

PRINCE WILLIAM SOUND  
REGIONAL CITIZENS' ADVISORY COUNCIL  
MINUTES  
REGULAR BOARD MEETING  
September 16 and 17, 2021  
(Virtual)

Members Present

Robert Archibald	City of Homer
Amanda Bauer	City of Valdez
Robert Beedle	City of Cordova
Mike Bender	City of Whittier
Nick Crump	Prince William Sound Aquaculture Corporation
Ben Cutrell	Chugach Alaska Corporation
Patrick Domitrovich	City of Seward
Wayne Donaldson	City of Kodiak
Patience Andersen Faulkner	Cordova District Fishermen United
Mako Haggerty	Kenai Peninsula Borough
Luke Hasenbank	Alaska State Chamber of Commerce
Elijah Jackson	Kodiak Village Mayors Association
Melvin Malchoff	Port Graham Corporation
Dorothy Moore	City of Valdez
Bob Shavelson	Oil Spill Region Environmental Coalition
Rebecca Skinner	Kodiak Island Borough
Angela Totemoff	Tatitlek Corporation & Tatitlek Village IRA Council
Michael Vigil	Chenega Corporation & Chenega IRA Council
Kirk Zinck	City of Seldovia

Members Absent

(None)

Ex-Officio Members Present

CDR Patrick Drayer	U.S. Coast Guard MSU Valdez
Allison Natcher	Alaska Dept. of Environmental Conservation
Lee McKinley	Alaska Dept. of Fish & Game
Paul Degner	Bureau of Land Management
Scott Pegau	Oil Spill Recovery Institute
Tony Strupulus	Alaska Dept. of Natural Resources

Committee Members Present

Steve Lewis	POVTS Committee
Jim Herbert	OSPR Committee
Davin Holen	SA Committee

John Kennish	SA Committee
Harold Blehm	TOEM Committee
Trent Dodson	IE Committee
Cathy Hart	IE Committee
Savannah Lewis	IE Committee

#### Staff Members Present

Donna Schantz	Executive Director
Walt Wrede	Director of Administration
Joe Lally	Director of Programs
Brooke Taylor	Director of Communications
Gregory Dixon	Financial Manager
Jennifer Fleming	Executive Assistant
Betsi Oliver	Outreach Coordinator
Linda Swiss	Project Manager
Austin Love	Project Manager
Amanda Johnson	Project Manager
Jeremy Robida	Project Manager
Danielle Verna	Project Manager
Nelli Vanderburg	Project Manager Assistant
Hans Odegard	Project Manager Assistant
Natalie Novik	Administrative Assistant

#### Others Present

Andres Morales	Alyeska Pipeline Service Company
Mike Day	Alyeska Pipeline Service Company
Capt. Matt Michalski	Southwest Alaska Pilots Association (SWAPA)
Angelina Fuschetto	Crowley Alaska Tankers
Chris Merten	Alaska Tanker Company
Dave Bosco	Alaska Tanker Company
Monty Morgan	Polar Tankers
Bob Hayes	ConocoPhillips/Polar Tankers
Eric Harrier	ConocoPhillips/Polar Tankers
Rob Kinnear	Hilcorp Alaska, LLC
Lori Nelson	Hilcorp Alaska, LLC
Mike Walker	MSRC
Marty Cramer	MSRC Consultant
Joe Levesque	Levesque Law Group, legal counsel
Commissioner Jason Brune	Alaska Dept. of Environmental Conservation
Kara Kusche	Alaska Dept. of Environmental Conservation
Mo Radotich	Alaska Dept. of Environmental Conservation
Graham Wood	Alaska Dept. of Environmental Conservation
Tiffany Larson	Alaska Dept. of Environmental Conservation

Becky Spiegel	Alaska Dept. of Environmental Conservation
Laura Achee	Alaska Dept. of Environmental Conservation
Zuzana Culakorg	Alaska Dept. of Environmental Conservation
Seth Robinson	Alaska Dept. of Environmental Conservation
Diane Munson	Alaska Dept. of Environmental Conservation
LCDR Hadley Owen	NOAA Coast Survey
Sierra Fletcher	Nuka Research and Planning Group, LLC
Elise DeCola	Nuka Research and Planning Group, LLC
Haley Griffin	Nuka Research and Planning Group, LLC
Merv Fingas, Ph. D.	Spill Science, LLC
Torri Huelskoetter	U.S. Environmental Protection Agency
Mary Goolie	U.S. Environmental Protection Agency
Mary Ann Bishop	Prince William Sound Science Center
Rob W. Campbell, Ph.D.	Prince William Sound Science Center
Peter Soles	Glosten
Kevin Raleigh	Glosten
Liz Mering	Cook Inletkeeper
Rosie Brennan	Council Intern
Steve (Vinnie) Catalano	Cook Inlet Regional Citizens Advisory Council
William Wilmoth	BDO Accountants
Gene Therriault	PWSRCAC legislative monitor, Alaska
Katya Koteff	Koteff Accounting Group

*[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, September 16, 2021**

**CALL TO ORDER, WELCOME, INTRODUCTIONS/DIRECTOR REPORTS**

A regular meeting of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council was held September 16 and 17, 2021, via Zoom video conference. President Robert Archibald called the meeting to order at 8:30 a.m. on September 16 and welcomed everyone to the meeting.

A roll call was taken. The following 17 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Bender, Crump, Cutrell, Donaldson, Faulkner, Haggerty, Hasenbank, Jackson, Malchoff, Moore, Shavelson, Skinner, Vigil, and Zinck. (Patrick Domitrovich joined the meeting at 8:40 a.m. and Angela Totemoff at 9:11 a.m.)

Introductions and Directors' reports followed.

**1-0 AGENDA**

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

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

**1-1 MINUTES**

Amanda Bauer **moved to approve the minutes** of the Annual Meeting of the Board of Directors of May 6 and 7, 2021. Robert Beedle **seconded** and the **minutes were approved as presented**.

**1-2 MINUTES**

Amanda Bauer **moved to approve the minutes** of the Special Board Meeting of April 2, 2021. Robert Beedle **seconded** and the **minutes were approved as presented**.

**PUBLIC COMMENTS**

(None at this time.)

**INTERNAL OPENING COMMENTS – PWSRCAC TECHNICAL COMMITTEE UPDATES****PORT OPERATIONS AND VESSEL TRAFFIC SYSTEMS COMMITTEE (POVTS)**

Chair Steve Lewis introduced the committee members and updated the Board on the efforts of the Port Operations and Vessel Traffic Systems Committee (POVTS) since the last Board meeting, as follows:

- The committee continued to monitor the weather-based projects led by the OSPR Committee and on matters pertaining to the Port Valdez weather buoys.
- Project 8012: Line Throwing Device Trials. The committee recommended the final report titled “PWSRCAC Emergency Towline Deployment Practical Trials” be accepted by the Board as fulfilling the contract. A presentation of this project’s results was on the agenda later at this meeting. Staff were working on a possible video with some of the footage from the trials that describes the project outcomes.
- Project 8013: AIS/Radar Whitepaper. The committee recommended the completed whitepaper be accepted, which was then done by the Executive Committee at its meeting on August 12, 2021. Lewis noted that the conclusions of this study were that AIS is a very valuable tool for navigation but it does not and cannot replace radar.

- An article on the POVTS Rescue Tug Best Available Technology (BAT) for Hinchinbrook Entrance project was published in the September-October issue of International Tug and Salvage.
- Currently, the committee has only four active members. Lewis asked everyone for help finding volunteers with maritime experience to join the committee.

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

Chair Jim Herbert thanked the committee volunteers and Council staff for all their efforts on behalf of the OSPR Committee.

He reported that since the last Board meeting in May the committee had done the following:

- The committee was kept informed about ADEC's regulatory reform efforts. He hoped the Board would hear more on this from Commissioner Brune when he addressed the Council later in the agenda.
- The committee had recommended Board acceptance of the completed History of the Prince William Sound Tanker C-Plan documents, including the 1995-2020 Compendium of Events, and the Tanker Plan History Timetable. These items were on this meeting's agenda for approval the following day. Additionally, the committee recommended that the History of the Valdez Marine Terminal (VMT) C-Plan project be deferred until FY2023 to allow enough time for available staff to make sure all necessary documents were included in the Document Management System.
- Port Valdez weather buoys had been reporting and logging data since they were positioned in early Fall 2019. Contractor Rob Campbell, Ph.D., presented his analysis and report of the first year of buoy data to the OSPR Committee and he would present it to the Board at this meeting. The Board would be asked to accept the report at that time. Herbert noted that SWAPA pilots are using the information the buoys are providing. This is an ongoing project that is looking at long-term weather trends.
- Due to precautions of the COVID-19 pandemic, Council staff had not been able to observe as many SERVS exercises as usual during 2021 but had observed some and accepted a few exercise reports.
- The committee was updated on area and regional planning efforts for the Alaska Regional Contingency Plan, and the Prince William Sound, Arctic and Western Alaska, and Inland Alaska Area Contingency Plans. Recently, formal comments were submitted on the Alaska Regional Contingency Plan and informal comments were

submitted on the Prince William Sound and Arctic and Western Alaska Area Contingency Plans.

- The committee has kept up to date on the c-plan reviews and amendments:
  - Prince William Sound Tanker C-Plan  
PWSRCAC submitted comments and Requests for Additional Information (RFAs) on the Tanker C-Plan five-year renewal process. These comments cover the Prince William Sound Core Plan, SERVS Technical Manual, and the individual vessel response plans for the tanker companies. RFAs will be issued by ADEC by October 21, 2021.
  - Valdez Marine Terminal (VMT) C-Plan  
PWSRCAC's issues from the 2019 informal review remain outstanding (secondary containment, number of personnel in a Response Planning Standard spill, and drainage 58). The TOEM Committee was working on the technical analysis for secondary containment.

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

Chair Amanda Bauer updated the Board on the Terminal Operations and Environmental Monitoring Committee (TOEM) activities since the last Board meeting in May.

