

PRINCE WILLIAM SOUND  
REGIONAL CITIZENS' ADVISORY COUNCIL  
MINUTES  
REGULAR BOARD MEETING  
January 28 and 29, 2021  
(Virtual)

**Members Present**

Robert Archibald	City of Homer
Amanda Bauer	City of Valdez
Robert Beedle	City of Cordova
Mike Bender	City of Whittier
Ben Cutrell	Chugach Alaska Corporation
Wayne Donaldson	City of Kodiak
Patience Andersen Faulkner	Cordova District Fishermen United
Mako Haggerty	Kenai Peninsula Borough
Luke Hasenbank	Alaska State Chamber of Commerce
Melvin Malchoff	Port Graham Corporation
Thane Miller	Prince William Sound Aquaculture Corporation
Dorothy Moore	City of Valdez
Bob Shavelson	Oil Spill Regional Environmental Coalition
Rebecca Skinner	Kodiak Island Borough
Roy Totemoff	Tatitlek Corporation & Tatitlek Village IRA Council
Kirk Zinck	City of Seldovia

**Members Absent**

(Vacant Seat)	Kodiak Village Mayors Association
Rob Chadwell	City of Seward
Michael Vigil	Chenega Corp. & Chenega IRA Council

**Ex-Officio Members Present**

Graham Wood	Alaska Dept. of Environmental Conservation
CDR Patrick Drayer	U.S. Coast Guard MSU Valdez
Lee McKinley	Alaska Dept. of Fish & Game
Paul Degner	Bureau of Land Management
Beth Sheldrake	U.S. Environmental Protection Agency
Scott Pegau	Oil Spill Recovery Institute

**Committee Members Present**

Cathy Hart	IE Committee
Steve Lewis	POVTS Committee
Orson Smith	POVTS Committee
Jim Herbert	OSPR Committee
Davin Holen	SA Committee

### **Staff Members Present**

Donna Schantz  
Walt Wrede  
Joe Lally  
Brooke Taylor  
Gregory Dixon  
Jennifer Fleming  
Betsi Oliver  
Linda Swiss  
Alan Sorum  
Austin Love  
Roy Robertson  
Amanda Johnson  
Jeremy Robida  
Nelli Vanderburg  
Hans Odegard  
Natalie Novik

Executive Director  
Director of Administration  
Director of Programs  
Director of Communications  
Financial Manager  
Executive Assistant  
Outreach Coordinator  
Project Manager  
Project Manager  
Project Manager  
Project Manager  
Project Manager  
Project Manager  
Project Manager Assistant  
Project Manager Assistant  
Administrative Assistant

### **Others Present**

Andres Morales  
Mike Day  
Michelle Egan  
Kate Dugan  
Angelina Fuschetto  
Paul Manzi  
Monty Morgan  
Chris Merten  
John Merrigan  
David Vaughn  
Craig Hyder  
Capt. Joe Martin  
Rob Kinnear  
LCDR Matt Richards  
Commissioner Jason Brune  
Melissa Woodgate  
Roger Burleigh  
Becky Spiegel  
Sarah Moore  
Denise Koch  
Clare Pavia  
Anna Carey  
Diane Munson  
Stephanie Lovell  
Jacquelyn Schade

Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alyeska Pipeline Service Company  
Alaska Pipeline Service Company  
Crowley Alaska Tankers  
Crowley Alaska Tankers  
Polar Tankers  
Alaska Tanker Company  
Alaska Tanker Company  
SeaRiver Maritime  
Marathon Petroleum  
Southwest Alaska Pilots Association (SWAPA)  
Hilcorp Alaska, LLC  
USCG Anchorage Sector  
Alaska Dept. of Environmental Conservation  
Alaska Dept. of Environmental Conservation  
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Alaska Dept. of Environmental Conservation  
Alaska Dept. of Environmental Conservation  
Alaska Dept. of Environmental Conservation  
Alaska Dept. of Natural Resources

Joe Levesque  
Kate Troll  
Roy Jones  
Bill Mott  
Dr. Nicole Ziegler  
David Snider  
Dr. Gabriel Wolken  
Amanda Swinehart  
Joy Merriner  
Jenny Neyman

Levesque Law Group, legal counsel  
PWSRCAC Legislative Monitor, Juneau  
PWSRCAC Legislative Monitor, Washington, DC  
Taku Engineering  
University of Hawaii  
National Tsunami Warning Center  
Alaska Div. of Geological & Geophysical Surveys  
Copper River Record  
BDO  
KBBI

*[Recorder's Note: Due to the COVID-19 pandemic, this meeting of the Prince William Sound Regional Citizens' Advisory Council was conducted in its entirety by videoconference, with participants primarily located in the EVOS region.]*

**Thursday, January 28, 2021**

### **CALL TO ORDER, WELCOME**

A regular meeting of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council was held January 28 and 29, 2021, via Zoom videoconference. President Robert Archibald called the meeting to order at 8:30 a.m. on January 28, 2021.

A roll call was taken. The following 14 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Cutrell, Donaldson, Faulkner, Haggerty, Hasenbank, Malchoff, Miller, Moore, Shavelson, Totemoff, and Zinck. (Mike Bender and Rebecca Skinner joined the meeting later at 8:52 a.m. and 11:40 a.m., respectively.)

President Archibald welcomed everyone to the meeting. He asked for a moment of silence in memory and recognition of Pete Heddell, who was a longtime volunteer and POVTS Committee member since 2001 and who passed away in November.

### **1-0 AGENDA**

President Archibald presented the agenda (green-colored sheet) for approval. He stated that Item 4-3 on Day 2 would be moved until after the 10:40 a.m. break to give Commissioner Brune more time with the Council.

**Thane Miller moved to approve the agenda. Amanda Bauer seconded, and the agenda was approved unanimously as presented (with the time adjustment noted).**

### **1-1 MINUTES**

**Amanda Bauer moved to approve the minutes of the Regular Meeting of the Board of Directors of September 17 and 18, 2020. Thane Miller seconded, and the minutes were approved as presented.**

## **PUBLIC COMMENTS**

(None at this time.)

## **INTRODUCTIONS AND DIRECTORS' INITIAL REPORTS**

Introductions and Directors' reports followed.

## **INTERNAL OPENING COMMENTS – PWSRCAC TECHNICAL COMMITTEES**

### **OIL SPILL PREVENTION & RESPONSE COMMITTEE (OSPR)**

Chair Jim Herbert reported on the activities of the OSPR Committee since the last Board meeting, as follows:

- The committee had several project team meetings to discuss upcoming projects and review RFP proposals.
- The committee was updated about the Hilcorp/BP buyout which was finalized in December. More information on a proposed *amicus curiae* brief was scheduled for the executive session later in the day.
- The committee was updated on the Valdez Marine Terminal (VMT) Admin Sump spill and hydraulic fluid spills from the Edison Chouest Offshore (ECO) tugs.
- OSPR, along with the other technical committees, was kept informed about the Alaska Department of Environmental Conservation (ADEC)'s regulatory reform efforts and would be interested in Commissioner Brune's remarks later in this meeting.
- The committee reviewed draft content from the Web-Based Regional Stakeholder Committee Resources Project.
- Port Valdez weather buoys have been reporting and logging data since they were positioned in early fall 2019. A project team reviewed proposals received in response to an RFP regarding the first year of the weather buoy data analysis project.
- Due to precautions regarding the COVID-19 pandemic, staff was not able to observe many SERVUS exercises in 2020. The committee did accept a few exercise reports. The committee also recommended the Board accept the 2020 Annual Drill Monitoring Report, an action item on the agenda for this Board meeting.
- The committee was updated on area and regional planning efforts for Prince William Sound, Arctic and Western Alaska, and Inland Alaska.

Herbert encouraged the Board to review Section 5 of the meeting notebook to see the progress and status of all OSPR's projects.

Herbert thanked staff, with specific kudos to Project Manager Assistant Nelli Vanderburg, for keeping the committee and Council's work going, and he thanked President Archibald for attending every OSPR Committee meeting.

### **PORT OPERATIONS AND VESSEL TRAFFIC SYSTEMS COMMITTEE (POVTS)**

Chair Steve Lewis reported that the Port Operations and Vessel Traffic Systems (POVTS) Committee had lost two longtime members since the last Board meeting: Pete Heddell who passed away in November and Cliff Chambers who was on a leave of absence from the committee.

Lewis went on to report on the committee's efforts since the Board meeting:

- The committee had one regular meeting and multiple project team meetings. Some of those meetings were to discuss potential projects for upcoming fiscal years.
- The committee continued to monitor the weather-based projects led by the OSPR Committee and on matters pertaining to the Port Valdez weather buoys.
- The committee received an update from an Edison Chouest Offshore (ECO) spokesperson on how their vessels were running and how the crews were doing in Alaska.
- The committee received a presentation on Maritime English and Communication by University of Hawaii professor Dr. Nicole Ziegler. A similar presentation by Dr. Zeigler was on the agenda for this Board meeting.
- Project 8010: Rescue Tug Best Available Technology (BAT) Review. The committee discussed a memo from Glosten regarding the Hinchinbrook Emergency Towing Vessel (ETV) mission parameters and accepted the memo with minor changes.

Lewis asked the Board to support the budget modifications for two projects under Item 3-3 of the consent agenda that were originally proposed for FY2022 and were now being recommended to start in FY2021: Project 8013 AIS/Radar Whitepaper and Project 8012 Line Throwing Device Trials.

#### **SCIENTIFIC ADVISORY COMMITTEE (SAC)**

Chair Davin Holen reported for the Scientific Advisory Committee (SAC).

#### **Significant Project Updates**

- **Marine Winter Bird Surveys Project:** The survey by the Prince William Sound Science Center was scheduled to start in February and be completed by mid-March. The survey will cover areas of western Prince William Sound, including Port Etches, Naked Island, Port Fidalgo, Tatitlek Narrows, and Port Valdez.
- **Recovery of a Subsistence Way of Life Project:** The draft of the report was sent to various Alaska Native Alaskan individuals and entities in the EVOS region for review and was also presented to the Chugach Regional Resources Commission Board. All feedback from that review effort was positive. A final version of the report by the ADF&G Division of Subsistence, as well as a short summary, was provided to the Board for acceptance at this meeting. SAC will continue to work on developing and executing an outreach plan for this report.

