

Consent Item Briefing for PWSRCAC Board of Directors – May 2022

ACTION ITEM

Sponsor: Austin Love and the Scientific Advisory Committee

Project number and name or topic: 9510 – Long-Term Environmental Monitoring

1. **Description of agenda item:** This agenda item requests Board approval of Long-Term Environmental Monitoring Program (LTEMP) contracts for its summer 2022 field sampling and laboratory work. Contracts for the Board's consideration include:

- Authorize individual contracts with NewFields Environmental Forensics Practice and Oregon State University, with the aggregate total not to exceed the amount approved in the final FY2023 LTEMP budget (Project #9510) for contract expenses, and delegate authority to the Executive Director to enter into individual contracts with the aforementioned consultants.

Both NewFields and Oregon State University provide the Council with analytical chemistry laboratory services. NewFields analyzes the Council's mussel and marine sediment samples, while Oregon State University analyzes passive sampling devices for oil contamination.

Due to supply prerequisites and sampling timing, some of the work under these contracts needs to/has begun in May 2022, prior to the start of FY2023. That early work may require a modification of the FY2022 budget.

Other LTEMP costs, not described in this briefing, include vessel charters for field work, shipping costs for samples, and other minor equipment and supplies costs.

2. **Why is this item important to PWSRCAC:** The Oil Pollution Act of 1990 directs PWSRCAC to "devise and manage a comprehensive program of monitoring the environmental impacts of the operations of terminal facilities and crude oil tankers while operating in Prince William Sound" – LTEMP is designed to address this directive. LTEMP results are used to assess the environmental impacts of the Valdez Marine Terminal and the crude oil tankers operating in Prince William Sound, including the long-term impacts of the Exxon Valdez oil spill.

3. **Previous actions taken by the Board on this item:** The Long-Term Environmental Monitoring Program has been conducted by PWSRCAC since 1993 and many actions have been taken by the Board on this item since that time. In the interest of providing currently pertinent information regarding actions items taken by the Board on this item, only the last five years of actions are presented below. However, all historic actions pertaining to this

Approval of FY 2023 LTEMP Contract Authorization 3-3

agenda item are available for review upon request (please contact Austin Love for that information).

<u>Meeting</u>	<u>Date</u>	<u>Action</u>
Board	1/18/2018	The Board accepted the report titled "Long-Term Environmental Monitoring Program - Final Report: 2016 Sampling Results and Interpretations" (prepared by James R. Payne Ph.D. and William B. Driskell) as meeting the terms and conditions of the contract and for posting on the PWSRCAC website.
Board	5/3/2018	The Board approved: contract with Payne Environmental (PECI) for sampling and analytical reporting work on mussels and sediments to be performed under FY19 LTEMP not to exceed \$139,086; contract with NewFields Companies, LLC for analytical laboratory work and sample storage under LTEMP FY19 not to exceed \$61,402; contract with Oregon State University (OSU) for passive sample device purchase and analytical lab work on passive sampling devices under LTEMP for FY19 not to exceed \$27,310; and authorized this contract work to commence prior to the start of FY19 to accommodate tidal considerations in an estimated amount of \$20,000.
Board	5/3/2018	The Board accepted the report titled "September 2017 Berth 5 Oil Spill - Sampling Results and Interpretations" by James R. Payne, Ph.D., and William Driskell for distribution & posting on PWSRCAC's website.
Board	5/2/2019	The Board authorized contract negotiations with Payne Environmental Consultants for sampling and analytical report work on mussels and sediments to be performed under LTEMP for FY20, at an amount not to exceed \$65,866; and authorized contract negotiations with NewFields Environmental Forensics Practice for analytical laboratory work and sample storage to be performed under LTEMP for FY20 at an amount not to exceed \$28,506. Authorized contract negotiations with Oregon State University for passive sample device purchase and analytical laboratory work on passive sampling devices to be performed under LTEMP for FY20, at an amount not to exceed \$20,590; and authorized contract work to commence prior to the start of FY20, as approximately \$20,000 of these funds will need to be expended in May and June 2019 because of the supply prerequisites and sampling timing.
Board	9/19/2019	The Board accepted the report titled "Long Term Environmental Monitoring Program: 2018 Sampling Results and Interpretations" by Dr. James R. Payne and William B. Driskell, dated July 2019 as meeting the terms of the contract and for distribution to the public.
Board	5/7/2020	The Board accepted the report titled "Long-Term Environmental Program: 2019 Sampling Results and Interpretations," by Dr. James Payne and William B. Driskell, dated March 2020, as meeting the terms and conditions of contract number 951.20.04, and for distribution to the public.
Board	5/21/2020	Approval of FY2021 Contracts for Project 9510 LTEMP - The Board approved the following: Authorizing a contract negotiation with Payne Environmental Consultants Inc., for work to be performed under LTEMP, at an amount not to exceed \$115,064. Authorizing a contract negotiation with NewFields Environmental Forensics Practice, for work to be performed under LTEMP, at an amount not to exceed \$95,807. Authorizing a contract negotiation with the United States Geological Survey, for work to be performed under LTEMP, at an amount not to exceed \$65,371. Authorizing a contract negotiation with Oregon State University, for work to be performed under LTEMP, at an amount not to exceed \$22,030. Authorizing a contract work to commence prior to the start of FY2021, as approximately \$33,000 of these funds will need to be expended in May and June 2020.
Board	5/6/2021	LTEMP 2020 Sampling Results & Interpretations Report Approval: The Board accepted the reports titled "Long Term Environmental Monitoring Program: 2020

