

Briefing for PWSRCAC Board of Directors – May 2022

INFORMATION ITEM

Sponsor: Austin Love and the Scientific Advisory Committee

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

1. **Description of agenda item:** Dr. Morgan Bender from Owl Ridge Natural Resources Consultants, Inc. (Owl Ridge) will provide a presentation summarizing the results of the 2021 Long-Term Environmental Monitoring Program (LTEMP) sampling conducted in Port Valdez. In 2021, mussel, marine sediment, and passive sampling device samples were gathered then analyzed as part of the Council's annual environmental monitoring work. Those samples are collected and analyzed in order to monitor oil contamination associated with the operation of the Valdez Marine Terminal and associated tankers.

Typically, when the annual LTEMP results are presented, a written summary report is also available for the Board to read and take action to accept as final and for public distribution. Dr. Bender has completed a draft written summary report. However, based on when the Council was able to establish a contract with Owl Ridge, that draft report could not be finished prior to the May- Board meeting. Additionally, Dr. Bender's upcoming schedule would not allow her to present results later in the year, when the report will be ready for Board review and acceptance. Therefore, Dr. Bender is presenting the results now, and the written report will be provided to the Board in the near future, likely at the next meeting of the Executive Committee.

2. **Why is this item important to PWSRCAC:** The Long-Term Environmental Monitoring Program helps PWSRCAC fulfill duties detailed in the Oil Pollution Act of 1990. The Act instructs the PWSRCAC to "devise and manage a comprehensive program of monitoring the environmental impacts of the operations of terminal facilities and of crude oil tankers while operating in Prince William Sound." The work done under the Council's Long-Term Environmental Monitoring Program has been designed by the Scientific Advisory Committee to achieve that Act mandate.

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 agenda item are available for review upon request. Please contact Austin Love for additional information.

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<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 Sampling Results & Interpretations,” by Dr. James R. Payne and

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Board	5/21/2021	William Driskell, dated March 2021 as meeting the terms and conditions of contract 951.21.04, and for distribution to the public. 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:** For the past 20 years the LTEMP information has been analyzed and interpreted by Dr. Jim Payne and Bill Driskell from Payne Environmental Consultants, Inc. (PECI). However, in 2021 that scope of work was subject to the Council's competitive bid, request for proposals (RFP) process. The RFP process is the Council's preferred way to identify appropriate contractors. Since 2010, the LTEMP scope of work has been subject to the RFP process about every five years, in order to correspond with LTEMP sampling cycle (i.e., every five years all LTEMP sampling sites are visited at least once) and to ensure competitive pricing for the work. In late 2021, both PECI and Owl Ridge responded to the Council's RFP. A project team made up of Council staff and Scientific Advisory Committee members evaluated the proposals from PECI and Owl Ridge in January 2022. That project team, and later the Scientific Advisory Committee, recommended that the Board approve contract negotiation with Owl Ridge to complete the 2021 LTEMP scope of work, with support from PECI to ensure the continuity of the program. The Board acted on that Scientific Advisory Committee recommendation during the January 2022 Board meeting. That January 2022 Board action led to Dr. Bender and Owl Ridge taking over the LTEMP responsibilities previously handled by PECI, but Dr. Payne and Bill Driskell were tasked with advising Dr. Bender on completing those responsibilities to ensure program continuity. The collaboration between Owl Ridge and PECI has resulted in the presentation being given by Dr. Bender for this agenda item.

5. **Committee Recommendation:** None at this time. However, in the near future, it is anticipated the Scientific Advisory Committee will recommend that the Board accept the written LTEMP summary report by Dr. Bender and Owl Ridge as final and for public distribution.

6. **Relationship to LRP and Budget:** Project 9510 – Long Term Environmental Monitoring Program is in the approved FY2022 budget and annual workplan.

9510--Long Term Environmental Monitoring
(LTEMP)

As of March 23, 2022

951.104.220505.4-6LTEMPRPT

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FY-2022 Budget

Original	\$154,980.00
Modifications	<u>\$53,880.00</u>
Revised Budget	<u><u>\$208,860.00</u></u>

Actual and Commitments

Actual Year-to-Date	\$84,430.90
Commitments (Professional Services)	<u>\$5,404.00</u>
Actual + Commitments	<u><u>\$89,834.90</u></u>

Amount Remaining	<u><u>\$119,025.10</u></u>
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7. **Action Requested of the Board of Directors:** None at this time. However, it is planned that the written summary report by Dr. Bender would be provided for acceptance by the Executive Committee at their next scheduled meeting.
8. **Alternatives:** Not applicable.
9. **Attachments:** None.