiting through the shipping lanes 20 nautical miles to the southwest and in the event of an oil spill. Data collected complements the existing Council weather station at Cape St. Elias and SNOTEL weather station on Strawberry Reef, which both tend to underreport northerly winds.

### PORT VALDEZ WEATHER BUOYS

The Council maintains two weather buoys in Port Valdez: one near the terminal, the other near the Valdez Duck Flats. These buoys measure ocean currents, wind, and waves among other factors. The Council works with AOOS and the National Oceanic and Atmospheric Administration's (NOAA) PORTS<sup>®</sup> (Physical Oceanographic Real Time System) to share the data.

As part of the PORTS<sup>®</sup> program for Port Valdez, the Council worked with NOAA's National Ocean Service to install a CTD (conductivity, temperature, and depth) sensor at the Kelsey Dock. The sensor was made possible through a grant from AOOS. Data from the CTD sensor is made available on the Port Valdez PORTS<sup>®</sup> site and through AOOS.

These buoys have been collecting data for four years and are expected to continue to do so for at least one more. The Council has been analyzing the data to identify weather trends.

The full report is available on our website at: <a href="http://www.tinyurl.com/PortVDZBuoys2023">www.tinyurl.com/PortVDZBuoys2023</a>

Buoy data is available through AOOS and NOAA's PORTS<sup>®</sup>.



Snow, heavy rain, strong winds, high sea states, and fog are common in Alaska and can present challenges to the safe transportation of oil.



A fishing vessel participates in an oil spill exercise near the Valdez Marine Terminal.

### **OPERATIONS AT THE TERMINAL**

### Risks and Safety Culture at the Valdez Marine Terminal

In April 2023, the Council released an assessment of risks and safety culture at the Valdez Marine Terminal. This report was initiated in response to safety concerns brought to the Council by concerned current and former Alyeska employees.

After reviewing all available information, the main conclusion of the report is that there currently is an unacceptable safety risk to the terminal. According to the concerned individuals interviewed, availability of resources, quality and audit functions, maintenance and system upgrades, and operational integrity and compliance have all suffered significantly under recent corporate management. Pressure to reduce budgets was a common theme.

The report emphasized that the concerned employees all cared deeply about the safe operation of the terminal, and the safety of their colleagues, the community, and Prince William Sound. It credits the integrity, knowledge, and skill of the Alyeska workforce for holding together an aging infrastructure. Government budget pressures have also contributed to the challenges. Over the past several years, the Council has voiced concerns about budget cuts and reductions in staffing at oversight agencies, including the Bureau of Land Management and the Alaska Department of Environmental Conservation. The consequences of reduced oversight have, generally, never been favorable for the Alaska public and its environment.

The Council endorsed all recommendations in the report, including that Congress initiate a Government Accountability Office audit to determine the adequacy of the present regulatory oversight of terminal operations by federal and state agencies. Other recommendations for the State of Alaska, federal Occupational Safety and Health Administration, Alyeska, and the Trans Alaska Pipeline System owners can be found in the report on the Council's website: www.tinyurl.com/GardeReportInfo

The Council has been encouraged by Alyeska's response, sharing with the Council that they have formed a team to look into issues and identify actions to address them. The Council stands ready to support Alyeska, and state and federal regulatory agencies, in our role as an advisor.

### **Ensuring the Adequacy of Secondary Containment Liners**

The Valdez Marine Terminal's crude oil storage tanks are surrounded by a secondary containment system. In the event of a spill, this system acts as a bathtub, preventing the oil from leaking into the surrounding environment.

The containment cells that make up the system are lined with a special type of asphalt, which can become brittle with age and is susceptible to physical and chemical damage. Seeing damage is difficult as the liner is covered with five feet of gravel. Over the years, when gravel fill has been removed to visually inspect the liner, holes or cracks have been found about 20% of the time. Removing the fill to inspect and repair the liner would be expensive, and the excavation equipment could cause further damage.

To help identify solutions, the Council commissioned research on non-destructive methods to evaluate the integrity of the liner. In January 2023, the Council released a report showing how electrical leak location surveys can be used to find potential damage in the liners that are almost 50 years old. It was also determined that at least 20% of the liner would need to be tested to have confidence that it will reliably hold spilled oil.



An electrical leak location survey is done by applying electric currents to the ground outside the liner and measuring any electric currents found on the surface of the fill inside the liner. A solid (intact) liner would act like an insulator and block the currents. Holes or cracks would allow the current to flow through.

The Alaska Department of Environmental Conservation grants Alyeska a 60% "prevention credit" because this secondary containment system is in place, substantially reducing the amount of response personnel and equipment Alyeska must provide in order to meet response planning standards. In May 2022, the department notified Alyeska that they needed to identify preliminary methods to evaluate the integrity of the liners by October 2023, and must identify final evaluation methods by March 2025.

The final report is available on the Council's website: <u>www.tinyurl.com/VMTLinerTesting</u>

## PLANNING & PREPARING FOR AN OIL SPILL

The Council works hard to help prevent spills. It also monitors and supports the extensive planning required to ensure an efficient and effective response if one occurs.



Oil is pumped out to tankers through a system of pipes at one of the berths at the Valdez Marine Terminal.