- Work on the project titled "Review of the EPA NESHAP-OLD Air Quality Rule" has begun. The goal of this project is to determine if the Council should support Alyeska's appeal of that EPA rule or not. The TOEM project team chose John Beath Environmental as the contractor for this project. The project has progressed well overall, with the exception of obtaining requested information from Alyeska. The results of this air quality regulation review project should be available at the January 2022 Board meeting.
- The committee identified Taku Engineering as the best suited contractor for the Crude Tank 7 and Ballast Water Tank 94 Maintenance Review project. The goal of this project is to ensure the risk of a spill from either of these tanks is mitigated by Alyeska through proper maintenance. The contract for the project was on the agenda for approval at this Board meeting and the work should begin shortly thereafter.
- The committee had been monitoring Alyeska's progress to implement recommendations that resulted from the April 12, 2020, Admin Sump oil spill at the Valdez Marine Terminal (VMT). As of May 18, 2021, Alyeska had implemented almost all identified recommendations. The committee plans to continue tracking the implementation of all the recommendations until they are completed.

- Members of the committee, as well as Board members and staff, have been reviewing the Council's current position regarding the secondary containment liner at the VMT. That position is described in detail in a pending informal review the Council has requested from ADEC. In essence, through the informal review, the Council has asked ADEC to do more to ensure the secondary containment liners at the VMT will protect surface and groundwater resources from harm in the event of an oil spill from a storage tank. The Council review is being done while PWSRCAC awaits a decision from ADEC Director Tiffany Larson with regard to the informal review. The results of the Council review could be used to update the organization's current position pertaining to the VMT's secondary containment liner.

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

Chair Davin Holen briefly explained the committee's purview and work and updated the Board on the committee's activities since the May Board meeting:

- Long-Term Environmental Monitoring Program (LTEMP): A draft of the April 12, 2020, Spill Report was provided to SAC in July for feedback. The authors have submitted the report for publication in the peer reviewed journal "Environmental Science & Technology." The revised executive summary will be reviewed again by SAC at an upcoming meeting and will be ready for final review at the January 2022 Board meeting. Staff collected 2021 environmental samples this summer and those will be analyzed for hydrocarbon contamination.
- Technological Disasters Guidebook Appendices Report: The guidebook and all appendices were accepted at the May Board meeting and uploaded to the Council's website. SAC has since inactivated the project but the outreach portion is ongoing. Holen reported that he presented at the International Oil Spill Conference and other conferences and he made sure it was known that this resource is available.
- Dispersants Use Position Project: The committee accepted the summary of dispersants report by Merv Fingas, Ph.D. This report would be presented to the Board for acceptance at this Board meeting. The Dispersant Use Position Update project team met in August to review three proposals submitted in response to the Request for Proposals (RFP). The project team recommended acceptance of the proposal from Nuka Research and Planning Group, LLC, with collaboration from Dr. Fingas as a technical expert. SAC accepted the project team's recommendation.
- Winter Marine Bird Survey Project: The committee recommends the Winter Marine Bird Survey Report be accepted by the Board at this meeting.
- Forage Fish Survey Project: Dr. Scott Pegau completed forage fish surveys in Prince William Sound over the summer and will provide the committee with a status update and a draft report this fall.

- Marine Invasive Species Project: Mia Siebenmorgen-Cresswell completed her internship for the Marine Invasive Species project in May. In an exit interview conducted by Betsi Oliver, Mia noted that she gained a lot of experience through the project. She collected data in the field and entered it into a spreadsheet, talked to managers, and presented her work publicly. She appreciated the balance between supportive supervision and the freedom to problem-solve on her own. Finally, Mia did not know of any other paid internships, which indicates the importance of the opportunity PWSRCAC offers to teens in the community to develop their professional skills. Two high school-aged students in Cordova and one student in Valdez began a year-long invasive species monitoring internship with the PWSRCAC in June. PWSRCAC Project Manager Danielle Verna has provided training to them so they can collect data and work independently. The contracts with the Smithsonian Environmental Research Center and Moss Landing Marine Laboratory for analysis of plankton samples have been finalized. Staff diligently collected 228 plankton samples in Port Valdez from April to September. Additionally, Danielle Verna and Austin Love have been working with the Kachemak Bay National Estuarine Research Reserve and the University of Alaska Anchorage to get SAC's invasive species monitoring data uploaded to a new portal for Alaska.
- Oxygenated Hydrocarbon Project: The oxygenated hydrocarbon project's scope of work and timeline were reviewed and provisionally accepted by Dr. David Podgorski from the University of New Orleans. SAC will ask for Board approval at this meeting to enter into a contract for this project. Sampling from the Ballast Water Treatment Facility at the VMT was pending coordination with Alyeska.

Holen went on to report that Leigh Lubin, formerly an administrative assistant with PWSRCAC, had joined the Alaska SeaGrant Program faculty as its new education specialist located in Valdez.

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

Chair Trent Dodson reported that the Information and Education Committee (IEC) had had one regular meeting, one project team meeting, and its annual workshop since the committee's last report at the May Board meeting. At its last meeting, the committee re-elected him as Chair and Savannah Lewis as Vice Chair.

The committee's focus since May was as follows:

- Project 3500: Community Outreach  
Council Outreach Coordinator Betsi Oliver organized another marine educator's check-in in April. The Alaska SeaLife Center has offered to organize the next one. Betsi also helped organize the Prince William Sound Natural History Symposium in



May and presented on oil spill response to a virtual audience of 260 using the Council's new Regional Stakeholder Committee content.

- Project 3530: Youth Involvement  
Dodson reported that Summer 2021 was a successful recovery season for Youth Involvement. Most of the deferred projects were able to happen and final reports were rolling in. A presentation about youth engagement opportunities and teacher trainings that this project supported will be made at a future Board meeting as part of the annual outreach presentation.
- Project 3610: Website and Web Presence  
The Regional Stakeholder Committee resources content was launched and is available at [www.pwsrcac.org/rsc](http://www.pwsrcac.org/rsc). This budget item also provided technical support for creating the search and filter tool for the Alaska Oil Spill Lesson Bank.
- Project 3903: Internship  
Intern Rosie Brennan finished her work on the web tool for the Alaska Oil Spill Lesson Bank and held a focus group to test the new database search tool with teachers. The next phase of the lesson bank update project will be to start outreach and trainings for educators about the Council's updated resources. Rosie has agreed to continue on for a second internship to help with this work.
- Project 3620: Connecting With Our Communities  
The majority of the contractor deliverables has been completed. Due mostly to pandemic considerations, the media training deliverable was not conducted and staff are working to carry over contract funds into the FY2022 budget (through a budget modification) to conduct it in the spring of 2022.
- Project 6560: Peer Listener  
There were no responsive proposals to the RFP to review the Council's Peer Listener Training program. As a result, Betsi Oliver plans to proceed with collecting data in-house to identify contractors/partners to guide the implementation of updates to the content.

## **INITIAL OPENING COMMENTS – PWSRCAC BOARD SUBCOMMITTEE UPDATES**

### **FINANCE COMMITTEE**

Treasurer Wayne Donaldson reported that the Finance Committee had met twice since the May Board meeting and focused on the following:

At its July meeting the committee reviewed the June 30, 2021, interim financial statements (the last financial statements for FY2021). The committee met with Joy Merriner, representing the Council's outside accounting firm BDO, to review FY2021 audit planning

which focuses on a review of PWSRCAC's expenses. Although expenses for travel, lobbying, and non-contract revenue were minimal in FY2021, the committee decided to continue the agreed-upon procedures portion of the audit. This expanded look at travel, lobbying, and non-Alyeska fund expenditures is conducted to highlight expenditures in areas previously audited by Alyeska. BDO also provided training to committee members on issues from fiduciary responsibility to cyber security issues. Finally, the committee reviewed several FY2022 budget modifications.

At its September meeting, the committee received the draft audit report from BDO. BDO reported a clean audit with no corrected misstatements. There were no audit adjustments and no suspected fraud or abuse in the audited financial statements. The Finance Committee would recommend that the Board accept the FY2021 financial audit under Item 4-1 on this Board meeting's agenda. The agreed-upon procedures report for travel, lobbying, and non-Alyeska fund expenditures was not yet completed but was expected in October.

The committee also reviewed and recommended that the Board accept the FY2022 budget modifications at this Board meeting (Item 4-10).

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

Vice Chair Rebecca Skinner reported that the Legislative Affairs Committee (LAC) met six times since the May Board meeting and focused on the following committee activities:

- The committee spent a significant amount of its meeting time over the summer scoring and evaluating proposals, interviewing candidates, and making a final recommendation to the Board for the new state legislative monitor services consultant (to replace Kate Troll).
- The committee ultimately recommended that the Board authorize the Executive Director to enter into a contract for state legislative monitoring services with Mr. Gene Therriault. That authorization request was on the consent agenda at this meeting as Item 3-3.
- In addition to the scheduled meetings, the committee received regular email updates from Kate Troll, Roy Jones (federal legislative monitor), Executive Director Donna Schantz, and Director of Administration Walt Wrede. Email correspondence was important because the committee was tracking fast-breaking events during three legislative special sessions.
- The Alaska Legislature worked for most of the summer and participated in three special sessions. The third special session just ended and the Governor has already called for a fourth special session which will mean that the Legislature will spend

most of the year in session. The committee's priorities during the special sessions were:

#### State Priorities

- Passage of House Bill 104: This bill contained the increase in the surcharge on refined fuels to help sustain the ADEC's Spill Prevention and Response Division (SPAR). During the third special session, House Bill 104 was incorporated into Senate Bill 3002.
- Senate Bill 3003: This bill focused on overriding the Governor's vetoes, including his veto of five positions at the SPAR Division that the Legislature had restored.
- The "Reverse Sweep": The Legislature's failure to approve the reverse sweep could have meant that the SPAR Division would have a hole in its budget of approximately \$2.7 million. This issue was eventually resolved by the Governor and the courts after much discussion and negotiation.

#### Federal Priorities

- The committee had several interactions and correspondence with Alaska's congressional delegation regarding the funding for repair and replacement of the radar systems in Prince William Sound.
- The committee, along with Roy Jones and Council staff, have been working with Sen. Sullivan's staff on potential amendments to the Oil Spill Liability Trust Fund (OSLTF).