- **Forage Fish Survey Project:** The committee accepted the 2020 survey report and forwarded it to the Board for acceptance at this meeting. Additionally, Dr. Scott Pegau, the lead researcher on this project, will present a summary of the report at this meeting.
- **Long-Term Environmental Monitoring Program (LTEMP):** The LTEMP budget was doubled as a result of the VMT Admin Sump spill on April 12, 2020. All of 2020's regular LTEMP analyses were completed but there are a few analyses to be completed on samples from the spill. Reports summarizing the "normal" 2020 LTEMP results will be presented to the Board at its May meeting, while reports summarizing the April 12 oil spill will be presented at the Board's September 2021 meeting.
- **Technological Disasters Guidebook Appendices Project:** The content update has been completed and work to format and copy edit the appendices is in process. The guidebook itself will need to be updated to conform to the updated appendices, but that guidebook update will be relatively minor. The revised appendices and guidebook are planned for acceptance by the Executive Committee in March 2021.
- **Marine Invasive Species Project:** The Cordova intern, Mia Siebenmorgen Cresswell, will wrap up her internship in May. The committee plans to recruit two new interns this year: one from Valdez and one from Cordova. In addition, the committee was currently working with Dr. Jonathan Geller of Moss Landing Marine Laboratories and Dr. Katrina Lohan from the Smithsonian Environmental Research Center to finalize the 2021 plankton metagenetic sampling and analysis plan. That plankton sampling work was scheduled to begin in April and run through July 2021.

#### **TERMINAL OPERATIONS AND ENVIRONMENTAL MONITORING COMMITTEE (TOEM)**

Amanda Bauer announced a correction identified by Jim Herbert on the Tanker Loading Chart on the top of page 5 of Section 5-1 in the meeting packet. The total volume in May 2019 was 13.9 million barrels loaded, not 19.9 million as shown.

Bauer thanked staff members Nelli Vanderburg and Austin Love for their work with the committee. She went on to report on committee activities since the last Board meeting:

- Work on the Cathodic Protection Systems Review Project continued slowly. Progress was delayed because Alyeska did not provide the information requested in a timely manner to complete the project. However, on January 19, 2021, Alyeska provided additional information and the Council's contractor, National Pipeline Services, believes they now have enough data to complete a useful evaluation of the cathodic protection systems and the processes Alyeska uses to protect crude piping at the terminal. The contractor was to meet with Alyeska to ask some questions about the data received. Council staff has been working with Alyeska since January 2020 in an attempt to obtain the information needed to complete this project.
- Work on the Tank 8 Internal Inspection Review Project also progressed slowly. As with the Cathodic Protection Systems Review project, the contractor had trouble obtaining information from Alyeska. On January 19, 2021, the committee received additional information. However, the Council's contractor, Taku Engineering, believes it still



needs more information to complete the work. Bill Mott of Taku Engineering was scheduled to present the initial findings of the Tank 8 project to the Board at this meeting.

- The committee continued to monitor Alyeska's efforts to implement recommendations that resulted from the April 12, 2020, Admin Sump spill at the VMT. The committee will continue to track the implementation of the recommendations until they are complete.
- The committee had been working to understand air quality regulations issued by the EPA in July 2020 and Alyeska's subsequent appeal of that regulation. As currently written, the regulation would have major impacts on the operation and maintenance of the VMT. For example, the regulation may require that Alyeska install internal floating roofs in their crude oil storage tanks at the VMT. In their appeal Alyeska argued that compliance with the regulation would cost millions of dollars in changes at the VMT but may have little improvement in air quality. The committee was working to understand how and why this air quality regulation was developed, to understand the technical arguments made by Alyeska in their appeal, and to identify the actions the Council might take to support or oppose Alyeska's appeal.

Bauer noted that she was the only Board member currently on the TOEM Committee. She encouraged other Board members to join this committee.

#### **INFORMATION AND EDUCATION COMMITTEE (IEC)**

Outreach Coordinator Betsi Oliver reported in the absence of Trent Dodson who was recently elected the new chair of the committee:

- The committee had three regular meetings since the Board met in September. The committee elected Trent Dodson as its new chair. Former chair, Linda Robinson, had taken a leave of absence. Savannah Lewis will continue as Vice Chair.
- The committee officially adopted the workplan that the committee completed at the annual workshop in August.
- Two committee members, Cathy Hart and Kate Morse, were approved by the committee to attend the online, virtual Nonprofit Technology Conference (NTEN) March 23-25, 2021.
- Project 3410: Fishing Vessel Program Community Outreach. Fishing vessel program community outreach was canceled this year due to ongoing social distancing and other protocols caused by the COVID-19 pandemic.
- Project 3500: Community Outreach. Outreach Coordinator Betsi Oliver presented to the outdoor recreation students at Prince William Sound Community College in September to help students become aware of conservation and citizen stewardship. She is also helping to plan the oil spill track for the Alaska Forum on the Environment's virtual event in February. The committee continued to identify opportunities to conduct virtual outreach.

- Project 3530: Youth Involvement. An IEC project team plans to meet in February to review three proposals from the recent Youth Involvement request for proposals. The low number of proposals was expected because 2020 funding was rolled forward due to the COVID-19 pandemic. Katie Gavenus of the Center for Alaskan Coastal Studies updated approximately 50 lesson plans to the Alaska Oil Spill Curriculum and correlated them with state science standards.
- Project 3560: Exxon Valdez Project Jukebox. Project Manager Amanda Johnson had been working with committee members to evaluate the remaining audio recordings before they are sent to the transcriptionist in February. The deadline for the University of Alaska Fairbanks to complete its work is June 30.
- Project 3610: Website and Web Presence. The committee provided comment for the web-based Regional Stakeholder Committee (RSC) project being conducted through the OSPR Committee. This project will add to the Council's online resources for communities to access in case of a large spill.
- Project 3620: Connecting With Our Communities. Brooke Taylor, Director of Communications, was working with the Council's contractor Helvey Communications to finalize the logo guidance document which will be part of the new Council style guide. Staff plan to transition to the new logo (adopted at the September Board meeting) in the next month. The website will be one of the first transition pieces.
- Project 3903: Internship. The committee recently welcomed Rosie Brennan as its new intern. Rosie will be working with staff members Betsi Oliver and Amanda Johnson to implement a searchable online database for the Alaska Oil Spill Curriculum.

*(This concluded the technical committee reports.)*

## **INTERNAL OPENING COMMENTS -- PWSRCAC BOARD SUBCOMMITTEES**

### **LEGISLATIVE AFFAIRS COMMITTEE (LAC)**

Chair Dorothy Moore reported that the current Legislative Affairs Committee (LAC) consisted of herself as Chair, Rebecca Skinner as Vice Chair, Robert Beedle, Mako Haggerty, Thane Miller, Robert Archibald, and Kirk Zinck.

Moore reported that the committee met four times since the September Board meeting and focused on the following activities:

#### **Committee Activities:**

- The committee continued to track developments on the BP/Hilcorp transaction.
- The committee continued to track developments on the Oil Spill Contingency Plan regulatory reform effort, and ADEC Commissioner Jason Brune will be at this Board meeting to update the Board later in the agenda.



- The committee reviewed the draft scope of work for a Dismantlement, Removal and Restoration (DR&R) project of the Trans Alaska Pipeline System (TAPS).
- The committee reviewed and made recommendations on a proposed AIS/Radar white paper. The committee believes it to be a high priority project and supports moving it up in the funding schedule to begin this fiscal year. The item is on the Consent Agenda for approval.
- The committee reviewed a letter to Alaska's congressional delegation regarding threats to oil spill prevention and response.
- The committee reviewed a letter to Alaska's congressional delegation regarding deficiencies in Prince William Sound's radar and VHF capabilities. The issue received some reaction and the committee was hopeful of a response.
- The committee reviewed the Governor's proposed Spill Prevention and Response Division (SPAR) budget (which will be addressed by Commissioner Brune) later in the agenda.
- The committee coordinated with the Council's federal legislative monitor Roy Jones on proposed amendments to U.S. Sen. Dan Sullivan's bill regarding the Oil Spill Liability Trust Fund (OSLTF).
- The committee reviewed the Council's comments on the Environmental Protection Agency's (EPA) proposed regulation to implement the Vessel Incidental Discharge Act (VIDA).
- The committee also discussed legislative priorities for the coming year.

#### 2021 State Legislative Priorities

- Sustainability of the Oil and Hazardous Substances Release Prevention and Response Fund (Oil Haz or 470 Fund). This includes adequate funding and staffing levels for the SPAR Division. This will be discussed with Commissioner Brune later in the agenda.

#### State Legislative Issues the Committee is Tracking and Likely to Support

- HB 54, sponsored by Rep. Tarr, establishing an Invasive Species Council and management of invasive species.
- HB 33, sponsored by Rep. Josephson, relating to penalties for discharges of oil and other pollution.
- An anticipated bill from Sen. Bishop or the Senate Finance Committee regarding an increase to the refined fuel surcharge to support the SPAR Division budget.

#### 2021 Federal Priorities

- Passage of U.S. Sen. Sullivan's Spill Response, Prevention and Surety Act. The bill reauthorizes the financing rate for the Oil Spill Liability Trust Fund (OSLTF) and makes other changes to how the Fund is managed.

### Meetings

The next meeting of the committee was scheduled for the week of February 8, 2021.

The committee plans to go to its customary every-other-week meeting schedule during the Alaska legislative session.

Moore thanked Project Manager Linda Swiss for the information she provided the committee for some of the projects so the committee could help legislators understand the issues that PWSRCAC is concerned about. Moore added that from a personal perspective her heart goes out to the senators and especially their staff who were present during the January 6 storming of the Capitol, some of whom the LAC had met with on visits to Washington, D.C.

Steve Lewis encouraged all Board members to stay informed on LAC efforts and to consider joining the LAC committee.