### **OIL SPILL CONTINGENCY PLANS**

Alyeska and the companies who ship oil from the Valdez Marine Terminal are required by state and federal law to prepare detailed oil spill contingency plans for preventing and responding to spills. On behalf of the public, the Council monitors changes to these plans. Significant resources are devoted to help ensure the plans remain adequate.

Alaska regulations require these plans to be updated every five years. Changes between those updates require an amendment and major amendments require a public review process.

### ISSUES AFFECTING SPILL PREVENTION AND RESPONSE

Besides providing input on contingency plans, the Council tracks other issues that could impact prevention and response.

### State Funding for Spill Prevention and Response

The Council continues to support legislation for sustainable funding for the Alaska Department of Environmental Conservation's Division of Spill Prevention and Response, or SPAR. During the 2023 legislative session, the Council provided a letter and oral testimony in support of Senate Bill 137. This bill called



Two escort tugs practice maneuvers with the oil tanker Washington during a towing exercise.

for a half a penny per gallon increase to the refined fuels surcharge, providing the revenue needed to maintain an adequate prevention program for the state and its ability to respond to major oil spills.

While the bill did not pass beyond the Senate Resources Committee before the legislature adjourned, it will continue through the legislative process in the second year of the session.

### Out-of-Region Response Equipment Survey

The oil industry in Prince William Sound has one of the best-equipped spill prevention and response systems in the world. Alaska laws and regulations require Alyeska and the tanker companies to have enough equipment and trained personnel available to contain, control, and clean up a spill of 12.6 million gallons of oil within three days. This equipment is staged in Valdez and other areas around the Sound for immediate use.



However, if a big spill occurred, more equipment would need to be brought in from other regions. The State of Alaska requires Alyeska and the shipping companies to show they can access enough equipment and trained personnel to clean up 22.9 million gallons of oil in the shortest time possible.

In 2022, the Council sponsored a study on the availability of equipment for a major oil spill in the Sound. The research looked at how much equipment would be needed, where this equipment would or could come from, and what sharing agreements are in place.

The researchers found that, while oil spill boom and skimmers are readily available, storage equipment for recovered oil could be limited during a large spill, due to various factors.

More details are available in the final report on the Council's website: <a href="http://www.tinyurl.com/OORREsurvey">www.tinyurl.com/OORREsurvey</a>



Responders practice with equipment during an oil spill exercise near Solomon Gulch Hatchery, Prince William Sound.



The Council's Peer Listener program stemmed from a study of the social effects of the Exxon Valdez oil spill on the community of Cordova.

### Analyzing the Properties of Alaska North Slope Crude Oil

In 2019, the Council initiated a laboratory analysis of Alaska North Slope crude oil. The final data was received this year, after delays due to the COVID-19 pandemic. The Council conducts this analysis on a regular basis because properties such as density and viscosity can vary, depending on the location from where the oil is extracted and the age of the field.

The final interpretation of the analysis examines properties that would affect oil spill response measures including mechanical (e.g., booms, skimmers) and non-mechanical (e.g., dispersants). The data showed that oil arriving at the terminal is now lighter, of medium viscosity, and not likely to form permanent emulsion, among other findings.

More details are available in the report: www.tinyurl.com/ANSCrudeProperties

### COUNCIL'S PEER LISTENER PROGRAM EVALUATED

In September 2022, the Board accepted a report reviewing the Council's Peer Listener Program in anticipation of forthcoming updates. The current Peer Listener Manual is included as an appendix in the Council's publication, "Coping with Technological Disasters – A User-Friendly Guidebook." The fields of peer-to-peer support and community resilience have evolved since the material was originally created in the mid-1990s after the Exxon Valdez oil spill. The review looked at similar programs nationwide and compared them to the current version of the manual, last updated in 2004.

The final report is available on the Council's website: www.tinyurl.com/PeerListenerEvaluation

### ALWAYS READY TO RESPOND

The Council, industry, and regulators work hard to prevent oil spills, but the risk cannot be eliminated entirely. A quick and effective response takes more than volumes of carefully written and reviewed contingency plans. It requires equipment, trained people, practice, and a management system to implement the plan.



Fishing vessels practice pulling oil spill boom in formation with an oil spill response barge during an exercise.

The Council monitors the operational readiness of Alyeska's Ship Escort Response Vessel System, or SERVS, and the tanker companies. The Council also works hard to stay prepared as an independent monitor and as a voice for citizens affected by a spill.

### **OIL SPILLS AND INCIDENTS**

The Council monitors spills and other incidents that occur from the Valdez Marine Terminal and tanker operations. Fortunately, because spill prevention efforts in Prince William Sound are among the best in the world, significant events are rare. More common are minor spills, usually a teaspoon or less, related to normal daily operations. The Council tracks these incidents and provides advice where possible to prevent small problems from becoming larger issues.

From July 2022 through June 2023, a total of ten spills were reported. In April 2023, a spill of an unknown hydrocarbon was reported at the terminal. Crews estimated about two gallons of this substance spilled to land and about two cups made it to water in a containment pond. This spill was discovered when a sheen was noticed in the containment pond. In May 2023, 330 gallons of methanol (corrosion inhibiter) was spilled to asphalt and contained before reaching soil or water. This spill occurred when the tote containing the substance tipped over during routine transport on a forklift. The rest of the spills were relatively small amounts of petroleum products like hydraulic fluid or motor oil.