Skinner stated that the committee was looking forward to working with Gene Therriault as the Council's new state legislative monitor and thanked Kate Troll again for all her hard work and valuable contributions to the committee and the Council.

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

Chair Robert Beedle reported that the Board Governance Committee had met only once since the May Board meeting because committee members were busy with summertime work and other activities which had made obtaining a quorum difficult. Fortunately, during this time there had been no pressing issues that needed the committee's immediate attention and the committee welcomed the break after a busy Council meeting schedule in the spring.

#### Committee Activities

- The committee continued to work on its annual review of the Council's Bylaws and had two sections remaining. The committee invited all Board members to review the Bylaws and send their comments and suggestions to the committee.

- The committee reviewed and approved an amendment to Section 2.2.2. "Class II Membership" of the Bylaws relating to non-voting Class II members. The proposed amendment would update and correct the Class II membership list and clarify the correct member name of the Division of Homeland Security and Emergency Management, Alaska Department of Military and Veterans Affairs. The proposed amendment would be presented to the Board for approval under Item 4-9 at this meeting and would require a 2/3rds vote to adopt.

Beedle announced that the next meeting of the BGC would take place later in September and the committee's first priority for the next few meetings would be to finish its review of the Bylaws.

*Break: 9:37 a.m. – 9:57 a.m.*

### **EXTERNAL OPENING COMMENTS – PWSRCAC EX OFFICIO MEMBERS**

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

Allison Natcher, ADEC's new Interagency Coordination Unit Manager with the Prevention and Technical Support Group, reported that the revisions to Article 1 regulations for Above Ground Oil Storage Tank Standards were pending final legal review. When that review is completed, ADEC will provide additional information.

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

Lee McKinley reported that he was able to get out during the summer and inspect permitted projects along the TAPS pipeline. He said he appreciated the opportunity to attend this meeting and would be available to answer questions.

#### **U.S. FOREST SERVICE**

(No report.)

#### **U.S. FISH & WILDLIFE SERVICE (USF&W)**

(No report.)

#### **OIL SPILL RECOVERY INSTITUTE (OSRI)**

Dr. Scott Pegau reported that the OSRI Board had met recently and there were a few projects to bring to the Council's attention. The first was a remote learning project to build a course similar to the Science of Oil Spills course that would be delivered via the OSRI website. He said there may be overlap with PWSRCAC in the type of materials that they want to present. The project was just getting underway and he hoped he would have more information on what it would look like soon.

He also reported on two new projects that OSRI would be working on. One involves environmental sensitivity index (ESI) map updates and how to get the maps updated on a

more regular basis. The two things at the top of the list are the shoreline classification and resources at risk, particularly for Cook Inlet and Sheilikof Strait because those are both old and incomplete in terms of their ESI maps. The other new project is a Cook Inlet trajectory tool. NOAA has developed a new circulation model for the area that OSRI feels needs some additional validation work using trajectory tools so it can be used for planning purposes. He hoped that these projects were of interest to PWSRCAC and could be added to the Council's next Long Range Plan.

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

Torri Huelskoetter introduced herself to the Council. She came into the job of Federal On-Scene Coordinator for District 10 in March 2021, and she is based in Anchorage. She announced that the Alaska Regional Response Team meeting would be the week following this Board meeting and would be reviewing area planning.

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

(No report.)

### **U.S. COAST GUARD (USCG)**

CDR Patrick Drayer reported that the Area Committee meeting that had been scheduled for that week in Cordova was postponed until September 29, 2021, in Valdez because of the spike in COVID cases. It will be a hybrid meeting of virtual participants in Cordova and in-person in Valdez.

CDR Drayer reported that he had met with PWSRCAC staff over the last few months and had the opportunity to have PWSRCAC staff and Board member Amanda Bauer meet with some USCG Headquarters personnel in the Valdez office on the status and future of the Vessel Traffic System (VTS) equipment, radars, and other technological systems -- not just in Valdez but nationally -- with changes forthcoming. He pointed out that everything related to systems must go through the government procurement process so changes would not happen rapidly, but the Headquarters personnel who came to Valdez are now aware of the challenges to repairing systems, specifically in Prince William Sound with the remoteness of the sites, the severe weather conditions, and the challenges to get technicians and repair/maintenance people out to the remote sites.

He expressed his appreciation to PWSRCAC for all its support in trying to get some resolution to the non-functioning radar system in Prince William Sound. He announced that as a result of PWSRCAC's support there were now three operational radars in Prince William Sound, one at each of the existing sites. It was also hoped that a second radar system for Valdez Spit Site and Potato Point could be repaired and operational by next summer. He underscored that these repairs are temporary until a new replacement system is identified and selected by USCG Headquarters.

He underscored that getting the three radar sites operational and having the visual data had been a game-changer for MSU Valdez in dealing with the fishing openers in the Valdez Narrows and other operations. It also supports the USCG's argument that both systems are needed in Prince William Sound because the AIS data does not show everything.

In response to a question from Jim Herbert about the timeframe for getting the systems replaced, CDR Drayer stated that the minimum lead time would be three years. He explained that USCG is all about standardization of its systems nationwide so it is strongly opposed to procuring a replacement system solely for Prince William Sound that cannot be used in every VTS in the country. CDR Drayer went on to explain in more detail how the replacement parts were obtained and the repairs were made. Going forward CDR Drayer stated that if repairs are needed again to the existing radar system, he was optimistic that there would be a quicker response to getting parts and repairs done now that Headquarters was aware of how vital both systems are for Prince William Sound, but parts would not be made in advance of a problem.

CDR Drayer said his understanding for the future is that there will be an integrated interface of all the systems that feed information into the VTS, but it takes time for Headquarters to identify and test such a system.

Herbert asked about further information on the *Stena Suede* incident that happened in April and was reported and discussed at the Board's May meeting. CDR Drayer stated that there was no further follow up by USCG and it was a lesson learned incident for both the skipper of the *Stena Suede* as well as the Captain of the Port (COP) Valdez. He pointed out that the Captain of the Port (COTP) Valdez cannot issue an order to a vessel that is outside Hinchinbrook Entrance in the Gulf of Alaska. The lesson for the COTP in similar circumstances would be to get the ship's captain, the pilot, the company and/or the agent on the phone and discuss the dangers of anchoring outside Hinchinbrook Entrance.

Robert Beedle expressed his frustration at the slow pace with which USCG was addressing the radar repair/replacement issue and the potential disastrous consequences that could occur because of the non-functioning radar system. He also expressed frustration with the lack of follow-up on the *Stena Suede* incident. It could have had disastrous consequences for Prince William Sound and those who make their livelihood in the Sound.

Wayne Donaldson asked if there was any on-water presence by the USCG during the fishing season when there is high likelihood of interactions between tankers and the fishing fleet. CDR Drayer stated that USCG does coordinate with the inbound tankers during fishing openers. Occasionally, USCG has put personnel on a tanker, inbound and outbound, so if there is a problem with fishing vessels not getting out of the way, USCG can gather information on the offending fishing vessel and do follow up. In previous years, Valdez has been sent a deployed unit of additional personnel, but in the last couple of years those units have gone to Homer, Bristol Bay, and Sitka. He reminded the Council that

there is a security zone in effect in the Narrows 24/7, not only during fishing openers, and fishing vessels should not be in that zone. However, Drayer stated that it is not enforced when there are no tankers transiting; USCG does try to enforce it when there is a tanker in transit. CDR Drayer reported that there were no enforcement actions taken this summer to fishing vessels in the security zone, although some came close.

Rebecca Skinner pointed out to CDR Drayer that Prince William Sound is a busy waterway with loaded tankers, commercial fishing, recreational fishing and on-water tourism and she expressed surprise to learn from his earlier remarks that USCG Headquarters did not realize or have appreciation for the importance of the radar system to Alaska mariners. She asked what PWSRCAC could or should do to remedy that. If the radar system were to break down again what would be the timeline to get it fixed and how would it be handled. CDR Drayer explained that MSU-Valdez does not have a local budget to repair these systems. Maintenance issues are handled through a high-level section through USCG Headquarters. In Alaska there is only one maintenance contract that covers the VTS system equipment (radars, microwave relays, etc.) and the Rescue 21 radio system. On a daily basis as the contractors are getting their work assignments, the VTS system is competing with the Rescue 21 system, so if there is a radar that is inoperable at Reef Island, for example, and the USCG has a Rescue 21 VHF issue with a high site in Cook Inlet or Southeast Alaska, then the Rescue 21 high site radio gets higher priority. As to the radar repairs going forward, Drayer stated that the maintenance contract would be going out to bid shortly, and to mitigate the delay in getting the VTS equipment repaired, the contract will have two tracks: one for the VTS equipment; and one for the Rescue 21 radio equipment. This will prevent the two systems having to compete for maintenance attention and get systems repaired in a timely manner.

CDR Drayer stated that because of the efforts of PWSRCAC that elevated the importance of getting the radars up and running and the visual information from both the AIS and radar that the VTS now receives showing how much traffic is going through the congested portions of Prince William Sound had enlightened the higherups in USCG Headquarters of the importance of both the AIS and radar data to mariners who use the Sound.

Beedle suggested that there could be some coordination among the user groups in the Valdez Narrows to mitigate the waterway congestion during fishing openers. He pointed out that the hatchery has a good idea of the fish run timing, the times of the fish openers are generally 10-15 hours, ADF&G publishes those fish openers and makes announcements, and if Alyeska would make known its tanker transit times or have them going through the Valdez Narrows after 8 p.m. and before 8 a.m. during those openers, a lot of the congestion could be reduced. He also pointed out that the fish run is only a month long in the summer.

Jim Herbert asked about the status of the USCG investigation into the allision of the tug *Courageous* with the Polar *Endeavour* tanker and whether there was an increase in the

damage estimate that would have elevated the classification of the incident to a major marine casualty. CDR Drayer stated that the USCG's classification of an incident is made at the time the incident occurs. It is understood and accepted within that assessment that estimates do change when a ship goes to shipyard for repairs. A damage estimate was made at the time of the *Courageous/Endeavour* incident. The damages did go over \$2 million at the shipyard but it does not change the USCG's classification to that of a major marine casualty. Herbert asked PWSRCAC staff to obtain a copy of the USCG incident report.