Moore spoke of the redistricting of Alaska that was to come and pointed out that it would affect everyone in the state, wherever they live.

Robert Archibald commented that the repair of the VHF system in Prince William Sound was a result of a big push from the Council and he was happy to see that it would go ahead.

### **FINANCE COMMITTEE**

Treasurer Wayne Donaldson reported that there were no Finance Committee meetings since the one on September 9, 2020. A meeting was planned for the coming weeks for the purpose of reviewing the December 31, 2020 financial statements.

Donaldson went on to report the significant financial transactions that had occurred during the last few of months. These included:

- Receipt of the first and second installments of the Alyeska contract payments for FY2021. (The total amount of the contract is \$3,663,638.)
- Renewal of the Council's insurance policies in late October 2020. The workers compensation insurance was changed to a different underwriter and now includes coverage for volunteers. A crime policy was added.
- Renewal of the Council's group health insurance policy with Premiera Alaska. Premiums for 2021 are slightly less than the 2020 amounts.
- Project managers reviewed the September 30, 2020 financial statements and developed a number of budget modifications. Those modifications were on the consent agenda (Item 3-1) for approval at this Board meeting. If approved, the contingency amount

would be \$295,429. It was expected that there would be additional modifications after this Board meeting and review of the December 31 financial statements, further reducing travel budgets.

- Because there was a large amount in the contingency fund, the Board would be asked to approve a number of projects to start in FY2021 that were originally proposed for FY2022. This action was on the Board's consent agenda (Item 3-3) for approval at this meeting.
- Financial Manager Gregory Dixon would have additional information during his report the following day.

#### **BOARD GOVERNANCE COMMITTEE (BGC)**

Dorothy Moore reported for the Board Governance Committee (BGC) and stated that committee had met three times since the September Board meeting.

##### **Committee Activities:**

- The committee was currently conducting its annual review of the Bylaws and invited all Board members to review the Bylaws and send comments and suggestions to the committee or attend a meeting.
- The committee reviewed and discussed Section 3.2 of the Bylaws entitled "Quorum" with legal counsel Joe Levesque.
- The committee reviewed a draft Request for Proposals (RFP) on the Long Range Planning Assessment.
- The committee reviewed and discussed with legal counsel Joe Levesque his memorandum on executive sessions and the Open Meetings Act.
- The committee reviewed and discussed draft executive session best practices guidelines.
- The committee discussed Board member voting abstentions with legal counsel Joe Levesque.

Moore noted that it was BGC's current plan to bring some potential Bylaw amendments and information about executive session best practices to the Board at its May meeting.

The next meeting of the BGC was set for the week of February 22, 2021.

*(This concluded the reports of PWSRCAC's Board Subcommittees.)*

*Break: 9:33 a.m. – 9:45 a.m.*

#### **EXTERNAL OPENING COMMENTS - EX OFFICIOS**

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

Lee McKinley stated he appreciated the opportunity to be present and answer any questions.

**U.S. FOREST SERVICE (USFS)**

(No report.)

**OIL SPILL RECOVERY INSTITUTE (OSRI)**

(No report.)

**ALASKA DEPT. OF NATURAL RESOURCES (ADNR)**

Jacquelyn Schade, Lease Compliance Officer for TAPS in the State Pipeline Coordinator's Office of the Division of Oil and Gas, stated that she had no formal comments at this time but was available to answer questions.

Robert Beedle asked how much of the TAPS pipeline is on state land or leased to the Valdez Marine Terminal (VMT). Schade stated that the state's lease ends at Mile 800 and the VMT is privately owned (i.e., the State Pipeline Coordinator's Office has no jurisdiction inside the VMT). She added that the State Pipeline Coordinator's Office is interested in what goes on at the VMT but there are other state agencies that deal specifically with terminal issues.

**ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION (ADEC)**

Graham Wood stated that Commissioner Jason Brune would address the Council the following day and asked Council members to hold their questions on the State's budget until that time.

Wood went on to report that the regulation project (referred to by ADEC as the "Article 1 project") went out for public comment the previous day. That project will update the above ground source tank inspection industry standard to the current version.

Wood reported on open personnel positions: a vacancy in Valdez, the Intra Agency Coordination Manager in Anchorage, and a regional manager in the State On-Scene Coordinator's Office in Fairbanks.

Jim Herbert asked about the status of the regulatory review project (Article 4 project). Wood stated that he and other ADEC staff met during the summer with Commissioner Brune and the Deputy Commissioner and discussed what Article 4 meant, how it should be applied, and how it was applied in the past. Recommended changes have been presented that were still being reviewed by the Commissioner and that there would probably be no release for public comment for at least another six months.

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)**

Beth Sheldrake, the EPA's Oil Spill Preparedness & Response Coordinator for Alaska, introduced herself to the Council.

On staffing changes, Sheldrake reported the hiring of a new operations chief and a new on-scene coordinator for Anchorage and she was working on arranging a meeting of the new hires with PWSRCAC staff.

Jim Herbert asked about feedback from Washington, D.C. that may percolate down to the local level since the change in White House administration. Sheldrake stated that there had been nothing specific at this point in time for Alaska but some strategic new directions.

#### **BUREAU OF LAND MANAGEMENT (BLM)**

Paul Degner reported that work continued on the land management of the TAPS Right of Way, but work was limited because of COVID protocols. The Joint Pipeline Office (JPO) was continuing its follow-up on the April 12, 2020 Admin Sump Spill at the VMT and had completed its annual assessment of the VMT C-Plan and concurrence of the regulatory approval. The office was participating in the VMT oil spill exercise planning committee and coordination group meetings, doing quality control inspections of the oil exercise packages, and looking forward to participating in the oil spill exercises. He hoped that easing of COVID restrictions later in the year would allow in-person participation in oil spill exercises and observations.

He pointed out that the office was under a temporary suspension of delegation of authority, which he said is typical during a change in White House administration.

#### **UNITED STATES COAST GUARD (USCG)**

CDR Patrick Drayer reported that one VTS radar was now operational and it is covering Port Valdez. Contractors were assessing what would be needed to get others up and running. Going forward, USCG will do a needs assessment during the coming summer and then develop a proposal to develop or procure a radar system for the entire VTS system in Prince William Sound.

CDR Drayer reported that everything was currently operational in the VHF system, but there was one AIS unit down at Naked Island. He reported that there had been a positive improvement overall in repairs and bringing back online of various systems.

The April 12, 2020 Admin Sump Pump leak investigation was in legal review and should be closed out soon.

The recent tug allision with the *Polar Endeavour* was still under investigation.

CDR Drayer answered various general questions from the Board:

He added that the needs assessment would look at two aspects of the radar system at the same time -- what was needed to make repairs to get the system up and running as much as possible in the short term, and also assess what would be needed in a replacement system. He pointed out that it would take much longer to get a replacement radar system installed and operational, as it was likely to be a purpose-built system as opposed to a commercially available system. As to the AIS unit that was down at Naked Island, Drayer stated that it was USCG equipment and it would be easier to repair/replace than the radar because it is a newer system and it would have

a shorter repair/repair timeline. He noted that there was still AIS coverage in that area of Prince William Sound even though the Naked Island unit was down. He did not know when it would be repaired as it was a question of competing timelines to get repairs done.

Herbert asked about the assessment of damages in the Tug *Courageous/Polar Endeavour* tanker allision and whether the incident could or would be designated a major marine casualty incident. CDR Drayer said that the initial cost estimate determines whether an incident is designated a major marine casualty (along with three other factors), not the ultimate cost of the repair. The local USCG unit would bring in other USCG expertise to look at other determining factors. While the final investigative report would take many months to complete before being made available to the public under a FOIA request, CDR Drayer stated the Council's staff could reach out to USCG in the interim with specific questions. He declined to speculate on the initial cause assessment until the investigative team had had more time to do their work.

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

(No report.)

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

(No report.)

**NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA)**

(No report at this time. There will be a separate presentation on the Barry Arm landslide risk later in the agenda.)

**EXTERNAL OPENING COMMENTS: TAPS SHIPPERS, OWNER COMPANIES, & PILOTS**

**CROWLEY ALASKA TANKERS**

Angelina Fuschetto reported that 2020 had been a busy year for Crowley Alaska Tankers' operations in spite of the pandemic and the company had asked a lot of its crews with the increased protocols because of the pandemic.

Fuschetto reported that Crowley Alaska Tankers had moved a total of 28,240,073 barrels of Alaska North Slope crude oil through the terminal in 2020 with no spills and no injuries beyond minor first aid.

The company also completed a special survey 5 on the *Oregon* (formerly the *SeaRiver American Progress*.) COVID-19 protocols challenged the team, but they remained flexible and completed all the hull and topside coatings, piping renewals, and USCG Critical Area Inspection Program (CAIP) surveys.

Fuschetto announced that Monty Morgan had stepped down as chair of the Response Planning Group (RPG) and she had taken over that position for 2021. Monty Morgan would remain part of the group as the plan administrator.



Paul Manzi reiterated that they were getting the special survey done on the *Oregon* and Crowley Alaska Tankers planned to continue to use the vessel in the TAPS trade. COVID protocols and keeping crews safe was becoming increasingly difficult, even with the vaccine rollouts. He said Crowley was working with the CDC and other agencies in an attempt to get marine crews moved up in the vaccine tiers from Tier 2A to Tier 1D behind health care workers.

### **POLAR TANKERS/CONOCOPHILLIPS**

Monty Morgan recapped operations for Polar Tankers in 2020, reporting 87 loadings at the VMT and carrying 68,000,0000 barrels through Prince William Sound with no spills or major incidents.

Morgan reported on the challenges of dealing with COVID-19 especially in shipyards. Polar Tankers had one incident of COVID-19 in its crew sailing from Los Angeles to San Francisco. The crewman was taken off the ship and the remaining crew was tested with no other infections occurring. Morgan stated that COVID-19 in the crew had been the biggest concern and biggest challenge because of crew changes. All precautions and protocols were being taken to the extent they could be.

Morgan reported that the *Polar Endeavour's* shipyard visit was shortened because of the lack of shipyard personnel. The vessel came back and went to Port Angeles, WA, where much of the mechanical maintenance was finished.