In February and March of 2022, snow and ice caused substantial damage to crude oil storage tank pressure/vacuum vents at the Valdez Marine Terminal. This incident resulted in an unknown but likely significant amount of hydrocarbon vapors being released to the atmosphere. Such vapors can be harmful to the environment, pose a threat to human health and welfare, and, depending on the circumstances, can increase the risks of a fire or explosion. While no substantial injuries were associated with this event, and no fire or explosion occurred, the Council believes this event was a near miss. Now, over a year later, the Council is still working to get accurate emission estimates from Alyeska and/or regulatory agencies.

### MONITORING DRILLS AND EXERCISES

The Council observes and monitors spill response drills, exercises, and trainings that test aspects of the oil spill contingency plans for the terminal and tankers. Some are small (focusing on specific pieces of equipment or tactics), but a few are large, involving a hundred or more personnel and a large amount of response equipment. These events help to ensure responders are ready and able to act quickly in the event of an actual spill.

### **Major Annual Spill Exercises**

Council staff attended 18 drills and exercises this past year, including:

- An emergency towing exercise in central Prince William Sound
- Six open-water response exercises and two nearshore response exercises
- Trainings to protect sensitive areas in Port Valdez
- The annual Prince William Sound Shippers' large-scale tabletop exercise with Alaska Tanker Company and Hilcorp
- An oiled wildlife exercise in Cordova and demonstration of the bird treatment facility in Anchorage

### Council staff attended 18 drills and exercises this past year.

- Two non-mechanical exercises for dispersants and in-situ burning
- Two equipment deployment exercises and the annual incident management exercise for the terminal
- Several equipment exercises with the new lightering barge OSRB-5

During the pandemic, exercises and trainings were modified and Council staff and regulators could not observe as normal. However, restrictions have been eased recently and more exercises and trainings have been observed as a result.

### Large-Scale Hybrid Drill

The largest exercise in the past year was the annual Prince William Sound Shippers' exercise conducted by Alaska Tanker Company and Hilcorp in May of 2023. This drill combined physical incident command posts, at the SERVS Valdez Emergency Operations Center and the former BP building in Anchorage, and used the Microsoft Teams platform for remote participants. Combining physical and virtual aspects within an exercise remains a challenge, but the Council anticipates that the hybrid format will continue with future large-scale exercises.

### **Annual Fishing Vessel Training**

The annual training for fishing and other contracted vessels once again occurred with modifications related to precautions against COVID-19. Instead of in-person classes, lectures were pre-recorded and accessed online. Hands-on training with equipment was modified during the pandemic, but returned to normal in spring 2023. Council staff attended the fall 2022 training in Cordova and the spring 2023 trainings in Seward and Whittier.

## **PROTECTING OUR REGION**



Tidepools like these are teeming with wildlife. The Council works to protect these habitats from pollution from the oil industry in Prince William Sound.

### LONG-TERM ENVIRONMENTAL MONITORING

Every year, the Council collects environmental samples from Port Valdez and has them chemically analyzed for contamination related to the operation of the terminal and associated tankers. Sampling includes gathering mussels, collecting marine sediment, and deploying plastic strips called passive sampling devices.

### **Gene Analysis Increases Understanding of Oil's Effects**

In 2019, the Council began looking at new methods to measure the impacts of oil on the environment. A new research technique, called transcriptomics, was used to analyze the genes of blue mussels to measure how environmental conditions affect expression of particular genes.



After approximately 1,400 gallons of oil was spilled into Port Valdez from the terminal in April 2020, mussels were compared from three areas: within the spill site, near the Valdez harbor, and a control site. The levels of oil in the mussels were found to have declined by August; however, the mussel's genes showed evidence of lingering effects. The research also expanded the study from 14 genes to over 7,000.

Recently, researchers tried to identify how the gene expression varied based on different contaminants. The crude oil-contaminated samples were compared to samples from the Valdez harbor, which were contaminated with pollutants such as diesel fuel or vessel exhaust, and the control site. Genes associated with stress and the immune system were among those that varied between the three sites.

While these studies will help improve the Council's monitoring program, the researchers noted that the findings could potentially improve monitoring in marine environments around the world.

More information on this report and a summary are available on the Council's website: <a href="https://www.tinyurl.com/MusselGenesReport">www.tinyurl.com/MusselGenesReport</a>

### **COUNCIL UPDATES DISPERSANT USE POSITION**

Chemical dispersants are designed to break floating oil slicks into smaller droplets and disperse the oil into the water column.

In September 2022, the Council updated its position on the use of dispersants in our region. This was done following a thorough review of the latest peer-reviewed scientific research, an assessment of the most recent dispersants application guidelines for our region, and several workshops guided by experts in the field.