Steve Lewis thanked CDR Drayer for his efforts on the radar. He commented on the disconnect between those local mariners who use the system and know of its importance to the safe transit of tankers and other users and the technology gurus in USCG Headquarters who are totally disconnected from what actually goes on in Prince William Sound. He urged the Council and everyone to be more vocal about the needs of Alaska with their Alaska representatives, legislators, and with local USCG personnel.

CDR Drayer thanked the Council for its advocacy and pointed out that the only reason progress was made on the radar repairs recently was because of the advocacy of PWSRCAC.

Wayne Donaldson echoed Beedle's suggestion of having someone [within MSU Valdez] look at the timing of fish runs with a mind to minimizing the chance of interactions with inbound tanker schedules.

Amanda Bauer said that simply trying to control the tanker traffic would not make that much of a difference as there is so much more going on in the Valdez Narrows during the summer months.

Nick Crump said that most of the fishing fleet looks out for and tries to alert each other when there is a tanker coming through.

Archibald assured CDR Drayer that PWSRCAC would continue to be an advocate for safety and for the continued functioning of the safety systems in the Sound.

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

Tony Strupulus had no specific comments but was available to answer questions.

#### **NATIONAL OCEAN AND ATMOSPHERIC ASSOCIATION (NOAA)**

LCDR Hadley Owen from NOAA's Office of Coast Survey reported that the Coast Survey did some survey work over the summer in Prince William Sound on the Columbia Glacier face, College Fjord, in Cordova, Passage Canal, Cochran Bay, Surprise Inlet, and Harrison Fjord. It will take time for the charts to be updated but the data itself will be available before the



charts are updated at:

<https://storymaps.arcgis.com/stories/224ea9d51804433c84ec5b86f5bb2852>.

LCDR Owen also announced that Coast Survey had issued a notice about the Brennan Matching Fund for ocean and coastal regional mapping for FY2023 at:

<https://iocm.noaa.gov/planning/contracts-grants-agreements.html>.

Mike Bender asked about Buoy 46060 which went adrift in early August. He had informed NOAA via email to LCDR Owen. The buoy was found grounded near Main Bay. Bender noted that there is no other weather information in the middle of the Sound at the present time and therefore this buoy's information was vital. LCDR Owen reported that she had reached out to the National Data Buoy Center and had forwarded Bender's email and that she would follow up.

LCDR Owen can be reached at [Alaska.navmanager@noaa.gov](mailto:Alaska.navmanager@noaa.gov)

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

Paul Degner updated the Board on the activities of the Bureau of Land Management (BLM) since the last Board meeting.

He reported that despite the plethora of safety protocols related to the pandemic BLM personnel had started some limited in-person field visits. Steve Weeks of the Valdez office had recently visited the VMT to see the Tank 94 ballast water treatment (BWT) inspections and repairs. Reid Olson from the Fairbanks office had also been present at the May equipment deployment and functional exercise, and Greg Bjorgo was present at the U/J- equipment deployment exercise in August. He also performed some containment site inspections between Valdez and Glennallen.

The office continued to be involved virtually in exercise planning and VMT coordination group meetings, area committee meetings, and the annual review of c-plans. Earlier that week BLM, along with other Joint Pipeline Office (JPO) agencies, had the opportunity to follow up with Alyeska on their mitigation efforts on the April 12, 2020 sump spill and prevention measures to prevent similar spills. The office continues to monitor the Alaska Native hire program compliance requirements of TAPS.

In response to a question from PWSRCAC's Project Manager Austin Love as to whether other JPO agencies had expressed concerns with Alyeska's repairs/mitigation measures resulting from the sump spill, Degner stated that most of the recommendations were targeted to the first quarter 2021, but there were a few remaining, so the JPO has asked Alyeska to report back in writing as to the exact status of the implementation of those remaining items.

Herbert asked if Degner had any specific information on the Native hire requirements as there seemed to be a lag with Edison Chouest Offshore's (ECO) and Hilcorp's compliance

when BLM last reported to the Council. Degner reported that there had been no significant changes since that report was provided at the Council's 2020 September Board meeting.

**ALASKA DIV. OF HOMELAND SECURITY & EMERGENCY MANAGEMENT (ADHSEM)**

(No report.)

**EXTERNAL OPENING COMMENTS – TAPS SHIPPERS, OWNER COMPANIES, AND PILOTS**

**CROWLEY ALASKA TANKERS**

Angelina Fuschetto reported that Crowley Alaska Tankers was staying busy. The *California* and the *Washington* continued to operate on the West Coast. The *Oregon* was operating in the Gulf of Mexico. The *Washington* had just completed a five-day maintenance and repair period in Port Angeles and the *California* would complete a similar period the following week.

Fuschetto announced that Crowley Alaska Tankers would lead the 2022 Prince William Sound Shippers exercise and it was tentatively scheduled for the week of May 16. Initial planning had started.

On wider company business related to environmental developments, Fuschetto reported that Crowley Alaska Tankers had designed an all-electric powered tug to be operational in San Diego in 2023. Crowley Alaska Tankers currently has a tug in San Francisco Bay – the *Apollo* – which is running on biofuel, and the company recently signed a long-term charter for building and operating an LNG-powered bunker barge on the East Coast by 2024. The company was also getting into offshore wind, and they recently partnered with Massachusetts Maritime for the first of its kind training and workforce development program that is dedicated to the New England area offshore wind industry.

Steve Lewis thanked Fuschetto for the information on how Crowley Alaska Tankers was decarbonizing its fleet and said the POVTS Committee would be interested in hearing from Crowley Alaska Tankers and any of the shippers on their plans in that regard.

**CONOCOPHILLIIPS/POLAR TANKERS**

Monty Morgan reported on the following Polar Tankers activities since the Board's May meeting:

- Transported 64 loads totaling 49 million barrels from the VMT without incident.
- The Polar *Enterprise* was scheduled to arrive in Singapore in six days for a three-month shipyard period for the installation of its ballast water treatment system (BWTS), followed by the Polar *Resolution* by the first of the year 2022, which will also have its BWTS installed. There would be a presentation to the Council the following day on the BWTS system that Polar has installed and why that system was chosen.

- The main challenge to Polar Tankers' normal operations was still the COVID protocols. The Singapore shipyard was still requiring a 14-day home quarantine before crews join the ship, a PCR test 48 hours prior to leaving, and an antigen test 24 hours prior to leaving. In addition, the United States was on a high-risk list so there were additional protocols once they arrive in Singapore. He pointed out that Polar Tankers had already received an extension from the USCG for installation of its BWTS and that deadline would not be extended further.
- ConocoPhillips/Polar Tankers was in the planning stages for new build tankers and capital had been put into the budget, but that was all the information he had at that time.

He announced that he was planning to retire in June 2022.

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

Chris Merten reported on the following Alaska Tanker Company activities since the Board's May meeting:

- Completed 35 voyages through Prince William Sound carrying approximately 37 million barrels of crude.
- The *Alaskan Navigator* was in shipyard in February and the *Alaskan Legend* followed in May. That shipyard was at a new facility to ATC in Korea, near Busan. The facility had a better handle on the COVID infections than the shipyard in Singapore and the shipyard work was completed in 45 days. Part of the work was normal maintenance, the Critical Area Inspection Program (CAIP) surveys, and the BWTS was installed.
- All three ATC TAPS vessels now have had their BWTS systems installed. The *Alaskan Explorer's* system is operational, the *Alaskan Navigator* is just finishing up the work that could not be finished in Singapore, and the *Alaska Legend* has moved ahead of the *Navigator* because of the work that was accomplished in Korea in a shorter time.
- Now that ATC's fleet is 15 years old the ships must go to intermediate shipyard twice in five years for maintenance.
- ATC's relationship with Hilcorp was going well. There had been good cooperation regarding voyage planning, scheduling maintenance, etc.

Merten stated that he had no information on new build plans at that time but the company was looking at many ways to improve emissions in the meantime. He also had no information on rumors of a takeover bid of ATC's parent company Overseas Shipholding Group (OSG).

### **HARVEST ALASKA MIDSTREAM**

Rob Kinnear reported that Hilcorp had begun a corporate restructuring of its Harvest and Hilcorp entities and he was now a Hilcorp employee. The marine side of the business will be inside Hilcorp henceforward, but in practice it was a change in employer name only for him. He reported on the following activities:

- Harvest Alaska had moved approximately 45 million barrels of North Slope crude from the Valdez Marine Terminal in 2021 to date; approximately 40 million barrels on ATC ships and 5.3 million barrels on its foreign flagged spot charters, the *Summit Spirit* (on May 14) and the *Los Angeles Spirit* (on June 5).
- Hilcorp had applied some of the lessons learned from the previous experience with a foreign spot charter that was discussed at the Council's May meeting and had instituted enhanced prearrival calls with each of the captains of the *Summit Spirit* and the *Los Angeles Spirit*. Communications and voyage orders were also enhanced, making them more succinct to ensure that the inbound tanker protocols and communications procedures in the Port Operations Manual and VTS were captured by the incoming tanker.
- As a result of this Council's suggestion at its May meeting, Hilcorp had looked more urgently at involving foreign flagged vessels in tanker exercises and did a tow and tether drill on the *Los Angeles Spirit* when she made a port call in Valdez in the middle of June. The drill went well and was observed by PWSRCAC staff.
- As the West Coast demand for oil was coming back and the bulk of ATC's shipyards were behind them, there were no more foreign flagged spot charters in the planning cycle, at least through end of 2021.

Jim Herbert gave kudos to Harvest Alaska for doing the tow and tether exercise with the *Los Angeles Spirit* and he thanked Kinnear for facilitating it.

Robert Beedle asked if there was any follow-up investigation on the *Stena Suede* incident from April, what Hilcorp was doing to prevent a similar incident in the future, and whether PWSRCAC could get a copy of the report on the incident. Kinnear stated that Hilcorp had follow-up meetings with Northern Marine Management (the technical operator at Stena). The investigative report that was issued was marked confidential. He offered that Hilcorp may be able to provide PWSRCAC a summary, with Northern Marine Management's approval, in lieu of providing the report. Steve Lewis echoed Beedle's request for information from the report.