Morgan reported that the *Polar Discovery* was currently in Singapore, and again there were issues with the availability of personnel to do the work. Polar Tankers obtained an extension from USCG for installation of the ballast water treatment system (BWTS) on the *Polar Discovery* until its next shipyard. Both the *Polar Endeavour* and the *Polar Discovery* will each need to have their BWTS systems installed at their next shipyards in two to three years.

Going forward in 2021, Morgan reported the *Polar Enterprise* would go out of service in May. It will be oil free and will transit to Singapore for its shipyard in June. It should return to service in August. It was Polar Tankers' hope that by that time there would be enough personnel in the shipyard to do all the work Polar Tankers wants to have done. Following the same scenario, the *Polar Resolution* will head to Singapore shipyard in September and return to service in December.

Morgan announced that Polar Tankers would have responsibility for the Prince William Sound c-plan exercise in March. It will be different because it will be virtual and it will be a good learning exercise for everyone.

POVTS Committee Chair Steve Lewis pointed out that the Council was seeing more spot charters coming into Prince William Sound and asked if Polar was able to maintain crew changes without holding crews over their scheduled rotation so they are fresh and not worn out from having been at sea much longer than they should. Morgan responded that Polar Tankers'

vetting and marine insurance groups put operators of spot charters under intensive vetting and crew changes are focuses of that vetting. He added that Polar Tankers/ConocoPhillips had used only Teekay for their spot charters and they were very good and very reputable at making sure crews were relieved when their contracts were up. Morgan said he understood that this was a concern with spot charters and it would be an issue if they went to China, as China does not want crew changes there, but the ships also stop in Korea where they are less restrictive on crew changes.

Robert Beedle asked about the current available shipyard capacity to install the BWTS and whether there would be a backlog to do the BWTS work. Morgan explained that BWTS installations were spec'd, but it was a matter of having the personnel available to do the BWTS work. The Singapore shipyard did not have the personnel to do the work in addition to all the other work that is scheduled. Morgan pointed out that under the current system if no BWTS is onboard any ballast is exchanged at sea, as in the past.

#### **ALASKA TANKER COMPANY (ATC)**

Chris Merten reported that 2020 was a challenging year for the Alaska Tanker Company (ATC) because of the pandemic, but ATC ships had no recordable incidents, no injuries, no spills to sea, and had 48 voyages in and out of Valdez transporting 54 million barrels of Alaska North Slope (ANS) crude.

The ownership change to OSG was completed in 2020. The transition went well and operations have gone smoothly. ATC's transition from BP to Hilcorp/Harvest had also gone well.

Merten reported there had been no COVID incidents onboard ATC ships but they have to continue to be vigilant.

The *Alaska Navigator* went to shipyard for about 55 days and was about to head back. They had the same challenges reported by Monty Morgan and Angelina Fuschetto with lack of available personnel to do the scheduled work. ATC was able to complete most of the BWTS installation but they also applied for and received an extension from USCG and will work to finish the electrical work and then bring in the commissioning engineers which they were not able to bring to Singapore.

The *Alaska Legend* will go to shipyard in April-May 2021 somewhere in the Far East.

In response to a question from OSPR Committee Chair Jim Herbert as to where ATC was carrying most of Hilcorp's oil, Merten stated that the majority was being transported to the BP refinery in Cherry Point, next would be to the Marathon refinery in Long Beach, and the least amount going to the Bay Area refineries.

### **MARATHON (formerly Tesoro/Andeavor)**

Craig Hyder, Marathon's new Emergency Preparedness Manager (the position formerly held by Eric Haugstad who retired), echoed remarks by the previous shipper representatives and spoke of similar challenges that the COVID-19 pandemic created in 2020 for Marathon.

He announced that the Prince William Sound drill postponed in 2020 would now be held October 13 and 14, 2021. He hoped that it would be held in person but, if not, they were much better prepared to do it virtually than they were in 2020.

He thanked PWSRCAC's Executive Director Schantz and Director of Programs Joe Lally for having monthly meetings with him and bringing him up to speed, and for PWSRCAC's Project Manager Roy Robertson's support with the drill/exercise planning.

### **HILCORP/HARVEST MIDSTREAM**

Rob Kinnear reported that Hilcorp/Harvest took over from BP in July 2020 and continued a close collaboration with Alaska Tanker Company.

Kinnear reported that ATC had loaded 22 cargos (25 million barrels) of Alaska North Slope crude for Hilcorp/Harvest without incident, injury, or spill, and was tested like all the shippers in response to COVID-19. He reported that Hilcorp stepped into the spot market because the West Coast demand for crude was down and shipyard schedules were wreaking havoc on the industry in general. To date since October, Hilcorp completed five foreign spot charters (four in 2020 and one in 2021). There was another planned on the *Zenith Spirit* for February 7, 2021. Kinnear said he did not anticipate this foreign-flagged activity to continue, but there would be a few more to supplement Hilcorp's fleet as the *Legend* goes to dry dock later in the year.

Kinnear thanked people who had helped and collaborated to keep everything moving during the pandemic.

He offered to be the contact for the Legislative Affairs Committee to field questions to Hilcorp/Harvest Alaska.

In response to a question from POVTs Committee Chair Steve Lewis about the vetting and use of spot charters and foreign-flagged vessels, Merten stated that vetting was done internally but also in conjunction with Atlantic Technical Marine which has decades of experience in the industry. Four of the six spot charters that Hilcorp had done to date were with Teekay.

OSPR Chair Jim Herbert asked where the spot charters were off-loading. Merten stated that mainly they had gone to China, but a ship might be diverted to Korea. Herbert asked whether any of the steering bits on the foreign-flagged vessels had been vetted on their ability to handle the tremendous forces that ECO's tugs can bring to bear and whether any of the spot charters were being used in a drill/exercise to see if were able to handle those exertions. Merten stated that technical specifications and information are exchanged with Hilcorp, the vessel owner, and with Alyeska before a foreign-flagged vessel is approved to come into Prince William Sound to load cargo. As for performing in drills, each owner and vessel provides their current

drill and training information prior to entering Alaska waters. All of this is done in advance. Merten stated that Marathon had not had conversations with foreign-flagged owners about participating in drills to date.

Alyeska's Andres Morales added that safe working loads for bits and chocks on foreign-flagged vessels were all part of Alyeska's vetting process before the vessel comes into Prince William Sound and that Alyeska/SERVS had done some tether exercises with the new foreign-flagged tankers.

Steve Lewis asked about the present capability of Marine Spill Response Corporation (MSRC), the new dispersant application contractor. Morgan stated that it would be a C130 aircraft with built-in systems at the present time and based in the Bellingham area. Angelina Fuschetto previously stated that MSRC would switch to 737's towards the end of 2021 after FAA approval.

Robert Beedle thanked all the shippers for installing the BWTS on board their tankers and expressed appreciation for the hard work that the shippers do to continue to ship without incidents or spills.

#### **SOUTHWEST ALASKA PILOTS ASSOCIATION (SWAPA)**

Capt. Joe Martin introduced himself to the Council. He announced that he had assumed the presidency of SWAPA from Capt. Andy Wakefield on January 1, 2021.

There were 15 pilots currently rotating through the Prince William Sound pilot system and two in training.

He thanked the Council for getting the weather buoys up and running, and thanked ATC for the memorabilia it gave to the SWAPA organization when ATC closed its office in Valdez.

*Break: 11:00 a.m. – 11:15 a.m.*

#### **ALYESKA/SERVS ACTIVITY REPORTS**

Alyeska's Emergency Preparedness and Response Director Andres Morales presented a recap of the Alyeska/SERVS activity for 2020 and some of the plans for 2021.

##### **VMT Operations:**

- **Operations:**

	<u>2020</u>
○ Tankers Loaded	209
○ Tankers Escorted	215
○ Barrels Loaded	164,779,383
	<u>Since start up</u>
○ Tankers Loaded	22,853
○ Tankers Escorted	14,179
○ Barrels Loaded	17,454,696,354

- **Safety:**

- Days away from work cases 0.00
- TAPS Combined Recordable Rate % 0.19

- **Environment:**

- Spill Volume (Gallons) 1,473.98
- Number of Spills 19

**COVID-19 Response:**

- Processes and procedures for personnel and facilities:

- Screening process.
- Travel guidance.
- Return to work guidelines.
- Telecommuting process.
- Site-specific isolation and evacuation plans.
- Communication plan.

- Urban workforce up to 75% capacity:

- Offices are open.
- Social distancing and mask wearing are mandatory.

- There were 64 COVID-19 infections on TAPS in 2020.

**2020 VMT Administrative Sump Incident:** April 12, 2020:

- Still meeting monthly. There will be changes over time.

**Tug *Courageous* Allision with the *Polar Endeavour*:** January 11, 2021:

- Morales' explained his understanding of the incident as operator error caused by a distraction. He emphasized that it was an unacceptable event and could not be excused. Alyeska/SERVS was taking it very seriously, as well as ECO and USCG. Following the incident, the tug was shut down, towed to a dock, and a post-incident investigation was commenced. Notifications to authorities and others were made during this timeframe. The tug *Courageous* sustained mostly cosmetic damage but there was an injury on board associated with the incident because of the sudden impact and stop to the vessel. An OSHA report on the injury would be issued later in the year. The American Bureau of Shipping (ABS) inspected the vessel and it had been returned to service.

**Fishing Vessel Availability by Port** (end of 4th quarter 2020):

<u>Port</u>	<u>Tier 1</u>	<u>Tier 2</u>
Valdez	25	17

Cordova	36 (8 Rapid Resp.)	124
Whittier	6	25
Seward		29
Homer		47
Kodiak		39
<b>Totals</b>	<b>67</b>	<b>281</b>

Morales noted that it had been a challenge to keep crews certified during the pandemic.

## 2020 Contingency Plan Activities:

- VMT ODPCP
  - Amendment 2020-1: Sensitive Area Protection Revisions.
  - Amendment 2020-2: USCG Approval.
  - Amendment 2020-3: Updated Mobile Fire Apparatus Equipment.
  - Amendment 2020-4: Fort Liscum.
  - Amendment 2020-5: Ownership Change.