The evidence-based position promotes the use of mechanical recovery and opposes the use of chemical dispersants on Alaska North Slope crude oil spills in the waters of our region. The Council has long endorsed mechanical recovery (e.g., boom and skimmers) as the primary tool as, unlike dispersant use, it removes oil from the water. The known harms and potential risks caused by dispersants, in addition to a lack of proven effectiveness and safety, preclude the Council from supporting the use of dispersants.

Oil spill prevention remains the Council's top priority because once oil is spilled there will always be adverse impacts to human health and the environment.

The updated position and supporting materials are available on the Council's website: <a href="http://www.tinyurl.com/OSDispersantsPosition2023">www.tinyurl.com/OSDispersantsPosition2023</a>

### SUSTAINABLE SHIPPING

In 2023, the Council commissioned an analysis of the current and potential future environmental regulations which would affect tankers and the escort tugs that transit Prince William Sound. The report reviewed regulations in the U.S. and around the world on emissions commonly generated by ocean-going vessels and the types of fuels they use.

The final report on this work is available on the Council's website: <u>www.tinyurl.com/SustainableShippingReport</u>



Staff members Jeremy Robida, Joe Lally, and Austin Love collect zooplankton for analysis.

### MONITORING SPECIES IN OUR REGION

### Monitoring for Marine Invasive Species

Each summer, the Council monitors for invasive species that may be introduced by tankers transiting to and from the terminal. These tankers visit ports outside of Alaska that contain invasive species, and can carry them in ballast water or attached to their hulls and other underwater surfaces. If these invasive species become established in our region, they can harm native species by competing for space and food, and disrupting habitat.

The biggest concerns are the European green crab, a voracious predator that was detected in Alaska for the first time in 2022, and tunicates that can blanket other organisms. Additional threats include bryozoans, barnacles, copepods, snails, and other marine invertebrates.

The Council monitors for these species each summer, expanding the program to include Kodiak in 2022. To date, European green crabs have not been found in Port Valdez, Cordova, or Kodiak. No invasive tunicates were detected during routine monitoring in 2022.

### **Genetic Analysis of Zooplankton**

A Council study, released in 2022, will help improve monitoring for invasive species, such as tunicates. Over 200 samples of zooplankton were collected from three locations in Port Valdez across different seasons, tidal stages, and time of day. The goal was to examine how and when populations of zooplankton change.

After collection, a technique called DNA metabarcoding was used, allowing researchers to identify multiple species from the same sample. A high diversity of species was detected, with copepods the most dominant. None of the most common invasive species expected to be found in Prince William Sound were identified as juveniles in the samples.



The study showed that location, time of day, and tide did not have a large influence on the samples. However, the season did have an effect, as a large shift was detected between spring and summer. The project also added to existing knowledge of zooplankton species already in Prince William Sound, which will help researchers better identify invasive species in the future.

The final report is available on the Council's website: <a href="http://www.tinyurl.com/ZooPlanktonGenes">www.tinyurl.com/ZooPlanktonGenes</a>

### Surveys of Marine Bird and Forage Fish Species

The Council continued its work monitoring sensitive species in Prince William Sound that may be impacted and could use additional protection during an oil spill response. The third year of at-sea marine bird and mammal surveys took place in March 2023, adding two new transects in proximity to the tanker lanes near northwest Hinchinbrook Island and Zaikof Bay. The surveys have identified important wintertime nearshore habitat and areas of high bird density for protection, including Hinchinbrook Entrance, the head of Port Valdez, and Tatitlek Narrows.

The final reports from the 2022 marine bird survey, as well as forage fish surveys released in January 2023, can be viewed on our website: <u>www.tinyurl.com/PWSMarineBirds</u> and <u>www.tinyurl.com/ForageFish2022-23</u>

## INVOLVING CITIZENS IN OVERSIGHT

The Council cultivates relationships with its member entities, which include communities within the region affected by the 1989 Exxon Valdez oil spill as well as Alaska Native, aquaculture, commercial fishing, environmental, recreation, and tourism groups.



The Council hosted an educational boat tour for Valdez community members to learn about the SERVS Fishing Vessel Program and other local assets for oil spill prevention and response.

### **COMMUNITY OUTREACH**

Throughout the year, staff and volunteers visit communities in the Council's region to host receptions, deliver presentations, and participate in events that increase citizen engagement in our work. The Council's outreach efforts included participation in in-person and virtual events, such as:

- Hosting in-person booths at Salmon Jam in Cordova, Pacific Marine Expo in Seattle, Alaska Forum on the Environment in Anchorage, and ComFish in Kodiak.
- Organizing a hybrid session on Emergency Towing Technology at the Alaska Forum on the Environment as part of the event's Oil Spill track.
- Sponsoring and participating as officials for the Alaska Tsunami Ocean Sciences Bowl in Seward.
- Sponsoring the Prince William Sound Natural History Symposium in Whittier, presenting at the event, and assisting in its hybrid facilitation.

### THE OBSERVER NEWSLETTER

Our regional newsletter covers Council activities, developments in the oil transportation industry, and news about policy and operational issues related to marine oil transportation in Prince William Sound.

Subscribe by email at www.tinyurl.com/TheObserverPWS.