Kinnear stated that the direct communications with the inbound captains to convey the inbound port protocols had been very helpful.

**MARATHON**

(No report.)

**SOUTHWEST ALASKA PILOTS ASSOCIATION (SWAPA)**

Capt. Matt Michalski of the Southwest Alaska Pilots Association (SWAPA) reported as follows:

- SWAPA has 17 full members who are fully qualified pilots, two deputy pilots who hold 110,000 gross ton licenses. One pilot retired in 2020 and there is one pilot who is in transitional retirement and continues to work summer schedules until he takes full retirement in the future. There are three trainees working hands-on doing maneuvers and one observer in the training program who should be taking the core exam within the next couple of months. One trainee is close to finishing the program and should be able to take the local knowledge exam before the end of the year, and there is one ballot out to select a new trainee.
- There was no cruise ship traffic in either 2020 or 2021 to date and no yachts came in this year. They continue to see more jet fuel tankers in Alaska waters.
- Cruise ships are set to resume in 2022. The Viking *Orion* is scheduled to call in Valdez multiple times and the *New Amsterdam* is showing one port call in Valdez in 2022. There are currently 48 cruise ship port calls for Whittier, including three Princess and two Holland America vessels making nine voyages each. They will be cruising College Fjord on the inbound.
- TAPS movements in 2021 were 299 compared with 278 for the same period in 2020, and 319 movements in 2019 for the same period. Vessel movements overall in Region 2 were slightly down from 2020. Container ship traffic remained steady. There had been no port calls into Icy Bay since June 2020, which made it difficult for trainees to obtain their federal pilotage license for this area. He hoped cruise ships would resume calls in Icy Bay in 2022, which would help that situation.

*Break: 11:18 a.m. – 11:28 a.m.*

**ALYESKA/SERVS ACTIVITY REPORT**

Alyeska's Emergency Preparedness and Response Director Andres Morales presented the Alyeska/SERVS activity report for year-to-date.

**VMT Operations:**

- **Operations:** (*As of 6/30/2021*)
 

	<u>YTD 2021</u>
○ Tankers Loaded	112

- Tankers Escorted 114
- Barrels Loaded 86,190,852

Since start up

- Tankers Loaded 22,965
- Tankers Escorted 14,318
- Barrels Loaded 17,540,887,206

- **Safety:** (As of 6/30/2021)

- Days away from work cases 1
- TAPS Combined Recordable Rate % 0.48

- **Environment:** (As of 6/30/2021)

- Spill Volume (Gallons) 2.51
- Number of Spills 3

**COVID-19 Response & Prevention:**

- **Processes and procedures for personnel and facilities:**

- Masks required for all unvaccinated employees in common areas.
- Alyeska continues to monitor community transmission rates per CDC guidance to set workplace masking requirements.

- **Urban workforce back to 100% capacity:**

- All offices are open.
- Vaccinations continue to be provided to the TAPS workforce:
  - 55% of TAPS workforce are vaccinated.
  - Company goal of 65% of TAPS workforce.

**Fishing Vessel Availability by Port** (end of 2<sup>nd</sup> quarter 2021):

<u>Port</u>	<u>Tier 1</u>	<u>Tier 2</u>
Valdez	22	21
Cordova	27 (8 Rapid Resp.)	129
Whittier	6	23
Seward		25
Homer		37
Kodiak		46
<b>Totals</b>	<b>55*</b>	<b>281</b>

*[\*The Tier 1 column was incorrectly totaled in the Power Point presentation. This is the corrected total.]*

**2021 Contingency Plan Activities:**

VMT ODPCP

- Amendment 2021-3:
  - In work; anticipated submission to ADEC in September 2021.
  - Minor edits to various ICS checklist and Sec. 3.1.1.8, *Facility Drainage*, as well as updates to contact information.
- Amendment 2021-2:
  - Updated contacts to meet DOT/PHMSA Notice of Correction Letter.
  - Published: 4/14/21.

**2021 VMT/PWS Training & Exercises:**

- 2<sup>nd</sup> Quarter Activities:
  - Fishing Vessel Training (all ports)
  - Valdez Star Open Water Exercise
  - Current Buster 8 & Crucial Skimmer Task Force Training Exercise (5)
  - Nearshore Operational Readiness Exercise
  - Tethered Escort Tug Exercise (10 knots)
  - Unannounced Rapid Response Vessel Call-Out Drill (Cordova)
  - IMT Notification Test
  - OSRB Crucial Skimmer Task Force training exercises (4)
  - Tethered Escort Tug Exercise (6 knots)
  - VMT Tabletop & Equipment Deployment Exercise
  - Unannounced Quarterly QI/IC Notification Drill
  - Emergency Tow Assist/Tethered Escort Exercise
  - Tethered Escort Tug Exercise – 6 knots
  - Annual Maintenance at Lake Bay and Cannery Creek
  - Valdez Duck Flats Training Deployments (3)
  - Tug Open Water U & J Training Exercises (2)
- Upcoming Exercises:
  - Fall Fishing Vessel Training: Late September in Cordova.
  - 2021 Andeavor/Marathon PWS Exercise, 10/13-14.
  - VMT Equipment Deployment #2, by Fall 10/31/21 (tentative).

**2021 Valdez Projects**

- Ballast Header Inspection and Repair (Berth 5, A Header)
- Tank Program:
  - Tank 94: Tank cleaned and repairs underway.
  - Tank 7: Processing and cleaning underway.
  - Tank 10: External coating repairs complete.

- Tank 94 Annular Plate Replacement: Work underway to cut annular plate.
- Berth 5 Gangway Replacement: Gangway installed.
- Berth 4 Gangway Replacement: Gangway was installed in 2020.

Morales added that Alyeska's recordable incident rate of 0.48% was concerning and they were looking into that. He also added that none of the recorded spill volume of 2.51 gals. was crude oil to water.

On COVID-19 prevention and response, Morales stated that Alyeska was again dialing back some visits to facilities because of the sharp increase in reported COVID-19 cases in Alaska. He personally was concerned about Alaska's rural communities and the hospital capacity in Anchorage and Fairbanks being at critical levels.

He reported that SERVS was able to do a lot more on-water training than was originally anticipated. In response to a question from Jim Herbert as to whether Alyeska was satisfied with the hybrid fishing vessel training, Morales stated that Alyeska was getting a range of feedback, but he felt it could be better.

In response to a question from Amanda Bauer about Alyeska's plan to comply with the federal vaccine mandate for companies with over 100 employees, Morales stated that Alyeska was still figuring out how it would apply and the timing, but not knowing the timing did not mean Alyeska would sit and wait. They were already talking about how the company could help to protect its people and employees and communities. He pointed out that Alyeska has a masking mandate and will require employees to test negative or be vaccinated. He added that Edison Chouest Offshore (ECO) has a strong testing process/procedure for its crews before boarding its ships and after, and they had been very successful controlling infections with that.

Amanda Bauer asked about Alyeska's new corporate reorganization and the elimination of approximately 40 positions. Morales stated that most of the jobs that went away were already vacant because of Alyeska's hiring freeze that had been in place for a while. Technology teams were moved into the Operations team. Existing employees were moved into other positions. Morales acknowledged that Alyeska had less administrative support in the office right now.

He spoke of the devastation of the recent Hurricane Ida that hit the Gulf of Mexico and the effect on ECO's operations which took a direct hit to its facilities in New Orleans. The entire region was hit very hard but there had been no deaths and no major injuries within the ECO organization. Morales said he had not seen an impact on ECO crewing/manning in Alaska but he had seen a slowdown in the engineering team working on planning vessel maintenance, but that was not of an immediate concern as it would not apply to schedules for a couple of years.



Executive Director Schantz raised PWSRCAC's concerns to Morales: loss of institutional knowledge at Alyeska because of retirements or employees leaving for other reasons, the low morale at the VMT and company-wide, personnel being overwhelmed, the corporate reorganization and the cutting of 40 positions. PWSRCAC is trying to figure out what it can do to ensure that operations and maintenance are being maintained and not affected by the staff reductions. Morales stated that "we are taking a lot [of work] off people's plates to ease the burden," and ECO had taken over engineering and could bring on resources to help.

Archibald added that he heard "through the grapevine" that engineering was not filling positions. He pointed out that every maintenance action and everything that happens at the VMT and the pipeline starts with engineering, and if engineering cannot come up with a plan, things just do not happen as they should. He said it was good to hear that Alyeska was using outside engineering sources when needed.

In response to a question from Robert Beedle for any update on the *Courageous* allision that occurred in January, Morales reported that the investigative conclusion was that the incident was a result of operator error and Alyeska was looking at whatever it could do to make operational controls safer.

Robert Archibald asked if Alyeska had a contingency plan if the pandemic got to the point that Alyeska did not have enough personnel to operate the pipeline. Morales stated that Alyeska could not allow it to get to that point. Alyeska was ramping up now to protect its employees and the community.

*Lunch Recess: 12:14 p.m. - 1:00 p.m.*

## **CONSENT AGENDA**

### **3-2, 3-3**

The consent agenda consisted of two items: 3-2 and 3-3. Briefing sheets were included in the meeting notebook for each item.

Amanda Bauer **moved to approve the consent agenda** as presented. Rebecca Skinner **seconded.**

The **consent agenda was approved** as follows:

- **3-2 CONTRACT APPROVAL: CRUDE OIL TANK 7 AND BWT TANK 94 MAINTENANCE REVIEW**

Authorization of a contract with Taku Engineering LLC for work on Project 5081 Crude Oil Tank 7 and Ballast Water Tank 94 Maintenance Review in an amount not to exceed \$75,088.

- **3-3 CONTRACT APPROVAL: STATE LEGISLATIVE MONITOR**

Authorization for the Executive Director to enter into a contract for state legislative monitor services with Gene Therriault, dba GT Services, for a term of two years and compensation not to exceed \$24,000 per year.