## 2020 VMT/PWS Training & Exercises

- 4th Quarter Activities:
  - Quarterly exercises for Emergency Towing, Tethered Escorts, and Rapid Response Vessel Call-Out Drills.
  - Lynden Aerial Dispersant Delivery System (ADDS) Pack Training Exercise.
  - SERVS RC & VMT IRIC Training – SAP Trigger Points.
  - Unannounced USCG Drill Government Initiated Unannounced Exercise (GIUE) VMT Berth 5.
  - USCG Preparedness Assessment Visit (PAV) Valdez and Cordova.
  - Fort Liscum Skimming Demonstration Exercise.
  - *Valdez Star* Training Exercise.
  - Wildlife Training for Fishing Vessel Crews – Kodiak.
  - VMT Settlement Pond Tactics Training Exercise.
- Upcoming 2021 Exercises:
  - Current Buster 8/Crucial Skimmer TF Training at Sheep Bay – 2/24/21.
  - 2021 Polar PWS Tanker Exercises, 3/23-25/21.
  - Spring Fishing Vessel Training:  
(One day of online training and two days on-water)



<u>Port</u>	<u>On-Water Days</u>
Kodiak	4/02 – 4/06
Homer	4/09 - 4/12
Seward	4/15 – 4/16
Whittier	4/20 – 4/21
Cordova	4/24 – 4/29
Valdez	5/03 – 5/06

- 2021 VMT IMT Exercise with Equipment Deployments, 5/26/21.
- Fall Fishing Vessel Training: Late September in Cordova.
- 2021 Andeavor/Marathon Prince William Sound Exercise, 10/13–14/21.

### **2020 Valdez Projects:**

- Tank 94 Inspection
  - Moved to 2021.
- Ballast Water Piping Triennial Inspection
  - Completed.
- TK-8 (2019 Tank Program)
  - Tank 8 returned to service on May 8.
  - Cathodic protection and floor replacement work in 2023.
- VMT Berth 4 Gangway Replacement
- Prince William Sound Hatchery Buoy Systems

### **2021 Valdez Projects**

- Ballast Header Inspection & Repair (Berth 5, A Header)
- Berth 5 Gangway Replacement
- 2021 Tank Program
  - Internal inspection of Crude Tank 7 and Ballast Water System Tank 94.
  - External coating of Crude Tank 10.
- Tank 94 Annular Plate Replacement

Morales reported that there had been an Operations Team reorganization and reporting relationship change within Alyeska's corporate structure. There was now a Director for the VMT (Klint VanWingerden) and a Director for the Pipeline. The Maintenance Manager and the Operations Manager on the VMT will both now report to VMT Director. Morales will remain as Alyeska's liaison to PWSRCAC, and PWSRCAC's questions will still flow through him but it

should help to have one person coordinating terminal response, not just for PWSRCAC but for everybody.

Following his report, Morales took questions from the Board.

Amanda Bauer thanked Morales for the Solomon Gulch Hatchery/Duck Flats protection collaborative process and all the work that went into that issue. She recognized that while everyone wanted to get into the details of the Tug *Courageous*' allision with the *Polar Endeavour*, there was an injury, and she wanted to ensure that Morales knew PWSRCAC was very concerned about the injured crewmember as well.

At Bauer's request Morales explained in general terms the operation of an auto pilot on a tug (as that may have been a contributing factor to the allision). He also stated that ECO vessels have bridge data recorders as well as other electronic data reporting systems on board. He hoped to have more information available to share with the Board at its May meeting.

Project Manager Austin Love recognized Alyeska for its cooperation in collecting samples for the Admin Sump Spill investigation. Morales expressed kudos to everyone who worked on the issue and those who came up with ways to make all the operations work.

POVTS Committee Chair Steve Lewis commented that human-machine interface issues are of always of concern. He asked if the bridge crew on the *Endeavour* were aware of an impending impact from the tug, to which Morgan responded that no one was watching the tug; they were getting their paperwork in order.

Morales stated that he and Alyeska's Mike Day made many phone calls in the wake of the allision and spoke with several in Polar Tankers' organization, all the way to the top of the organization. Morales said he was impressed with the culture at Polar Tankers that their first concern and primary focus was for the injured individual, not the extent of the damage to the tanker. Morales also stated that the bridge captain and the two mates who were on the tug were no longer working in Valdez.

In response to a question from Robert Beedle, Morales confirmed several changes to ECO's operations in the wake of the allision: the tug's bridge officers involved in the incident were changed out, ECO crews were no longer using auto pilot north of Potato Point, and ECO had clarified the expectations around standing orders, such as the captain always being on the bridge for vessel movements, etc. There was now a Response Coordinator on each of the tugs, starting with this incident, and this would continue for several weeks as part of the review process.

In response to a question from Amanda Bauer, Monty Morgan gave a brief status report on the *Polar Endeavour*. He stated that Polar Tankers' first concern was always the injury. As soon as he was made aware of the incident, he made the required notifications to authorities and got to the ship within an hour of being notified of the incident. He stated that it was fortunate that

ECO was conducting American Bureau of Shipping (ABS) inspections in the port at the time, so Morgan was able to get an ABS marine surveyor and marine chemist to the *Endeavour* by approximately 9 a.m. the next morning to do initial assessments. The aft trim tanks were full of ballast at the time because the vessel had just been loaded with 980,000 barrels of oil. The captain informed Morgan that water was coming out of one of the trim tanks and Morgan made the necessary notifications. The chief mate began damage assessments with the computers on board. The load case of the ship's status was sent to ABS and Polar Tankers' naval architects in Houston, TX, as is normal protocol. The ABS rapid response damage assessment was done with that information and both ABS and Polar Tankers' naval architects agreed there was no threat to the ship from the crack that was made in the side of the ship about 20 feet above the waterline. They pumped out the tank, then the ABS surveyor, marine chemist, the ship's crew, and USCG arrived to survey the damage. After inspection, Polar Tankers' marine engineering services contractor, MCA Consultants, went over the damage assessment. There were no concerns with the seaworthiness of the vessel and no concerns with the stresses in that area of the ship. They came up with a temporary repair plan and those repairs were made. ABS and USCG approved the temporary repairs for 90-days. At the present time, Polar Tankers was working on the specifications for a permanent repair at a shipyard on the West Coast, most likely in Portland, OR, or Seattle, WA. The repairs do not require a drydock. There are no concerns about the seaworthiness of the vessel at the present time. Later in this discussion, Morgan clarified that the inspectors also inspected the surrounding tanks (port trim tank, the starboard wing tank, and the port ballast tank) to make sure there was no transferred damage, and because ABS personnel were already on site doing ECO's Under Water Inspection In Lieu of Drydocking (UWILD) inspections they were able to use ECO's remote operated vehicle (ROV) to do underwater inspections for any damage. They also did operational checks of the rudders and the propellers.

OSPR Committee Chair Jim Herbert pointed out that the *Exxon Valdez* oil spill grounding 32 years previous to this incident also involved an auto pilot, with a helmsman and a third mate on the bridge but no captain, and the crew not being able to make a timely course/speed correction before it ran aground.

Morales stated that he would report regularly to the Board on any changes that Alyeska/SERVS makes in light of the incident.

In response to a question from Robert Archibald, Morales confirmed that the Tug *Courageous* made a secondary escort the day following the allision, but he regretted that decision. In hindsight he said he should have sought more input with that large of an incident, even though the tug was deemed seaworthy and operational. He stated he would not make that decision again without more input.

Robert Beedle asked about Fishing Vessel Training for the Tier 1 fleet in Cordova and specifically if there were any drills on the horizon. He said he would like to see a nighttime drill as part of the training. In addition, Beedle said he was particularly concerned about the amount of time it takes to get equipment deployed off the OSRBs quickly during drills.

Morales said he would look into it and follow up with the information. Thane Miller commented that getting equipment off barges in training exercises is not a race, and sometimes it takes time.

*Lunch break: 12:28 p.m. – 1:00 p.m.*

### **3-1, 3-2, 3-3, 4-2 CONSENT AGENDA**

The consent agenda consisted of four items:

- 3-1 Approval of FY2021 Budget Modifications.
- 3-2 Approval of Prince William Sound Forage Fish Survey Contract.
- 3-3 Approval of Proposed FY2022 Projects to Begin in FY2021.
- 4-2 Report Acceptance: Recovery of a Subsistence Way of Life.

**Amanda Bauer moved to approve the consent agenda as presented. Dorothy Moore seconded, and the consent agenda was approved, as follows:**

- **3-1 APPROVAL OF FY2021 BUDGET MODIFICATIONS**  
Approval of the FY2021 budget modifications as listed on the attachment to the briefing sheet under Item 3-1, with a total revised contingency in the amount of \$295,429.
- **3-2 APPROVAL OF PRINCE WILLIAM SOUND FORAGE FISH SURVEY CONTRACT**  
Authorization for the Executive Director to negotiate and execute a contract with the Prince William Sound Science Center to conduct the FY2021 Prince William Sound Forage Fish Surveys Project at an amount not to exceed \$43,600.
- **3-3 APPROVAL OF PROPOSED FY2022 PROJECTS TO BEGIN IN FY2021**  
Approval of the following list of projects to commence in FY2021 along with corresponding budget modifications, and delegation of authority to the Executive Committee to authorize contracts as indicated:

Note: Projects budgeted for less than \$50,000 will not require delegation of authority to the Executive Committee to authorize the contracts.

- a) **Approve Project 8013 – AIS/Radar Whitepaper** in the amount of \$35,000 to commence in FY2021. Authorize a budget modification from the contingency fund in the amount of \$35,000.
- b) **Approve Project 5057 – APSC’S APPEAL OF EPA AIR QUALITY RULE (NESHAP-OLD)** in the amount of \$60,000 to commence in FY2021. Authorize a budget modification from the contingency fund in the amount of \$60,000. Delegate authority to the Executive Committee to approve a contract for this work up to \$60,000.