### ENGAGING THE NEXT GENERATIONS TO PROTECT PRINCE WILLIAM SOUND

#### **Funding Youth Education Programs**

The Council supports our partners' youth programs on topics related to the Council's mission. These hands-on programs teach all ages about oil spill prevention and response, citizen oversight, response capabilities in Prince William Sound, and more.

### Interns Help Council Achieve Our Mission

The Council recruits interns to complete projects that incorporate career development opportunities. Interns across three communities in the Council's region monitor nearshore areas for invasive green crab and tunicates. Levi Pearson in Cordova, Noah Schrof in Kodiak, and Audrey Bulow in Valdez each implemented monitoring protocols during the 2022 summer monitoring season and their 2022-2023 school year. Each intern also gave an outreach presentation to an audience of their choice.

### **Lesson Plans Available for Educators**

The Council maintains the Alaska Oil Spill Lesson Bank available online: www.pwsrcac.org/lessons.

This is a free resource for teachers and other educators to source environmental and oil spillrelated lessons for a variety of age groups.

### **GOVERNMENT RELATIONS**

The Council monitors state and federal administrative and agency actions, legislation,

and regulations that relate to terminal and tanker operations, or to oil spill prevention and response. To help track developments and formulate legislative priorities and responses, the Council retains state and federal legislative monitors under contract.

Over the past year, the Council's Legislative Affairs Committee focused on:

- A Senate bill that would maintain an adequate prevention program for the state and its ability to respond to major oil spills (see page 8)
- Support for the "Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal" report and its recommendations (see page 6)
- The Alaska Department of Environmental Conservation's initiative soliciting input for potential changes to Alaska's laws and regulations on contingency plans
- Coast Guard Vessel Response Plan Alternative Planning Criteria provision in the Don Young Coast Guard Authorization Act of 2022 (Federal), and Senate Joint Resolution 11 also involving Alternative Planning Criteria (State)
- Concerns about contamination from perfluoroalkyl and polyfluoroalkyl substances, or PFAS, stored at the terminal
- Support for the Governor of Alaska to establish an Invasive Species Council to help manage invasive species across agencies and jurisdictional boundaries

### RECERTIFICATION

The U.S. Coast Guard certifies the Council as the federally approved citizens' advisory group for Prince William Sound, pursuant to the Oil Pollution Act of 1990. Under the annual recertification process, the Coast Guard assesses whether the Council fosters the general goals and purposes of the Act and is broadly representative of the communities and interests as envisioned in the Act.

The Council has been the certified group since 1991.

## **35 YEARS OF CITIZEN OVERSIGHT**

The coming year will bring the 35<sup>th</sup> anniversary for both the Exxon Valdez oil spill (March 24, 1989) and the formation/incorporation of the Council. In 2013, and again this year, we asked some of those involved with the formation of the Council for insights into the history and effects of citizen oversight in Prince William Sound.



When I talked to Alyeska and offered assistance from some of our fishermen, I was told "we can't afford the liability of using amateurs." The good news is that now, Alyeska and the shippers now know that Alaska fishermen are professionals and the most qualified to assist in a response. – Marilyn Leland, 2013. Above: Crews from local vessels in Alyeska's contracted fleet train with oil spill response equipment in 2023.

This year, the Council re-released the publication "Stories of a citizens' council." The next few pages feature quotes about how and why the Council was formed from "Stories," as well as additional thoughts on why this organization is still relevant today.

Those interested in reading more about the history of the Exxon Valdez oil spill and the creation of the Council can check out these and other publications online: <u>www.tinyurl.com/PublicationsHistory</u>

**March 24** The Exxon Valdez oil spill

1989

June 17 Citizen oversight approved by Alyeska Pipeline Service Company

**December 26** PWSRCAC incorporated **February 8** Contract between PWSRCAC and Alyeska signed

1990

August 18 OPA 90 signed into law by President George H.W. Bush

# REFLECTIONS

### Mead Treadwell, 2013:

PWSRCAC was formed because people felt there was complacency that had led to the Exxon Valdez disaster. PWSRCAC was envisioned as a way that the communities could be involved to fight that complacency.

Another lesson is you should never have a time and a place where you have a potential disaster where the responders—both the state and federal governments and the industry people— don't know the people in the communities. This is one where frequent exercises, the interface that the PWSRCAC provides, the work of the fishing communities and so forth is vitally important.

PWSRCAC is a powerful organization in that it really is an example of how people need to be engaged in decision making regarding development that directly impacts them.

Ann Rothe, 2013

### Scott Sterling, 2013:

The entire process of enhancing safety is greatly benefited by having the local people who know local conditions and who care about the locality where they live take part in the decision-making process.

### Marilyn Leland, 2013:

We were able to insert local fishermen and their boats into the response plan. That was something that had never been done before and, in fact, in the early days of the spill had been rejected by Alyeska and Exxon.

### **Logo Evolution**

The Council's logo has evolved from the version with the "eye" (top), created shortly after establishment, to the latest version updated in 2021 (bottom).





**Regional Citizens' Advisory Council** 



The important thing about the contract was, we had to be funded well enough to be able to hire experts... to do studies and make recommendations; we needed money to compete with the experts that the oil industry was coming up with. The contract allowed us to be independent.