**UPDATE ON C-PLAN SCOPING PROCESS AND OTHER SPAR TOPICS**

ADEC Commissioner Jason Brune and SPAR Division Director Tiffany Larson updated the Council on ADEC's scoping process for c-plan statutes and regulations and other SPAR Division topics.

Larson gave an overview of the Article 4 scoping process and the regulation reform package that ADEC would likely propose that came out of that process:

- Approximately 350 comments were received from approximately 130 commenters in response to the scoping call. ADEC reviewed those comments and has proposed revisions to Article 4 where it deemed revisions appropriate as result of those comments.
- The tentative date for the notice of the public comment period will be November 1, 2021, on the ADEC website only. It will not be published in periodicals.
- There will be a 90-day public comment period which will end January 31, 2022. It will not be extended.
- ADEC's review timeline for requesting additional information will be reduced from 90 days to 60 days with an option to extend to 90 days for complex plans.
- The timeline from the start of the public comment period through adoption of new regulations could take up to a year. If ADEC has to re-notice the regulation package due to some unanticipated substantive change, it could take several months beyond that one-year timeline.
- Revisions to the proposed regulation changes were still in process at that time and the proposed changes could be modified anytime until the opening of the public comment period.

Larson reiterated that the main goal of opening Article 4 for review was to achieve efficiency without any compromise on environmental protection while also maintaining ADEC's statutory authority. Other goals included increasing the department's transparency and clarification throughout, reducing the administrative burden both on the department and industry, simplifying language, removing redundancies or duplication, consolidating requirements where possible if they were duplicative, improving application and review procedures and, lastly, modernization. ADEC personnel considered all the comments and have proposed changes to the regulations where appropriate.

Larson stated that there were no proposed statutory changes at this time, only changes to Article 4 regulations. She also confirmed that plan holders would not have to update their

existing c-plans as a result of a reorganizing and renumbering of Sections 425 and 445 under Article 4. She also stated that the proposed changes would be obvious from the annotations in the proposed regulations when the public notice is issued. If ADEC decides to make additional changes to the original proposal as a result of public comment, then those supplemental changes would have to be re-noticed to the public for a supplemental comment period.

PWSRCAC Project Manager Linda Swiss asked whether there would be an economic analysis done on the changes to Article 4. Commissioner Brune stated that an economic analysis would be done but not to the extent that it would have been when ADEC had an economist. (The economist position was one of those eliminated in the agency's recent budget cuts.)

Commenting on the proposal to reduce ADEC's review time from 90 to 60 days on requesting additional information with an option to extend that time to 90 days for complex plans, Executive Director Schantz expressed the hope that ADEC staff would be supported and they would be able to use the option of the extension to the full 90 days for complex plans.

Commissioner Brune and Director Larson then answered questions on other SPAR issues of concern to the Council:

Robert Archibald raised the Council's concern about ADEC's Valdez staffing issues and in particular the environmental program specialist position that may no longer be based in Valdez since it was being advertised statewide. This would reduce ADEC's presence on the ground in Valdez. Larson stated the position was not yet out for recruitment because it was being reclassified to a flexible position at a lower experience level. She anticipated that the reclassification would be complete by the end of the month. The qualifying criteria for the position would be weighted for those applying who live in Valdez. However, if there was a well-suited applicant in Anchorage and that person was the best qualified, it was possible they could be selected and that position would no longer be in Valdez. This approach would meet the needs of the state and give ADEC the flexibility to still have personnel in Valdez -or get them there. She pointed out that there were already three positions based in Valdez.

Archibald reiterated PWSRCAC's concerns about the loss of institutional knowledge in ADEC's office, the loss of trained people and people who are knowledgeable about tankers and response to oil spills. He urged Larson and the department in general to take that into consideration when decisions were made on staffing issues.

Commissioner Brune stated that they were looking at all positions agencywide and trying to get the best candidates in all positions, not only in a certain location.

Project Manager Roy Robertson pointed out that having a slightly better qualified person in Anchorage would not be the same as having someone in Valdez who can go on the exercises that often occur on short notice. Having someone on scene in Valdez who would be able to get to a spill response quickly could make a difference; being able to get on a tug or equipment and see it in operation and interface with the operators, particularly the plan holders that operate in and out of Prince William Sound, would not be possible with someone telecommuting or attending virtually. Robertson emphasized to the Commissioner the value of someone being on scene who can develop relationships with the operators and gain the experience that cannot be gleaned from an office in Anchorage.

Executive Director Schantz asked the Commissioner to outline his vision/plan to make the SPAR Division whole in funding. Brune stated that his priority was to increase oil throughput. He was also fully behind the proposed increase in the refined fuels surcharge from 0.95 cents to 1.5 cents, an increase that Governor Dunleavy also supported, and he hoped that staffing levels would be maintained. He acknowledged that this fiscal year would be a little short of funds because the reserve funds were swept away and he had recommended that the shortfall be funded from general funds. He relayed that when he took over as Commissioner, he was told he would have to cut 30 positions and that the department would be out of money in four years. Over the past two years he had cut 12 positions and hoped that would be all that would have to be cut. He emphasized that he had heard PWSRCAC's concerns with SPAR's budget and staffing, bringing a sustainable level to both for SPAR was his priority.

President Archibald thanked Commissioner Brune and Director Larson for addressing the Council, adding that ADEC has a big responsibility to the citizens of Alaska, and it covers a lot of area. He assured the Commissioner that the Council would do whatever it could to see that funding comes forth for SPAR.

### **For the Good of the Order**

The order of Items 4-1 and 4-3 were swapped on the agenda to accommodate the schedule for the presenter of Item 4-1.

### **4-3 PRESENTATION ON ALASKA OIL SPILL LESSON BANK**

Outreach Coordinator Betsi Oliver gave an overview of the Alaska Oil Spill Lesson Bank (formerly the Alaska Oil Spill Curriculum), a series of lesson plans and other educational resources designed to introduce a foundational understanding of the marine ecosystem, oil spill science, and citizen engagement principles to students K-12 in building a stewardship ethic. The resources received a major update and a new searchable database platform on the Council's website. Oliver reviewed the updates with the Board and explained the large multiyear project, including work by the IEC, volunteers Jane Eisemann and Kate Morse, intern Rosie Brennan, contractor Katie Gavenus, and multiple staff, particularly Amanda Johnson and Betsi Oliver.

A briefing sheet was included in the meeting notebook under Item 4-3 which outlined a summary of the recent work.

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

*Break: 2:32 p.m. - 2:38 p.m.*

#### **4-2 REPORT ACCEPTANCE: FIELD TRIALS OF MESSENGER LINE THROWING DEVICES**

Director of Programs Joe Lally introduced a report on a project that evaluated the technologies available to pass or deploy towing lines to vessels in distress. The aim of the project was to determine what constitutes the best available technology (BAT) and then, using a similar approach, compare currently used line-handling technologies with alternatives identified by the consultant.

Peter Soles and Kevin Raleigh of the maritime research firm Glosten, the contractor consultant on the project, presented an overview of their findings and the resulting report which was included in the meeting notebook as part of Item 4-2.

The results of the trial and subsequent analysis showed that the highest scoring devices were the PLT-SOLAS and PLT-Multi manufactured by Restech Norway, followed closely by the Ikaros Line Thrower. The Samson Rope Technologies EVATS retrieving line system was tested and also performed very well in a deployment trial.

The Board was asked to accept the report as meeting the terms of the contract.

Michael Vigil **moved to accept** the report titled "PWSRCAC Emergency Towline Deployment Practical Trials: Practical Trial Summary Report" by Glosten, dated August 6, 2021, as meeting the terms and conditions of the contract and for distribution to the public. Ben Cutrell **seconded**, and the **motion passed** without objection.

#### **4-1 FY2021 AUDIT ACCEPTANCE**

Financial Manager Gregory Dixon introduced a request for Board acceptance of the FY2021 Financial Audit by the Council's accountants, BDO. Dixon reported that BDO had presented the results of the audit to the Finance Committee and the committee had recommended that the Board accept the June 30, 2021, audit financial statements and report (copies of which were included in the meeting notebook under Item 4-1).

William Wilmoth of BDO reviewed the results of the audit with the Board.

Wayne Donaldson **moved to accept** the June 30, 2021, audited financial statements and audit report as presented. Mako Haggerty **seconded** and the **motion passed** without objection.

*Break: 3:30 p.m. – 3:40 p.m.*

*[Melvin Malchoff left the meeting at 3:40 p.m. 18 directors present.]*

#### **4-4 REPORT ACCEPTANCE: MARINE WINTER BIRD SURVEY**

This agenda item sought Board acceptance of the final report titled “Marine Winter Bird Surveys in Prince William Sound” by Anne Schaefer and Dr. Mary Anne Bishop of the Prince William Sound Science Center. Environmental Monitoring Project Manager Danielle Verna introduced Dr. Mary Anne Bishop who presented an overview of the report to the Board. A briefing sheet and the report were included in the meeting notebook under Item 4-4.

Dorothy Moore **moved to accept** the report titled “Marine Winter Bird Surveys in Prince William Sound: by Prince William Sound Science Center,” dated July 19, 2021, as meeting the terms and conditions of Council Contract 9110.21.01 and for distribution to the public. Mako Haggerty **seconded** and the **motion passed** without objection.

#### **3-1 CONTRACT APPROVAL: DETERMINING CONCENTRATION AND COMPOSITION OF OXYGENATED HYDROCARBONS FROM THE VALDEZ MARINE TERMINAL**

This agenda item was presented by PWSRCAC’s Environmental Monitoring Project Manager Danielle Verna and sought Board approval of a new project contract to determine the concentration and composition of oxygenated hydrocarbons from the Valdez Marine Terminal (VMT). The project was planned as a sole source contract with the University of New Orleans, given their experience and expertise related to the field of oxygenated hydrocarbons. The project timeline was tentatively planned from October 1, 2021, to May 2023, pending support and coordination from Alyeska. The work will enable PWSRCAC to monitor “the environmental impacts of the operation of the terminal and facilities and crude oil tankers,” as directed by OPA 90, by assessing the type and amount of oxygenated hydrocarbons that are discharged from Alyeska’s Ballast Water Treatment Facility (BWTF).