Approval of FY 2023 LTEMP Contract Authorization 3-3

Sampling Results & Interpretations,” by Dr. James R. Payne and William Driskell, dated March 2021 as meeting the terms and conditions of contract 951.21.04, and for distribution to the public.

Board	5/21/2021	Approval of FY2022 LTEMP Contractors: The Board Authorized individual contracts with NewFields Environmental Forensics Practice, Oregon State University, and the United States Geological Survey (USGS) with the aggregate total not to exceed the amount approved in the final FY2022 LTEMP budget (project #9510) for contract expenses, and delegated authority to the Executive Director to enter into individual contracts with the aforementioned consultants; and authorized that the contract work to commence prior to the start of FY2022 as approximately \$30,000 of these funds will need to be expended in May and June 2021.
Board	1/27/2022	LTEMP FY2022 Contract Approval: The Board authorized a budget modification, adding \$53,880 to Project 9510-Long-Term Environmental Monitoring Program; and authorized a contract negotiation with Owl Ridge Natural Resource Consultants, to complete the LTEMP scope of work in RFP 951.21.06, and with Payne Environmental Consultants, to support Owl Ridge’s work, at a total aggregate cost not to exceed \$77,000.

4. **Summary of policy, issues, support or opposition:** None.
5. **Committee Recommendation:** None.
6. **Relationship to LRP and Budget:** Project 9510 - LTEMP is included in the draft FY2023 budget and in the current 5-Year Long Range Plan. LTEMP is considered a “protected” project in the budget and Long Range Plan, meaning it is an essential task the Council must perform and is not subject to committee, staff, nor Board ranking.
7. **Action Requested of the Board of Directors:** The Board is asked to approve the following action items:
 - A. Authorize individual contracts with NewFields Environmental Forensics Practice and Oregon State University, with the aggregate total not to exceed the amount approved in the final FY2023 LTEMP budget (Project #9510) for contract expenses, and delegate authority to the Executive Director to enter into individual contracts with the aforementioned consultants.
 - B. Authorize contract work to commence prior to the start of FY2023, as approximately \$10,000 of these funds will need to be expended in May and June 2022.
8. **Alternatives:** None recommended.
9. **Attachments:** None.