- c) **Approve Project 8012 – Line Throwing Device Trials** in the amount of \$77,500 to commence in FY2021. Authorize a budget modification from the contingency fund in the amount of \$77,500. Delegate authority to the Executive Committee to approve a contract for this work up to \$77,500.
- d) **Approve Project 6540 – Copper River Delta and Flats GRS History** in the amount of \$20,000 to commence in FY2021. Authorize a budget modification from the contingency fund in the amount of \$20,000.
- e) **Approve Project 6560 – Peer Listener Training Literature Review** in the amount of \$10,000 to commence in FY2021. This project will encompass the first part of the Peer Listener Training project slated for FY2022, and that has a total budget modification from the contingency fund in the amount of \$10,000.
- **4-2 REPORT ACCEPTANCE: RECOVERY OF A SUBSISTENCE WAY OF LIFE**  
Acceptance of the report and report summary titled “Recovery of a Subsistence Way of Life: Assessments of Resource Harvests in Cordova, Chenega, Tatitlek, Port Graham, and Nanwalek, Alaska since the Exxon Valdez Oil Spill” by the Alaska Department of Fish and Game, Division of Subsistence, dated December 2020, as meeting the terms of Council Contract 966.21.01 and for distribution to the public.

#### **4-1 TANK 8 INTERNAL INSPECTION & CATHODIC PROTECTION SYSTEMS REVIEW PROJECTS**

Project Manager Austin Love introduced this agenda item which provided the Board with information related to two current Council projects. One project was working with National Pipeline Services to complete the Cathodic Protection Systems Review at the Terminal. The other project was with Taku Engineering on the Tank 8 Internal Inspection Review project. Obtaining information from Alyeska on both of these projects had been a slow process. While PWSRCAC requested information from Alyeska in 2020 that PWSRCAC’s contractors needed to complete the technical reviews, only limited information was received. However, as of December 17, 2020, the Council had received enough information pertaining to the maintenance of crude oil storage Tank 8 for Taku Engineering to establish some initial findings. Bill Mott of Taku Engineering reviewed his initial findings on Tank 8’s internal inspection. Austin Love provided an update pertaining to the Cathodic Protection Systems Review project.

Mott’s initial findings were that there was an error in Alyeska’s data and there were inherent systematic errors in all of the other data collected pertaining to the effectiveness of the cathodic protection system underneath Tank 8’s floor. Alyeska was still collecting the data in the same way. Mott stated that it gave a false sense of security that a tank is protected when in reality, as in the case of Tank 8, there is an elevated corrosion rate on what should be a well-protected tank. Mott also concluded that there may be some perforations in Alyeska’s secondary containment underneath tanks at the Valdez Marine Terminal, which warranted a more comprehensive look.

Mott stated that Taku Engineering was still awaiting pending data (which is the balance of the data that was requested from Alyeska in 2020) and then he will issue a final report which would be presented to the Board at its May meeting.

Mott went on to answer technical questions from the Board.

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

#### **4-4 REPORT ACCEPTANCE: PRINCE WILLIAM SOUND FORAGE FISH SURVEY**

Project Manager Austin Love introduced Scott Pegau of the Prince William Sound Science Center (PWSSC) who presented his 2020 report on aerial surveys of forage fish (herring, sandlance, capelin) in Prince William Sound. A copy of his report was included in the meeting notebook as an attachment to the briefing sheet at Item 4-4. The Board was asked to accept the report as meeting the terms of the contract and for distribution.

Key points outlined by Dr. Pegau were:

- The project builds on previous research.
- Forage fish schools were generally low in 2020.
- Geographic distribution changes over time.
- Surveys identify environmentally sensitive areas.

Amanda Bauer **moved to accept** the “2020 Prince William Sound Forage Fish Observations” by Dr. Scott Pegau of the Prince William Sound Science Center dated September 10, 2020, as meeting the terms and conditions of Contract 9511.20.01 and for distribution to the public. Robert Beedle **seconded**, and the **motion passed** without objection.

*Break: 2:10 p.m. - 2:20 p.m.*

#### **EXECUTIVE SESSION**

Thane Miller **moved to go into executive session** to discuss:

- An *Amicus Curiae* Brief in support of the appeal of RCA Order P-19-017(6).
- Changes to the Executive Director’s job description and performance goals.

The following were invited to join in the Board in executive session: PWSRCAC legal counsel Joe Levesque, attorney Robin Brena, and staff members Executive Director Donna Schantz, Director of Programs Joe Lally, Director of Communications Brooke Taylor, Director of Administration Walt Wrede, Financial Manager Gregory Dixon, Project Manager Linda Swiss, Project Manager Alan Sorum, Executive Assistant Jennifer Fleming, and the Council’s federal legislative monitor Roy Jones. Amanda Bauer **seconded**, and the **motion passed** without objection.



**Recess:**

The open meeting recessed at 2:20 p.m., to reconvene the following day.

**Friday, January 29, 2021**

**CALL BACK TO ORDER**

President Archibald called the meeting back to order at 8:30 a.m. on January 29, 2021. A roll call was taken. There were 13 Directors present at the time of the call back to order: Archibald, Bauer, Beedle, Bender, Cutrell, Donaldson, Faulkner, Haggerty, Hasenbank, Miller, Moore, Skinner, and Zinck. Roy Totemoff and Bob Shavelson joined the meeting shortly thereafter at 8:38 a.m. and 9:12 a.m., respectively.

**REPORT ON EXECUTIVE SESSION**

President Archibald reported that the Board had discussed the Executive Director's job description in executive session and had decided to make no changes at this time.

Archibald reported that the Board had also discussed in executive session whether to file an *amicus curiae* brief in support of the City of Valdez's appeal of the RCA\_Order P-19-017(6), and the Board was ready to take action.

Amanda Bauer **moved** to authorize PWSRCAC's legal counsel, Levesque Law Group, to file an *Amicus Curiae* Brief as discussed in executive session in support of the City of Valdez's Appeal of the Regulatory Commission of Alaska's ruling [RCA Order P-19-017(6)] relating to the disclosure of Hilcorp/Harvest Alaska's financial information. Mako Haggerty **seconded**, and the **motion passed** without objection.

**UPDATE ON THE PROPOSED FY2022 SPAR BUDGET AND OTHER SPAR TOPICS - ADEC COMMISSIONER JASON BRUNE**

ADEC Commissioner Jason Brune updated the Council on the department's regulatory reform efforts and scoping process, SPAR Division funding, and other issues. He was joined by SPAR Director Denise Koch and SPAR staff member Graham Wood during this update.

Commissioner Brune's opening remarks highlighted the Governor's State of the State address the previous day and his focus on helping Alaska to become self-sufficient and energy independent from renewable and non-renewable resources. He gave an overview of the Governor's budget that was introduced on December 11, 2020, where, as Commissioner Brune forecast at the Council's September Board meeting, there were proposed cuts to the SPAR Division. Five positions were on the block for elimination. Brune reiterated statements he made at the September Board meeting that when he became Commissioner almost two years prior he was informed that the SPAR budget was unsustainable and it would be in a deficit spending situation within four years if there were not increases in revenue streams which would result in cuts of approximately 30 positions. He said he took measures to address the problem and lessen the impact. Seven positions were eliminated in 2020. Five more positions were proposed for elimination from the current budget. The five positions to be eliminated

were all vacant at that time and none of them were specific to Prince William Sound or Cook Inlet. Those five positions, together with the seven positions eliminated in 2019, would bring the total positions eliminated to 12. Concurrently, he was looking at increasing revenue streams because in order to increase revenue to SPAR ultimately production needed to increase. He said he thought that production increases were unlikely under the Biden Administration's efforts to limit drilling on federal lands, and it was unlikely that current production would be such that it would be able to sustain ADEC's budget. He added that the increase in the motor fuels tax proposal had had good momentum until the COVID pandemic occurred. ADEC would support a similar effort in this legislative session.

As to the regulatory c-plan reform effort, Commissioner Brune stated he was discussing draft recommendations for statutory changes with his staff, then the proposals would go out for public comment. He assured the Council that there would be plenty of time to comment.

Commissioner Brune then took questions from individual Board members:

In answer to several comments by Wayne Donaldson about the importance of mariculture to Alaska's economy, of maintaining the integrity of the Tank Farm, specifically Tank 8, an economic analysis, and for an example of a regulatory reform proposal, Commissioner Brune stated that he was excited the Governor included mariculture and agriculture as a path to self-sufficiency in his State of the State address, with \$25 million to be earmarked for that industry. Project proposals were encouraged from that industry and would be due to the EVOS Trustees Council at the end of March.

As to Tank 8, the Commissioner stated ADEC's engineers were comfortable that the tank's integrity was good for another two years. ADEC's Graham Wood added that Alyeska had proposed to do work in 2020 but it was deferred because of COVID-19. The corrosion rates were such that they were deemed to be okay until 2023 and Alyeska has committed to replace that floor in 2023. In addition, Alyeska has a waiver on Tank 8 for the cathodic protection until 2023. He offered to provide a copy of that waiver to PWSRCAC if requested.

Commissioner Brune stated that ADEC was required to do an economic analysis of any regulatory change it may put forward. An example of a regulatory change might be to incorporate technology to limit the department's environmental footprint as much as possible, such as eliminating paper copies when digital copies can be provided instead. He said he would review the suggestions given to him by his review team which he only received the previous week.

President Archibald pointed out to Commissioner Brune that Bill Mott/Taku Engineering's report on Tank 8 suggested that the readings on the cathodic protection and corrosion rates seemed irregular and asked how ADEC would address those findings. ADEC's Graham Wood stated that he was unfamiliar with the cathodic protection rates *[measured by Taku Engineering]* when ADEC issued the waiver. He committed to following up with the department's engineers and provide the information to the Council. Commissioner Brune emphasized that the

department has to make decisions on the science available at the time, but when new information becomes available ADEC is obligated to evaluate that new data. He would not make any commitments for changes to the decisions already made but based on the fact that PWSRCAC commissioned the study he assured the Council that ADEC would look at the data presented.