A budget of \$70,400 was approved at the Board’s May 2021 meeting for FY2022. The contract, drafted by staff, was reviewed by the contractor and was pending Alyeska’s coordination at this time. The proposed sampling from the BWTF had been presented to Alyeska. Staff was working to set up a meeting with Alyeska, PWSRCAC staff, and the contractor. The project analysis will determine the type and amount of oxygenated hydrocarbons entering Port Valdez from the BWTF.

Executive Director Schantz pointed out there were still steps that needed to be taken before the project could start and timing was now of the essence. It was hinging on Alyeska’s cooperation which had not been forthcoming earlier. Now that Alyeska had a better understanding of the project after a meeting with PWSRCAC staff, there were indications Alyeska would support the project, but things would have to move quickly if the project was to start in October as initially planned.

Angela Totemoff **moved to authorize** a contract with the University of New Orleans for Project 9512, Determining Concentration and Composition of Oxygenated Hydrocarbons from the VMT, in an amount not to exceed \$70,400. Wayne Donaldson **seconded** and the **motion passed** without objection.

**Recess:** The meeting recessed for the day at 4:27 p.m., to reconvene at 9:00 a.m. the following day.

### **Friday, September 17, 2021**

#### **CALL BACK TO ORDER**

President Archibald called the meeting back to order at 9:00 a.m. on September 17, 2021. A roll call was taken and there were 16 Directors present at the time of the call back to order: Archibald, Bauer, Beedle, Crump, Cutrell, Faulkner, Haggerty, Hasenbank, Jackson, Malchoff, Moore, Shavelson, Skinner, Totemoff, Vigil, and Zinck. Wayne Donaldson joined the meeting shortly thereafter at 9:15 a.m., and Patrick Domitrovich at 9:33 a.m.

#### **OVERVIEW OF CONOCOPHILLIPS & POLAR TANKERS ONBOARD BALLAST WATER TREATMENT SYSTEM**

Bob Hayes, Manager of Marine Engineering, and Eric Harrier, Director of Engineering Compliance, for Polar Tankers gave an overview of the Ballast Water Treatment System that was being installed on Polar Tankers' vessels under the requirements of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention) that was adopted by the International Maritime Organization (IMO) in February and entered into force globally in September 2017. Under the Convention, all ships in international traffic are required to conform to BWM standards (that will be phased in over a period of time) designed to prevent the spread of aquatic invasive species via ballast water systems. For most ships, this involved installing equipment to treat ballast water. ConocoPhillips/Polar Tankers chose the BALPURE® electrolytic disinfection ballast water treatment system for its ships. Harrier explained the system in detail to the Council. The cost to install was estimated at \$6-7 million per ship.

Hayes stated that the IMO and the USCG were both involved in the design process of the system. Part of the contract requirements was that the systems had to meet all of the USCG requirements.

Hayes reported that the *Polar Adventure* was already retrofitted and the system had been very reliable. The *Polar Enterprise* would be fitted later this year and all the other Polar Tankers' ships will be retrofitted as they go to regular drydock. All will be completed by 2023.

Hayes pointed out that it is much easier to install the BWTS on a new build than retrofit an existing vessel.

Steve Lewis asked Polar to keep the Council in the loop of their plans for new ship builds in the next few years. Hayes committed to doing that.

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

*[Wayne Donaldson joined the meeting during this presentation at approximately 9:15 a.m., and Patrick Domitrovich at approximately 9:38 a.m. 18 Directors present.]*

#### **4-5 REPORT ACCEPTANCE: A SUMMARY OF DISPERSANTS RESEARCH**

Outreach Coordinator Betsi Oliver introduced Merv Fingas, Ph.D., of Spill Science who presented his findings and report on recent advances identified in a wide variety of topics related to oil dispersion, dispersant effectiveness, toxicity, and biodegradation. Emphasis in the report was placed on aspects that relate to Alaska, and Prince William Sound specifically. The report did not cover all aspects of dispersant knowledge but rather focused on newly published developments.

Dr. Fingas' key findings included:

- Toxicity and effects – Most studies found that chemically-dispersed oil was more toxic to aquatic life than mechanically-dispersed oil.
- Dispersants increase polycyclic aromatic hydrocarbons (PAHs) and benzene, toluene, ethylbenzene, and xylene (BTEX) in the water column.
- Biodegradation and fate – Most studies found that dispersants slow the biodegradation of oil.
- Effectiveness – there is still a question of ‘is a dispersant application effective if there is still massive shoreline oiling and massive bird and mammal oil contamination?’
- Marine Snow – results in large amounts of oil on the sea floor, accelerated by use of dispersants.
- Oil-Sediment Aggregates – also results in amounts of oil on the sea floor, accelerated by use of dispersants.

Mako Haggerty **moved to accept** the report titled “A Summary of Dispersants Research: 2017-2021” by Dr. Merv Fingas, dated May 2021, as meeting the terms and conditions of Contract 955.21.01 and for distribution to the public. Dorothy Moore **seconded** and the **motion passed** without objection.

*Break: 10:28 a.m. - 10:38 a.m.*

#### **4-6 REPORT ACCEPTANCE: PORT VALDEZ WEATHER BUOY DATA ANALYSIS**

Project Manager Roy Robertson introduced Rob Campbell, Ph.D., who presented his analysis and report on weather buoy data collected from 2019 to the end of 2020 from the weather buoys installed by PWSRCAC in Prince William Sound.



This report was the first of possibly five project reports that will analyze the weather data collected each year of the five years the weather buoys, installed by PWSRCAC, are intended to collect data to determine any weather trends throughout the year and seasonally. Both buoys are in Port Valdez: one in the vicinity of the VMT and the other near the Valdez Duck Flats.

The analysis included ocean current, wind direction and speed information, wave direction and heights, and other pertinent information that could be obtained from the weather data.

A briefing sheet and a copy of the Dr. Campbell's report were included in the meeting notebook under Item 4-6.

Robertson pointed out that the buoy real time data of currents and wind would be very important in a spill response in Port Valdez. As trends are identified over the next five years, they will also be valuable for contingency planning and will identify more data points for future circulation studies.

Amanda Bauer **moved to accept** the report titled "Port Valdez Weather Buoy Data Analysis" by Robert W. Campbell, Ph.D., dated August 2, 2021, as meeting the terms and conditions of Contract 6536.21.01, and for distribution to the public. Elijah Jackson **seconded** and the **motion passed** without objection.

#### **4-7 REPORT ACCEPTANCE: HISTORY OF CONTINGENCY PLANNING**

This agenda item sought Board acceptance of three documents on the history of the Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan (PWS Tanker C-Plan) by Nuka Research and Planning Group, LLC:

- Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Summary (1995-2020), DRAFT (August 10, 2021);
- Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Compendium of Event Summaries (1995-2020), DRAFT (August 10, 2021); and
- Prince William Sound Tanker Plan History Timetable.

Project Manager Linda Swiss gave a brief background on the importance of this project in documenting the history of contingency planning. The Council's involvement in contingency planning review is important to its mission and mandate under OPA 90. The three subject reports provide a summary, a timeline of key plan changes and related efforts, a compendium of summaries of plan renewals and key amendments, and tables listing the findings and conditions of approval issued by ADEC.

Swiss introduced Sierra Fletcher of Nuka Research and Planning Group, LLC. and the other contractors who worked on the project (Sharry Miller, Breck Tostevin of Nielsen Koch PLLC, and Haley Griffin.)

Sierra Fletcher presented the team's approach in identifying key contingency planning issues for Prince William Sound tankers, as well as the organization of the information compiled for these reports.

At the conclusion of Fletcher's presentation, Amanda Bauer gave special recognition to Project Manager Linda Swiss for all her work on c-plans over many years.

*[Patrick Domitrovich left the meeting at 11:13 am. – 17 Directors present.]*

Amanda Bauer **moved to accept** the following documents written by Nuka Research and Planning Group:

- Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Summary (1995-2020), DRAFT (August 10, 2021).
- Prince William Sound Tanker Oil Discharge Prevention & Contingency Plan: Compendium of Event Summaries (1995-2020), DRAFT (August 10, 2021); and
- Prince William Sound Tanker Plan History Timetable.

Angela Totemoff **seconded** and the **motion passed** without objection.

#### **4-9 PROPOSED AMENDMENT TO PWSRCAC BYLAWS**

Director of Administration Walt Wrede introduced a proposed amendment to Section 2.2.2 of the Council's Bylaws entitled "Class II Membership." A briefing sheet with the proposed amendment was included in the meeting notebook under Item 4-9. The Bylaws currently listed the Alaska Division of Homeland Security and Emergency Management (DHSEM) and the Alaska Department of Military and Veterans Affairs (DMVA) as two separate and distinct Class II members. The DHSEM currently resides within the larger DMVA. According to the Oil Pollution Act of 1990, these entities should be combined as one Class II member and have one non-voting representative for the combined entity on the Council. The proposed amendment would make the necessary correction.

Amanda Bauer **moved to adopt** an amendment to Section 2.2.2 of the Bylaws entitled "Class II Membership" by combining the Division of Homeland Security and Emergency Management and the Alaska Department of Military and Veterans Affairs into one Class II member and designating the new member name as the "Division of Homeland Security and Emergency Management, Alaska Department of Military and Veterans Affairs."  
Patience Andersen Faulkner **seconded**.

Noting that a 2/3<sup>rd</sup> majority vote would be required to pass the proposed amendment, a roll call vote was taken:

Robert Archibald	Yes
Amanda Bauer	Yes
Robert Beedle	Yes
Nick Crump	No response
Ben Cutrell	Yes
Patrick Domitrovich	No response
Wayne Donaldson	Yes
Patience Andersen Faulkner	Yes
Mako Haggerty	Yes
Luke Hasenbank	Yes
Elijah Jackson	Yes
Melvin Malchoff	No response
Dorothy Moore	Yes
Bob Shavelson	No response
Rebecca Skinner	Yes
Angela Totemoff	Yes
Michael Vigil	Yes
Kirk Zinck	Yes

The **motion passed** (14 Directors voting in the affirmative. Directors Crump, Domitrovich, Malchoff and Shavelson did not respond). **The amendment to Section 2.2.2 of the PWSRCAC Bylaws was duly adopted by a 2/3<sup>rd</sup> vote.**

### **PRESIDENT'S REPORT TO THE BOARD**

President Archibald recognized that people generally were tired and stressed with the pressures of the pandemic but he emphasized that PWSRCAC needed to stay engaged, efficient and focused as the voice for the people of the State of Alaska when it came to maintaining the safe transportation of oil through Prince William Sound and the safety of Valdez Marine Terminal.