Marilyn Leland, 2013

In fact, when I talked to Alyeska and offered assistance from some of our fishermen, I was told 'we can't afford the liability of using amateurs.' The good news is that now, Alyeska and the shippers now know that Alaska fishermen are professionals and the most qualified to assist in a response.

At those early meetings, I think there were people from Alyeska who were skeptical and they didn't really want to participate, but I think there was also a lot of people from Alyeska who were glad we were there because we helped them to do their jobs better. Our presence lent weight to things they may have wanted to do anyway and we may have made that a little easier for them.

The important thing about the contract was, we had to be funded well enough to be able to hire experts, predominantly scientists, to do studies and make recommendations; we needed money to compete with the experts that the oil industry was coming up with. The contract allowed us to be independent. We gave Alyeska advice. We couldn't make them do anything, but they had to listen to our advice and they had to respond to our advice.



Tangled boom, now useless, drifts in Prince William Sound, June 4, 1989.

### Joe Banta, 2013:

I think, honestly, as far as what works, we protect the oil industry's economic interests as well. Because of our counter force to the constant cost cutting, I think we have kept the pressure on to assure good systems are in place, or to actually improve them, and that's good for industry's bottom line.

### Stan Stephens, 2013:

What we have learned and what is very important is that we can make a difference, and that we have made a difference. It took a while to learn the culture of the oil industry and how they work; it's quite a system once you learn it. Once you learn that and you learn what the people within the frame of the industry want, you realize that nobody, and I mean nobody, wants an oil spill.

### Ann Rothe, 2013:

There are so many places all over the world where things are imposed on people, they suffer consequences, and they have no power to speak to industry to make changes such that those consequences either are lessened or in some way mitigated. PWSRCAC is a powerful organization in that it really is an example of how people need to be engaged in decision making regarding development that directly impacts them.

### Rick Steiner, 2013:

We need to have these councils established before we have catastrophes rather than after, and not just for catastrophic situations but for everyday operational concerns as well. Citizens, industry, and government need to talk to each other in a structured way, on a regular basis. Government and industry need active, independent, and credible citizen engagement.

### Marilyn Leland, 2023:

Well, we did it [contract signing between the Council and Alyeska] at the Crow's Nest at the Captain Cook [Hotel in Anchorage, Alaska]. We had champagne glasses, and Alyeska was there, and the whole PWSRCAC Board was there. We signed the contract and we toasted it with milk. That related back to in Cordova, there was something brought together with kids drawing a lot of pictures after the spill. A kid had drawn a picture of a tanker and it said on there, "tanker captains should drink milk." So because of that, we toasted the contract with milk.



Fishing vessels from Seward, Alaska, contracted by Alyeska's SERVS, practice oil spill response with the SERVS tug Ross Chouest, April 2023.

What we have learned and what is very important is that we can make a difference, and that we have made a difference.

Stan Stephens, 2013



1991: Citizen Riki Ott (back to camera) discusses Council issues at a Board meeting with members Stan Stephens, Tim Robertson, and Bill Walker.

### **LOOKING AHEAD**

### Rick Steiner, 2023:

The PWSRCAC serves as a model around the world for how to engage local citizens in the oversight of large-scale, extractive industries such as oil and gas, mining, etc. This is how industry, government, and local citizens can and should work together.

#### Linda Robinson, 2023:

The losses were great, but citizens worked to help create a model program for citizens working with industry to improve safety. I'm very proud to have been involved in the creation of this important model. Because the further we get away from that event, the more complacency builds. Stan Stephens often said 'the biggest threat isn't another spill, it's complacency.'

Bill Walker, 2023



2023: The Council discusses issues with a contractor during a meeting in Homer using video-conferencing.

#### Scott Sterling, 2023:

In my considered opinion PWSRCAC has more than proven its worth and value to all stakeholders interested in promoting the safe transportation of oil near and through Prince William Sound. The broad-based makeup of the organization and its commitment to high standards of scientific and ethical credibility help everyone concerned.

#### Marilyn Leland, 2023:

These [original board members] were people who didn't, well, a lot of us didn't have much in common and, in fact, in a lot of ways probably disagreed on a whole lot of things. But we were there to work together and get it done. And we did.

#### Ann Rothe, 2023:

I guess the big message is that for this kind of citizen engagement, PWSRCAC is a real validation that it works. 30 years later you guys are as strong as the organization was when it started. And especially now that's important.

### Bill Walker, 2023:

I was struck by the recent report that you did on the Alyeska marine terminal [see page 6]. I wanted to say thank you. Not necessarily for the substance of the report but the fact that you could do it, the fact that you did it.

You know in many ways we [early Board members] had it easier than you, because it [the spill] was right there. It was right in your face. We were making decisions that everybody was concerned about and aware of. Your job is harder. Because the further we get away from that event, the more complacency builds. Stan Stephens often said 'the biggest threat isn't another spill, it's complacency.' We get complacent and we stop looking, stop watching. That's what struck me by what you did on the analysis of the terminal. That you're looking, you're at the table.

## **BOARD & EX OFFICIO MEMBERS**

Each member entity chooses one representative to our Board. The lone exception is Valdez, which has two representatives. The Board meets three times a year. The January meeting is in Anchorage, the May meeting is in Valdez, and the September meeting rotates among other member communities in the oil spill region. Members are current as of June 30, 2023.