In response to questions about staffing levels and how staffing cuts might affect the division's work on PFAS and other contaminated sites and the SPAR budget, Commissioner Brune stated that retention of staff was a priority for him and it was imperative to keep the institutional knowledge of the department. He stated that his goal is to reduce the turnover rate by half and he was making inroads to address the retention issue. He pointed out that ADEC was focusing on training for staff and it had development plans to train and increase the knowledge for every ADEC employee. He stated that the elimination of PFAS and sulfolane-contaminated sites was high priority. The positions that would be cut in the Contaminated Sites Group would be felt, but they would be lower-level positions not doing the PFAS sites work.

Commissioner Brune said that of the \$9.425 million that was appropriated by the Legislature to the Response Fund to address PFAS previously, less than \$2 million had been spent to date. His recommendation had been to limit spending of that \$9.425 million as much as possible, but he assured the Council that there would be a continued focus on PFAS and it would remain a high priority for ADEC.

ADEC Director Denise Koch joined the discussion and, in going back to Board members' questions about the vacancies within SPAR, added that she did not have the figures on hand to provide the exact number of vacancies in SPAR but would provide it after the meeting, and she had made filling vacancies a high priority. The two PFAS positions to be eliminated in the FY2022 budget in the Contaminated Sites Group were not subject matter experts and were primarily federally funded positions.

In response to a question from Thane Miller about how ADEC was prioritizing the contaminated sites and how the state was making the responsible parties pay, Koch stated that ADEC has a prioritization model for contaminated sites and, in general, ADEC's cost recovery was comparatively high. However, most of the spills in the state are from "mom and pop operations" and the cost recovery from those spills, as well as other operations such as junkyards, was far less than the large industrial ones. Commissioner Brune added that approximately 80% of contaminated sites in Alaska are of the smaller "mom and pop" variety and cost recovery was much less, and some sites are on federal lands, some are on Native lands, and ADEC has an obligation to ensure that the federal government stands up to its responsibilities for cleaning up contaminated sites that it transferred to the State of Alaska.

In response to a question by Thane Miller about how ADEC came to the decision to approve their portion of the BP-Hilcorp transfer, knowing that Hilcorp representatives are relying on the federal Oil Spill Liability Trust Fund (OSLTF) and the state's 470 Fund to shore up or meet their financial liability for an oil spill, Commissioner Brune stated that he sat in on many

meetings but ultimately deferred to his team of experts who oversaw what needed to be done on the agreement with BP for lasting liabilities, as well as what would be in place for Hilcorp going forward. He said that ADEC's recommendations were incorporated with those of other state agencies and he felt confident with the level of oversight that was given to the transaction. As far as the financial liability was concerned, Brune pointed out that an entity's financial assurance was prescribed by statute (\$93.5 million). It was not a point of negotiation. Hilcorp had met that threshold. He emphasized that his role as commissioner was to do no more or less than what was prescribed by statute, and that was what was applied to Hilcorp. Miller asked how a private citizen could be assured that Hilcorp was actually meeting its financial responsibility obligations when its financial information had been deemed confidential and not available to the public. Commissioner Brune again emphasized that Hilcorp was meeting the State of Alaska's requirement for financial responsibility pursuant to statute and that was all he would divulge. He also stated that he was not at liberty to discuss Hilcorp's financials, and in fact he had not seen their financials because it was not part of his purview, but rather that of ADNR. He did offer to share the financial assurance document that Hilcorp provided to ADEC. Miller asked for a copy to be provided to the Council.

Director of Administration Walt Wrede asked if SPAR was reaching the point where it was difficult for the division to carry out its responsibilities because of the elimination of positions and the added stress and responsibility this caused to those personnel who remained. Commissioner Brune stated it was an issue of utmost concern to him and Director Koch, as well as the loss of institutional knowledge, and it was discussed at every meeting. They were trying to change the dynamic by providing training and stability to staffing levels. Concurrently, they were looking to bring additional revenue into SPAR through more oil production. But with the pandemic, people were driving less so there was less coming in, even through the refined fuels surcharge. He also pointed out that with less money coming in the department's priorities have to be reevaluated.

Commissioner Brune stated that ADEC would support legislation both publicly and behind the scenes for an increase in the refined fuel tax to increase revenue to SPAR. He also stated that the way to increase revenue to the 470 Fund was to increase oil production, stating that the demand for oil was not going away and it was better environmentally for drilling to be done in Alaska because Alaska's environmental safeguards would make sure that such drilling and production was done safely and responsibly. He disagreed with the Biden Administration's recent moratorium on drilling on federal lands because shutting off federal lands would only drive the market to other countries' oil supplies where there are not the environmental ethics that Alaska has.

Bob Shavelson took issue with the Commissioner's statement that Alaska could drill its way out of the SPAR budget woes and save the 470 Fund. He pointed out that because Alaska is on the front line of climate change it is seeing more failures that have resulted in oil spills in the industry, which have put an increasing burden on the 470 Fund. He asked what other revenue streams the Commissioner would support to increase SPAR revenues, increased oil production aside, and specifically if he would support an increase in the crude oil tax going to the 470

Fund, as well as an increase of the refined fuels surcharge. Commissioner Brune stated that he supports an increase in the refined fuel surcharge but not an increase in the crude oil tax.

In response to a follow-up question from Shavelson about enforcement of violations and how much in fines ADEC had levied against Hilcorp for its dozens of violations in Cook Inlet, Brune stated that he did not have that information. Rather, he relies on the experts at ADEC to assess fines pursuant to state and federal statutes. Director Koch stated that in the two years she had been head of SPAR, ADEC had not levied a civil fine but there had been criminal penalties. Shavelson emphasized to Brune and Koch that it was important for penalties be enforced as a deterrent to future violations.

Rebecca Skinner asked how ADEC would balance the needs of the state with the challenges that Alaska was facing with some of the country's national policies and development of resources. Commissioner Brune stated that, while he did not know the complete answer, Alaska needed to put in place those appropriate environmental protection regulatory requirements but allow for development and economic opportunity. Skinner followed up by asking for Brune's short-term strategy to make sure that ADEC was big enough and had the resources it needed to ensure that those protections were in place, given that increasing oil production was unlikely to occur in the next couple of fiscal years. Brune stated that the Governor had committed to maintaining the budgets of the regulatory agencies, which have been relatively flat for a few years, and not cut more. The economic growth in the state had not been occurring, so there had not been the need to increase the budgets for the regulatory agencies. But if that did occur then the budgets would need to increase alongside that of the growth or use technology as much as possible to accomplish more without increasing costs.

In summary, Commissioner Brune stated that he and SPAR Director Koch would evaluate the Mott/Taku Engineering report on Tank 8 and would report back to the Council. As for the scoping project, all the comments on the scoping phase were made public and posted online. Once the proposed changes were available for public review those comments would be made public as well.

Robert Archibald reiterated that the Council had concerns about the secondary containment liner on Tank 8 and that the issue was also outstanding on the VMT c-plan. Commissioner Brune committed to providing answers to PWSRCAC staff as soon as ADEC staff was able to provide a response. In addition, he committed to returning to a future Board meeting, and he offered to present ADEC's proposed regulatory package to the Council in person if it was ready by the Board's next meeting.

*Break: 10:20 a.m. – 10:30 a.m.*

#### **4-6 REPORT ACCEPTANCE: 2020 DRILL MONITORING ANNUAL REPORT**

Roy Robertson briefed the Board on the 2020 Drill Monitoring Annual Report that summarized drills and exercises attended by PWSRCAC staff in 2020. A briefing sheet and a copy of the report were included in the meeting notebook as Item 4-6. Robertson noted that there were



only two drills in 2020 and there was no on-water fishing vessel training because of the COVID-19 pandemic.

The Board was asked to accept this report for distribution.

OSPR Committee Chair Jim Herbert stated that the committee recommended the Board accept this report. He noted that many of Robertson's recommendations were carryovers from previous annual reports. Herbert also raised the OSPR Committee's concern about the use of dispersants. The committee hoped that it would be a measure of last resort, if ever, and that the idea of a C130/737 aircraft trying to drop dispersant accurately in a place such as Port Valdez was not a method that the OSPR Committee endorsed. The spotter plane was vital to accurate use of dispersant and the committee would like to see this exercised. He also noted Robertson's comments about foreign-flagged vessels coming in to pick up loads and the committee suggested it would be wise to incorporate those vessels into some of the drills/training to make sure they were up to the level of training of the regular shippers to/from the VMT.

Robert Archibald noted that C-130s were not yet approved for dispersants applications.

Amanda Bauer **moved to accept** the 2020 Annual Drill Monitoring Report for distribution. Robert Beedle **seconded**, and the **motion passed** without objection.

Mako Haggerty emphasized that he was absolutely opposed to dispersants and that dumping dispersants through the air risks harming the very things that the use of dispersants is trying to protect, such as birds and other wildlife.

#### **4-3 INCIDENT REPORT UPDATE FOR 2020**

Nelli Vanderburg presented a summary of incidents reported to PWSRCAC that occurred in 2020. (Incident reports include oil spills, fires, malfunctions causing shutdowns, navigational closures, and tanker or escort incidents.) The presentation also included terminal and tanker statistics.

*[This was an information-only item. No action was requested of the Board.]*

#### **4-7 PRESENTATION ON MARITIME ENGLISH & MISCOMMUNICATIONS ON FOREIGN-FLAGGED SHIPS**

POVTS Committee Chair Steve Lewis introduced Dr. Nicole Ziegler, Associate Professor of Second Language Studies at the University of Hawaii. Dr. Ziegler made a presentation on language and miscommunication failures in the maritime industry. (Dr. Ziegler had made the same presentation to the POVTS Committee previously.)

According to Dr. Ziegler, "66% of all international ships have mixed nationality and multi-linguistic crews. The common language spoken on board vessels is unlikely to be the native language of the majority of the crew. Communication failure is cited as one of the major



factors in all incidents at sea. Many communicative difficulties are a result of cultural and pragmatic differences as well as linguistic failures. Lack of standardization in language and clear format for communication contribute to these failures.”