Noting the escalating number of COVID-19 infections and hospitalizations in Alaska to record highs, he urged everyone to take care of themselves and avoid risky behaviors that may require hospitalization because all the hospitals were overwhelmed.

Archibald spoke of the dedicated service to the organization of retiring staff members Gregory Dixon and Walt Wrede and that filling their positions would not be easy. He recognized Dixon's extraordinary job performance in taking care of the Council's financial affairs for over 20 years and Wrede's dedicated fulfillment of his duties as Director of Administration. He also commended Project Manager Linda Swiss for all her work over many years on c-plans reviews. He thanked Sierra Fletcher and the Nuka Research and

Planning team for their work on the history of c-plans and said he would like to see a poster produced of the c-plan history so the organization had a visual reference.

*Lunch Recess: 11:52 a.m. - 1:00 p.m.*

### **For the Good of the Order**

Archibald welcomed Gene Therriault as the Council's new state legislative monitor and thanked Kate Troll for her services in that role during the previous year.

### **4-8 PWSRCAC LONG RANGE PLANNING**

*[Recorder's Note: The attachments to the briefing sheet for this agenda item were incorrectly marked as attachments 4-9A and 4-9B instead of 4-8A and 4-8B]*

Director of Programs Joe Lally thanked all who contributed to the Long Range Planning (LRP) process. He explained the purpose of the protected projects under the LRP and outlined those protected projects in this LRP cycle. A briefing sheet (4-8) and information on the protected projects (Attachment 4-8A *[corrected]*), and Long Range Planning Guidance Memo & Supporting Documents (Attachment 4-8B *[corrected]*) were included in the meeting notebook.

Lally gave a brief overview of each line item on the protected project list.

Patience Andersen Faulkner **moved to approve** the protected project list for the upcoming Long Range Planning process as presented in Attachment A to Item 4-8 briefing sheet. Michael Vigil **seconded** and the **motion passed** without objection.

### **4-10 APPROVAL OF FY2022 BUDGET MODIFICATIONS**

This agenda item sought Board approval of FY2022 budget modifications as presented in the list attached to the 4-10 briefing sheet in the meeting notebook. Financial Manager Gregory

Dixon reviewed each budget modification item with the Board.

The budget modifications, if passed, would adjust the FY2022 budget by the following:

Income:	\$3,759,044
Expenses:	\$4,220,073
Contingency:	\$292,867
Capital budget:	\$20,000
Net Assets Used:	\$793,896

Amanda Bauer **moved to approve** the FY2022 budget modifications as listed on the provided sheet under Item 4-10, with a total revised contingency in the amount of \$292,867. Mako Haggerty **seconded** and the **motion passed** without objection.

Dixon reminded the Board that they may want to revisit the projects that were previously deferred to see what might be put back in the budget.

#### **4-11 COUNCIL JANUARY 2022 EVENTS**

Executive Director Schantz reported that the latest surge in COVID-19 cases and hospitalizations and the State of Alaska's reporting of a critical care alert level in area hospitals was very concerning to everyone. Staff was asking for guidance on how to proceed with the January 2022 events, including the January 26, 2022, Long Range Planning workshop and the January 27-28, 2022, Board meeting. A detailed briefing sheet was included in the meeting notebook (Item 4-11) which outlined the concerns and difficulties that the current surge presented for staff to hold in-person events in January based on the current situation. At its meeting on September 9, 2021, the Executive Committee had recommended, in response to the changing conditions and the alert level declared by the State of Alaska, that the Board hold the January 2022 events virtually. Schantz acknowledged that it seemed early to make a decision for January but the pandemic had been challenging to know what may be happening in the next four months. The briefing sheet laid out the progressive monetary penalties that PWSRCAC would incur for cancelling the contract with Embassy Suites and the additional cancellation costs that were to come if the decision to cancel the contract was postponed past October 27, 2021, or later. Schantz pointed out that the Council had already incurred just over \$5,000 in penalties even if the contract were cancelled by October 27. If the contract were to be cancelled after October 28, the penalties would jump to almost \$11,000. Schantz stated that she had some major reservations about bringing a large group of people together to meet in Anchorage in the current surge situation with the difficulties of being able to ensure social distancing and other COVID safety protocols for such a large group.

A general discussion followed on the pros and cons of making the decision at that time or delaying until closer to October 27, in the hopes that the situation may have improved in a month.

On a side note, Financial Manager Dixon stated he would try to negotiate a waiver of the first penalty (\$5,060+) with Embassy Suites given the dire circumstances of the COVID numbers and the Council's long-term relationship with Embassy Suites for its Anchorage meetings.

Angela Totemoff **moved to authorize** a deviation from the Board-approved regular meeting schedule by holding the January 26-28, 2022, PWSRCAC events virtually. Elijah Jackson **seconded** and the **motion passed** without objection.

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

Executive Director Schantz thanked the Board for the vote on the January meeting, stating that the situation was a difficult one for staff.

A written Executive Director's Report was previously circulated to the Board via email in advance of the meeting. Schantz highlighted some of that report and updated other items.

She reported that COVID-19 had significantly impacted the organization in many ways. She reported that the organization had taken a conservative approach to creating a safe place for staff to work and to protecting volunteers. She pointed out that there was a detailed COVID mitigation plan for both offices and the plan had been updated several times due to changing conditions. There had been many other impacts besides working safely in the offices, such as the reduction in outreach opportunities and access to drills and exercises and the VMT, limited travel to conferences and training events, and the lack of in-person committee and Board meetings, meetings with regulators and Alyeska. Zoom meetings, while helpful and better than meetings solely by telephone, were not and are not the same as meeting in person. She remained optimistic that in-person meetings would happen later next year but it was hard to predict. She urged everyone to be patient, flexible, and to keep moving forward and to deal with the uncertainty of the situation with the best information that was available at any given time.

She also asked volunteers to be patient with staff as they go through the time-consuming hiring process for four positions currently underway, two of which were top level management leadership roles within the organization.

She asked all the volunteers to let her know what they felt was going well in the organization, what could be improved, and whether there were things that staff could be doing to help volunteers stay engaged and connected, or things that should be discontinued. This feedback would help staff better support all the Board and committee members in their respective roles.

Schantz highlighted the pending retirements of Financial Manager Gregory Dixon and Director of Administration Walt Wrede at the end of the year and that this meeting may be the last Board meeting for either of them (although both had committed to staying on to settle their replacements into their respective roles, if necessary). She thanked both for all their contributions to the organization and noted that they would be greatly missed.

On the administrative support positions currently being advertised, Schantz reported that Natalie Novik planned to continue her employment with the organization despite some incredibly difficult health challenges she was facing. She asked everyone to keep Natalie in their thoughts as she undergoes some intense cancer treatments.

Schantz recognized all the efforts of staff. Despite the challenges of the past year and a half, the quality of work, attention to detail, and staff's knowledge of the different areas they are responsible for was impressive and she was confident that the great team could be rebuilt with the new hires.

She pointed out that the PWSRCAC was facing other deeply concerning challenges to its mission:

- The diminishment of ADEC's SPAR Division and ADEC's current revenue crisis, which manifests in terms of ADEC's ability to maintain strong environmental protections.
- Staffing and budget cutbacks at other federal and state regulatory agencies, such as BLM and the Joint Pipeline Office.
- Cutbacks in budgets and personnel within Alyeska.

Schantz emphasized that these cutbacks threaten many of the protections put in place after the Exxon Valdez oil spill (EVOS) to protect Prince William Sound. She emphasized that PWSRCAC's role is to combat the kind of complacency that led to the EVOS and to remain vigilant in that role. She committed to doing everything possible, working with staff and all the volunteers, regulators, and industry to make sure that the safeguards put in place to prevent an accident were not diminished to the point they fail.

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

Financial Manager Dixon reported that a lot of his time in the past few weeks had been spent on the financial audit and gathering and producing the documents requested by the auditor. He noted that the Letter of Representations that he and the Executive Director needed to sign remained to be completed as well as some bank confirmations that were forthcoming. Once those items were completed, BDO would formally issue the audit and that should happen in a matter of days. In addition, the agreed-upon procedures report was expected from BDO in a few days. That report will be used to prepare an annual report to Alyeska on contract compliance which Dixon and Executive Director Schantz will sign and forward to Alyeska.

Dixon reported that he would be focusing on the organization's IRS Form 990 going forward. Later in October, insurance renewals would be due and after that group health insurance. He also would be working on the FY2022 budget.

In preparation for the transition of his duties to his replacement, he had updated the job description for the Financial Manager and bookkeeper positions. The technology duties he took on over the years were being transitioned to Project Manager Assistant Hans Odegard. He reported that Arctic IT would no longer support the accounting system that PWSRCAC uses. He was currently looking for new accounting software and it would be useful to have a new program start at the beginning of 2022.

He noted that this meeting was probably his last Board meeting before his retirement after 20 years with the organization. He appreciated working with a great staff. He gave kudos to the Council for the amount of time that its volunteers were willing to put in and the

credibility that the organization had gained over the years by making its decisions based on science and well-reasoned conclusions and in the finding of common ground, rather than always in an adversarial atmosphere.

**For the Good of the Order**

Walt Wrede thanked everyone for their kind words. Like Dixon, he committed to a smooth transition to his replacement and said he would stay on if necessary to make that a reality.

**CONSIDERATION OF CONSENT AGENDA ITEMS**

(None.)

**CLOSING COMMENTS**

Directors were given the opportunity to make closing comments.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 2:45 p.m., on a motion made by Angela Totemoff [no audible second] and passed by unanimous consent.

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Secretary