### **OFFICERS:**



**ROBERT ARCHIBALD** *President* City of Homer



**Robert Beedle** *Member-at-large* Cordova District Fishermen United



**Amanda Bauer** *Vice-President* City of Valdez



**Ben Cutrell** *Member-at-large* Chugach Alaska Corporation



**Bob Shavelson** Secretary Oil Spill Region Environmental Coalition



Angela Totemoff Member-at-large Tatitlek Corporation & Tatitlek IRA Council



**Wayne Donaldson** *Treasurer* City of Kodiak

### **MEMBERS:**



Mike Bender City of Whittier



Mako Haggerty Kenai Peninsula Borough



**Elijah Jackson** Kodiak Village Mayors Association



**Nicholas Crump** Prince William Sound Aquaculture Corporation



Luke Hasenbank Alaska State Chamber of Commerce



**David Janka** City of Cordova



Dorothy M. Moore City of Valdez



Michael Vigil Chenega Corporation & Chenega IRA Council



**Mike Brittain** City of Seward



**Jim Herbert** Temporary Recreation Seat



**Melvin Malchoff Jr.** Port Graham Corporation



Aimee Williams Kodiak Island Borough

### **EX OFFICIOS**

- AK Dept. of Environmental Conservation: Allison Natcher
- AK Dept. of Fish & Game/Habitat Division: Jonathan Kirsch
- AK Dept. of Natural Resources: Anthony Strupulis
- Bureau of Land Management: Greg Bjorgo
- National Oceanic & Atmospheric Administration: Vacant
- Oil Spill Recovery Institute: W. Scott Pegau
- Div. of Homeland Security & Emergency Management, Alaska Department of Military and Veterans Affairs: Vacant
- U.S. Coast Guard/ Marine Safety Unit Valdez: CDR Sarah Rousseau
- U.S. Dept. of the Interior: Lisa Fox
- U.S. Environmental Protection Agency: Torri Huelskoetter
- U.S. Forest Service: Steve Namitz



**Dr. Kirk Zinck** City of Seldovia

# **ADVISORY COMMITTEES**

Five standing committees advise the Board of Directors and Council staff, and assist on individual projects. These committees are made up of interested citizens, technical experts, and members of the Council's Board. As of June 30, 2023 | \* Member of Board of Directors

### INFORMATION AND EDUCATION

**Mission:** Foster public awareness, responsibility, and participation through information and education

- Chair: Trent Dodson, Kenai
- Vice Chair: Cathy Hart, Anchorage
- Jane Eisemann, Kodiak
- Ruth E. Knight, Valdez
- Andrea Korbe, Whittier
- Savannah Lewis, Anchorage
- Kate Morse, Cordova
- Aimee Williams, Kodiak\*

### SCIENTIFIC ADVISORY

**Mission:** Promote the environmentally safe operation of the terminal and tankers through independent scientific research, environmental monitoring, and review of scientific work

- Chair: Davin Holen, Anchorage
- Vice Chair: Sarah Allan, Homer
- Ana Aguilar-Islas, Fairbanks
- Wei Cheng, Anchorage
- Wayne Donaldson, Kodiak\*
- Roger Green, Ontario
- John Kennish, Anchorage
- Debasmita Misra, Fairbanks
- Dorothy Moore, Valdez\*

### PORT OPERATIONS AND VESSEL TRAFFIC SYSTEMS

**Mission:** Monitor port and tanker operations as well as the vessel escort system in Prince William Sound and recommend improvements in the vessel traffic navigation system

- Chair: Steve Lewis, Anchorage
- Vice Chair: Amanda Bauer, Valdez\*
- Robert Archibald, Homer\*
- Max Mitchell, Homer
- Gordon Terpening, Homer

### TERMINAL OPERATIONS AND ENVIRONMENTAL MONITORING

**Mission:** Identify actual and potential sources of episodic and chronic pollution at the Valdez Marine Terminal

- Chair: Amanda Bauer, Valdez\*
- Vice Chair: Mikkel Foltmar, Anchorage
- Harold Blehm, Valdez
- Matt Cullin, Anchorage
- Steve Goudreau, Valdez
- Tom Kuckertz, Anchorage
- George Skladal, Anchorage

### OIL SPILL PREVENTION AND RESPONSE

**Mission:** Minimize the risks and impacts associated with oil transportation through research, advice, and recommendations for strong and effective spill prevention and response measures, contingency planning, and regulations

- Chair: Jim Herbert, Homer\*
- Vice Chair: Matt Melton, Anchorage
- Mike Bender, Whittier\*
- Robert Beedle, Cordova\*
- Nicholas Crump, Valdez\*
- David Goldstein, Whittier
- Gordon Scott, Girdwood
- Skye Steritz, Cordova

### **PAPERS & REPORTS**

2022 Prince William Sound Forage Fish Observations (report). Prince William Sound Science Center. November 2022. Document number: 900.431.221128.PegauForageRpt.pdf

Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal (report). Clifford & Garde, LLC. April 2023. Document number: 500.431.230401. GardeVMTriskassmt.pdf