The briefing sheet on this item (4-7) outlined the POVTS Committee and the Council’s concern about the contribution of human factors to oil spill and maritime accidents and that it had been an area of monitoring for many years. Improving communications, especially between bridge crews and marine pilots or the USCG is one area that could be improved through better knowledge of maritime English. Research in this field offered an opportunity to improve communications during normal maritime operations and during emergencies. Additionally, the increase of foreign-flagged tankers used to export ANS crude oil from the VMT to overseas markets made this information all the more valuable for assessing some of the risks of miscommunication that Dr. Ziegler raised during her presentation.

*[This was an information-only item. No action was requested of the Board.]*

#### **4-8 REPORT APPROVAL: PWSRCAC ANNUAL LONG RANGE PLAN**

Director of Programs Joe Lally presented the Council’s Five-Year Long Range Plan for years 2022-2026 for Board approval. The draft plan and a briefing sheet were included in the meeting notebook at Item 4-8. The Board held a workshop the previous day to discuss and develop the plan.

Amanda Bauer **moved to approve** the Five-Year Long Range Plan for Fiscal Years 2022-2026 as developed and finalized for consideration by the Board at the January 27, 2021 Long Range Plan work session. Wayne Donaldson **seconded**, and **the motion passed** without objection.

#### **4-10 SCHEDULING OF PWSRCAC MAY 2021 EVENTS**

Executive Director Donna Schantz introduced a discussion and a request for direction from the Board on how to proceed with the upcoming May 2021 events in light of the ongoing COVID-19 pandemic. The events in question were the Annual Meeting of Board of Directors, the full Board budget workshop and the annual VMT and SERVS familiarization tour, all of which were scheduled to take place May 5-7, 2021. Staff recommended that these events be hosted online via Zoom due to continued COVID-19 concerns based on the guidelines set forth in State of Alaska’s directives regarding COVID, the continued advisories and prevention directives from the CDC, and the minimal conditions that needed to be present to lift PWSRCAC’s temporary travel restrictions. While the Executive Committee had previously suspended Board Policy 700.6-Valdez Marine Terminal/SERVS Familiarization, staff was working to set up opportunities for Board and committee volunteers to participate in a virtual VMT/SERVS tour. The virtual VMT/SERVS tour may or may not be scheduled in conjunction with the May Board meeting.

Schantz pointed out that the date and location of meetings is set by Board resolution pursuant to the Council’s Bylaws. Any deviation from the schedule required Board action.

Following a brief discussion, Amanda Bauer **moved** to authorize a deviation from the Board-approved regular meeting schedule by holding the May 6-7, 2021 PWSRCAC Board meeting and associated events remotely through video and teleconference. Thane Miller **seconded**, and the **motion passed** without objection.

#### **4-9 PRESENTATION ON BARRY ARM LANDSLIDE AND TSUNAMI RISKS**

Director of Programs Joe Lally introduced a presentation by Gabriel Wolken with the Alaska Division of Geological & Geophysical Surveys and Dave Snider of the National Tsunami Warning Center on the landslides and tsunami risks recently identified in the Barry Arm area (near Whittier) and the early warning preparations being made to protect the City of Whittier in the event of a land or submarine slide in the area.

As outlined in the briefing sheet (Item 4-9 in the meeting notebook), during the summer of 2020 there were three massive alpine landslides detected in the Sound – an occurrence that is historically unusual. There is current concern about the potential of a landslide-generated tsunami occurring in Barry Arm. An unstable mountain slope above the toe of Barry Glacier has the potential to fail and cause a tsunami. This tsunami could pose significant risks to people and property.

There is interest in monitoring the geological hazards present in the Sound that could pose a risk of a landslide-induced tsunami. A project to investigate geological hazards in Prince William Sound that might pose a threat to oil spill prevention and response infrastructure was included in the Council's FY2022 project list.

Dave Snider outlined the monitoring plan for the Barry Arm landslide tsunami risk, the planned installation of sensors and tsunami tide gauges to detect when a landslide-caused wave has left Barry Arm, and how to alert communities of a tsunami that is not caused by a seismic event but rather a landslide driven tsunami.

Snider emphasized the little amount of time there would be to warn the community of Whittier (only 20 minutes approximately) of such a landslide and tsunami.

*[This was an information-only item. No action was requested of the Board.]*

#### **EXECUTIVE DIRECTOR'S REPORT TO THE BOARD**

Executive Director Donna Schantz referenced her previously circulated written report to the Board. She said she would not repeat that report in the interests of time, but she would send out follow-ups to the Board on items that were brought up during the meeting, including the Barry Arm presentation.

She highlighted the efforts of staff in 2020, which had been a tough year all around for everyone and, in addition, PWSRCAC had its own challenges with its offices closed, all its in-person meetings cancelled, personnel having to change their routines, and dealing with all the

uncertainty surrounding the virus and its effects. Throughout it all, the staff and volunteers carried on the Council's work. Some projects got underway, some were canceled or postponed because of the pandemic, and some were just approved to be brought forward into 2021.

Schantz emphasized that there was much more going on for PWSRCAC than the projects included in the budget, such as:

- The BGC reviewing internal policies and procedures.
- Writing letters to the Alaska congressional delegation.
- Concerns with regulatory rollbacks and budget cutbacks that impact oil spill prevention and response.
- The VHF and radar systems in Prince William Sound.
- Continued efforts to improve the OSLTF.
- Staff was working to come up with solutions to prevent any further budget cuts and reductions in staffing in the federal and state oversight agencies and the beginning of every year was always a very busy time for the organization with the Alaska Legislature in session. She reported that Kate Troll, PWSRCAC's Juneau legislative monitor, had suggested the Council send congratulatory letters to Sen. Micciche on becoming Senate President and Sen. Bishop on his appointment as co-chair of the Senate Finance Committee and to request their assistance in securing more revenue for the 470 Fund.

Schantz outlined just a few of the things that staff worked on and continued to work on, in addition to budget items, such as:

- Protection of the Solomon Gulch hatchery/Duck Flats and the closeout of the three-year adjudicatory hearing process on that issue.
- PWSRCAC's partnering with NOAA to create the real-time Physical Oceanographic Real Time System (PORTS®) page for Valdez which includes data from the weather buoys. She said it was good to hear from SWAPA President Joe Martin earlier in the meeting that the weather buoy data is valuable to the marine pilots.
- Staff had been tracking actions taken by Alyeska to address the lessons learned from the 2020 Admin Sump spill.
- Staff spent a great deal of time trying to learn as much as possible about the transfer of BP assets to Hilcorp Alaska, which was difficult because there was very little transparency of information. PWSRCAC did not object to the transfer *per se* (approved in December) but the Council's concerns continued because the financial information had been kept confidential from the public. She emphasized that Hilcorp's financial position was important because its available finances would impact decisions and the ability to maintain and operate the VMT safely and respond to a major oil spill, if that should happen. She pointed out that some of PWSRCAC's concerns with the transfer were straightforward, like the transparency of financial information, while others were

more complex, such as the handling of the Dismantlement, Removal & Restoration (DR&R) Fund. The importance of the DR&R Fund was what led to the Council's decision earlier in this meeting to file an *amicus curiae* brief with the court.

She expressed appreciation for the dedication of the Council volunteers and all the time and work everybody contributes to the Council's work and its mission. She noted in particular the attendance of President Robert Archibald at every committee meeting in addition to all the other meetings he attends, and Robert Beedle giving up three consecutive days of vacation time to attend this meeting and the budget workshop. She noted the unfortunate cancelling of the annual Volunteer Appreciation party in December, due to the pandemic, had precluded all volunteers being recognized in 2020.

*[This was an information-only item. No action was requested of the Board.]*

#### **FINANCIAL MANAGER'S REPORT TO THE BOARD**

Gregory Dixon briefly summarized the tasks he had been working on since the September Board meeting:

- December 31, 2020 financial statements. Project managers would review the financials soon, followed by a review with the Finance Committee. There may be some additional budget modifications following those reviews and it was likely there would be some additional cost savings by not having the May meeting in person in Valdez.
- Completion of the Form 990 for FY2020 which will be ready for Board review at the May Board meeting. (It will be due to the IRS on or before May 15, 2021.)
- FY2022 budget. Now that the Long-Range Plan had been approved and the Alyeska contract amount was known, he would begin on the details of the FY2022 budget. There was a need to develop assumptions of when travel might resume, as well as other assumptions that have been impacted by the pandemic.
- Agreements with Embassy Suites for the December 2021 events and January 2022 Board meeting. Executive Assistant Jennifer Fleming was working on agreements and caterers for the December 2021 events and the Anchorage January 2022 Board meeting. There remained a question whether the December 2021 events would be able to be held in person and the Embassy Suites strict cancellation policies had to be considered. If canceled less than six months in advance, the fees are high. If changes to reservations were to be made without penalties, the Board would have to make a decision in June/mid-July whether to hold onto the reservations. This issue will come up for Board discussion at the May meeting.
- Digital forms have been updated and were being used internally. Dixon was working on documenting the Council's accounting procedures, as well as updating digital forms and digital signatures.
- Computer and security issues: These issues were always a concern for PWSRCAC and Dixon, and he was constantly watching for security and reports of security

breaches. He reported that neither PWSRCAC nor its banking institution, First National Bank Alaska, use Solar Winds software which was the recent victim of security breaches. There would be a new server purchased for the Valdez office as soon as the remodeling of the office is completed.

*[This was an Information-only item. No action was requested of the Board.]*

#### **CONSIDERATION OF CONSENT AGENDA ITEMS**

(None.)

#### **CLOSING COMMENTS**

Directors were given the opportunity to make closing comments.

Rebecca Skinner stated she would like the Council to have more discussion of and to develop a plan for the Council's future as the volume/production of oil declines in Alaska (i.e., a prioritization of Council projects and a plan for what is going to happen with the organization as the volume and production of oil declines).

Dorothy Moore asked for Dr. Ziegler's presentation on language/miscommunication in maritime operations to be presented to the Scientific Advisory Committee.

#### **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 3:05 p.m., on a motion made by Robert Beedle, seconded by Ben Cutrell and passed without objection.

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Secretary

DRAFT

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