Assessment of Risks and Safety Culture at Alyeska's Valdez Marine Terminal – report transmittal letters (letters). Citizens' Council. April 2023. Document numbers: 440.105.230414.AKDelTAPS. pdf, 500.105.230424.AKOSHgardeReport. pdf, 500.105.230424.APSCgardeReport. pdf, 500.105.230424.JPOgardeReport.pdf, 500.105.230424.JPOgardeReport.pdf

Evaluation Report Peer Listener Program (report). Purpose Driven Consulting. August 2022. Document number: 656.431.220802. PeerListenEval.pdf

FINAL REPORT: Crude Oil Storage Tank 8 Floor and Cathodic Protection System Design Review (report and letter). Taku Engineering and Citizens' Council. September and October 2022. Document numbers: 500.431.220601.TakuT8DesignRvw.pdf and 500.105.221025.Tank8CPrecAPSC.pdf

Long-Term Environmental Monitoring Program – 2021 Summary Report (report and letter). Owl Ridge Natural Resource Consultants, Inc. and Citizens' Council. May and October 2022. Document number: 951.431.220501.OwlRidgeSummary.pdf and 951.105.221011.LTEMPAlyeska.pdf

Marine Winter Bird Surveys in Prince William Sound (report). Prince William Sound Science Center. August 2022. Document number: 900.431.220805.WinterBirdSurvy.pdf

Methodologies for Evaluating Defects in the Catalytically Blown Asphalt Liner in the Secondary Containment System at the Valdez Marine Terminal (report and letter). Dr. Craig Benson and Citizens' Council. November 2022 and February 2023. Document numbers: 500.431.221129. BensonCBAMethods.pdf and 500.105.230221. SClinerEvalRpt.pdf

Port Valdez Weather Buoy Analysis 2019-2021 (report). Prince William Sound Science Center. December 2022. Document number: 653.431.221207.PtVdzExBuoyData.pdf

Prince William Sound Out-of-Region Oil Spill Response Equipment Survey (report and letter). Nuka Research & Planning Group, LLC. and Citizens' Council. September and December 2022. Document numbers: 705.431.220901.NukaPWSOORSurv.pdf and 705.105.221222.APSCooregupRpt.pdf

PWSRCAC Annual Drill Monitoring Report 2022 (report). Citizens' Council. January 2023. Document number: 752.431.230101. DrillMon2022.pdf

PWSRCAC Informal and Public Comments on Arctic and Western Alaska Area Contingency Plan (letters). Citizens' Council. July and November 2022. Document numbers: 651.105.220729.USCGawaACP.pdf and 651.105.221103.ArcticWAComments.pdf

PWSRCAC Dispersant Use Position Statement and Background Material (position and report). Citizens' Council and Nuka Research & Planning Group, LLC. September 2022. Document numbers: 955.431.220926.RCACPosition.pdf and 955.431.220926.PositionWorkshop.pdf Request for consideration of language in the FY2024 operating budget to protect SPAR funds (letter). Citizens' Council. November 2022. Document number: 600.105.221123. ADECSparBudget.pdf

Review of Literature on Oil Spill Dispersants: 2021-2023 (report). Spill Science. January 2023. Document number: 955.431.230101. FingasLitRvw.pdf

Review of the 2019 Alaska North Slope Oil Properties Relevant to Environmental Assessment and Prediction (report and letter). Spill Science and Citizens' Council. March and June 2023. Document numbers: 500.431.230301.MFrwaANSprops.pdf and 500.105.230607.19ANSpropRpt.pdf

Support for Establishing and Alaska Invasive Species Council (letter). Citizens' Council. February 2023. Document number: 952.105.230208.DunleavyAISC.pdf

Support for SB 137 relating to the refined fuels surcharge (letter). Citizens' Council. May 2023. Document number: 270.105.230501. GiesselSB137.pdf

Support for SB 67 PFAS Use & Remediation; Fire/Water Safety (letter). Citizens' Council. February 2023. Document number: 270.105.230228.SenKiehISB67PFAS.pdf

Transcriptomic responses to an Alaskan oil spill over time reveal a dynamic multisystem involvement in exposed mussels (Mytilus trossulus) (report and executive summary). U.S. Geological Survey, et al. March 2023. Document numbers: 951.431.230301.TrnscriptomcFull.pdf and 951.431.230301.2020SpillEffects.pdf

Valdez Marine Terminal Tank 93 Preliminary Recommendation (technical memorandum and letter). Taku Engineering and Citizens' Council. October 2022 and January 2023. Document numbers: 500.431.221028. VMTtk93Memo.pdf and 500.105.230104. APSCtk93memo.pdf

Valdez Marine Terminal Tank Vent Snow Damage (technical memorandum). Taku Engineering. September 2022. Document number: 500.431.220909.VMTtnkVntMemo.pdf

Variation in Zooplankton Community Composition in Prince William Sound Across Space and Time (report). Moss Landing Marine Laboratory, et al. July 2022. Document number: 952.431.220705.ZooplankVariation.pdf

This is a sample of the reports, papers, and other materials produced or compiled by the Council in the past year. Please contact the Council for additional information and/ or copies of materials.

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